

# JAN

Job Accommodation Network

Practical Solutions • Workplace Success

## Accommodation and Compliance Series

# Accommodation and Compliance Series: Employees with Chronic Fatigue Syndrome

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Employment Policy, U.S. Department of Labor

## Preface

The Job Accommodation Network (JAN) is funded by a contract with the Office of Disability Employment Policy, U.S. Department of Labor. JAN makes documents available with the understanding that the information be used solely for educational purposes. The information is not intended to be legal or medical advice. If legal or medical advice is needed, appropriate legal or medical services should be contacted.

JAN does not endorse or recommend any products or services mentioned in this publication. Although every effort is made to update resources, JAN encourages contacting product manufacturers/vendors and service providers directly to ensure that they meet the intended purposes. This guarantees that the most up-to-date information is obtained.

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## **JAN'S Accommodation and Compliance Series**

### **Introduction**

JAN's Accommodation and Compliance Series is designed to help employers determine effective accommodations and comply with Title I of the Americans with Disabilities Act (ADA). Each publication in the series addresses a specific medical condition and provides information about the condition, ADA information, accommodation ideas, and resources for additional information.

The Accommodation and Compliance Series is a starting point in the accommodation process and may not address every situation. Accommodations should be made on a case by case basis, considering each employee's individual limitations and accommodation needs. Employers are encouraged to contact JAN to discuss specific situations in more detail.

For information on assistive technology and other accommodation ideas, visit JAN's Searchable Online Accommodation Resource (SOAR) at <https://askjan.org/soar>.

### **Information about Chronic Fatigue Syndrome**

In order to receive a diagnosis of CFS, a patient must satisfy two criteria. First, an individual must have severe chronic fatigue of six months or longer duration with other known medical conditions excluded by clinical diagnosis. Second, an individual must concurrently have four or more of the following symptoms: substantial impairment in short-term memory or concentration; sore throat; tender lymph nodes; muscle pain; multi-joint pain without swelling or redness; headaches of a new type, pattern, or severity; erratic sleep; and malaise lasting more than 24 hours.

In addition to the primary defining symptoms of CFS, some CFS patients have reported a number of other symptoms. They include gastrointestinal, pain, nausea, photosensitivity, respiratory and skin issues, and weight changes. A majority of CFS patients also report mild to moderate symptoms of anxiety or depression. The treatment of CFS focuses on symptom management. Chronic fatigue syndrome has also been called myalgic encephalomyelitis (ME) and post exertional fatigue syndrome.

### **Chronic Fatigue Syndrome and the Americans with Disabilities Act**

The ADA does not contain a list of medical conditions that constitute disabilities. Instead, the ADA has a general definition of disability that each person must meet. A person has a disability if he/she has a physical or mental impairment that substantially limits one or more major life activities, a record of such an impairment, or is regarded as having an impairment. For more information about how to determine whether a person

has a disability under the ADA, see [How to Determine Whether a Person Has a Disability under the Americans with Disabilities Act Amendments Act \(ADAAA\)](#).

## **Accommodating Employees with Chronic Fatigue Syndrome**

People with CFS may develop some of the limitations discussed below, but seldom develop all of them. Also, the degree of limitation will vary among individuals. Be aware that not all people with arthritis will need accommodations to perform their jobs and many others may only need a few accommodations. The following is only a sample of the possibilities available. Numerous other accommodation solutions may exist.

### **Questions to Consider:**

1. What limitations is the employee experiencing?
2. How do these limitations affect the employee and the employee's job performance?
3. What specific job tasks are problematic as a result of these limitations?
4. What accommodations are available to reduce or eliminate these problems? Are all possible resources being used to determine possible accommodations?
5. Has the employee been consulted regarding possible accommodations?
6. Once accommodations are in place, would it be useful to meet with the employee to evaluate the effectiveness of the accommodations and to determine whether additional accommodations are needed?
7. Do supervisory personnel and employees need training?

### **Accommodation Ideas:**

#### **Limitations**

##### Decreased Stamina/Fatigue

- Aide/Assistant/Attendant
- Anti-fatigue Matting
- Elevating Wheelchairs
- Ergonomic Assessments
- Ergonomic Equipment
- Flexible Schedule
- Job Restructuring

- Periodic Rest Breaks
- Scooters
- Stand-lean Stools
- Telework, Work from Home, Working Remotely
- Walkers
- Wearable Anti-fatigue Matting
- Wheelchairs
- Worksite Redesign / Modified Workspace

#### Memory Loss

- Additional Training Time / Training Refreshers
- Apps for Memory
- Electronic Organizers
- Memory Software
- Recorded Directives, Messages, Materials
- Reminders
- Support Person
- Verbal Cues
- Wall Calendars and Planners
- Written Instructions

