



# Accommodation and Compliance Series

## Employees Who Are Aging

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A service of the U.S. Department of Labor's Office of Disability Employment Policy

## Preface

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# JAN'S ACCOMMODATION AND COMPLIANCE SERIES

## Introduction

JAN's Accommodation and Compliance Series is designed to help employers determine effective accommodations and comply with Title I of the Americans with Disabilities Act (ADA). Each publication in the series addresses a specific medical condition and provides information about the condition, ADA information, accommodation ideas, and resources for additional information.

The Accommodation and Compliance Series is a starting point in the accommodation process and may not address every situation. Accommodations should be made on a case by case basis, considering each employee's individual limitations and accommodation needs. Employers are encouraged to contact JAN to discuss specific situations in more detail.

For information on assistive technology and other accommodation ideas, visit JAN's Searchable Online Accommodation Resource (SOAR) at <http://www.jan.wvu.edu/soar>.

## Information about Aging Workers

### Who is an older worker?

Today, more than 35 million Americans are over age 65, and that number is expected to double over the next 30 years as baby boomers age (U.S. Administration on Aging, 2005). Whether for monetary or social reasons, many individuals continue working after age 65. There are several federal employment laws that could protect these older workers from discrimination. These include the Civil Rights Act of 1964, the Older Americans Act of 1965 (OAA), the Age Discrimination in Employment Act (ADEA) of 1967, and the Americans with Disabilities Act of 1990 (ADA), which requires employers to provide accommodations for older workers with disabilities.

### What are the benefits of hiring older workers?

Though it may be a legal requirement that employers make accommodations for their aging workforce, it also makes good economic sense. Older workers are a vital segment of today's workforce. The Older Workers Survey (SHRM, 2003) reported several possible advantages to hiring older workers:

- Older workers are more willing to work different schedules,
- Older workers serve as mentors for workers with less experience,
- Older workers have invaluable experience,
- Older workers are more reliable,
- Older workers add diversity of thought/approach to team projects,
- Older workers are more loyal,
- Older workers take work more seriously,
- Older workers have established networks of contacts and clients,



- Older workers have higher retention rates,
- Older workers have more knowledge and skills,
- Older workers are readily available, and
- Older workers are more productive (SHRM, 2003).

### **Why are accommodations for older workers important?**

Whether for monetary or social reasons, many individuals continue working as they age. Because of this older workers remain a vital segment of today's workforce. Some individuals have retired from one form of work and chosen to switch careers or work part-time to earn extra money and maintain insurance benefits, keep active, learn new skills, or socialize. With the aging of the baby-boom generation, the average age for workers will increase, and the likelihood that more employees will be managing a disability increases.

### **What conditions may be associated with older workers?**

Arthritis, diabetes, osteoporosis, dementia, and hypertension are among the most prevalent conditions that increase with age (Abel, 2005). Age-related limitations can involve a wide range of conditions, including depression and anxiety, addiction, repetitive use, and other cognitive, sensory, and physical limitations.

### **What accommodations may older workers need?**

Older workers may need accommodations related to activities of daily living, the psychological aspects of aging, and job performance. Limitations may be from aging, returning to work after an injury, the occurrence of a primary disability, the exacerbation of a long-term impairment, and/or prevention of a secondary impairment. Many older workers, however, will continue to work at full production with no limitations and no need for accommodations.

## **Aging Workers and the Americans with Disabilities Act**

### **Is aging considered a disability under the ADA?**

The ADA does not contain a list of medical conditions that constitute disabilities. Instead, the ADA has a general definition of disability that each person must meet (EEOC, 1992). Therefore, some people will have a disability under the ADA and some will not.

A person has a disability if he/she has a physical or mental impairment that substantially limits one or more major life activities, a record of such an impairment, or is regarded as having such an impairment (EEOC, 1992). For more information about how to determine whether a person has a disability under the ADA, visit <http://www.jan.wvu.edu/corner/vol02iss04.htm>.

## **Accommodating Employees who are Aging**

(Note: People with limitations from aging may develop some of the limitations discussed below, but seldom develop all of them. Also, the degree of limitation will vary among individuals. Be aware that not all people who are aging will need accommodations to perform their jobs and many others may only need a few accommodations. The following is only a sample of the possibilities available. Numerous other accommodation solutions may exist.)

