

Meniere's Disease: Nurse Has A Disability, Is Entitled To Reasonable Accommodation.

A registered nurse employed in a nursing home suffered from a medical condition which made her prone to dizziness after climbing stairs.

She asked to be assigned to work only on the first floor. She offered to bring in a physician's note to document her condition. However, she was expressly told her disability would not be honored because she failed to list it in her employment application. Her supervisor discounted the legitimacy of her disability because, as long as gait and balance are not involved, a person with Meniere's disease is capable of engaging in vigorous physical activity.

Problems with gait and balance hamper an employee's ability to work in a broad range of jobs.

The nurse expressly asked for an accommodation that seems reasonable. She had documentation from her physician that, with the requested accommodation, she could perform her job.

UNITED STATES DISTRICT COURT
PENNSYLVANIA
April 26, 2007

The US District Court for the Eastern District of Pennsylvania ruled the nursing home's arguments missed the mark.

An employment application is not the place to request reasonable accommodation. In fact, requiring an applicant to reveal a disability and request accommodation at that time is illegal. [Demshick v. Delaware Valley Conv. Homes](#), 2007 WL 1244440 (E.D., Pa., April 26, 2007).