#### Organizing/Planning/Prioritizing

- Applications (apps)
- Apps for Organization/ Time Management
- Color-coded Manuals, Outlines, and Maps
- Electronic Organizers
- Ergonomic Equipment
- Job Coaches
- Job Restructuring
- On-site Mentoring
- Organization Software
- Professional Organizers

- Reminders
- Supervisory Methods
- Task Identification
- Task Separation
- Timers and Watches
- Wall Calendars and Planners
- Written Instructions

#### Photosensitivity

- Alternative Lighting
- Anti-Glare Filters for Fluorescent Lights
- Cubicle Doors, Shields, and Shades
- Fluorescent Light Tube Covers
- Full Spectrum or Natural Lighting Products
- LED Light Filters
- Lighting Gel Filters
- Vehicle Window Tinting and Shades

#### Sleeping/Stay Awake

- Apps for Sleep/ Fatigue
- Flexible Schedule
- Modified Break Schedule
- Doze Alert

#### Stress Intolerance

- Apps for Anxiety and Stress
- Behavior Modification Techniques
- Counseling/Therapy
- Environmental Sound Machines / Tinnitus Maskers / White Noise Machines
- Flexible Schedule
- Job Restructuring
- Marginal Functions
- Modified Break Schedule

- Supervisory Methods
- Support Animal
- Support Person

## **Work-Related Functions**

### Light

- Alternative Lighting
- Anti-Glare Filters for Fluorescent Lights
- Flexible Schedule
- Fluorescent Light Tube Covers
- Full Spectrum or Natural Lighting Products
- LED Light Filters
- LED Lighting
- Lighting Gel Filters
- Modified Lighting
- Non-Fluorescent Lighting
- Personal Visors
- Telework, Work from Home, Working Remotely
- Simulated Skylights and Windows
- Transparent Window Shades
- Vehicle Window Tinting and Shades

### Stress

- Apps for Anxiety and Stress
- Behavior Modification Techniques
- Counseling/Therapy
- Flexible Schedule
- Job Restructuring
- Marginal Functions
- Modified Break Schedule
- Monitor Mirrors
- On-site Mentoring

- Service Animal
- Simulated Skylights and Windows
- Supervisory Methods
- Support Animal
- Support Person
- Telework, Work from Home, Working Remotely
- Uninterrupted Work Time

#### Temperature

- Air Deflectors
- Cold Resistant Gloves
- Cooling Clothing
- Fans
- Flexible Schedule
- Foot Warmers
- Heat Resistant Gloves
- Heated Clothing
- Heated Ergonomic and Computer Products
- Heated Gloves
- Telework, Work from Home, Working Remotely
- Modified Break Schedule
- Vent Covers
- Workstation Space Heaters

## **Situations and Solutions:**

**A customer service representative with chronic fatigue syndrome and memory and concentration problems had difficulty answering some customer questions.** She was accommodated with written materials to help her remember information and a private office to reduce distractions.

**A teacher with chronic fatigue syndrome had difficulty meeting the physical demands of her job and was exhausted by early afternoon.** She was provided with a teacher's aid, her off-hour was moved to the afternoon, and she was excused from afternoon recess duty.

**A student with chronic fatigue syndrome had difficulty keeping up with class notes.** He was accommodated with a laptop computer to use in class.

**An employee with sickle cell anemia has disclosed that they are experiencing limitations due to chronic fatigue.** The individual has noticed that the quality of her work suffers near the end of their shift and is requesting accommodations to help with this. The employer agrees to modify the individual's schedule so that she has a 1-2 hour break in the middle of the shift as an accommodation so that the individual can rest before resuming the work shift. To accomplish this, the employer extends the individual's shift end-time so the individual works a normal amount of hours despite this long break.

**A flight attendant with chronic fatigue syndrome was missing a lot of work due to fatigue.** Her doctor recommended that she reduce the amount of traveling she was doing. She wanted to continue working full-time so requested reassignment to an office job.

**A therapist with chronic fatigue had difficulty maintaining the stamina needed to work full time** Part of the problem was that she had a difficult commute to and from work every day. She asked her employer if she could telework two times a week and do her paperwork on those days. Her employer had never had an employee telework before so decided to allow it on a trial basis to determine whether it would work. After trying it for a month, the employer agreed to allow the employee to continue teleworking.

**A school psychologist with chronic fatigue syndrome was having difficulty working at full production.** She was allowed to schedule appointments in the morning, which gave her uninterrupted time in the afternoon to complete paperwork. She was also allowed to schedule several short rest breaks throughout the day and use of sick leave as needed.