### **Questions to Consider:**

1. What limitations is the employee experiencing?
2. How do these limitations affect the employee and the employee's job performance?
3. What specific job tasks are problematic as a result of these limitations?
4. What accommodations are available to reduce or eliminate these problems? Are all possible resources being used to determine possible accommodations?
5. Has the employee been consulted regarding possible accommodations?
6. Once accommodations are in place, would it be useful to meet with the employee to evaluate the effectiveness of the accommodations and to determine whether additional accommodations are needed?
7. Do supervisory personnel and employees need training regarding aging issues?

### **Accommodation Ideas:**

#### Activities of Daily Living:

- Allow use of a personal attendant at work
- Allow use of a service animal at work
- Make sure the facility is accessible
- Move workstation closer to the restroom
- Allow longer breaks or more frequent, shorter breaks
- Refer to appropriate community services
- Provide access to a refrigerator

#### Fatigue/Weakness:

- Reduce or eliminate physical exertion and workplace stress
- Schedule periodic rest breaks away from the workstation
- Allow a flexible work schedule and flexible use of leave time
- Allow a self-paced workload



- Provide parking close to the work-site and an accessible entrance
- Install automatic door openers
- Provide an accessible route of travel to other work areas used by the employee
- Move workstation close to other work areas, office equipment, and break rooms

#### Gross Motor Impairment:

- Modify the work-site to make it accessible
- Provide parking close to the work-site
- Provide an accessible entrance
- Install automatic door openers
- Provide an accessible restroom and break room
- Provide an accessible route of travel to other work areas used by the employee
- Modify the workstation to make it accessible
- Adjust desk height if wheelchair or scooter is used
- Make sure materials and equipment are within reach range
- Move workstation close to other work areas, office equipment, and break rooms
- Provide lifting devices and carts

#### Hearing Limitations:

- Provide visual or tactile alerting device
- Implement a buddy system
- Provide an assistive listening device (ALD)
- Provide communication access real-time translation (CART)
- Provide computer-assisted note taking
- Address environmental factors, i.e., background noise, lighting, and positioning
- Provide an interpreter
- Use Web-based meeting software or video conferencing
- Provide standard note taking or other text information
- Allow tape recording of meetings
- Provide speech recognition software

#### Medical Treatment Allowances:

- Provide flexible schedules
- Provide flexible leave
- Allow a self-paced workload with flexible hours
- Allow employee to work from home
- Provide part-time work schedules

### Maintaining Concentration:

- Reduce distractions in the work area
- Provide space enclosures or a private office
- Allow for use of white noise or environmental sound machines
- Allow the employee to play soothing music using a cassette player and headset
- Increase natural lighting or provide full spectrum lighting
- Reduce clutter in the employee's work environment
- Plan for uninterrupted work time
- Divide large assignments into smaller tasks and steps
- Restructure job to include only essential functions

### Muscle Pain and Stiffness:

- Implement ergonomic workstation design, i.e., ergonomic chair and adjustable
- Use a workstation to alternate between sitting and standing
- Reduce repetitive tasks or interrupt the tasks with other duties
- Provide carts and lifting aids
- Modify work-site temperature and/or dress code
- Use fan/air-conditioner or heater at the workstation
- Allow work from home during extremely hot or cold weather

### Psychological Aspects of Aging (Depression and Anxiety):

- Develop strategies to deal with work problems before they arise
- Provide sensitivity training to coworkers
- Allow telephone calls during work hours to doctors and others for support
- Provide information on counseling and employee assistance programs
- Allow time off for medical treatment

### Respiratory Difficulties:

- Provide adjustable ventilation
- Keep work environment free from dust, smoke, odor, and fumes
- Implement a "fragrance-free" workplace policy and a "smoke-free" building policy
- Avoid temperature extremes
- Use fan/air-conditioner or heater at the workstation
- Redirect air-conditioning and heating vents

### Vision Limitations:

- Magnify written material using hand/stand/optical magnifiers
- Provide large print material or screen reading software
- Control glare by adding a glare screen to the computer



- Install proper office lighting
- Allow frequent rest breaks

### **Situations and Solutions:**

An individual with osteoarthritis and walking limitations had difficulty accessing the work-site. The employer contacted JAN asking for ways to improve access. JAN suggested an accessible parking space, office close to the entrance, and moving the individual closer to the common office equipment area.

