

Beth De Lima of Leave Management Solutions to be Featured on Close Up Radio

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/EINPresswire.com/ -- Beth De Lima, MBA, SPHR-CA, SHRM-SCP, iMBA, is an HR consultant, subject matter expert witness, trainer, and Vocational Rehabilitation Consultant specializing in the Americans with Disabilities Act and Family Medical Leave Act. She is the founder of an innovative organization known as Leave Management Solutions. They provide all the letters, forms, checklists, assets, and trainings needed to manage, as well as direct and execute, an Integrative FMLA Medical Leave and ADA Accommodation Management System for corporations all while managing employee-related performance challenges, EEO complaints, company policies, and union contracts. This includes both state and federal regulations including the new Pregnancy Workers Fairness Act (PWFA) as well as FMLA, ADA, Workers' Compensation, and related company policies.



"Over three decades of HR & Vocational Consulting enables me, as a subject matter expert witness, to testify in a variety of personnel management court cases. When employers get sued, their attorneys contact me for help – to clarify whether a company did or did not follow HR industry standards of care. I have taken all the experience I learned in these cases to create Leave Management Solutions (LMS). I realized that these lawsuits had much to do with the implementation of these regulations, specifically when they run concurrently, or if there is an ongoing harassment or discrimination investigation with a stress component that requires FMLA. LMS has the tools and resources HR needs, plus an annual membership, which includes free bi-weekly consulting meetings that enable me to mentor HR responsible for managing leaves and accommodations in the workplace."

Video one of her program introduces you to Leave Management Solution's Integrated Medical Leave and Accommodation System. This is a comprehensive approach to managing the multiple state and federal Medical Leave and Accommodation regulations, including Workers' Compensation, the new Pregnancy Workers Fairness Act, and related company policies and procedures. Specifically, because many of these regulations will run concurrently or cross over depending on the length of the disability, and the related need for leave and, or an accommodation. We discuss how your company policies can impact the way you implement these regulations, as well as the challenges



that occur when they run concurrently or cross over. Most specifically, the FMLA to ADA transition. In the state of California, if you do not engage in an ADA Good Faith Interactive Meeting when the California FMLA is exhausted, you have violated both the CA ADA and CA FMLA (CFRA) regulations. And when you add a harassment investigation with a stress leave it can be challenging if the lead needs to exceed FMLA. Assuring you are consistently applying these regulations regardless of the complexity of the situation is imperative to avoid hidden discrimination and litigation.

Video two outlines the ADA Compliance Blueprint. The blueprint provides detailed directions on engaging an employee to determine whether they are eligible for and if the company can find a reasonable accommodation under the Americans with Disabilities Act. It has an overview of when and how an employer is responsible for engaging in a Good Faith Interactive Meeting process. It includes detailed downloadable trainings on how to define and identify a Qualified Individual with a Disability, conduct Good Faith Interactive Meetings, identify how the employee's disability impacts their ability to perform the essential functions of the job during the Accommodation Analysis, when and how to document an objective Undue Hardship Analysis in the event the employer is not able to provide the ADA accommodation, and as importantly, how to deny an ADA Accommodation if it is determined the employee is not a Qualified Individual with a Disability.

Video three focuses specifically on the ADA accommodation analysis and the Vocational Rehabilitation Consultant's Role in this process. How do you determine if an employee's disability impacts their ability to perform the essential functions of the job? How much information do you

have the right to regarding the employee's underlying medical condition? Is it reasonable to try and determine what kind of an accommodation an employee needs if you are not even aware of how their disability impacts each function of their job so you know what kind of accommodation would remove the barrier/restriction they are identifying? The purpose of the accommodation analysis is to specifically determine how the employee's disability impacts their ability to perform the essential functions of the job. It is through this process that an Undue Hardship could be identified. It is through this process that we turn over every rock effectively to make sure there are not any accommodations that would assist this employee. Trained Vocational Rehabilitation Consultants have specialized skills to help HR identify methods for assisting disabled workers in the workplace when they are having challenges with accommodation requests.

Trained ADA Vocational Rehabilitation Consultants are a little-known resource in the HR department. They not only have the training to create, update, or amend all your essential function job descriptions, but they also have the skills and abilities to work as an ADA accommodation resource, identifying how the employee's disability impacts their ability to perform the essential functions of the job, clarifying the nature of the mental or physical barriers to performing the job and identifying accommodations to overcome those barriers. Vocational Rehabilitation Consultants - We need your expertise in efficiently creating and modifying essential function job descriptions. We would love your assistance with conducting an accommodation analysis of cognitive mental and physical disabilities for the simple and complex jobs we have. Our blueprint teaches you how to do these accommodation analyses and to understand your role in the system. We teach you how to work with HR and be a value-added resource for them and an asset to their team.

"I have spent the last 30 years developing a system that protects both the employer and the employee in the ADA accommodation process – providing expert witness services simultaneously. This helps me identify what causes employees to sue their employers in this arena. We translate that into helping employers understand what they are responsible for when handling Medical Leaves and Accommodations. The Leave Management Solutions product was developed to facilitate the implementation of these complex regulations, which can run concurrently. You could be protected under the Family Medical Leave Act, Workers' Compensation, the Americans with Disabilities Act, State Americans with Disabilities Act, the company's sick leave, vacation, PTO policy, or corporate contract that governs your job and any state benefit. HR is responsible for making sure all leaves, even if multiples are running at the same time, are being handled correctly and in compliance with both federal and state regulations. LMS helps HR understand the strategies for handling multiple regulations and an effective and efficient way causing while mitigating potential litigation and creating exceptional documentation in support of their efforts.

Her current focus is to bring much-needed attention to the three areas outlined in her videos: Leave Management Solutions Integrated Medical Leave and Accommodation System, ADA Compliance Blueprint, and the ADA accommodation analysis and the Vocational Rehabilitation Consultant's Role. Beth attributes some of the failures within the system to a lack of

comprehensive training in these crucial areas. There are effective strategies to manage employees who are impacted by medical challenges in the workplace. Our disabled workers are our most loyal and dedicated workers historically. The ADA, FMLA, PWDA, and related state regulations provide an opportunity for individuals with challenges to be effective in the workplace.

"HR Managers - We know how stressed and overwhelmed you have been, we have strategies to deal with fraud, misuse, and lack of compliance that makes sure you're protected and feel confident when implementing FMLA, ADA, and related medical leave and ADA regulations. We are here to help."

Close Up Radio will feature Beth De Lima in a three-part radio interview with Jim Masters on July 11th, 18th, and 25th all at 2pm EST / 11am PST.

Listen to the show on [BlogTalkRadio](#).

If you have any questions for our guest, please call (347) 996-3389.

For more information about our guest please visit
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