**An operating-room nurse with chronic fatigue syndrome had difficulty rotating schedules.**

She was accommodated with a permanent day schedule.

**A design engineer with chronic fatigue syndrome had difficulty working full-time.**

He was allowed to work-at-home three days a week.

**A daycare director with chronic fatigue syndrome had difficulty getting to work on time and maintaining a full-time schedule.**

She was allowed a later start time and a part-time schedule.

**A social worker with chronic fatigue syndrome experienced headaches and photosensitivity.**

Accommodations included changing the lighting in her workstation from fluorescent lighting to task lighting, adding a glare guard to her computer monitor, providing window blinds, and implementing other workstation changes to enhance ergonomics.

## **Products**

There are numerous products that can be used to accommodate people with limitations. JAN's Searchable Online Accommodation Resource at <https://askjan.org/soar> is designed to let users explore various accommodation options. Many product vendor lists are accessible through this system; however, JAN provides these lists and many more that are not available on the Web site upon request. Contact JAN directly if you have specific accommodation situations, are looking for products, need vendor information, or are seeking a referral.

## Resources

### **Job Accommodation Network**

West Virginia University  
PO Box 6080  
Morgantown, WV 26506-6080  
Toll Free: (800) 526-7234  
TTY: (304) 293-7186  
Fax: (304) 293-5407  
[jan@askjan.org](mailto:jan@askjan.org)  
<http://AskJAN.org>

The Job Accommodation Network (JAN) is a free consulting service that provides information about job accommodations, the Americans with Disabilities Act (ADA), and the employability of people with disabilities.

### **Office of Disability Employment Policy**

200 Constitution Avenue,  
NW, Room S-1303  
Washington, DC 20210  
Toll Free: (866) 633-7365  
[odep@dol.gov](mailto:odep@dol.gov)  
<http://dol.gov/odep>

The Office of Disability Employment Policy (ODEP) is an agency within the U.S. Department of Labor. ODEP provides national leadership to increase employment opportunities for adults and youth with disabilities while striving to eliminate barriers to employment.

### **American Chronic Pain Association**

P.O. Box 850  
Rocklin, CA 95677-0850  
Toll Free: (800) 533-3231  
Fax: (916) 632-3208  
[ACPA@theacpa.org](mailto:ACPA@theacpa.org)  
<http://www.theacpa.org>

The purpose of the American Chronic Pain Association is to facilitate peer support and education for individuals with chronic pain and their families so that these individuals may live more fully in spite of their pain.

**American Physical Therapy Association**

<http://www.moveforwardpt.com/Default.aspx>

MoveForwardPT.com is the official consumer information website of the American Physical Therapy Association.

**Arthritis Foundation**

1330 W. Peachtree Street  
Suite 100  
Atlanta, GA 30309  
Direct: (404) 872-7100  
<http://www.arthritis.org>

The Arthritis Foundation is committed to raising awareness and reducing the unacceptable impact of arthritis, a disease which must be taken as seriously as other chronic diseases because of its devastating consequences. The Arthritis Foundation is leading the way to conquer the nation's leading cause of disability through increased education, outreach, research, advocacy and other vital programs and services.

**Centers for Disease Control and Prevention**

1600 Clifton Rd  
Atlanta, GA 30333  
Toll Free: (800) 232-4636  
<http://www.cdc.gov>

The Centers for Disease Control and Prevention are dedicated to protecting the health and safety of people - at home and abroad, providing credible information to enhance health decisions, and promoting health through strong partnerships.

### **Genetic and Rare Diseases Information Center (GARD)**

P.O. Box 8126

Gaithersburg, MD 20898-8126

Toll Free: (888) 205-2311

Fax: (301) 251-4911

<https://rarediseases.info.nih.gov/>

The Genetic and Rare Diseases (GARD) Information Center is a program of the National Center for Advancing Translational Sciences (NCATS) and funded by two parts of the National Institutes of Health (NIH): NCATS and the National Human Genome Research Institute (NHGRI). GARD provides the public with access to current, reliable, and easy to understand information about rare or genetic diseases in English or Spanish.

### **Institute for Chronic Pain**

PO Box 193

Stillwater, MN 55082

<http://www.instituteforchronicpain.org/>

The Institute for Chronic Pain is an educational and public policy think tank whose mission is to change the culture of how chronic pain is treated. We engage in research, development, and promotion of scientifically accurate information related to the field of chronic pain management. We do so by bringing together thought leaders from around the world to provide academic-quality information that is approachable to all stakeholders in the field, particularly, patients, their families, and society, more generally. The staff and fellows of the Institute are specialists in chronic pain management as well as healthcare policy and management.