A social worker with Type 2 diabetes was experiencing vision loss. The individual requested a reduced workload. The employer contacted JAN looking for alternatives to lowering productivity standards. JAN suggested stand magnification equipment for reading print materials and screen magnification software for reading from the computer screen.

A bus driver recently diagnosed with sleep apnea asked for a light duty position. The employer contacted JAN asking for other options. JAN suggested a flexible schedule, temporary reassignment to shorter bus runs, and time off for treatment.

A child care worker with cancer had difficulty walking through a campus environment. The employee requested the ability to stay in one building. The employer contacted JAN for options. JAN suggested a mobility aid that the individual used solely for job functions.

### **Products:**

There are numerous products that can be used to accommodate people with limitations. JAN's Searchable Online Accommodation Resource at <http://www.jan.wvu.edu/soar> is designed to let users explore various accommodation options. Many product vendor lists are accessible through this system; however, JAN provides these lists and many more that are not available on the Web site upon request. Contact JAN directly if you have specific accommodation situations, are looking for products, need vendor information, or are seeking a referral.

## Resources

### **Job Accommodation Network**

West Virginia University  
PO Box 6080  
Morgantown, WV 26506-6080  
Toll Free: (800)526-7234  
TTY: (877)781-9403  
Fax: (304)293-5407  
jan@jan.wvu.edu  
<http://www.jan.wvu.edu>

The Job Accommodation Network (JAN) is a free consulting service that provides information about job accommodations, the Americans with Disabilities Act (ADA), and the employability of people with disabilities.

### **Office of Disability Employment Policy**

200 Constitution Avenue, NW, Room S-1303  
Washington, DC 20210  
Direct: (202)693-7880  
TTY: (877)889-5627  
Fax: (202)693-7888  
infoODEP@dol.gov  
<http://www.dol.gov/odep/>

The Office of Disability Employment Policy (ODEP) is an agency within the U. S. Department of Labor. ODEP provides national leadership to increase employment opportunities for adults and youth with disabilities while striving to eliminate barriers to employment.

### **AARP**

601 E Street, NW, Suite A1-200  
Washington, DC 20049  
Toll Free: (888)OUR-AARP  
Direct: (202)434-7700  
Fax: (202)434-7710  
dcaarp@aarp.org  
<http://www.aarp.org>

AARP is a nonprofit, nonpartisan membership organization for people age 50 and over. AARP is dedicated to enhancing quality of life for all individuals as they age. AARP leads positive social change and delivers value to members through information, advocacy, and service.



**Alliance for Aging Research**

2021 K Street, NW  
Suite 305  
Washington,, DC 20006  
Direct: (202)293-2856  
Fax: (202)785-8574  
info@agingresearch.org  
<http://http://www.agingresearch.org/>

The Alliance for Aging Research believes that science can help people live longer, more productive lives. Greater access to the latest scientific information will empower people to take control of their own health, while educating them on the importance and need for further medical advances. From policy issues to consumer health programs, the Alliance works to generate knowledge and action on age-related issues.

**American Society on Aging**

833 Market Street  
Suite 511  
San Francisco,, CA 94103  
Toll Free: (800)537-9728  
Direct: (415)974-9600  
Fax: (415)974-0300  
info@asaging.org  
<http://http://www.asaging.org/>

Founded in 1954, the American Society on Aging is an association of diverse individuals bound by a common goal: to support the commitment and enhance the knowledge and skills of those who seek to improve the quality of life of older adults and their families. The membership of ASA is a multidisciplinary array of professionals who are concerned with the physical, emotional, social, economic, and spiritual aspects of aging.

**National Council on Aging**

1901 L Street NW  
4th Floor  
Washington, DC 20036  
Direct: (202)479-1200  
TTY: (202)479-6674  
Fax: (202)479-0735  
info@ncoa.org  
<http://www.ncoa.org>

The National Council on the Aging is a national network of organizations and individuals dedicated to improving the health and independence of older persons; increasing their continuing contributions to communities, society and future generations; and building caring communities.



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