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# **Back to Work, Forward with Support: Navigating Accommodations After Brain Injury**



# Who we are:

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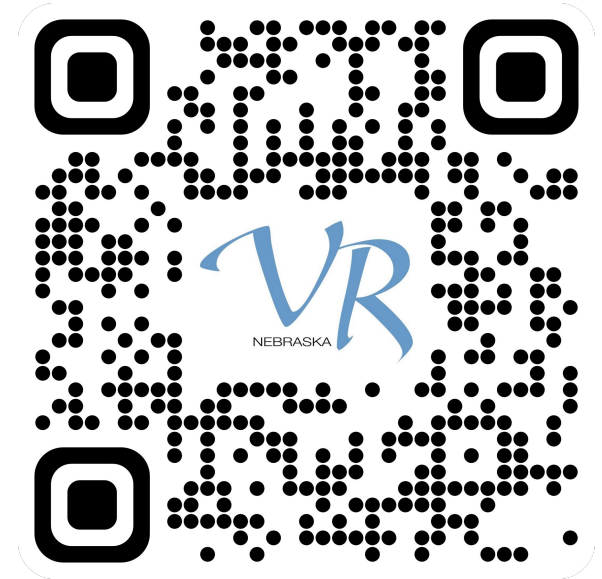
- Serving Omaha and Surrounding Communities

# Nebraska VR: *Where your future begins*

We help people with disabilities **prepare for, find, and keep jobs.**

We also help businesses **recruit, train, and retain** employees with disabilities.

Learn more: <https://vr.nebraska.gov/>





# Today's Objectives

- Understand the rights of individuals with brain injury under the ADA Title I in employment settings.
- Identify examples of reasonable workplace accommodations and compensatory strategies for individuals returning to work after a brain injury.
- Learn strategies for initiating and navigating the accommodation conversation between employer and employee.
- Discover how Nebraska VR supports both individuals and businesses throughout the return-to-work process.



Understand the rights of individuals with brain injury under the ADA Title I in employment settings.



# ADA Title I

- ADA Title I protects qualified individuals with disabilities from discrimination in employment.
- It applies to employers with 15 or more employees, including private employers, state and local governments, and employment agencies.
- Brain injury from any source can qualify as a disability if it substantially limits one or more major life activities.




# Brain Injury as a “Non-Visible” Disability

- Many effects of brain injury (memory, attention, fatigue, emotional regulation, processing speed) are not immediately obvious.
- Because of this, employees may face misunderstanding or incorrect assumptions about performance or motivation.
- ADA protections apply even when the disability is not visible.



# Who Is a “Qualified Individual”?

- A person with a brain injury is considered “qualified” if they:
  - Meet the skill, experience, and education requirements of the job, and
  - Can perform the essential functions of the job, with or without reasonable accommodation.
- The focus is on **ability**, not diagnosis.



Identify examples of reasonable workplace accommodations and compensatory strategies for individuals returning to work after a brain injury.



# Accommodation Versus Strategy

- **Accommodation**

- Requires employee disclosure
- Interactive process with employer
- Typically limited to work environment and job description

- **Compensatory Strategy**

- Personal
- Can be generalized to other environments
- Typically does not require employer involvement or permission

# Accommodations - Examples

- Accessible work areas, sit/stand work area
- Job restructuring or customization
- Modified or flexible work schedule
- Modified break schedule
- Rearranged work areas
- Assistive technology for physical and cognitive needs
- Quiet place for 'cognitive breaks'
- Non-fluorescent or alternative lighting
- Established employees; Telework, remote work




# Compensatory Strategies - Examples

- Color coded files
- Task flow chart
- Written instructions or 'step cards' for various tasks
- Calendar, day planner, organizer
- Timer, alarm
- Noise-cancelling headset or earbuds
- Note-taking apps



# Questions to Consider

- What specific challenge is impacting learning or daily functioning?
- How does this challenge affect participation in activities and work?
- Can the challenge be addressed with a compensatory strategy?
- Is a formal accommodation needed to support success?
- What documentation or communication is required for the accommodation?
- How will you monitor whether the strategy or accommodation is effective?
- Who needs to know about the support plan?
- Do coworkers need training to help implement the accommodation effectively?



Learn strategies for initiating and navigating the accommodation conversation between employer and employee.



# Accommodation Conversations Matter

- Accommodations are tools for success, not special treatment.
- For individuals with brain injury, needs may be invisible, evolving, or misunderstood.
- Early, open conversations reduce misunderstandings, performance issues, and turnover.
- When done well, accommodations benefit both the employee and the employer.



# Common Barriers to the Conversation

- Fear of stigma or being viewed as “less capable”.
- Uncertainty about when or how much to disclose.
- You may not see how your condition is affecting your work performance.
- Employers’ lack of understanding about brain injury.
- Changes in symptoms over time (fatigue, memory, processing speed, emotional regulation).

