

ADA Reasonable Accommodations

Frequently Asked Questions (FAQ's)



Q1

Who is covered under the Americans with Disabilities Act (ADA)?

The ADA applies to all employees, regardless of hours worked or length of employment. If you have a disability and are qualified to do a job, the ADA protects you from job discrimination on the basis of your disability. Under the ADA, you have a disability if you have a physical or mental impairment that substantially limits a major life activity. The ADA also protects you if you have a history of such a disability, or if an employer believes that you have such a disability. To be protected under the ADA, you must have, have a record of, or be regarded as having a substantial, as opposed to a minor, impairment. A substantial impairment is one that significantly limits or restricts a major life activity such as hearing, seeing, speaking, walking, breathing, performing manual tasks, caring for oneself, learning or working.

If you have a disability, you must also be qualified to perform the essential functions or duties of a job, with or without reasonable accommodation, in order to be protected from job discrimination by the ADA. This means two things. First, you must satisfy the employer's requirements for the job, such as education, employment experience, skills or licenses. Second, you must be able to perform the essential functions of the job. Essential functions are the fundamental job duties that you must be able to perform on your own or with the help of a reasonable accommodation.

Q2

What is considered a 'reasonable accommodation'?

In general, a reasonable accommodation is any change or adjustment to a job or work environment that permits a qualified employee with a disability to perform the essential functions of a job or to enjoy benefits and privileges of employment equal to those enjoyed by employees without disabilities. For example, reasonable accommodation may include:

- providing or modifying equipment or devices,
- job restructuring,
- · adjusting or modifying examinations, training materials, or policies,
- providing readers and interpreters, and
- making the workplace readily accessible to and usable by people with disabilities.

The following are not considered forms of reasonable accommodation and therefore not required under the ADA:

- removing or eliminating an essential function from a job
- lowering production or quality standards
- providing personal use items such as a prosthetic limb, a wheelchair, eyeglasses, hearing aids, or similar devices if they are also needed off the job
- leave of absence with an indefinite or unknown duration

No such change or modification is required if it would cause "undue hardship" to the Company. "Undue hardship" means significant difficulty or expense. Undue hardship refers not only to financial difficulty, but to reasonable accommodations that are unduly extensive, substantial, or disruptive, or those that would fundamentally alter the nature or operation of the business. Athletico will assess on a case-by-case basis whether a particular reasonable accommodation would cause undue hardship.

How can I request a reasonable accommodation?

Any employee who requires an accommodation in order to perform the essential functions of his or her job, enjoy an equal employment opportunity, and/or obtain equal job benefits should contact the Athletico Leave Department at Leaves@athletico.com. The Leave Department will communicate with the employee and engage in an interactive process to determine the nature of the issue and what, if any, reasonable accommodation(s) may be appropriate. In some cases, this interactive process may be triggered without a request from the employee, such as when the Company receives notice from its own observation or another source that a medical impairment may be impacting the employee's ability to perform his or her essential job functions. Athletico requests that employees submit accommodation requests in writing and include information about the barriers or limitations that prompted the accommodation request. Please send all requests to the Athletico Leave Department at Leaves@Athletico.com.

Q4

What supporting documentation will I need to provide?

Athletico will require that the employee provide medical documentation to establish that the employee has an ADA disability and needs the requested accommodation. Please contact the Athletico Leave Department at Leaves@Athletico.com to discuss what documentation may be required. Athletico will evaluate information obtained from the employee and appropriate health care provider regarding any reported or apparent barriers or limitations, and will then work with the employee and the employee's management team to identify possible accommodations, if any, that will help to eliminate or otherwise address the barrier(s) or limitation(s). Please note, if your request is related to the use of a support animal, you will be required to provide records of the animal's training, certifications, and immunizations. The 'Reasonable Accommodation Request Form' can be obtained via the Athletico BenePortal at www.AthleticoBenefits.com or upon request by contacting the Athletico Leave Department at Leaves@Athletico.com.

Q5

What is the 'Interactive Process'?

The interactive process involves good faith participation of the employee, their management team, the HR Business Partner (HRBP), and the Athletico Leave Department to discuss the employee's request for accommodation. If an identified accommodation is reasonable and will not impose an undue hardship on the Company and/or a direct threat to the health and/or safety of the individual or others, Athletico may agree to make the accommodation or it may propose another reasonable accommodation which may also be effective. Employees are required to cooperate with this process by providing all necessary documentation supporting the need for accommodation, and being willing to consider alternative accommodations when applicable. Athletico will also consider requests for reasonable accommodations for medical conditions related to pregnancy, childbirth and lactation where supported by medical documentation and/or as required by applicable federal, state or local law. Employees who wish to request unpaid time away from work because of a qualifying disability should speak to the Athletico Leave Department regarding a proposed accommodation.

