



## The Technology Landscape for Applicants and Employees who are Blind or Experiencing Vision Loss

Session Begins 1:00 pm CT/ 2pm ET  
Periodic Audio Testing Occurring

Real-Time Captioning and the PowerPoint Presentation are available through the Webinar Platform. Options to connect via phone were available in the reminder email.

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## Presenters

### Katie Frederick

Program Administrator  
Bureau of Services for the Visually  
Impaired Opportunities for Ohioans with Disabilities

### Peter Berg

Project Coordinator of Technical Assistance, Great Lakes ADA Center

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## Agenda

- Statistics about Blindness
- The ADA and Applicants/Employees
- Accommodations: Assistive Technology and Adaptive Techniques
- Questions

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### Statistics about Blindness

- 6.9 million 2017 National Health Interview Survey (NHIS)
- April of 2017
  - People with vision loss ages 16-64
  - 39 percent labor force participation rate
  - 10 percent unemployment rate
  - General working-age population
  - 73 percent Labor force participation rate
  - 4% unemployment rate

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### The ADA and Employees/Applicants

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### Purpose of the ADA

- Eliminate discrimination based on disability
- Expand integration of people with disabilities into the community

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### Who is Covered?

- Individuals with physical or mental impairments that substantially limit one or more major life activities
- Individuals who have a record of such an impairment
- Individuals who are regarded as having such an impairment

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### Blindness as a Disability

- Persons that are blind should easily be found to have a disability within the first prong of the definition
- i.e. Substantially limited in major life activity of seeing
- Persons experiencing vision loss or have a visual impairment meet definition if...
- substantially limited in seeing or another major life activity (e.g., the major bodily function of special sense organs)

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### Mitigating measures

- Determination of disability must ignore the positive effects of any mitigating measures, i.e.
- Use of low vision devices
- Use of learned behavioral modifications

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### Who is an Employer ?

- Anyone who employs 15 or more employees full or part time
- Unions or collective bargaining entities
- Government entities (state and local) who employ one or more individuals
- Temporary Employment agencies

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### What is Covered?

- Recruitment
- Application Process
- Interview
- Examinations for employment (medical/agility/personality, etc.)
- Pay
- Training
- Benefits of Employment
- Promotion
- Layoff/firing

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### “Qualified”

- Able to perform the essential functions with or without reasonable accommodation
  
- Meets the requisite skill and qualification standards

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### Qualification Standards

- Must be job related and consistent with business necessity
- May not discriminate on the basis of disability
- Limiting, segregating and classifying on the basis of disability is unlawful

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### Pre-Employment

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### Disability and Medical Related Questions

Employers may not ask disability related or medical questions on application/during interview such as:

- Whether she has ever had any medical procedures related to her vision (for example, whether the applicant ever had eye surgery)
- Whether she uses any prescription medications, including medications for conditions related to the eye; or
- Whether she has any condition that may have caused a vision impairment (for example, whether the applicant has diabetes)
- Employers may not ask about the need for an accommodation on application/during interview

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**Pre-Employment Questions Regarding Reasonable Accommodation**

- When employer observes something during the interview which they reasonably believe will require accommodation
- When interviewee discloses need for an accommodation during the interview process
- When interviewee discloses a disability that the employer believes will require accommodation during the interview process

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**Accommodations: Assistive Technology and Adaptive Techniques**

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**Accommodations for the Application Process**

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### Accommodation Examples

- an accessible job application/website
- Qualified Reader
- written materials in an accessible format, such as in large print, Braille, in a recorded format, or on a computer disk
- Screen Reading Software
- modification of an employment test

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### Post-Employment

- Inquiry necessary to determine whether or not someone meets the definition of disability for “accommodation” purposes

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### continues...

- Responsibility for requesting an accommodation rests with the employee or applicant
- Employers are not required to “second guess” someone’s need for an accommodation.

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### Reasonable Accommodation

Modification or adjustment to a job, the work environment, or the way things usually are done.

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### Continues...

- An employer is not required to provide an accommodation that is primarily for personal use.
- ADA requirements do not prevent an employer from providing accommodation beyond what is required by the ADA.

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### Forms of Reasonable Accommodation

- Making existing facilities accessible
- Job restructuring
- Part-time or modified work schedules
- Acquiring or modifying equipment
- Changing tests, training materials, or policies
- Providing qualified readers or interpreters
- Reassignment to a vacant position

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### Accommodation Examples

- assistive technology, including:
- a closed circuit television system (CCTV) for reading printed materials
- an external computer screen magnifier
- a Braille embosser
- digital recorders
- Screen Reading Software and Training
- an optical scanner that can create documents in electronic form from printed ones
- a refreshable Braille display
- Computer Phone Software
- Aps

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### Stand Magnifier and Braille Embosser



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### Computer Screen Magnifier and Duxbury Braille Translation Software



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### Hand Held Magnifier and Magnifier with OCR



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### Refreshable Braille Display



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### Accommodation Examples Continued

- Qualified Reader
- written materials in an accessible format, such as in large print, Braille, in a recorded format, or on a computer disk
- modification of employer policies to allow use of a guide dog in the workplace
- modification of an employment test
- a driver or payment for the cost of transportation to enable performance of essential functions
- an accessible website
- Headsets - Computer (USB, VOIP etc.)
- permission to work at home
- modified training or training in the use of assistive technology
- Braille Labelers

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### Reasonable Accommodation Does Not Include

- Elimination of an essential function
- Lowering production standards
- Provision of personal use items
- Provision of "light duty" position

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### Undue Hardship

- Financial Hardship
- use of tax benefits
- Size of Company (including other offices/branches)
  
- Administrative Hardship
- Alters the nature of the job or activity

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### Resources

- ADA National Network
- (800) 949-4232
- [www.adata.org](http://www.adata.org)
  
- Blindness Related Resources
- (posted with session handouts)

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## Questions?

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## Contact Information

- Katie Frederick
- Opportunities for Ohioans with Disabilities
- [Kathryn.Frederick@ood.ohio.gov](mailto:Kathryn.Frederick@ood.ohio.gov)
- Peter Berg
- Great Lakes ADA Center
- [pberg@uic.edu](mailto:pberg@uic.edu)

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Next Session  
 The ADA, Addiction, Recovery and Employment Workshop

June 16, 2020, 2-3:30 ET.

Register online at <http://www.ada-audio.org>  
 or Call (877) 232-1990

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