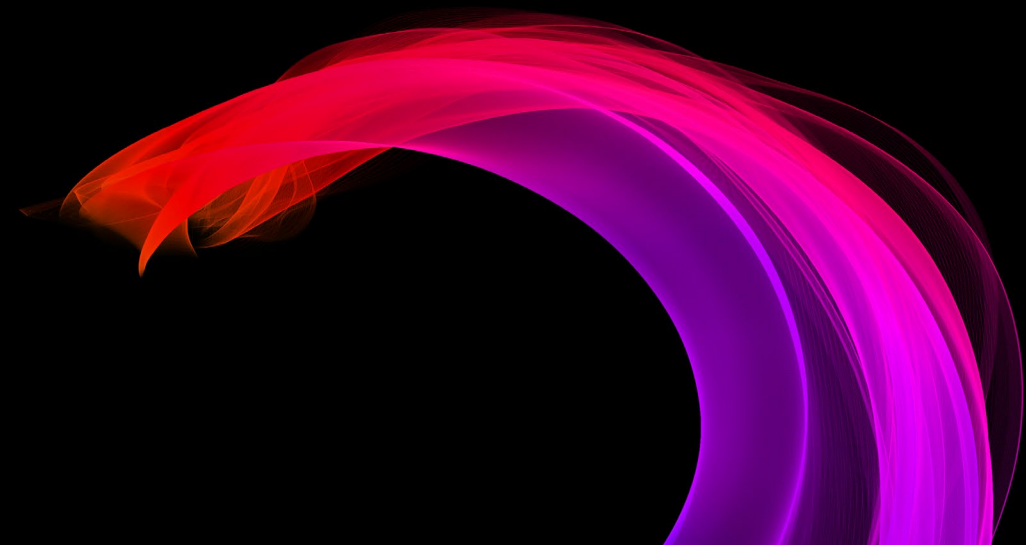




A New Wave in Workplace Law

Inside Counsel Conference 2020 February 26–28, 2020



Surfing the Next Wave in Workplace Accommodation

Rick Grimaldi – Fisher Phillips Philadelphia
Janet D. Fiore, CEO & President – The Sierra Group, Inc.
Founder, Workplace Technology Foundation

February 27, 2020

Rick Grimaldi, Esq.



Rick has been named to *Best Lawyers in America*. His diverse past experiences allow him to solve workplace challenges with his clients.

Past work history includes: Director of Labor Relations for a large international technology company, Deputy General Counsel to Governor Tom Ridge, and Chief Counsel, Pennsylvania Department of Labor and Industry.

Rick publishes, advocates and speaks on behalf of how accommodations can drive employment for people with disabilities locally, regionally and nationally.

Janet D. Fiore, CEO



Since 1992, Fiore's firm has accommodated over 10,000 workplace ADA scenarios while also training and placing over 300 adults with multiple severe disabilities annually.

National consultative training services include: Disability Inclusion Program Audit/Development, Pre-Litigation accommodations support, expert witness testimony, as well as creation of a suite of online learning and certification tools for business awareness and recruiter skill development.

Highlighted Corporate Clients include: Comcast, Toyota, MidAtlantic ADA Center, Verizon Media, FedEx, CapitalOne, American Water, & Tiffany & Co.

30 Years after the ADA Accommodations & Employment

- Historic Pivot Points
- Technological Advances/Barriers
- Case Law/Studies
- Accommodations
- Predictions



Access, Accommodation and Employment are rising, yet ...

