

# Accommodating People Disabled by Chemical Barriers

Pursuant to the Americans with Disabilities Act (ADA), it is recommended that you adopt a policy to accommodate employees and members of the public who have been disabled by chemical barriers. Such a policy would address the needs of those with chemically induced or exacerbated illnesses, including but not limited to people with multiple chemical sensitivity, breathing and lung disorders, and neurological impairments.

It is recommended that you embrace these disabled populations by eliminating the chemical and environmental barriers that impede access to the buildings, facilities, and properties that you own, maintain, or operate.

A policy to accommodate those who have been disabled by chemical barriers should, at minimum, include the items listed below. Such a policy would enhance the health and productivity of all building occupants. Many of these recommendations can be accomplished at minimal expense to the building owner and are therefore likely to meet the test of reasonableness under the ADA.

- **Ensure adequate ventilation** by implementing building ventilation in accordance with current recommendations of the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE 62-1989) as a minimum standard; by providing adequate localized exhaust for significant sources of indoor pollution, such as office copy machines; and by maintaining the HVAC system to prevent the accumulation of dirt and moisture that promotes mold growth. (Note that variable air-volume systems have not been demonstrated to provide as much fresh air as claimed.)
- **Ensure that there are no pollution sources** (such as idling trucks, buses, or other vehicles; exhaust from parking garages; stagnant water from air-conditioner cooling towers; and pesticides or other chemical or biological contaminants) in the vicinity of fresh-air intakes.
- **Eliminate the use of air fresheners**, deodorizers, potpourri, or disinfectants, including the use and dispersion of these or similar products through the building's ventilation system or through distortion by individual automatic dispensers. (U.S. EPA indoor-air research has found that rooms with air fresheners are contaminated with paradichlorobenzene, one of the top six indoor-air pollutants and the active pesticide ingredient in mothballs. Disinfectants, which also pollute indoor air, should not be a substitute for good construction or maintenance practices.)
- **Halt the use of pesticides prophylactically in buildings** and facilities that you own, operate, or maintain. Adopt an integrated pest-management policy that encourages the use of least-toxic chemicals. Require employee and public prenotification and postings at building entrances and at designated areas within the building or facility in the event that pesticides are used in an emergency situation.

- **Halt the use of synthetic lawn-care pesticides on lawns**, parks, rights of way, and other areas that you own, maintain, or operate. In the event that any pesticide product is used in an emergency situation, require the choice of the least-toxic treatment with prenotification and postings for employees, the public, neighboring property owners, and the community.
- **Prohibit smoking** in buildings and facilities and at building entrances.
- **Encourage employees** and other building occupants to eliminate or minimize the use of fragrances/fragranced products. A similar policy should be established for public meetings.
- **Institute a full review of product-selection criteria.** Require the selection and use of least-toxic/allergenic, nonfragranced cleaning products.
- **Institute a full review of building materials**, office furnishings, equipment, and supplies with particular attention to product content and emission levels. Require the purchase of the least-toxic/allergenic products in these categories.
- **Require employee prenotification** for construction and remodeling activities and toxic cleaning activities (such as the use of paints, adhesives, and solvents; carpet shampoos and floor waxes) through a registry available to all building occupants and by postings at all building entrances.
- **Permit the use of windows**, as needed, in existing buildings. Where feasible, repair or retrofit existing windows so they can open. In the case of new construction, plan for windows that open.
- **Educate employees and the public** about chemical barriers through notices and any applicable newsletters and other publications. Educational efforts will help avert stigma, harassment, and discrimination toward coworkers and the public who have been disabled by chemical barriers. Setting a positive example is the best way to educate employees.
- **Adopt an alternative-workspace policy** for employees who have been disabled by indoor contaminants on a temporary or permanent basis. Such a policy should include the option to work in a different area, at times when fewer coworkers are present, or during hours when ventilation is at its peak. It should also include the option to work at home. (The U.S. EPA headquarters in Washington, D.C., has an alternative workspace [AWS] policy.)

Adapted from the "Model Accommodations Request Letter" of the National Center for Environmental Health Strategies (NCEHS), a national nonprofit, tax-exempt organization that focuses on creative solutions to public-health problems. The NCEHS is a clearinghouse on chemical sensitivity disorders and related illnesses and has acted as a source of information on federal indoor-air policies and regulations implementing the Americans with Disabilities Act. You may contact the NCEHS at 1100 Rural Avenue, Voorhees, NJ 08043; (609) 429-5358.