Step One: Accommodation Request

• Contact the Athletico Leave Department at <u>Leaves@Athletico.com</u>. The Leaves Team will provide the employee with information on the accommodation process, including any necessary supporting documentation required.

Step Two: Information Gathering

• The Leaves Team will gather the necessary information from the employee and their healthcare provider to determine any restrictions, limitations, and recommended accommodations.

Step Three: Interactive Discussions

• The HRBP will coordinate with the employee and their management team to discuss the essential functions of the employee's position and assess the feasibility of providing the requested accommodation(s). The purpose of the interactive discussion is to discuss the employee's request for accommodation, and evaluate and propose solutions. The employee may be expected to consider alternative accommodations, when applicable.

Step Four: Accommodation Decision

• The outcome of the interactive discussions will be recorded by the HRBP and communicated with the employee and their management team. The Leaves Team will document the accommodation outcome in the employee's medical file.

Step Five: Accommodation Monitoring

• It is the responsibility of management to continue to evaluate an employee's job performance the same way any other employee's performance is evaluated. The employee's management team will consistently review the employee's accommodation and evaluate the success of the accommodation. If the employee's disability should change and the accommodations provided need to be re-evaluated or extended, the employee must notify the Athletico Leave Department as soon as possible so the company may reassess the request for accommodation. The employee will be expected to provide updated medical documentation to support any request for continued accommodation.



Where can I get more information about the reasonable accommodations under the ADA?

Athletico Leave Department

Contact the Athletico Leave Department with any questions or to submit a request for reasonable accommodation.

Phone: 630.575.6280 opt 2Email: <u>Leaves@Athletico.com</u>

Website: <u>www.AthleticoBenefits.com</u>

Equal Employment Opportunity Commission (EEOC)

The federal enforcing agency for Title I is the Equal Employment Opportunity Commission (EEOC), which can be reached at (800) 669-4000 or on the Web at http://www.eeoc.gov. The EEOC provides numerous publications, including:

- The ADA: Your Employment Rights as an Individual with a Disability
- <u>Disability Related Inquiries and Medical Exams of Employees</u>
- Reasonable Accommodation and Undue Hardship

Q7

Where can I get more information about lactation accommodations?

Lactation accommodations are governed by both federal and state laws. More information regarding Athletico's Lactation Accommodation policy can be found in the Employee Handbook available on the Athletico SharePoint. Contact the Athletico Leave Department at Leaves@Athletico.com with any questions regarding lactation accommodations.

Generally, Athletico will provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's infant child. Employees needing breaks for lactation purposes may use ordinary paid rest breaks or may take other reasonable break time when needed. If possible, the lactation break time should run concurrently with scheduled meal and rest breaks already provided to the employee. If the lactation break time cannot run concurrently with meal and rest breaks already provided or additional time is needed for the employee, the lactation break time will be unpaid for nonexempt employees unless otherwise required by law. Employees will be relieved of all work-related duties during any unpaid break. Where unpaid breaks or additional time are required, employees should work with their supervisor regarding scheduling and reporting the extra break time. Where state law imposes more specific requirements regarding the break time or lactation accommodation, the Company will comply with those requirements. Because exempt employees receive their full salary during weeks in which they work, all exempt employees who need lactation accommodation breaks do not need to report any extra break time as "unpaid." The Company will provide employees with the use of a room or a private area, other than a bathroom or toilet stall, that is shielded from view and free from intrusion from coworkers and the public. The Company will make a reasonable effort to identify a location within close proximity to the work area for the employee to express milk. The Company will otherwise treat lactation as a pregnancy-related medical condition and address lactation-related needs in the same manner that it addresses other non-incapacitating medical conditions, including requested time off for medical appointments, requested changes in schedules and other requested accommodations.

For any questions regarding reasonable accommodations, please contact the Athletico Leave Department at Leaves@Athletico.com.

This FAQ provides general information and is not intended as a comprehensive understanding of Athletico's benefits plans or company policy. In the event there is a discrepancy between this summary and the plan documents or company policy, the plan documents and company policy will govern.