

Technical Assistance Guide on Sensitivity Symptoms in the Workplace for People with Disabilities

A Corporate Partner Benefit of the
National Business & Disability Council (NBDC)
at The Viscardi Center

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National Business & Disability Council (NBDC) at The Viscardi Center: Sensitivity Symptoms in the Workplace for People with Disabilities

The National Business and Disability Council (NBDC) at The Viscardi Center is pleased to share with its corporate partners the following technical assistance guide, **Sensitivity Symptoms in the Workplace for People with Disabilities**. This technical assistance guide provides useful information about allergies, asthma, fragrances, and scents that affect people with disabilities, related workplace accommodation practices, as well as any potential legal ramifications.

It should be noted that under the Americans with Disabilities Act (ADA), a person with a disability is an individual with 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 as stipulated by the U.S. Equal Employment Opportunity Commission (EEOC) regulations. The significance of this definition is important because conditions such as asthma or any allergy that is significant enough to limit one or more major life activities could potentially be covered under the ADA.¹

The National Institute for Occupational Safety and Health (NIOSH) at the U.S. Centers for Disease Control & Prevention (CDC) makes available a litany of information related to sensitivity symptoms, such as health hazard evaluation, dampness and mold in buildings, building ventilation, chemicals and odors, and other information.



Photo Source: NIOSH

To download more information, go to <http://www.cdc.gov/niosh/topics/indoorenv/chemicalsodors.html>.

Disclaimer...

The technical assistance guide is not intended to provide legal advice to NBDC corporate partners, but rather to share relevant information, resources and tools. The content herein does not serve as an endorsement of any commercial product or service, but rather an outlet to share information and opinions about accessible information and communication technologies.

¹ Accommodation and Compliance Series: Employees with Respiratory Impairment (accessed September 9, 2016); available from <http://askjan.org/media/respiratory.html>

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What is Sensitivity Symptoms?

Background & History

Sensitivity symptoms can range from various ailments, with symptoms such as itchy eyes, runny nose, hay fever, headaches and much more. It can be difficult to figure out what is the cause of the sensitivity symptoms, particularly if it is relatively new to the individual. Tackling sensitivity issues in the workplace can become an even more challenging issue when an employer or employee is not sure how to restructure office space and/or remove potential allergens or irritants immediately. Employees with a relatively long history of allergies will usually have an understanding of what triggers their symptoms and how to counteract them. However, employees with relatively new sensitivity symptoms may take a longer period of time figuring out what is causing their symptoms.² What employers need to recognize is employees with sensitivity symptoms may actually be legally protected under the law.

Behind the Numbers

Studies show that overall at least 15-20 percent of the population is hypersensitive to certain allergens and irritants.³ About 4 percent of adults currently suffer from allergies ranging from mild to life threatening, but far more children as compared to adults suffer from food allergies, according to both the National Institute of Allergy and Infectious Diseases and the Journal of the American Academy of Pediatrics. This is a significant finding because today's youth are the future workforce. In addition, many enter the workforce early in order to gain valuable internship and paid work experience.⁴

² Accommodating the Allergic Employee in the Workplace (accessed September 9, 2016); available from <http://digitalcommons.ilr.cornell.edu/cgi/viewcontent.cgi?article=1295&context=edicollect>

³ Accommodating the Allergic Employee in the Workplace (accessed September 9, 2016); available from <http://digitalcommons.ilr.cornell.edu/cgi/viewcontent.cgi?article=1295&context=edicollect>

⁴ 13 Recruiting Stats HR Pros Must Know in 2016 (accessed August 5, 2016); available from <http://www.careerarc.com/blog/2016/01/13-recruiting-stats-hr-pro-must-know-2016/>

Americans with Disabilities Act (ADA)

Under the Americans with Disabilities Act (ADA), an employer is not required to totally ban fragrances from the workplace because of the difficulty of enforcing such a ban, especially when the public has access to the workplace. The exception is when the fragrance is unique to the work environment, minimal, and/or the employer has more control over it. For example, an employer can establish a rule that unscented cleaning products be used rather than air fresheners. This does not preclude employers from establishing fragrance-free policy as more individuals join the workforce and employers become aware of how certain allergens affect people in the workplace.⁵



It should be noted that under the ADA, a person with a disability is an individual with 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 as stipulated by the U.S. Equal Employment Opportunity Commission (EEOC) regulations. The significance of this definition is important because conditions such as asthma or any allergy that is significant enough to limit one or more major life activities could potentially be covered under the ADA.⁶

How do Allergies, Asthma, Fragrances and Scents Affect People with Disabilities?

