JAN

Job Accommodation Network

Practical Solutions • Workplace Success

Accommodation and Compliance Series

Employees with Fragrance Sensitivity

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ODEP
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A service of the U.S. Department of Labor's Office of Disability Employment Policy

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Preface

The Job Accommodation Network (JAN) is a service of the Office of Disability Employment Policy of the U.S. Department of Labor. JAN makes documents available with the understanding that the information be used solely for educational purposes. The information is not intended to be legal or medical advice. If legal or medical advice is needed, appropriate legal or medical services should be contacted.

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JAN’S ACCOMMODATION AND COMPLIANCE SERIES

Introduction

JAN’s Accommodation and Compliance Series is designed to help employers determine effective accommodations and comply with Title I of the Americans with Disabilities Act (ADA). Each publication in the series addresses a specific medical condition and provides information about the condition, ADA information, accommodation ideas, and resources for additional information.

The Accommodation and Compliance Series is a starting point in the accommodation process and may not address every situation. Accommodations should be made on a case by case basis, considering each employee’s individual limitations and accommodation needs. Employers are encouraged to contact JAN to discuss specific situations in more detail.

For information on assistive technology and other accommodation ideas, visit JAN's Searchable Online Accommodation Resource (SOAR) at http://askjan.org/soar.

Information about Fragrance Sensitivity

What is fragrance sensitivity?

Fragrance sensitivity may be an actual allergy or a simple irritation. It can be difficult to diagnose which is occurring. In addition, fragrances are composed of many different chemicals. This can make it difficult to identify if the sensitivity is to one particular chemical or to a combination of chemicals (Allergy Health Online, 2007).

Typical reactions to fragrances include breathing problems, asthma, and contact dermatitis (an itchy and inflamed skin rash). Once a person has developed fragrance irritation it is likely that the sensitivity will grow over time and with repeated exposure. Certain chemicals may be sensitizers at high levels of exposure and can result in sensitivity to the chemical at much lower levels after initial exposure (Allergy Health Online, 2007).

What are the symptoms of fragrance sensitivity?

Fragrances can enter the body through inhalation, ingestion, or absorption. The first indicator of a fragrance irritation or allergy is usually a skin rash after the use of a perfume, cream, or lotion. Reactions can also take other forms, including: hives; nausea; dizziness; headache; itchy skin, eyes, and nose; runny nose; wheezing; coughing; eczema; difficulty breathing; sore throat; asthma attacks or asthma–like symptoms; and strange tastes in the mouth. The severity of symptoms varies from one individual to another. Symptoms can show up over a wide time range from a few minutes to seven to ten days (Allergy Health Online, 2007).

How is fragrance sensitivity prevented and treated?

The best way to prevent fragrance sensitivity is to avoid the offending substance. Discussing the fragrance sensitivity with people at work and at home will help to limit exposure to other people's fragrances. Careful examination of product labels is also important. A product labeled "unscented" does not mean it is fragrance free, merely that it has no perceptible scent. A fragrance may have been added to the product to mask scent. While such a trace amount of fragrance is unlikely to cause irritation, it may trigger allergic reactions in people with fragrance allergies (Allergy Health Online, 2007).

Fragrances added to products to mask scent do not have to be labeled as ingredients. A label that is marked "perfume free" or "fragrance free" is more likely to contain no fragrances. Sensitive people may wish to consult a dermatologist for recommendations on fragrance free skin products or an allergist for recommendations on avoiding a variety of scented products (Allergy Health Online, 2007).

Fragrance Sensitivity and the Americans with Disabilities Act

Is fragrance sensitivity a disability under the ADA?

The ADA does not contain a list of medical conditions that constitute disabilities. Instead, the ADA has a general definition of disability that each person must meet (EEOC, 1992). Therefore, some people with fragrance sensitivity will have a disability under the ADA and some will not.

A person has a disability if he/she has 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 such an impairment (EEOC, 1992). For more information about how to determine whether a person has a disability under the ADA, visit http://askjan.org/corner/vol02iss04.htm.

Is an employer required to implement a fragrance policy as an accommodation?

JAN discusses the implementation of a fragrance policy as an option to consider when addressing possible accommodations. An employer could choose to make a request that employees voluntarily refrain from wearing fragrances or the employer could go as far as creating a policy that requires employees to refrain. An employer has the right to decide how far is reasonable when implementing accommodations. Employers who have concerns about the legalities of implementing a fragrance policy as an accommodation should consult an appropriate legal professional.

Accommodating Employees with Fragrance Sensitivity

(Note: People with fragrance sensitivity may develop some of the limitations discussed below, but seldom develop all of them. Also, the degree of limitation will vary among individuals. Be aware that not all people with fragrance sensitivity will need accommodations to perform their jobs and many others may only need a few accommodations. The following is only a sample of the possibilities available. Numerous other accommodation solutions may exist.)

Questions to Consider:

1. What limitations is the employee with fragrance sensitivity experiencing?

2. How do these limitations affect the employee and the employee's job performance?

3. What specific job tasks are problematic as a result of these limitations?

4. What accommodations are available to reduce or eliminate these problems? Are all possible resources being used to determine possible accommodations?

5. Has the employee with fragrance sensitivity been consulted regarding possible accommodations?

6. Once accommodations are in place, would it be useful to meet with the employee with fragrance sensitivity to evaluate the effectiveness of the accommodations and to determine whether additional accommodations are needed?

7. Do supervisory personnel and employees need training regarding fragrance sensitivity?

Accommodation Ideas:

- Maintain good indoor air quality
- Discontinue the use of fragranced products
- Modify workstation location
- Modify the work schedule
- Provide an air purification system
- Modify communication methods
- Modify or create a fragrance-free workplace policy

For information about improving indoor air quality, see "An Office Building Occupant's Guide to Indoor Air Quality" at http://www.epa.gov/iaq/pubs/occupgd.html.