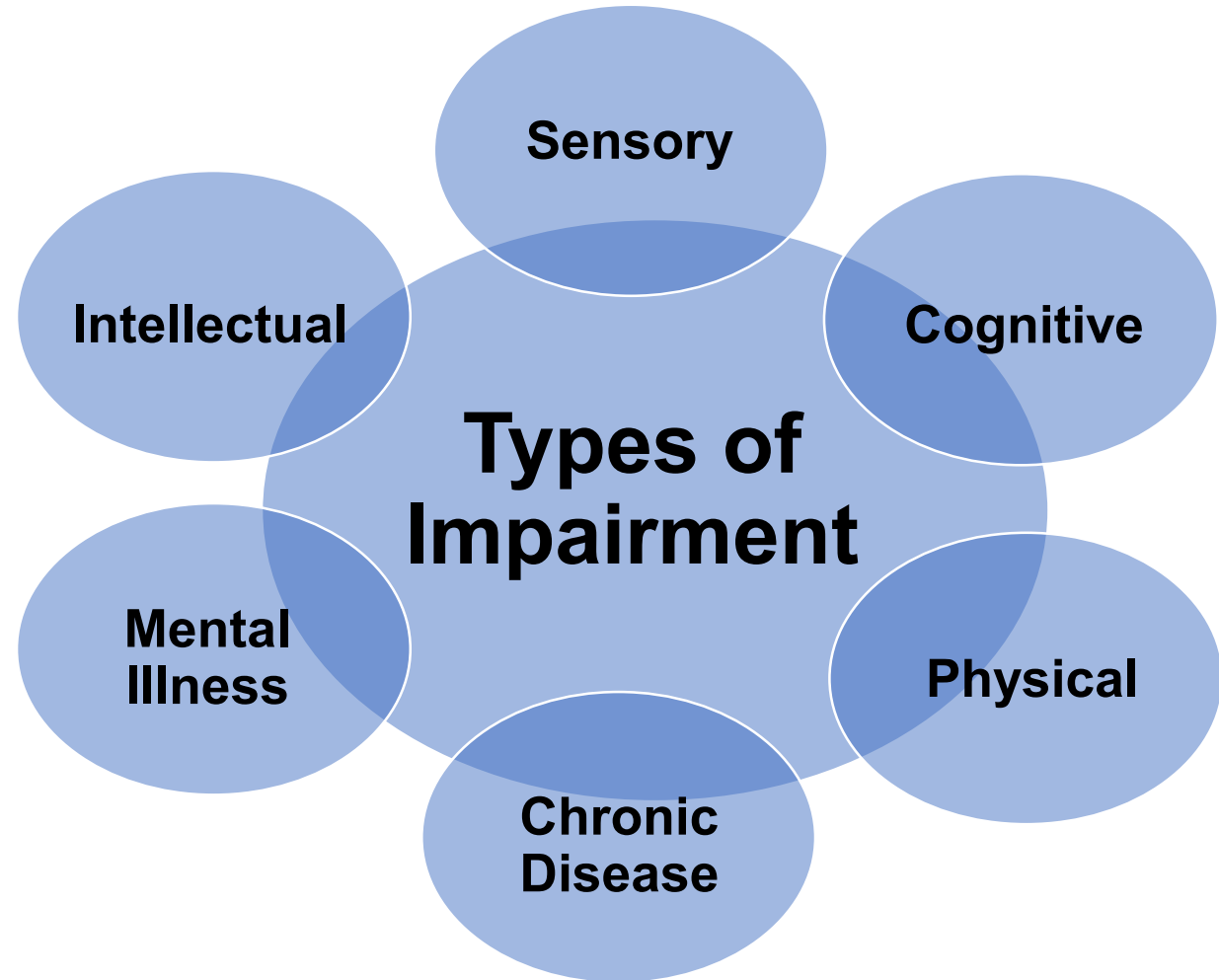
- Study by PWC finds that less than 7% of corporations focus on disability in their Diversity & Inclusion initiatives
- 23% of people with disabilities never go online
- Not a single presidential candidate's website is "accessible"



https://www.youtube.com/watch?v=eve4jRp8F5A&list=PL4-p_7aTpig-IXIF6CXajR8hil0s8NBaX

The Work-Related Impairment (WRI) Flower

- What is/are the diagnosed disabilities
- What are the **work-related obstacles/impairments**
- What are “other diagnosed considerations”