Defining Individuals with Sensitivity Symptoms

Many people suffer from allergies caused by everyday exposures to agents such as dust mites, pet dander, and fragrances. Such agents encountered by employees can also cause reactions that exacerbate an employee's medical condition such as asthma, nasal and sinus allergies, hives, and result in anaphylactic shock. It is important to understand how these agents affect people in the workplace. Employers should consider ways to minimize symptoms and accommodate employees who can potentially have life-threatening reactions that could affect their ability to perform job related tasks successfully.⁷

Some common examples include:

⁵ Accommodation and Compliance Series: Employees with Fragrance Sensitivity (accessed September 9, 2016); available from <http://askjan.org/media/fragrance.html>

⁶ eRecruiting and Accessibility (accessed July 11, 2016); available from <http://www.peatworks.org/talentworks/erecruiting-accessibility>

⁷ Accommodating the Allergic Employee in the Workplace (accessed September 9, 2016); available from <http://digitalcommons.ilr.cornell.edu/cgi/viewcontent.cgi?article=1295&context=edicollect>

Allergies: An allergy is an overreaction of the immune system to food, dust, pollen, or some other substance. Allergic reactions can cause hives, rashes, and respiratory conditions such as asthma and can even lead to anaphylactic shock. People with disabilities may need to limit their exposure to certain allergens or may have an existing medical condition that is often exacerbated by certain allergens. Some individuals may require medication to minimize their symptoms particularly while at work.⁸

Asthma: Asthma is a medical condition that can range from mild to severe and mainly affects an individual's respiratory system. Employees with severe asthma could experience difficulties with stamina and performance due to frequent symptoms such as wheezing or coughing. Many individuals with a respiratory condition, such as asthma, may need to follow a specific treatment plan while at work to alleviate symptoms and accommodations may be necessary to allow the employee to effectively engage in the workplace. Others may need to be placed in areas that are less exposed to certain allergens.⁹

Fragrances & Scents: Fragrance sensitivity can cause symptoms that include headaches, nausea, and a skin irritation, which causes redness. A constant itching and burning sensation of the eyes, as well as sneezing and runny nose, are also common symptoms of individuals allergic to fragrances and scents. Some individuals may experience breathing difficulties, such as wheezing, a tight feeling in the chest, or worsening of asthma symptoms. Frequency to exposure and level of sensitivity to certain fragrances and scents can vary from one individual to the next and identifying the exact cause of the irritation or allergy can be difficult as the exact source may not be easily identifiable by the individual with the allergy.¹⁰

Workplace Exposure to Allergens

There is an enormous range of potential allergens in the workplace.¹¹ These may include any of the following that are commonly encountered in the workplace:

- Insecticide
- Mold
- Animal dander
- Latex
- Peanuts
- Plants
- Perfumes

Exposure to allergens in the workplace should be identified and avoided to the extent possible. Individuals with allergies may react differently to exposure to certain allergens in the workplace. This is because some employees may be exposed to certain allergens more than others based on location and frequent exposure to areas near specific allergens. For example, an employee whose office is near a boiler room could potentially experience allergy symptoms due to exposure to the cobalt metal, dust, and fumes emanating from the boiler.¹²

⁸ Accommodating the Allergic Employee in the Workplace (accessed September 9, 2016); available from <http://digitalcommons.ilr.cornell.edu/cgi/viewcontent.cgi?article=1295&context=edicollect>