# Understanding Rights & Responsibilities

- Employees have the right to request reasonable accommodations under the ADA.
- Employers are responsible for engaging in the interactive process.
- Disclosure does not require sharing a diagnosis—only functional limitations.
- **Focus should always be on job-related needs and performance.**

# Preparing for the Accommodation Conversation (Employee Perspective)

- Identify specific job tasks that are challenging.
- Connect challenges to functional needs, not medical details.
- Come prepared with possible solutions, not just problems.
- Practice the conversation to build confidence.

## **Example:**

“I’m having difficulty prioritizing tasks when interruptions occur. A written task list and/or scheduled check-ins would help me stay productive.”



# Initiating the Conversation

- Prepare and practice
- Choose the right person (supervisor, HR, disability coordinator)
- Pick an appropriate time—private, calm, and proactive
- Use strengths-based language
- Keep the focus on job performance and outcomes

## **Key message:**

“I want to do my job well, and this support would help me succeed.”



# Navigating Challenges and Resistance

- Reframe accommodations as productivity supports
- Emphasize low-cost, high-impact solutions
- Ask for a trial period to test accommodations
- Revisit the conversation as needs change

## **Key reminder:**

Accommodations are not “one and done”—they are an ongoing dialogue.

# Workplace Accommodation Toolkit

The Toolkit provides guidance and resources for developing or updating accommodation policies and processes while leveraging best and emerging practices for creating an inclusive workplace and accommodating people with disabilities during all phases of the employment life cycle.

Learn more: <https://askjan.org>

- **Recruiters and Hiring Managers**
- **Supervisors and Managers**
- **Information Technology Team**
- **Employees with Disabilities and their Allies**

**JAN**  
Job Accommodation Network


**VR**  
NEBRASKA

# Requesting Reasonable Accommodations in Employment: A Decision Support Aid



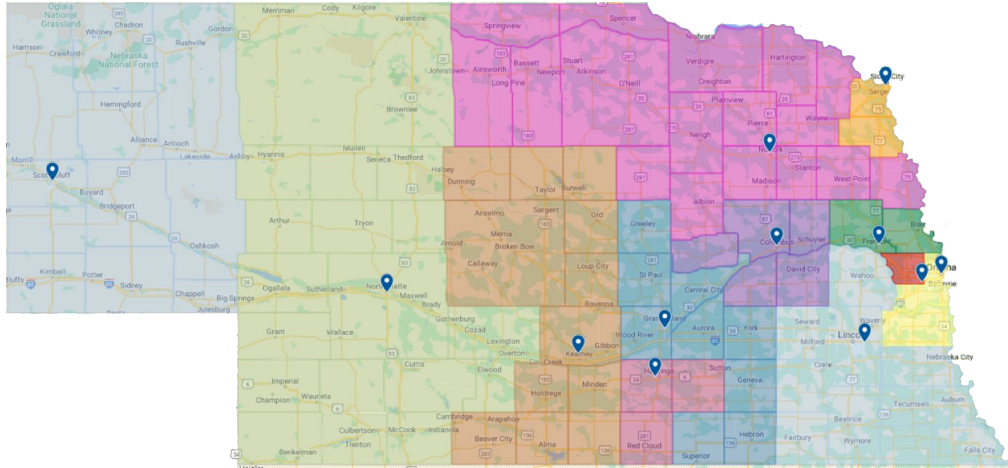
Guides you through the process of requesting a reasonable accommodation when applying, interviewing, or maintaining employment.

Learn more: <https://accommodations.uwctds.uw.edu>



Discover how Nebraska VR supports  
both individuals and businesses  
throughout the return-to-work process.

# Nebraska VR: Service Offices



- Columbus
- Fremont
- Grand Island
- Hastings
- Kearney
- Lincoln
- Norfolk
- North Platte
- Omaha
- Omaha West
- Scottsbluff

Office locator: <https://vr.nebraska.gov/offices>

# VR Pathway to Employment

## Nebraska VR and Your Pathway to Employment

Nebraska VR is an employment program for people who experience a disability. Everything Nebraska VR does and all of the services provided are for the purpose of helping people with disabilities prepare for, find, and keep a job. The program is voluntary and the services will be specific to your needs. Our Employment Specialists will work with you as long as you need to help you find a job. Here is what to expect along the way:

### Referral

To begin the Nebraska VR process you start with a referral. We have partner relationships with many state agencies, community action agencies, schools, and employers that may begin the referral process with you. In this case you may be asked to fill out a short form with your name, address, and basic information to be shared with us. If you receive Social Security Disability, you may have received information about Nebraska VR through Social Security's Ticket to Work program. Clients may also refer themselves by contacting one of our eleven Service Office locations across the state.

### Orientation and Application

Once information is received or we talk to you directly, an orientation or initial meeting with a Nebraska VR Employment Specialist is scheduled. This is when the application for services is typically completed.

### Eligibility Determination

Next, eligibility is determined. This is a requirement where Nebraska VR must document your disability through medical or education records and how your disability affects your ability to work.

