

Can a thermostat adjustment really be an ADA reasonable accommodation?

Q. One of our employees suffers from arthritis and has complained that the temperature of the office triggers joint pain. She has requested that we heat the entire office to 80 degrees Fahrenheit as an accommodation of her disability. Must we do so?

A. The federal ADA and the California Fair Employment and Housing Act require covered employers to provide reasonable accommodations to individuals with disabilities. However, an employer is not required to offer an accommodation if it would be an undue hardship for the business.

What constitutes an undue hardship “is determined on a case by case basis.” However, an employer can demonstrate that the accommodation would be “unduly disruptive to its other employees or the functioning of its business.” Thus, if heating the building to 80 degrees would impair other employees’ ability to perform their jobs, it could be an undue hardship and thus the company would not be required to grant the request.

That said, the employer might still be required to provide alternative accommodations for the individual’s arthritis, such as a personal space heater.