⁹ Accommodation and Compliance Series: Employees with Respiratory Impairment (accessed September 9, 2016); available from <http://askjan.org/media/respiratory.html>

¹⁰ Accommodation and Compliance Series: Employees with Fragrance Sensitivity (accessed September 9, 2016); available from <http://askjan.org/media/fragrance.html>

¹¹ Accommodating the Allergic Employee in the Workplace (accessed September 9, 2016); available from <http://digitalcommons.ilr.cornell.edu/cgi/viewcontent.cgi?article=1295&context=edicollect>

¹² Accommodating the Allergic Employee in the Workplace (accessed September 9, 2016); available from <http://digitalcommons.ilr.cornell.edu/cgi/viewcontent.cgi?article=1295&context=edicollect>

Effective Accommodation Practices and the Americans with Disabilities Act

Social media can help employers leverage the best talent. However, companies should ensure that their Good occupational health practice involves monitoring for workplace exposure to common allergens. This may require conducting research on permissible exposure to common allergens when it's impossible to eliminate exposure entirely. It is important to point out that many studies show the presence of substance-specific antibodies in many workers. Usually, the majority of these workers do not have evidence of a severe allergy or medical condition, such as asthma. However, for this reason, it is important to monitor and minimize exposure to workplace allergens for those with severe allergies. While there are not many studies conducted on occupational health monitoring, there is evidence to suggest that warehouses and industrial facilities could benefit from an occupational health monitoring system. This is due to the fact that these facilities are often unable to eliminate exposure to allergens entirely and need to find better ways to monitor exposure to workplace allergens to accommodate their employees.¹³

Food Allergies

The EEOC has taken the position that allergies, which produce life-threatening reactions and are substantially limiting activities of daily living, are covered under the ADA. If an employee's allergy is severe enough that is in fact substantially limiting, it is important that the employee make his or her employer aware as soon as possible. Employers must accommodate the effects of an employee's condition even if it can be ameliorated through medication or whether other treatment can alleviate the symptoms of the individual's condition. This makes it harder for the employer to argue allergies are not disabling, even if symptoms only occur when exposed to certain foods.¹⁴

Once the employee discloses that he or she has a severe allergy that is substantially limiting, and in need of a reasonable accommodation both the employer and employee should start the interactive process which helps both parties identify a reasonable accommodation that will enable the employee with the severe food allergy to perform the essential functions of his or her position as well as meet the needs of the employer.¹⁵ An employee with severe food allergies should make his or her employer aware of the severity of the food allergies.

Important items to include are:



¹³ Regulating Allergies in the Workplace (accessed October 31, 2016); available from http://ehstoday.com/news/ehs_imp_33740

¹⁴ Accommodating Food Allergies in the Workplace (accessed September 9, 2016); available from <http://www.hreonline.com/HRE/view/story.jhtml?id=534354814>

¹⁵ Accommodating Food Allergies in the Workplace (accessed September 9, 2016); available from <http://www.hreonline.com/HRE/view/story.jhtml?id=534354814>

- How to recognize the signs of a reaction.
- What to do in case of emergency.
- Ask the employee where he or she keeps their epinephrine, if needed.¹⁶

Places of employment can ensure a safe and effective workspace by:

- Designating certain areas as “allergy-free” zones.¹⁷
- Placing food allergy awareness posters in common areas, such as a “break room.”¹⁸
- Conducting brief meeting consultations before planning working lunch conferences to discuss food preferences.¹⁹
- Encouraging all employees to label packaged food.²⁰
- Allowing employees with allergies to eat at their desks.²¹

An employer should be careful placing restrictions on where an employee with severe allergies can eat to avoid creating the impression that the employee is being denied access to certain areas of the building. More importantly, all policies should be clearly communicated to employees and management staff to ensure that they understand their relevance and be given an opportunity to address any concerns. These practices will help ensure that employees with severe food allergies are able to work safely and effectively in the workplace.²²