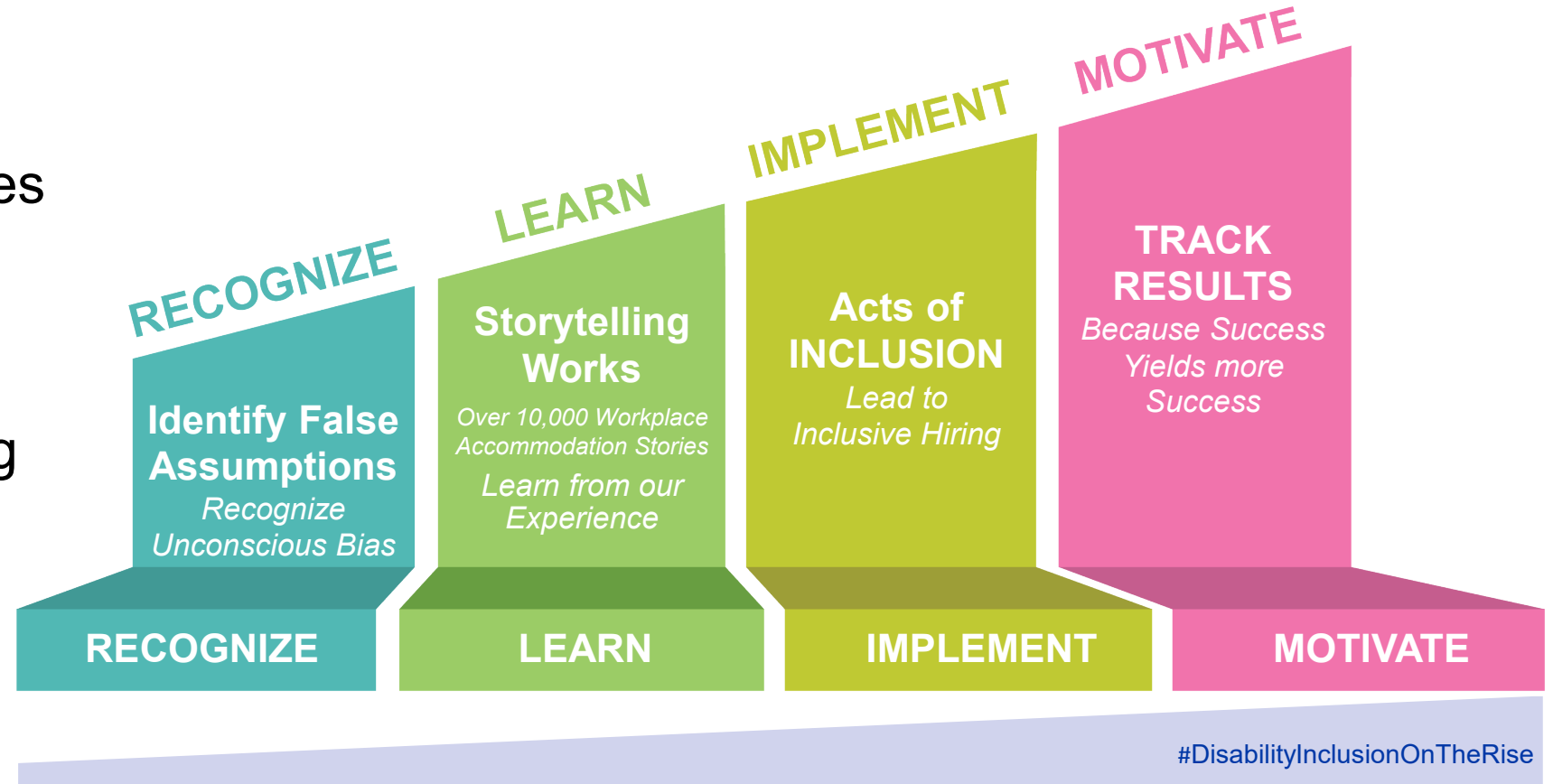


Sierra's Accommodation Matrix

Job	Diagnosis	Work Difficulties	Accommodations
<ul style="list-style-type: none">• Call Center rep	<ul style="list-style-type: none">• Numeric Dyslexia• Asperger's Syndrome	<ul style="list-style-type: none">• Mistypes financial information	<ul style="list-style-type: none">• Voice to speech app

Sierra's Hierarchy of Disability & Inclusion

- Recognize bias
- Learn from examples
- Implement try-outs
- Motivate by tracking



