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from Noun Project

# How to Ask for an Accommodation of Your Disability from the Office of Administrative Hearings (OAH)

## Should I read this?

OAH must make sure its services and hearings are fully available to all persons with disabilities. OAH may need to change the way it handles a hearing or communicates with you to make sure you have the same chance to take part in a hearing as someone without disabilities.

## What is “requesting an accommodation”?

If you need extra help from OAH to take part fully in its proceedings, you can ask OAH to change its rules or policies or give you help to meet the needs your disability creates. This is “requesting a reasonable accommodation of a disability.”

Under state and federal law, OAH must approve your request for accommodation if it is “reasonable” and needed to meet your disability-created needs. OAH’s refusal to “reasonably accommodate” that disability is discrimination.

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❖ Read “What are some examples of accommodations,” below, to learn more.

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## What is a reasonable accommodation?

An accommodation that will not

- 1.** cost so much that OAH cannot afford it, or will take too much time or effort
- or**
- 2.** really change how OAH does hearings or proceedings

## How can I get an accommodation?

You must show OAH that you have a disability **and** the accommodation you asked for is connected to your disability.

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❖ **Example:** Julia asks to bring a guide dog to a hearing. She must show she has a vision impairment and needs a guide dog to help her.

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## Can OAH turn down my accommodation request?

Only if what you asked for is unreasonable and unnecessary. This means any of these:

- You do not need what you asked for. It is not connected to your disability.  
**Example:** You ask OAH to schedule your hearing in the late afternoon. Your disability is vision impairment. A preference to have the hearing later in the day has nothing to do with your vision.
- What you asked OAH to do costs too much. They cannot afford it.
- It will take so much time or effort for OAH that it is too much of a burden.
- What you asked for will drastically change how OAH does things.

If OAH does not agree to the accommodation you asked for, OAH must show that what you asked for is unreasonable.

## What are some examples of accommodations?

Here are a few:

- having an American Sign Language (ASL) interpreter or real-time transcription services if you are deaf or have a hearing impairment
- getting paperwork in large print or Braille if you are blind or have vision problems
- having a qualified reader read paperwork for you or providing audio recordings if you cannot read
- having the hearing in a wheelchair-accessible room if you have a mobility impairment

- having a hearing by phone instead of in-person if you have agoraphobia
- taking breaks during the hearing (**example:** you need to move a lot due to back pain or can only concentrate for short periods)
- having a hearing in the afternoon if a morning hearing would interfere with your medication schedule
- appointing a lawyer for you if you cannot represent yourself in a hearing due to a mental disability, such as a developmental disability, traumatic brain injury or mental illness. **Example:** Because of your disability, you do not understand what you read, follow instructions, concentrate or communicate clearly.

## How do I ask for an accommodation?

In writing is better. Fill out the form below. Return it to the OAH office. Include copies of any paperwork you want OAH to consider. These might be medical records or statements from doctors, counselors, or others supporting the accommodation. Be specific about what you need OAH to do so you can take part fully in the proceedings.

You can also make your request online. Visit [www.oah.wa.gov//Content-Area-Management/Forms-Hub/Accommodation-Request-Form](http://www.oah.wa.gov//Content-Area-Management/Forms-Hub/Accommodation-Request-Form).

**If your request is in writing, you do not have to tell OAH your specific medical diagnosis or disability.** OAH **may not** ask what your specific medical diagnosis (for example, schizophrenia, autism or illiteracy) is. They **can** ask you to verify that you have a disability and need the accommodation you asked for.

You can also make your request over the phone. If you prefer or need to make an oral request, call (360) 407-2700 or (800) 583-8271. TTY (hearing impaired) users dial 7-1-1 or 1-800-833-6388 for the Washington relay operator.

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❖ **Example:** You can give OAH a statement from your treating doctor that you have a disability and need the accommodation you asked for to take part fully in a hearing.

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You do not need a diagnosis of a specific medical condition to have a “disability” under the law.

When asking for a reasonable accommodation, give as much notice as you can of your need for accommodation. OAH may need time to meet your needs.

## **What if OAH turns me down?**

If you believe OAH wrongfully denied your request, contact their **Americans with Disabilities Act Coordinator**:

Office of Administrative Hearings  
Attn: Americans with Disabilities Act Coordinator  
PO Box 42488  
Olympia, WA 98504-2488  
(360) 407-2700 OR (800) 583-8271

You can also file a discrimination complaint with the **Washington State Human Rights Commission**:

Washington State Human Rights Commission  
Olympia Headquarters Office  
711 S. Capitol Way, Suite 402  
Olympia, WA 98504-2490  
Toll free: 1-800-233-3247  
[www.hum.wa.gov](http://www.hum.wa.gov)

## **Get Legal Help**

- Outside King County, call the CLEAR Hotline at 1-888-201-1014 weekdays between 9:15 am - 12:15 pm.
- In King County, call 2-1-1 weekdays between 8:00 am - 6:00 pm. They will refer you to a legal aid provider.
- Seniors (age 60 and over) can also call CLEAR\*Sr at 1-888-387-7111 (statewide).
- You can also apply online with CLEAR\*Online: [nwjustice.org/get-legal-help](http://nwjustice.org/get-legal-help).

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This publication provides general information concerning your rights and responsibilities. It is not intended as a substitute for specific legal advice.

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## ADA Accommodation Request Form

### Personal Information

Data Required	Enter data below:
Date of Request	
Name:	
Phone Number:	
Email:	
Address:	
City:	
State:	
Zip Code:	
Docket Number(s):	

### Accommodation Request

#### Select Type of Request:

- To access to a facility
- To participate in a hearing

Accommodation Request	Enter request below:
<p>Please tell us how we can modify our services or facilities to meet your needs.</p> <ul style="list-style-type: none"><li>• Please be specific about what you need to easily approach, enter, operate, participate in, or use our facilities and services.</li><li>• Please include what accommodations have worked for you in the past.</li><li>• If you have more information, please submit it.</li></ul>	

### Preferences

#### If we need to contact you about this ADA request, do you prefer:

- Phone
- Email
- Letter

#### The best time to call me is:

- 8 - 11 AM
- 11 AM - 2 PM
- 2 - 5 PM
- No preference



## Mail, Email or Fax Form

Mail, email or fax form to:

**Office of Administrative Hearings**

**Attn: ADA Coordinator**

**PO Box 42488**

**Olympia, WA 98504-2488**

Email: [OAH\\_ADACoordinator@oah.wa.gov](mailto:OAH_ADACoordinator@oah.wa.gov)

Fax: (360) 664-8721

## Contact OAH

To contact the ADA coordinator, please call (360) 407-2700 or (800) 583-8271. TTY (hearing impaired) users please dial 7-1-1 or 1-800-833-6388 for the Washington relay operator.