Mold & Dust Allergies



Allergies to mold and dust in the workplace can lead to respiratory disorders, including some types of bronchial asthma, hypersensitivity and other pulmonary function disorders. Employees with severe allergies to mold and dust that often work in industrial or agricultural environments may come in contact with fungal allergens associated with moisture problems in buildings or may be exposed to certain molds during food processing procedures. These include common molds such as *Aspergillus*, *Penicillium*, and *Cladosporium* species. For some individuals in the workplace, exposure to molds and allergens can cause a significant respiratory problem that limits major life activities and meet the qualifying definition of an individual with a disability under the ADA.²³

¹⁶ Food Allergy Research and Education: Managing Food Allergies at Work (accessed September 9, 2016); available from <http://www.foodallergy.org/managing-food-allergies-at/work>

¹⁷ Food Allergy Research and Education: Managing Food Allergies at Work (accessed September 9, 2016); available from <http://www.foodallergy.org/managing-food-allergies-at/work>

¹⁸ Food Allergy Research and Education: Managing Food Allergies at Work (accessed September 9, 2016); available from <http://www.foodallergy.org/managing-food-allergies-at/work>

¹⁹ Food Allergy Research and Education: Managing Food Allergies at Work (accessed September 9, 2016); available from <http://www.foodallergy.org/managing-food-allergies-at/work>

²⁰ Food Allergy Research and Education: Managing Food Allergies at Work (accessed September 9, 2016); available from <http://www.foodallergy.org/managing-food-allergies-at/work>

²¹ Accommodating Food Allergies in the Workplace (accessed September 9, 2016); available from <http://www.hreonline.com/HRE/view/story.jhtml?id=534354814>

²² Food Allergy Research and Education: Managing Food Allergies at Work (accessed September 9, 2016); available from <http://www.foodallergy.org/managing-food-allergies-at/work>

²³ Accommodating the Allergic Employee in the Workplace (accessed September 9, 2016); available from <http://digitalcommons.ilr.cornell.edu/cgi/viewcontent.cgi?article=1295&context=edicollect>

Employers can implement workplace practices that will allow employees with mold and dust allergies to work safely and effectively in the workplace. Important steps that could be taken include:

- Preventing moisture from condensing by increasing surface temperature or reducing the humidity in the air by using an air purification device.²⁴
- Performing regularly scheduled building/ inspections and maintenance, including filter changes especially near common workspaces.²⁵
- Identifying leaks immediately and establishing a clean up response within 24-48 hours.²⁶
- When an employee has respiratory condition that may be exacerbated by mold and dust in the workplace, consider the possibility of moving the individual away from the source since limited exposure can lessen the severity of symptoms.²⁷
- Using an air filtration system to get rid of dust particles and reduce moisture in the air.²⁸

Fragrance & Scent Allergies

As with all allergies, the symptoms associated with fragrance and scent allergies depend on the degree to which it may limit an employee's major life activities and can vary based on sensitivity to certain scents or fragrances. The best way to accommodate employees with fragrance sensitivity is to remove, block, or avoid the offending substance as much as possible. However, it should be noted that it is impossible for an employer to ban all fragrances and scents in the workplace, as many businesses are open to the public and could not enforce such a rule that would limit public access.



In addition, not all employees with fragrance and scent allergies will require an accommodation. This is only necessary, when the sensitivity is severe and limiting in scope. For example, an employee who experiences severe itching, respiratory difficulty, sneezing, and watery eyes due to the smell of a bleaching agent may meet the qualifying definition of an individual with a disability.²⁹

Some accommodation ideas that an employer might want to consider include the following:

- Maintain good indoor air quality.³⁰
- Use unscented products.³¹
- Encourage the use of scent-free meeting rooms and restrooms.³²

²⁴ United States Dept. of Labor: A Brief Guide to Mold in the Workplace (accessed September 9, 2016); <https://www.osha.gov/dts/shib/shib101003.html>

²⁵ United States Dept. of Labor: A Brief Guide to Mold in the Workplace (accessed September 9, 2016); <https://www.osha.gov/dts/shib/shib101003.html>

²⁶ United States Dept. of Labor: A Brief Guide to Mold in the Workplace (accessed September 9, 2016); <https://www.osha.gov/dts/shib/shib101003.html>

