



The ADA Interactive Process

A “good faith” guide for church & non-profit leaders and admins

Brought to you by:

Brian Huston, JD, SHRM-SCP

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Faith should make us better this.

Accommodation is hospitality with paperwork.

You're already in the business of welcoming people.

The law just asks us to do it consistently and write it down.

First, a myth to retire

“We’re a church — the [ADA] doesn’t apply to us.”

The narrow religious exemption covers **who you hire to advance the faith** and *religious* accommodations — not **disability** accommodations.

If you have employees, assume the ADA applies. It usually does (15+ souls, 6+ for MO).

What the exemption actually covers

Ministerial exception — Protects choices about clergy & those who carry out the religious mission (hiring, firing, discipline of ministers and faith leaders).

Religious preference — A faith-based employer may prefer to hire people of its own faith (Title VII).

Religious accommodation — Different rules apply to accommodating belief & practice (not disability)

Disability is NOT exempt — ADA reasonable-accommodation duties apply to most staff — admins, custodians, teachers, aides, music leaders, daycare workers, etc..

A few notes just for churches

Volunteers vs. employees - The duty attaches to employees.

“We're family” - Warmth is great; it's not a process. Kindness + documentation, not kindness instead of it.

The pastor isn't HR - Route requests to one trained point person, so every staffer is handled the same way.

Mission vs. disability - You can hold staff to faith expectations and still accommodate a disability. They coexist.

“

The ADA Interactive Process

Six steps. Informal on purpose. Documented every time.

We'll follow one church example all the way through.

The six steps at a glance

1

Recognize

Spot the request

2

Begin

Talk it through

3

Request info

Only if needed

4

Explore & choose

Find what works

5

Implement

Put it in place

6

Monitor

Check back

Our example for today:

Sam is the office administrator at a mid-size church - front desk, phones, scheduling, giving records.

ACCOMMODATION REQUESTED

"I need 15 minutes off every hour for my migraines."

REASON

"When these migraines start I can't focus or do my job properly"

LIMITATION

"I can't focus or communicate when these symptoms onset. I need to rest my eyes and take a break to prevent it."

The tension

As written, 15 min every hour is ~2 hours a day off the desk.

You don't rubber-stamp it. You also don't just say no.

You start the process.

1 Recognize the request

There are no magic words.

A request = a medical condition + a need to do the job differently.

- It can be casual, verbal, or come from a family member.
- It doesn't have to say "ADA" or "accommodation."
- Acknowledge promptly — aim for a few business days.

Sam's case

Sam never filed a form or said "ADA."

Migraines + needing breaks to do the job = a request.

Don't wait for paperwork. The clock starts now.

2 Begin the interactive process

Talk it through — this is the conversation step.

- List the essential functions of the job.
- Name the limitation the employee is hitting.
- Determine if a formal request form or medical authorization form (or both) are necessary.
- Listen & brainstorm first. Solutions come in Step 4.

Sam's case

Essential functions: cover the desk & phones, keep accurate giving and other records.

Limitation: migraine attacks escalate when Sam can't take time to rest her eyes/brain.

Now you understand the real need.

3 Request information (when needed)

Only if the need isn't obvious.

- Ask narrowly: functional limits & restrictions, not full records.
- If it's already clear, don't ask for more.
- First, is this even a disability?
- Second, does the doctor think these occur every hour, or is it much less frequent?

Sam's case

Anxiety is invisible and "15/hour" is a big ask – so I would request both forms here.

Ask the provider: disability? what restrictions? Would scheduled + as-needed breaks work?

The employee doesn't get to decide the response.

4 Explore & choose

The brainstorm — then pick what works.

- Invite the employee's ideas; list every option.
- Think of your own solutions. Back and forth brainstorm.
- Choose one that's effective and not an undue hardship.
- Their preference matters, but it doesn't bind you.
- Write down why you chose what you did (or why you can't).

Sam's case

Options weighed: literal 15/hour (likely too much for a solo desk); two scheduled breaks + step away when symptoms start, with phone coverage. Monitor actual need/use. Is it consistent?

Chosen: scheduled + as-needed breaks. Effective, workable.

5 Implement the accommodation

Turn the decision into action.

- Action items with specifics and dates - put it in place fast.
- Tell only those who need to know.
- Share the restriction, not the diagnosis (unless the employee consents).

29 C.F.R. § 1630.14(c) — confidentiality of medical info

Sam's case

For the next 30 days, we will allow two 10-minute breaks per shift and up to 2 additional 5-10 min. breaks per day on an as needed basis; Susan will be on call to handle the phones during these breaks; Sam is to close her eyes in the break room (no phone or electronics during this time).

Susan, the office manager is told "Sam needs scheduled breaks" not the diagnosis.

6 Monitor — then close it out

Accommodations can lose their fit over time.

- Set a follow-up date and keep it.
- If it stops working, loop back to Step 4 (explore options – ADA interactive process).
- Document each check-in, then mark the outcome.

Sam's case

Check in at 4 weeks: the two scheduled breaks are working, little to no additional breaks are being used.

Log the check-in. Revisit if Sam's duties or condition change.

Outcome: accommodation granted to continue another month (or for next X months).

“

*If it isn't written down, we have a hard time showing
we acted in good faith.*

Note the request, the conversation, the options you weighed, and what you chose.

You're not building a case against anyone - you're showing good faith.

Good faith is what protects the ministry.

Make it easy: run it through the portal

The OutrightHR portal turns these same six steps into one clean, tracked trail.

- **Log the request**

Capture date, what was said, and who took it — the moment it happens.

- **Walk the six steps**

Each step has its own card; you and the client's admins can fill any of them.

- **Store it right**

Medical notes stay confidential and separate; GINA quarantine built in.

- **Loop in an expert**

One click to flag a tricky one for human HR advisory support.



HR Incidents

Harassment, discrimination, hostile work environment, and other Title VII / ADA / ADEA concerns. OutrightHR handles intake and follow-up. OSHA injuries and hazards live in the Safety module.

[Open →](#)



Safety (OSHA)

OSHA recordkeeping under 29 CFR 1904 — Form 300 log, 301 detail, 300A annual summary, recordable-case wizard, and severe-event (1904.39) reporting. Per-establishment records.

[Open →](#)



ADA accommodations

Coordinate reasonable accommodation requests under the ADA. OutrightHR drives the interactive process; you implement the workplace changes.

[Open →](#)



FMLA Administration

Intake, eligibility, certification, and designation for Family & Medical Leave Act requests. OutrightHR coordinates the paperwork and deadlines.

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Performance Reviews

Custom template builder for annual, mid-year, 30-60-90 day, and 360 reviews. Assign individuals or groups, pick raters, track completion - all in the portal.

[Open →](#)



Employee Acknowledgments & Signed Docs

Publish a document to your team and track who acknowledged it. Use for handbook sign-offs, policy updates, and similar.

[Open →](#)



Licenses & Compliance

Track per-employee licenses, certifications, insurance, and other compliance items with custom field schemas and expiration reminders.

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Training

Track who needs training, record completions, and see the firm-wide compliance picture for your team.

[Open →](#)

The whole thing in one breath

Recognize → begin the conversation → request info if needed → explore & choose → implement → monitor.

Stay informal. Stay kind. Document everything.

The literal request is rarely the accommodation, but the process should find one that works.



Questions or Comments: The ADA Interactive Process

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