

## Employment and Coronavirus (COVID-19) Resources

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### EEOC and Job Accommodation Network Resources

[What You Should Know About COVID-19 and the ADA, the Rehabilitation Act, and Other EEO Laws](#) (EEOC, Updated May 7, 2020)

COVID-19 “Ask the EEOC” Webinar with transcript with EEOC answering a number of employers’ questions about COVID-19 policies in relationship to the ADA. (EEOC. March 27, 2020)

- [Webinar](#)
- [Transcript](#)

[Pandemic Preparedness in the Workplace and the Americans with Disabilities Act](#) (EEOC, Updated March 21, 2020)

[The ADA and Managing Reasonable Accommodation Requests from Employees with Disabilities in Response to COVID-19](#) (Job Accommodation Network)

[Coronavirus \(COVID-19\), Stress, and Mental Health Conditions](#) (Job Accommodation Network)

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### Resources from JD Supra

[EEOC Answers Employers’ COVID-19 Related Questions](#) (Summary by JD Supra)

[The ADA and COVID-19: Can Employers Consider Employee Medical Conditions When Bringing Employees Back to Work?](#) (JD Supra, May 12, 2020)

Just because an employee has a medical condition that makes him or her more vulnerable to COVID-19 does not, in and of itself, allow an employer to refuse to return the employee to work. Rather, according to the EEOC, the employer must analyze, on an individualized basis, whether the risk of contracting COVID-19 can be reduced through a reasonable accommodation that does not impose an undue hardship on the employer. Employees may only be excluded from the workplace if the employee’s disability poses a direct threat to his or her health that, based upon “reasonable medical judgments,” cannot be reduced by reasonable accommodation. **Further, according to the EEOC, if a reasonable accommodation allowing the employee to return to the workplace doesn’t exist, employers must consider other options like telework, leave of absence or reassignment to other jobs.**

In view of this latest guidance from the EEOC, employers should be cautious before imposing any restrictions on employees based upon known or suspected medical conditions and the risks that they may represent in the face of COVID-19. Clearly all employers must remain mindful of their obligations under the ADA along with all the other issues which must be considered in the current health crisis caused by COVID-19 and its impact on the workplace.