²⁷ United States Dept. of Labor: A Brief Guide to Mold in the Workplace (accessed September 9, 2016); <https://www.osha.gov/dts/shib/shib101003.html>

²⁸ United States Dept. of Labor: A Brief Guide to Mold in the Workplace (accessed September 9, 2016); <https://www.osha.gov/dts/shib/shib101003.html>

²⁹ Accommodation and Compliance Series: Employees with Fragrance Sensitivity (accessed September 9, 2016); available from <http://askjan.org/media/fragrance.html>

³⁰ Accommodation and Compliance Series: Employees with Fragrance Sensitivity (accessed September 9, 2016); available from <http://askjan.org/media/fragrance.html>

³¹ Accommodation and Compliance Series: Employees with Fragrance Sensitivity (accessed September 9, 2016); available from <http://askjan.org/media/fragrance.html>

³² Accommodation and Compliance Series: Employees with Fragrance Sensitivity (accessed September 9, 2016); available from <http://askjan.org/media/fragrance.html>

- Modify workstation times and locations to limit exposure to certain scents and fragrances.³³
- Allow the employee to take breaks outdoors.³⁴
- Ensure good ventilation at workplace locations.³⁵

Pet Dander Allergies



It should be noted that employees with a severe allergy to pet dander, accompanied by respiratory complications, can have grave difficulty performing job tasks and therefore may be considered as having a qualifying disability under the ADA. The employee could discuss with his or her employer the option of working on a flexible schedule to avoid interacting with other colleague(s) who may bring an animal to work that leads to pet dander allergies.³⁶ While it is not possible to ban service animals from the workplace, enforcing a “no pet” policy in the workplace might allow employees with severe pet dander allergies to experience a reduction in their symptoms.

Purchasing an air filtration system that can be used to ventilate an employee’s workspace, especially during times when a service animal or pet is present, could help alleviate some of an employee’s symptoms. Discussing an accessible path of travel during active work times can be important for an employee with severe allergies to pet dander because it can enable the employee to work during regular business hours without having to work remotely. This may also be an effective accommodation for employees who physical presence is an essential part of the job.³⁷

Asthma

An employee who experiences respiratory limitations, such as asthma, may have difficulty performing activities that require excessive physical activity, for example walking long distances. It may be necessary to address concerns related to fatigue for an employee who has difficulty getting around the office or facility particularly if, traveling for long periods of time is an essential job function. As with any condition, a qualifying definition of asthma as a disability under the ADA means that the individual has significant respiratory issues that limits one or more major life activities such breathing and/or walking.³⁸



³³ Accommodation and Compliance Series: Employees with Fragrance Sensitivity (accessed September 9, 2016); available from <http://askjan.org/media/fragrance.html>

³⁴ Accommodation and Compliance Series: Employees with Fragrance Sensitivity (accessed September 9, 2016); available from <http://askjan.org/media/fragrance.html>

³⁵ Accommodation and Compliance Series: Employees with Fragrance Sensitivity (accessed September 9, 2016); available from <http://askjan.org/media/fragrance.html>

³⁶ Accommodation and Compliance Series: Service Animals in the Workplace (accessed September 9, 2016); available from <http://askjan.org/media/servanim.html>

³⁷ Accommodation and Compliance Series: Service Animals in the Workplace (accessed September 9, 2016); available from <http://askjan.org/media/servanim.html>

³⁸ Accommodation and Compliance Series: Employees with Respiratory Impairment (accessed September 9, 2016); available from <http://askjan.org/media/respiratory.html>

Some accommodation ideas that an employer might want to consider are:

- Providing an entrance free of steps with doors that open automatically.³⁹
- Providing a scooter or similar mobility device for the employee to use for walking long distances.⁴⁰
- Moving the individual's workstation closer to equipment, materials, and rooms the employee uses frequently to help avoid fatigue.⁴¹
- Modifying workplace policies to allow for intermittent break times.⁴²

Legal Ramification for Sensitivity Symptoms

The following litigation has focused on sensitivity symptoms in the workplace:

