

## SEMINAR

# The Interactive Process Under the ADA

*Understanding the informal process—legal rights and obligations under the disability employment laws*

Counsel for employers and employees with disabilities agree that the interactive process is a critically important legal obligation their clients must navigate. At the same time, sometimes attorneys and their clients are not completely sure of how to best initiate, implement, and conclude this process. This new program provides an overview of the relevant principles of reasonable accommodation law and explains the best ways to use the informal interactive process. Veteran employment attorneys also explain how to avoid potential errors that could weaken or forfeit your client's claims or defenses. Watch the faculty bring the law to life via lively, interactive role plays and constructive critique of a mock interactive process. Bring your questions!

## Agenda

- **Fundamental Principles of Reasonable Accommodation Law Under Title I of the ADA and Chapter 151B**
- **The Informal Interactive Process and How It Fits Within the Rights and Obligations Under the Disability Employment Laws**
- **Key Participants for the Informal Interactive Process from Each Side**  
Should counsel for the employer attend? Should the HR representative handle it alone or along with others, such as a manager or supervisor? What role should the employee's counsel play? Should the union representative, or someone else, be present?
- **What Types of Information Should/Can Be Made Available in Conjunction with the Informal Interactive Process?**  
Medical information from the employee? Job descriptions from the employer? Other documentation? What role, if any, do medical examinations have? What privacy protections exist for the employee's medical records?
- **How an Employee's Health Care Provider Can Help or Hinder the Success of the Process**
- **In What Form Should the Informal Interactive Process Be? Oral, Written, or Both?**
- **Demonstration of a "Model" Informal Interactive Process, Including Critiques**
- **Helpful Practical Tips for Addressing Reasonable Accommodation Issues**
- **"Ask the Experts" Q&A Session**

## Faculty

Stanley J. Eichner, Esq., *Director of Litigation, Disability Law Center, Inc., Boston*, Chair; Ellen J. Messing, Esq., *Messing, Rudavsky & Weliky, PC, Boston*; Mary E. O'Neal, Esq., *Conn Kavanaugh Rosenthal Peisch & Ford LLP, Boston*

## Materials

The materials for this program include a faculty-prepared program book.

Also, there is no need to take extensive notes. Two weeks after the live seminar, all registrants will receive a link to a written verbatim transcript of this program.



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## Dates & Locations

### BOSTON

Thursday, February 28, 2019  
2:00 pm–5:00 pm

MCLE Conference Center,  
10 Winter Place, via Winter Street  
Program Number: 2190138P01

### LIVE WEBCAST

Thursday, February 28, 2019  
2:00 pm–5:00 pm

Register at [www.mcle.org](http://www.mcle.org)  
Program Number: 2190138WBC

### RECORDED WEBCAST

Thursday, March 14, 2019  
9:00 am–12:00 noon

Register at [www.mcle.org](http://www.mcle.org)  
Program Number: 2190138RBC

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