

How far do we have to go to accommodate employee's migraine headaches?

Q. Our receptionist gets occasional migraine headaches, and she gave us a long list of “triggers” that she wants us to eliminate at work. The list includes no fluorescent lights. We cannot afford to replace all of our fluorescent lights. Can we just say no?

A. Under the federal and Minnesota state discrimination laws, an employer with 15 or more employees has a duty to accommodate a disability. Recurring migraines may be such a disability.

To accommodate a disability, the employer should enter into an interactive dialogue to determine if it can make workplace accommodations that are not an unreasonable burden.

The important thing to keep in mind here is that the employer does not have to take the request from the employee as a “take it or leave it” proposition. You can have a conversation about other less costly and less burdensome approaches.

For example, in this situation, you could talk about turning off the fluorescent lights just above her workstation, or putting relatively inexpensive filters on the lights above her work station.

You could try using alternative lighting such as a desk lamp or floor lamp that does not use fluorescent bulbs. Typically, it is best to start with the least burdensome approach on a trial basis and work up from there.

Although you did not ask about time off, note that if you have 50 or more employees, the employee’s absence for recurring migraines might also be considered a serious health condition for which an employer would have to provide FMLA notice and possibly intermittent leave.

Learn more about your obligations under the ADA by reading our free white paper [ADA: The Limits of Accommodation](#). It details how to determine what accommodations steps are reasonable to take and which ones constitute an undue hardship.

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