

Not all accommodations are possible to implement

Employers, not disabled employees, get to pick the accommodation.

Recent case: Carrie, who worked near her home, took medical leave. While she was out, a subordinate filed an EEOC race discrimination complaint saying Carrie was biased against her. The EEOC agreed with the subordinate and said Carrie should not supervise her.

When Carrie learned she had been reassigned, she asked to be returned to her preferred location. She said that would be a reasonable accommodation to help her avoid a long, painful commute. The employer refused. Carrie retired and sued.

The court dismissed her case, concluding that the employer couldn't accommodate Carrie's specific location request but had offered another position, with feasible transportation alternatives. Carrie's lawsuit was tossed. (*Williams v. New York City Department of Health*, SD NY, 2018)