Interviewing Candidates with Disabilities & Reasonable Accommodations

Definition of Disability

- The Americans with Disabilities Act (ADA) defines the context and definition of "disability" as:
  - A physical or mental impairment that substantially limits one or more major life activities of such individual;
  - A record of such an impairment; or
  - Being regarded as having an impairment

The ADA & Employment

- Under Title I of the ADA, employers are prohibited from discriminating against qualified people with disabilities in all areas of employment.
- An employer is not permitted to pose any questions related to one's disability or medical history prior to an employment offer. For additional information, review, "The Interview: What You Can and Can't Ask".

What is an Accommodation?

- A reasonable accommodation is any change to a job or working environment that allows an individual with a disability to have equal access. This includes the process of applying to a job, performing job functions, and receiving equal access to benefits that are available to other individuals in the workplace.
- The JAN Workplace Accommodation Toolkit is a free, comprehensive online resource for employers who are seeking to move beyond basic compliance with the Americans with Disabilities Act (ADA) and create more disability-inclusive workplaces that enable all to grow and excel. JAN also provides Accommodation Scenarios for the Interviewing Process - a helpful resource for understanding accommodations in practice.

Accommodation Process during Apprentice Interviews

Step 0: Start by becoming familiar with your organization's accessibility statement and accommodation process.
Step 1: If a candidate requests an accommodation for the interview process, an Apprenti staff member will contact you and share relevant information.
Step 2: Depending on the request, Apprenti's Access team may engage with the hiring manager to implement the accommodation request.

Contact Apprenti's Access Team with any questions at (206) 513-7924 or accommodations@apprenticareers.org.

Confidentiality of Disability-Related Medical Information:

- If medical information is obtained during the hiring process, all documents must be stored in a confidential file that is separate from an individual's personnel files. For example, if an individual provides a doctor's note, the records should not be visible to the broader team.
- An employer can share medical information with other decision-makers involved in the hiring process.

The Interview: What You Can and Can't Ask

- You cannot ask about the existence, nature, or severity of a disability, directly or indirectly.
- In general, you cannot ask the candidate whether or not they will need accommodations on the job, if they are hired.
- You cannot ask the candidate questions about how they acquired their disability.
- You cannot ask if the candidate has a disability that would interfere with their ability to perform the job.
- You cannot ask a candidate if they have ever been treated for mental health problems.
- You can ask questions to applicants to describe or demonstrate how they would perform job tasks during the application and interview process.
- You can ask applicants if they need reasonable accommodations for the interview process, if you ask ***all*** applicants.

Tips for Interviewing Candidates with Disabilities

- Ensure that the interview space is as '**distraction-free**' as possible. For example, close windows if outside traffic noise is loud and shift seat positioning to reduce glare.
- **Identify yourself** and have everyone else who is present introduce themselves before starting the interview.
- Ask **one question at a time**. If you need to ask a multi-layered question, it can be helpful to provide the question in writing so the candidate can refer back to each part.
- Allow the candidate **adequate time to answer questions**. If you did not understand their answer, don't be afraid to ask clarifying questions.
- If written materials will be used in the interview, find out before the interview if the candidate would **prefer an alternative format** (ie., large print, Braille, or audio recording).
- For in-person interviews, ensure that the location is **physically accessible**. Provide candidates with as much information about the location as possible (accessible entrances, parking, elevators, etc.) This will help the candidate identify if they need an accommodation.
- For virtual interviews, **turn on automated captioning** in the given platform before the interview begins. This will provide the candidate with multiple modes of engaging with the content.

If you have additional questions, reach out to Apprenti's Access Team via email accommodations@apprenticareers.org or phone (206-513-7924).