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Seeking Inclusion for Everyone Requiring Reasonable Accommodation

Now trending... Neurodiversity Autism, Dyslexia, ADD/ADHD



[Click here for the YouTube version of this clip on numeric dyslexia](#)

NEURODIVERSITY & The Workforce

Neurodiversity disabilities are prevalent and on the rise in today's American workforce. Some Stats:

- **Dyslexia:** 15-20% (of people with dyslexia, 30% also have ADD/ADHD)
- **Dyscalculia:** 7% (difficulty comprehending math)
- **Dyspraxia:** 6% (coordination disorder)
- **Attention Deficit Hyperactivity Disorder:** 5%
- **Autistic Spectrum:** 1% (and rising)
- **Tourette's Syndrome:** <1%

Services Accommodate Visual & Cognitive Disabilities

At Work, Airports, Stores & More



The world can be complex. Using Aira is simple.

Aira is a service that connects blind and low-vision people to highly trained, remotely-located agents. Through an app on your smartphone, or through an optional pair of Horizon Smart Glasses, Aira delivers instant access to visual information at the touch of a button – enhancing everyday efficiency, engagement, and independence. Straightforward and simple.

The diagram illustrates the Aira service process in three steps: 1. A person is shown with a smartphone and a laptop, representing the subscription and download phase. 2. A person is shown wearing smart glasses and holding a smartphone, representing the connection to a certified Aira agent. 3. A person is shown wearing smart glasses and talking to a headset-wearing agent on a laptop, representing the receipt of real-time assistance.

ONE
Subscribe and Download
Pick the plan that makes the most sense for you, sign up in a couple of minutes, and download the Aira app to your smartphone. Simple.

TWO
Connect with a certified Aira agent
On the first call, connect with our specially trained Agents and learn how everything works.

THREE
Receive real-time assistance
At the touch of a button, Aira delivers instant access to information, enhancing everyday efficiency, engagement, and independence.



Be My Eyes

Closing The Gap **Front Page Report**

The image shows a hand holding a smartphone displaying the Be My Eyes app interface. The screen has a blue header with the app's logo and the text 'Call first available volunteer' and 'Specialized Help'. Below the header are three smaller smartphone screens showing different use cases: 1. A person asking 'What color is this shirt?' with a photo of a white shirt. 2. A person asking 'Has the milk expired?' with a photo of a milk carton. 3. A person asking 'Which button is HDMI 2?' with a photo of a game controller.

Be My Eyes

What color is this shirt?
Has the milk expired?
Which button is HDMI 2?

Bringing sight to blind and low vision people

What about all the Paperwork?

- Admissions coordinator is visually impaired
- Difficulty reading/handling print materials
- Was relying too heavily on help from co-workers

[Click here to see an excerpt of Tess Campbell demonstrating her accommodations](#)



Speaking of Paperwork - A Group Exercise

- Job: Tax Review Auditor
- DX: Stroke, right side paralysis affects arm/face
- Work Impairments: typing, paperwork handling
- Accommodation:
 - GROUP EXERCISE/Demo



Hard of Hearing, Voice Modulation, Depression

- Refer to the WRI Flower
- Refer to the Accommodations Matrix



What about Accessibility, Electronic Documents, Websites & Apps?

- Domino's asks the Supreme Court to shut down a lawsuit requiring its website be accessible to blind people



From: <https://www.theverge.com/2019/8/1/20750913/dominos-pizza-website-accessible-blind-supreme-court-lawsuit>