Fragrance Allergy^{43 44}

McBride vs. the City of Detroit (2007)

- An employee in the city of Detroit planning department claimed she was severely sensitive to perfumes and other cosmetics. The lawsuit stated that, in particular, a co-worker's strong fragrance prohibited her from working because it affected her breathing. She alleged that the problems began when the co-worker transferred into her department and the employee not only wore a strong scent, but also plugged in a scented room deodorizer which caused the plaintiff to become ill. The city argued that the perfume allergy didn't qualify as a "major life activity" under the ADA. The judge disagreed, saying that breathing qualifies as a major life activity.
- Under a settlement reached in the McBride case, the city was told to post notices in buildings where the plaintiff works, asking other city employees not to wear scents at work. According to the settlement the notice should contain this language: "To accommodate employees who are medically sensitive to the chemicals in scented products, the city of Detroit requests that you refrain from wearing scented products, including but not limited to colognes, after-shave, lotions, perfumes, deodorants, body/face lotions, hair sprays or similar products." The U.S. District Court in Detroit also awarded the plaintiff \$100,000 in damages.

³⁹ Accommodation and Compliance Series: Employees with Respiratory Impairment (accessed September 9, 2016); available from <http://askjan.org/media/respiratory.html>

⁴⁰ Accommodation and Compliance Series: Employees with Respiratory Impairment (accessed September 9, 2016); available from <http://askjan.org/media/respiratory.html>

⁴¹ Accommodation and Compliance Series: Employees with Respiratory Impairment (accessed September 9, 2016); available from <http://askjan.org/media/respiratory.html>

⁴² Accommodation and Compliance Series: Employees with Respiratory Impairment (accessed September 9, 2016); available from <http://askjan.org/media/respiratory.html>

⁴³ Detroit employee sues city over co-worker's perfume (accessed October 13, 2016); available from http://usatoday30.usatoday.com/news/offbeat/2007-07-05-detroit_N.htm

⁴⁴ Employee wins \$100K over allergy to co-worker's perfume (accessed October 13, 2016); available from <http://www.safetynewsalert.com/employee-wins-100k-over-allergy-to-co-workers-perfume/>

Mold Allergy⁴⁵

Jennings vs. AAON Inc. (2015)

- The plaintiff claimed that she suffered from respiratory problems while working for AAON Inc., an air conditioning and heating equipment manufacturer due to the presence of mold, water damage, or dust. However, air quality testing found that those allergens were not present in any significant amount at Jennings' workplace. The Court found that the plaintiff failed to establish evidence of disability discrimination, because she failed to produce any medical evidence to substantiate the claim.
- The Court also rejected the plaintiff's argument that AAON regarded her as being disabled, even though her supervisors were aware of her respiratory problems at work, because the documentary evidence and deposition testimony failed to establish that employer believed that the plaintiff had any type of diagnosable respiratory impairment that prevented her from working. It was ruled that the plaintiff was not disabled under the Americans with Disabilities Act as she could not show she was disabled, regarded as disabled or that she could fulfill the essential functions of her job from home.

Asthma^{46 47}

EEOC vs. Baker Concrete Construction (2013)

- The U.S. Equal Employment Opportunity Commission alleged that Baker Concrete Construction terminated payroll manager Maria Castillo in 2013 over her asthma. After allegedly suffering an asthma attack in February 2013, Castillo was forced to leave the building. Castillo requested to work from home for a while because of her asthma flare-up due to dust in the office and asked the company to install an air filtration system or move her away from the kitchen. The company refused and placed her on extended leave.
- After Castillo, a nine-year employee of the company, was denied a reasonable accommodation, she was fired by human resource officials who told her that due to her disability she could no longer perform her job and would just become ill again if they gave her permission to work at home for a period because the building was old and she would continue to have breathing problems upon her return. A U.S. District Court Judge ruled that Baker Concrete Construction award Castillo \$58,000 and required that the company institute EEOC-monitored training at its facility on employment discrimination law, including the ADA. The judgement also required the company to implement an ADA policy which includes permitting telework as a reasonable accommodation in appropriate circumstances.

