

## Undue Hardship Policy

### May 2020

The American with Disabilities Act (ADA) provides a measure of protection from undue hardship to employers with 15 or more employees. Businesses with fewer than 15 employees are not covered by the employment provisions of the ADA. However, with regard to undue hardship, DVR will apply this same standard to service providers with fewer than 15 employees. DVR will pay the costs associated with providing an accommodation for the consumer as part of authorized vocational rehabilitation services consistent with an approved Individualized Plan for Employment, if the Service Provider has fewer than 15 employees.

Undue hardship means that an accommodation would be unduly costly, extensive, substantial or disruptive, or would fundamentally alter the nature or operation of the business. This would include the services of a qualified sign language interpreter during the provision of authorized contracted services. These costs will be paid directly to the provider of the service and will not be paid to the service provider of the contracted service. Any ongoing or hourly costs will be provided as case progress dictates.