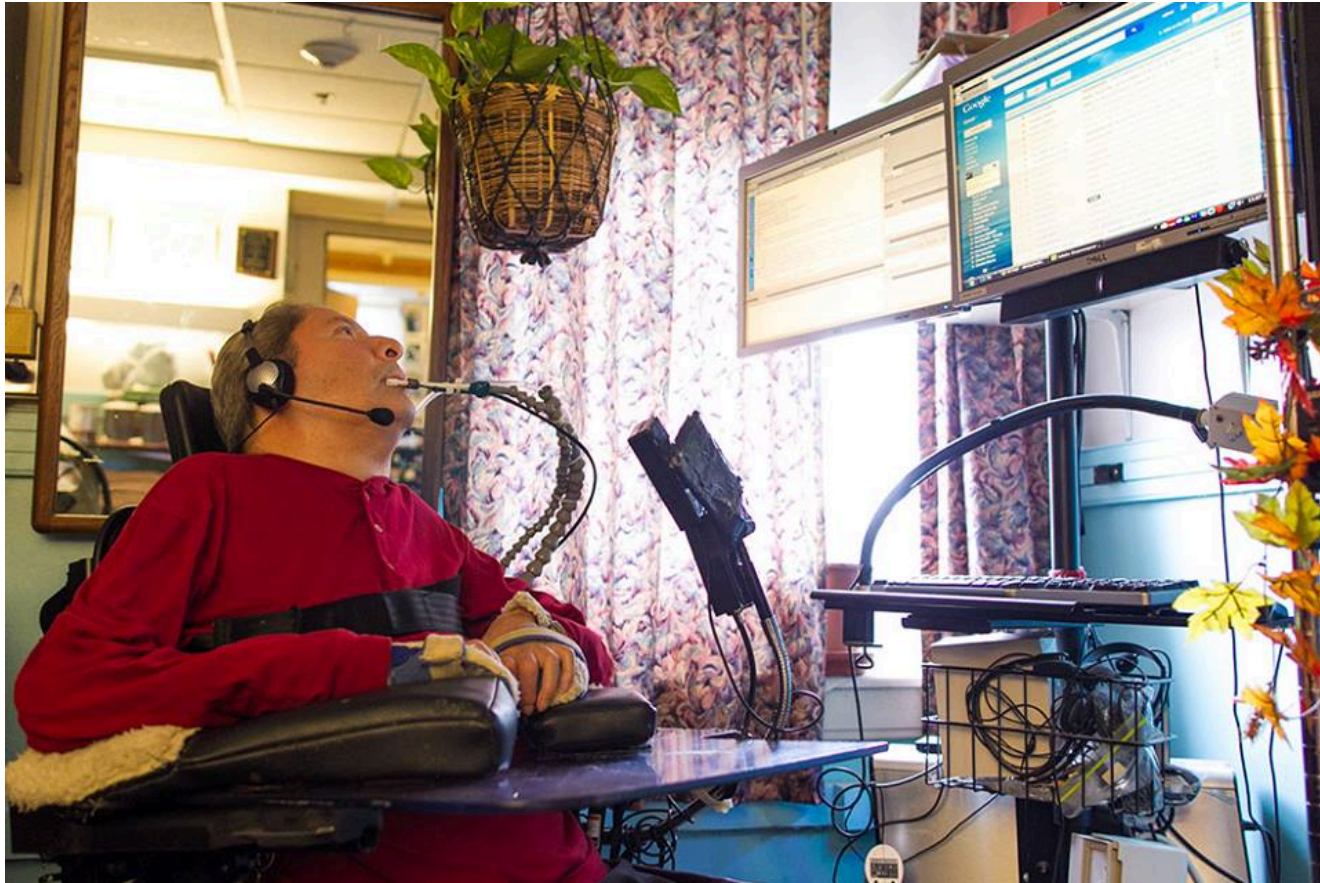
Online Applications & Assistive Technology Users

- Its more than just pizza
- Online applications can sometimes screen out AT users
- Proper programming is simple

<https://youtu.be/jGymD4a6g7E?t=88>



Personally driven to persist



Review of Accommodations by Work Impairments

- Physical
- Sensory
- Cognitive
- Intellectual
- Mental Illness, and
- Proactive Accommodations will lead to greater diversity & inclusion, a stronger workforce, the “power of a paycheck”, and less expense for ADA violations
- The market will reward us all.