To qualify you must have the following:

- **Impairment:** You must have a diagnosed impairment. Another word for this is disability. This could be some type of physical, mental, emotional or learning disability.
- **Impediment to employment:** We must be able to show that the impairment has caused you some problems in past employment, current employment or would cause some problems preparing for and getting employment in the future.
- **Benefit:** We must be able to show that VR services would help you obtain or keep successful employment.
- **Require services:** We must show that VR services are needed for you to reach successful employment.


Eligibility requirements are applied without regard to gender, race, age, color, or national origin. There is no upper or lower age limit for any person who otherwise meets the basic eligibility criteria. You must be present in the State of Nebraska and have the legal right to work in the United States.

Benefit counseling is provided throughout the process to explain how working will affect your federal, state, and local benefit.



- Referral
- Orientation and Application
- Eligibility
  - Impairment
  - Impediment to employment
  - Benefit
  - Require Services





You may be eligible if you experience one or more of the following:

- Issues with lifting, carrying, standing, sitting or using arms, hands or fingers
- Problems relating to co-workers, customers or supervisors
- Difficulty problem solving or communicating with team members
- Difficulty learning work skills or learning in a classroom
- Seeing a counselor for therapy and/or medication
- Trouble with organization or forgetting meetings
- Receive treatment for chemical dependency
- Experiences emotional or physical pain
- Difficulty maintaining or keeping a job
- Problems with hearing
- Receives SSI or SSDI

# VR Pathway to Employment – Page 2

**Individualized Plan for Employment (IPE)**  
After you have been determined eligible for VR services, your Employment Specialist will help you develop an individualized plan for employment or IPE.

The IPE includes:

- Your job goal.
- When you expect to reach it.
- All the services you need to reach your job goal.
- Who will provide those services.

Please know we encourage and expect your involvement in the planning process. We want to help you make informed decisions about your goals and the best way for you to achieve them.

**Participate in Planned Services to Prepare for a Job**  
The goal of the services identified in your IPE is to prepare you for access in employment. Some services will be provided by your Employment Specialist. Other services may be provided by community partners.

Examples of Nebraska VR services include:

- Evaluation to determine job skills and interests through a variety of worksite experience such as job shadows or business tours
- Vocational counseling and help in setting a job goal
- Assistance with training or education if needed to obtain a job
- Supported employment
- Help with job seeking and job interview skills
- Special equipment or technology that may help you keep a job
- Working with employers to find a job that fits your skills
- Connections with other community resources

Regular communication with Nebraska VR staff members, keeping appointments, and follow through with your responsibilities is also important. This will help us both to stay on track to help you find or keep a job.

**Employment**  
Once you are ready to work, your Employment Specialist will help identify job openings matching your job goal. They will work with you in completing applications, creating resumes, interviewing, and advocating. Changes to the job site or assistive devices to be successful on the job will be addressed once you are hired.


**After Employment**  
After you are hired and have worked for at least 90 days, you and your Employment Specialist will discuss successful closure of your case. Once your case is closed, if you run into any bumps on the job in the future, be sure to notify your Employment Specialist so issues can be addressed with you or your employer. A simple solution may be all that is needed to help you be successful.

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**Informed Choice**  
You have the right to take part in any decisions about your job goal, services, and service providers.

For more information or to find a service provider go to [vr.nebraska.gov](http://vr.nebraska.gov).

Nebraska VR - Where your future begins



- Individualized Plan for Employment (IPE)
- Participate in Planned Services to Prepare for a Job
- Employment
- After Employment



# Dual-Customer Approach

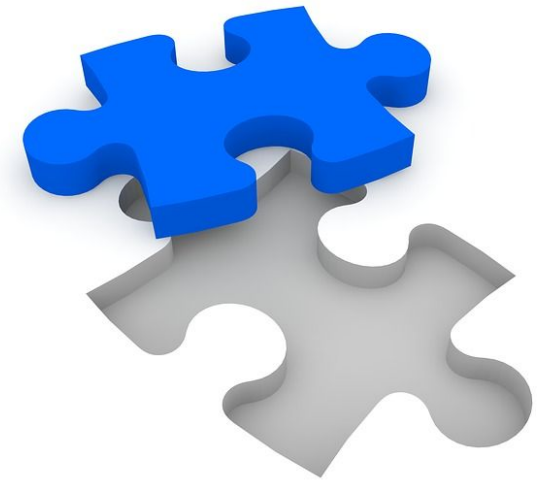
- Help people with disabilities gain or retain employment
- To help businesses find skilled, qualified individuals to fill their vacancies



# Job Matching and Retention

**Matching qualified candidates with quality businesses.**

- Discover the needs of the business
- Provide referrals for qualified candidates
- Provide follow-up visits
- Provide job coaches
- Assist with worksite accommodations





# Uncertainties from Some Employers:

- Increased supervisor workload
- Uncertainty about training
- Productivity concerns
- Not knowing how benefits work for jobseekers
- Not knowing where to get help

# Questions?





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