

Document all efforts to find ADA accommodations

If an employee tells you he has a new medical condition that qualifies as an ADA disability, document all discussions you have about possible accommodations.

Recent case: As an account manager for a Coca-Cola distributor, Robert's duties included stocking retailers' shelves with Coke products. He had a stroke, and when he returned to work he was under doctor's orders not to lift more than 50 pounds. That was a problem because he estimated he regularly spent much of his day lifting heavy boxes and shelving products.

After much discussion with Robert, the distributor concluded he could no longer perform the essential functions of his job. Instead, Robert was offered additional time off. In the meantime, a new account manager was hired, filling Robert's job.

When Robert was ready to return, his employer encouraged him to apply for other jobs. However, he couldn't find one because he lacked the necessary skills and experience. He was terminated.

Robert sued, alleging he should have been accommodated.

The court dismissed his lawsuit, concluding the employer had engaged in the interactive accommodation process but found that no reasonable accommodation was possible. It therefore had met its obligation. (*Miller v. Coca-Cola*, WD PA, 2018)