Sample Policy Language:

The following are examples of fragrance-free workplace policy statements.

Anonymous City Law Enforcement Agency Policy: "To reasonably accommodate bureau employees who have written memoranda documenting chemical sensitivity to perfume, employees will wear no perfume or cologne during business hours when they are scheduled to be within the bureau during their shift. This policy will not affect those bureau employees who are in an off-site training class, on city business, or out of the office for an entire shift."

Anonymous Employer: "(Name of employer) strives to ensure the comfort and safety of staff and visitors by encouraging a smoke free and fragrance free environment."

Anonymous State Community Development Agency, Employee Administrative Bulletin: "Given that chemically sensitive individuals may react to different products with widely varying degrees of severity, it is very difficult to ensure a consistently comfortable and accommodating work environment under every conceivable set of circumstances. Even so, it is the general consensus of the Labor/Management Committee and the desire of the (company name) to minimize to the extent possible the barriers and difficulties experienced in the workplace by both employees and clients subject to chemical/fragrance sensitivities. The (company name) requests that all offices and spaces used by the staff and their visitors remain free of chemical-based scented products."

Anonymous Employer, Staff Memo from Executive Director: "I ask that we refrain from applying spray colognes, hairsprays, and or air fresheners in the office, as the use of such products may trigger allergic reactions and create health problems."

Anonymous Employer, Administrative Manual Policy, Subject: Employee Appearance: "Cologne, perfume, aftershave lotions, scented lotions, or body washes are not to be worn in the Medical Center."

State Protection and Advocacy Agency: "This is a fragrance free office. Thank you for not wearing any of the following: cologne, after shave lotion, perfume, perfumed hand lotion, fragranced hair products, and/or similar products. Our chemically-sensitive co-workers and clients thank you."

Anonymous Employer: "This is a fragrance free office. Please help us to accommodate our co-workers and clients who are chemically sensitive to fragrances and other scented products. Thank you for not wearing perfume, aftershave, scented hand lotion, fragranced hair products, and or similar products."

Anonymous Employer, Memo to All Staff: "You may have noticed the signs up on the front door and on the library doors stating that this is a fragrance-free office. Please cooperate with this request because there are several of us on staff and visitors to our

office who are chemically sensitive to varying degrees. Our bodies have a hard time when we come into contact with a variety of chemicals and each episode takes its toll on our bodies. Please use only unscented products during work hours. This does not include deodorant or bath soap at this time."

U.S. Access Board: "Under this policy, the Board requests that all participants refrain from wearing perfume, cologne, and other fragrances, and use unscented personal care products in order to promote a fragrance-free environment. This request is included in notices and on displayed signage for the Board's meetings, hearings, and other public events. In addition, the Board will work with the operators of meeting sites to prevent the use of deodorizers and cleaning products immediately before the event in and around meeting locations."

> The Access Board is an independent Federal agency devoted to accessibility for people with disabilities. The Board has adopted a policy to promote access for individuals who are sensitive to fragrances at http://www.access-board.gov/about/policies/fragrance.htm

Products:

Use JAN's Searchable Online Accommodation Resource (SOAR) to find accommodation ideas and products related to fragrance sensitivity. Visit SOAR at askjan.org/soar. Also, contact JAN directly to discuss a specific accommodation situation, for product information, or for an appropriate referral.

Resources

Job Accommodation Network
West Virginia University
PO Box 6080
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The Job Accommodation Network (JAN) is a free consulting service that provides information about job accommodations, the Americans with Disabilities Act (ADA), and the employability of people with disabilities.

Office of Disability Employment Policy
200 Constitution Avenue, NW, Room S-1303
Washington, DC 20210
Toll Free: (866)633-7635
TTY: (877)889-5627
Fax: (202)693-7888
http://www.dol.gov/odep/

The Office of Disability Employment Policy (ODEP) is an agency within the U.S. Department of Labor. ODEP provides national leadership to increase employment opportunities for adults and youth with disabilities while striving to eliminate barriers to employment.

Environmental Health Network
P.O. Box 1155
Larkspur, CA 94977-1155
Direct: (415)541-5075
http://www.ehnca.org

EHN was one of the first organizations to support and advocate on behalf of the chemically injured. The agency dates back to around 1982. They have a Support and Information Line (SAIL), a newsletter, The New Reactor, and a web site with extensive resources pertaining to chemical injury, including fragrance sensitivity.

Fragranced Products Information Network

fpinva@fpinva.org
http://www.fpinva.org/

Owned, maintained, and financed by Betty Bridges, RN. The Fragrance Products Information Network website was developed to help fill the void of information that exists regarding scented products.

Indoor Air Quality Information Clearinghouse
U.S. EPA/Office of Radiation and Indoor Air
Indoor Environments Division
1200 Pennsylvania Avenue, NW
Mail Code 6609J
Washington, DC 20460
Direct: (202)343-9370
Fax: (202)343-2394
http://www.epa.gov/iaq/pubs/index.html

A Web resource that provides links to articles on indoor air quality.

References

Allergy Health Online. (2007). *Fragrance irritation & allergies*. Retrieved September 5, 2008, from http://allergy.healthcentersonline.com/cosmeticschemicalsmetals/fragrancesensitivity.cfm

Equal Employment Opportunity Commission. (1992). *A technical assistance manual on the employment provisions (title I) of the Americans with Disabilities Act*. Retrieved September 5, 2008, from http://askjan.org/links/ADAtam1.html

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