

## Index

accommodations, in workplace. See also ADA Amendments Act; Americans with Disabilities Act; reasonable accommodation obligation; religious accommodations under Americans with Disabilities Act, 9 for caregivers, 103-14 definition of, 3 formal equality and, 104-8 practical justifications for, 110-14 business benefits, 113-14 for caregivers, 112-13 under Pregnancy Discrimination Act, 104-5 pregnancy neutral, 58 for "real workers," 31 religious, 115 under Title VII, 13 in universal accommodation approach, special treatment stigma and, 6-7 elimination of, 114-15 theoretical justifications for, 103-10 universal accommodation mandate, 117 universal benefits of, 114-19 dismantling of structural norms, 116-18 elimination of special treatment stigma, 114-15 elimination of stigma for identification with protected class, 115-16 to employers, 118-19 work/life balance as, 116 Williams on for caregivers, 120-21 for "real workers," 31 work from home as, 91 for workers with disabilities, 6, 103-14 ADA. See Americans with Disabilities Act

ADA Amendments Act (ADAAA) (2008), 8 case law after, 46-47 disability definitions under, 11, 45-46 major life activities under, 46 pregnancy under, 59 reasonable accommodation obligation under, special treatment stigma under, 93 structural norms in workplace and, 88 affirmative action, reasonable accommodation obligation and, 49 African Americans. See Black women; intersectionality; race age, intersectionality and, 69-70 caregiving responsibilities and, 69-70 Albiston, Catherine, 8, 81, 86, 88, 133-34 Americans with Disabilities Act (ADA) (1990), 8-9. See also ADA Amendments Act; two-tier undue hardship defense accommodations under, 9 anti-discrimination protections under, 37, 42, 47-49 attendance policies under, 78-79 Burgdorf and, 42 definitions of disability under, 43-45 by Supreme Court, 43-45 employment rates as result of, 7 interactive processes in, 111 LGBTQ+ populations excluded from coverage under, 68-69 mitigating measures rule in, 45 passage of, 35-36 practical justifications for, 111-12 reasonable accommodation obligation, 52-56 easy accommodation questions, 53-54 pregnancy accommodations, 56-57



Americans with Disabilities Act (ADA) (1990)	lack of time, 18-23
(cont.)	relocation expectations, 23
qualifications inquiries, 52–53	in dual earner families, 19
unanswered accommodation questions	Family and Medical Leave Act and, 22
under, 54–55	in 40-hour work week, 19–20 ideal worker norms
undue hardship defense, 55–56	
remedy spillover and, 111	Title VII and, 25–27
special treatment stigma under, 94–95	for women in workforce, 17, 24
structural norms in workplace and, 88–89	men in, 31–32
undue hardship defense under, 13, 146–47	precarious workers and, 23–24
anti-classification theory, 105–6	Pregnancy Discrimination Act and, 27–28
anti-discrimination	accommodations under, 28
under Americans with Disabilities Act, 37, 42,	limited protections under, 28
47-49	"real workers" and, 29–31
dilution of protections, 171	caregivers as, 15–16
under Title VII, 104	Equal Employment Opportunity
anti-subordination theory, 106–7	Commission and, 30
Arnow-Richman, Rachel, 8, 88–89, 113, 128	single mothers, 29–30
attendance policies, 78–80	reduced hours and, 19–20
under Americans with Disabilities Act, 78–79	special treatment stigma and, 20–21
during COVID-19 pandemic, 79	Title VII and
under Family and Medical Leave Act, 78-79	comparator method, 25-26
termination as result of, 12, 21, 78-79, 130-31	disparate impact claims, 26-27, 49
	ideal workers and, 25–27
Bagenstos, Samuel, 2, 36, 120	working mothers under, 26
definitions of disability, 38, 41-42	for women in workforce, 16–18
on reasonable accommodation obligation,	history of, 16–17
49-50	ideal worker norm for, 17, 24
Befort, Stephen, 111, 159	sick children scenario, 22
benevolent stereotypes, about women in	stereotypes about women, 24–25
workplace, 25	for working mothers, 26
bio-psycho-social model of disability, 39	work/life balance for, 21–22
Black women. See also racism	caregivers
intersectionality and, 60	accommodations in workplace for, 103–14
racial discrimination against, 61–65	age factors for, 69–70
gender discrimination and, 61–63	definition and conceptual scope of, 2–3
blackness as disability, 64–65	disadvantages in workplaces for, 5
Boseman, Chadwick, 63–64	special treatment stigma for, 8
Bostock v. Clayton County, 68	under Family and Medical Leave Act, 9–11
Burgdorf, Robert, 42, 50	parents and, 2–3
Burlington Northern v. Santa Fe Railway v. White,	under Pregnancy Discrimination Act, 9–11
167 Push Coorse II W. 27 26 22	special treatment stigma for, 8
Bush, George H. W., 35–36, 131	under Title VII, 9–11
Bush, George W., 45	two-tier undue hardship defense and, 149–54
	universal accommodation approach and, 154–55
cancer, 46, 63–64, 134, 153	CBA. See collective bargaining agreement
causation arguments and, 173	child-free workers, special treatment stigma and,
caregiver conundrum	99–100
advancement in workplace issues, 23-24	Civil Rights Act of 1964. See Title VII
conceptual approach to, 15–16	civil rights approach, to disability, 41–42
confirmation bias and, 22–23	Clarke, Jessica, 171–72
definition of, 15	class. See economic class
description of, 18–25	Clinton, Bill, 131
lack of flexibility, 18-23	Colker, Ruth, 9, 35–36, 106–7