⁴⁵ JENNINGS v. AAON, INC.: Case No. 14-CV-0347-CVE-PJC (accessed October 13, 2016); available from <http://www.leagle.com/decision/In%20FDCO%2020150728B98/JENNINGS%20v.%20AAON,%20INC.>

⁴⁶ Houston Construction Co. Pays \$58K To Asthmatic Worker (accessed October 13, 2016); available from <http://www.law360.com/articles/656491/houston-construction-co-pays-58k-to-asthmatic-worker>

⁴⁷ Baker Concrete to Settle EEOC Disability Case (accessed September 9, 2016); available from <https://www.eeoc.gov/eeoc/newsroom/release/5-14-15.cfm>

Sample of a Scent-Free Workplace Policy

Some organizations have implemented scent-free workplace policies to help minimize exposure to scented products that can cause a health hazard to employees in the workplace. Here is a sample provided by the American Lung Association of a scent-free workplace policy implementation that could be considered for a variety of workplace environments:⁴⁸

“A fragrance-free environment helps create a safe and healthy workplace. Fragrances from personal care products, air fresheners, candles and cleaning products have been associated with adversely affecting a person’s health including headaches, upper respiratory symptoms, shortness of breath, and difficulty with concentration. People with allergies and asthma report that certain odors, even in small amounts, can cause asthma symptoms. [EMPLOYER] will work with building management to ensure that products used to clean the workplace are fragrance-free and follow best practices to limit employee exposure to cleaning chemicals. [EMPLOYER] recognizes the hazards caused by exposure to scented products and cleaning chemicals and we have a policy to provide a fragrance-free environment for all employees and visitors to keep a safe and healthy workplace environment. This policy applies to both employees and non-employee visitors of [EMPLOYER].”

Policies:

1. [EMPLOYER] expects that all offices and spaces used by the staff and their visitors remain free of scented products.
2. Personal care products such as cologne, perfume, aftershave lotions, scented lotions, fragranced hair products and/or similar products are not to be worn in the facilities owned and operated by [EMPLOYER], including company owned vehicles.
3. Use of air fresheners and candles are prohibited from the facilities owned and operated by [EMPLOYER], including company owned vehicles.
4. Use of cleaning products other than those purchased by the [EMPLOYER or BUILDING MANAGEMENT] are prohibited for cleaning personal workspaces.

Procedures:

1. Employees will be informed of the [EMPLOYER] Fragrance-free Policy through signs posted throughout properties owned and operated by [EMPLOYER], including company-owned vehicles.
2. Visitors will be informed of the [EMPLOYER] Fragrance-free Policy by their hosts, the meeting invite, email correspondences and signs posted throughout the properties owned and operated by [EMPLOYER].
3. Sample Email Signature for guests: “This is a fragrance-free workplace. Thank you for not wearing any of the following during your visit: cologne, after shave lotion, perfume, perfumed hand lotion, fragranced hair products, and/or similar products. Our chemically-sensitive co-workers and clients thank you.”
4. Any violations of this policy will be handled through the standard disciplinary procedure.

[INSERT SIGNATURE]
SIGNATURE CEO or PRESIDENT

[INSERT DATE]
DATE

⁴⁸ American Lung Association “Sample Fragrance-free Policy” (accessed December 12, 2016); available from <http://action.lung.org/site/DocServer/fragrance-free-workplace.pdf>.

Information and Resources on Sensitivity Symptoms

- Job Accommodation Network (JAN)
<http://AskJAN.org>
- Environmental Health Network
<http://www.ehnca.org>
- Indoor Air Quality Information Clearinghouse, National Service Center for Environmental Publications
<http://www.epa.gov/iaq/pubs/index.html>
- Office of Disability Employment Policy (ODEP)
<http://www.dol.gov/odep/>
- The National Institute for Occupational Safety and Health (NIOSH)
<http://www.cdc.gov/niosh/topics/indoorenv/chemicalsodors.html>