### **International Association for CFS/ME**

9650 Rockville Pike

Bethesda, MD 20814

Direct: (301) 634-7701

Fax: (301) 634-7099

[membership@iacfsme.org](mailto:membership@iacfsme.org)

<http://www.iacfsme.org>

IACFS/ME is a membership organization for clinicians as well as research and health care workers professionally engaged in CFS activities.

**Mayo Clinic**

13400 E. Shea Blvd.  
Scottsdale, AZ 85259  
Direct: (480) 301-8000  
<http://www.mayoclinic.org/>

The Mayo Clinic's mission to inspire hope and contribute to health and well-being by providing the best care to every patient through integrated clinical practice, education and research.

**MedlinePlus**

8600 Rockville Pike  
Bethesda, MD 20894  
[custserv@nlm.nih.gov](mailto:custserv@nlm.nih.gov)  
<https://www.nlm.nih.gov/medlineplus/>

MedlinePlus is the National Institutes of Health's Web site for patients and their families and friends. Produced by the National Library of Medicine, the world's largest medical library, it brings you information about diseases, conditions, and wellness issues in language you can understand. MedlinePlus offers reliable, up-to-date health information, anytime, anywhere, for free.

Created by the U.S. National Library of Medicine

**National Center for Biotechnology Information**

8600 Rockville Pike  
Bethesda, MD 20894  
[pubmedcentral@ncbi.nlm.nih.gov](mailto:pubmedcentral@ncbi.nlm.nih.gov)  
<http://www.ncbi.nlm.nih.gov/>

MISSION: IMS brings together an international community of health care professionals, researchers, educators, and others to improve care and transform delivery of treatment to those suffering from soft tissue pain through the promotion and exchange of globally recognized research, education, and innovation in patient care.

### **National Fibromyalgia & Chronic Pain Association**

31 Federal Avenue

Logan, UT 84321

Toll Free: (801) 200-3627

[info@fmcpaware.org](mailto:info@fmcpaware.org)

<http://www.fmcpaware.org/>

The National Fibromyalgia & Chronic Pain Association (NFMCPA) is a 501(c)3 not for profit organization. We support people with chronic pain illnesses and their families and friends by contributing to caring, professional, and community relationships. Through continuing education, networking with support groups and advocates, and affiliation with professional organizations, the members of the NFMCPA have a place to be informed, get involved, and recognize achievements.

### **National Organization for Rare Disorders**

55 Kenosia Avenue

Danbury, CT 06813-1968

Toll Free: (800) 999-6673

Direct: (203) 744-0100

Fax: (203) 263-9938

<http://www.rarediseases.org>

NORD is a unique federation of voluntary health organizations dedicated to helping people with rare "orphan" diseases and assisting the organizations that serve them. NORD is committed to the identification, treatment, and cure of rare disorders through programs of education, advocacy, research, and service.

### **Office on Women's Health**

Department of Health and Human Services

200 Independence Avenue, SW Room 712E

Washington, DC 20201

Toll Free: (800) 994-9662

Direct: (202) 690-7650

Fax: (202) 205-2631

<http://www.womenshealth.gov/>

The Office on Women's Health (OWH), part of the U.S. Department of Health and Human Services (HHS), works to improve the health and sense of well-being of all U.S. women and girls. OWH serves as the focal point for women's health activities across HHS offices and agencies and leads HHS efforts to ensure that all women and girls achieve the best possible health.

### **Remedy's Health Communities**

<http://www.healthcommunities.com>

Remedy Health Media is America's fastest growing health information and technology company. We are a leading provider of clinical resources and wellness tools that help millions of patients and caregivers live healthier, more fulfilled lives.

Our mission is to empower patients and caregivers with the information and applications needed to efficiently navigate the healthcare landscape and as a result, to permit better health outcomes through use of our products and services.

### **The Environmental Illness Resource**

162 Bramham Drive

Oakdale Court

Harrogate, North Yorkshire, England HG3 2-2UB

Toll Free: (441) 423-528055

[support@ei-resource.org](mailto:support@ei-resource.org)

<http://www.ei-resource.org/>

The Environmental Illness Resource seeks to provide those with environmental illnesses with information of the highest quality in the hope that this will lead to improved quality of life and perhaps even recovery of good health. In addition, to provide a free and open online community in which members may exchange information between themselves and support each other in their healing journeys.

**The Solve ME/CFS Initiative**

P.O. Box 36007

Los Angeles, CA 90036-0007

Direct: (704) 364-0016

[solvecfs@solvecfs.org](mailto:solvecfs@solvecfs.org)

<http://solvecfs.org/>

The CFIDS Association of America is the nation's leading charitable organization dedicated to conquering CFIDS, also known as chronic fatigue syndrome (CFS) and myalgic encephalomyelitis (M.E.).

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