Open Discussion

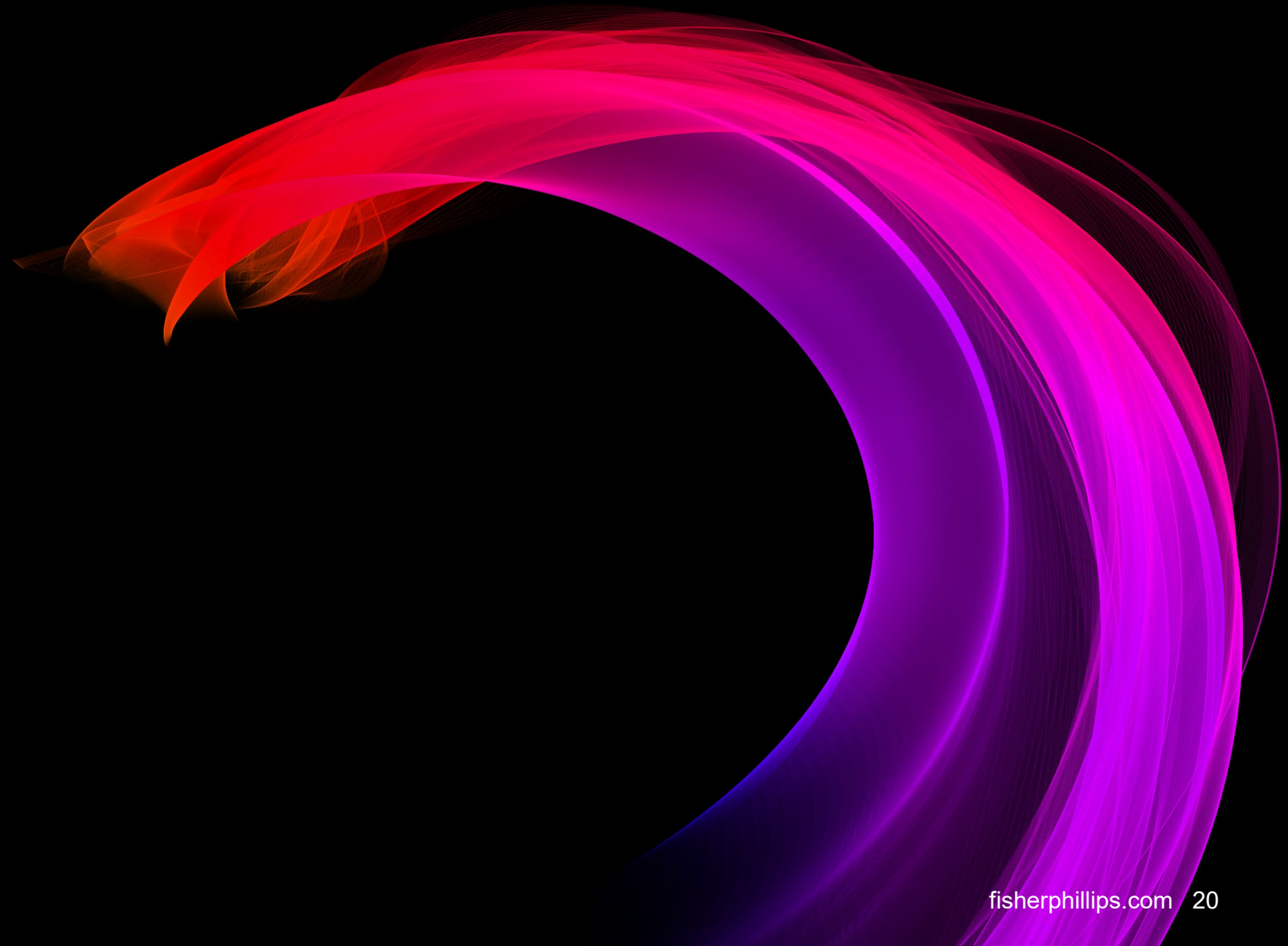
- Predictions
- Observations
- Action Steps



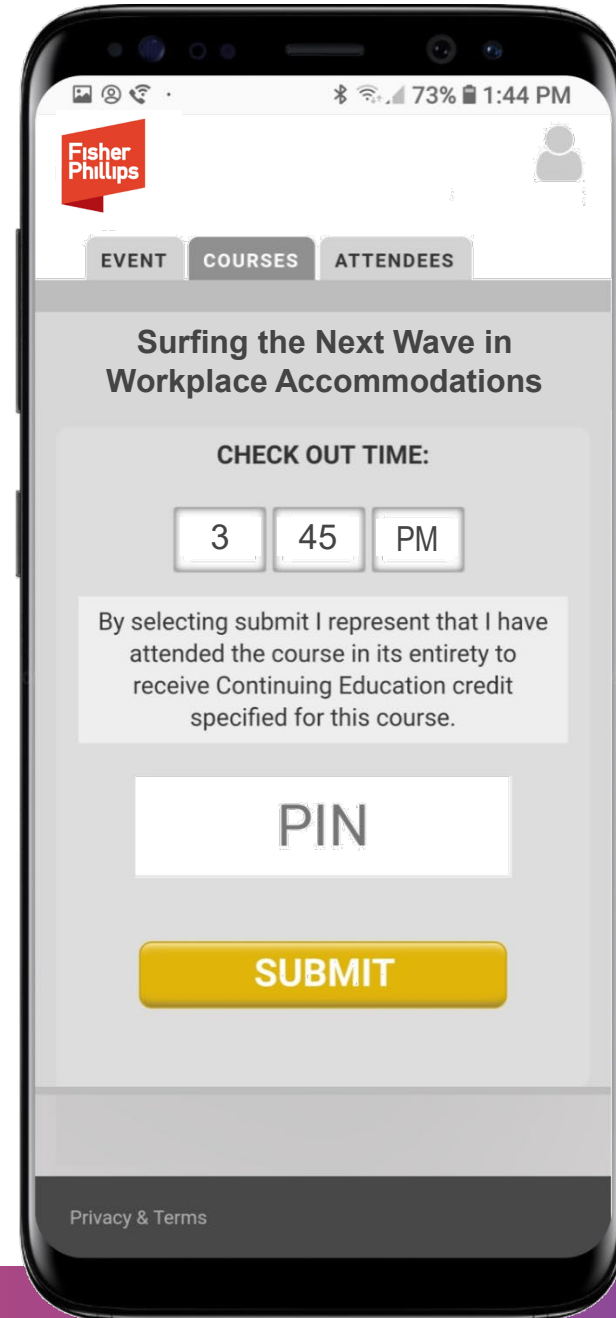
Remember the Impact



Questions?



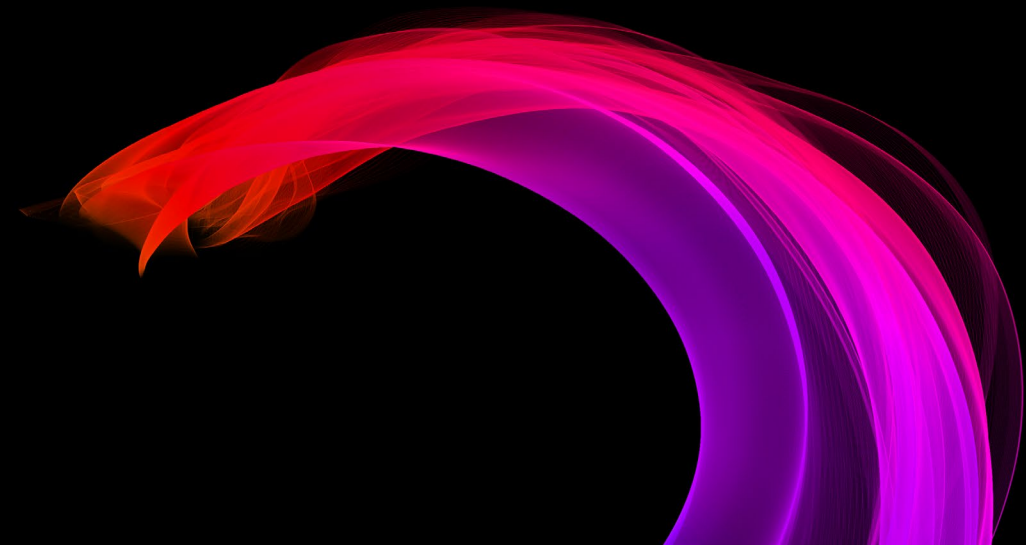
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Thank you

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