collective action, 123–24	traditional, 41
collective bargaining agreement (CBA), 110, 123-24	"truly disabled," 41
communitarian theory, 108–10	disability, discrimination as result of. See also ADA
confirmation bias, caregiver conundrum and,	Amendments Act; Americans with
22–23	Disabilities Act
contingent workers, 1, 24	blackness as, 64–65
minority populations during, 64	as civil rights issue, 34
remote work during, 126	conceptual approach to, 37-47
structural norms in workplace during, 73-74,	definition of, 34, 37–47
90–92	qualifications in, 37
attendance policies, 79	history of, 34–36
work from home policies, 91	origins of bias and stigma, 34
for work hours, 77	poverty rates and, 36
coworkers' resentment, special treatment stigma	under Rehabilitation Act, 34–35
and, 7–8, 97–101	Sections of, 35
by child-free workers, 99–100	disadvantages in workplaces, 3-8. See also
from job restructuring, 97–98	disabilities; special treatment stigma
Crain, Marion, 124	for caregivers, 5
Crenshaw, Kimberlé, 33, 60	special treatment stigma for, 8
Crossley, Mary, 39	ideal worker norms and, 3–6
cultural model of disability, 39	physical functions of job, 4
cultural model of disability, 39	for pregnant workers, 4
daycare issues, 82	structural norms and, 3–6
Degener, Theresia, 40	work schedules and, 4–5
disabilities, workers with. See also ADA	for workers with disabilities, 4, 6
Amendments Act; Americans with	for pregnant workers
Disabilities Act	
	absences for, 5
accommodations in workplace for, 6, 103–14	ideal worker norms and, 4
conceptual approach to, 2, 33–34, 37–41	for single mothers, 5
definition of, 2	for workers with disabilities
under ADA Amendments Act, 11	accommodations for, 6
employment/unemployment rates for, 36, 65, 67	ideal worker norms and, 4, 6
people-first language for, 2	special treatment stigma and, 8
disability. See also ADA Amendments Act;	for work availability, 6
Americans with Disabilities Act	discipline, 21, 29–30, 76, 130–31, 141–42, 171
causation arguments for, 173	discrimination. See also anti-discrimination; sex
conceptualization of, 37–41	discrimination
cultural model of, 39	family responsibilities discrimination, 121
definitions of, 41–43	from stereotypes about women in workplace, 25
under ADA Amendments Act, 11, 45–46	Title VII protections against, 8, 61–65
civil rights approach in, 41–42	disparate impact claims, under Title VII,
in Supreme Court cases, 43–45	26–27, 49
universal approach to, 41–43	disparate treatment claims, 122. See also special
functional model of, 39	treatment stigma
human rights model of, 39–40	domesticity, paradigms for
anti-discrimination protections and, 40	men and, 31–32
medical model of, 37–38	women in workplace and, 17
pregnancy classified as, 58–59	Dorfman, Doron, 38–39, 64–65
relational model of, 39	dual earners, 124–25
hybrid versions of, 39–40	caregiver conundrum and, 19
social model of, 38–40	
bio-psycho-social model, 39	economic class
disability binary, 38	intersectionality and, 65–67
spectrum of, 41–43	disability and, 67



economic class (cont.)	advantages of, 133-34
motherhood and, 66–67	attendance policies under, 78–79
lower-income populations, 65–67	caregiver conundrum and, 22
EEOC. See Equal Employment Opportunity	pregnancy accommodations under, 28
Commission	caregiver protections under, 9–11
employees, concerns with universal	definitions in, 137
accommodation approach, 171–75	disadvantages of, 134–37
changing gender norms and, 174–75	for employees, 134–35
dilution of rights of disadvantaged, 171–73	for employers, 135–37
for equal treatment, 173-74	leave of absence policies under, 9-11, 116,
among lower income workers, 175	129–30, 132–33, 138–43
employers	Short-Term Absences Act, 139–43, 153–54
accommodations as benefit to, 118–19	structural norms in workplace and, 80
entrenchment of structural norms by, 86–88	legal scope of, 28–29, 132
reasonable accommodation obligation and,	legislative history of, 131–33
51–52	LGBTQ+ populations under, 68
employer-employee relationship, 51–52	limitations of, 12, 29
retaliation from, 166–68	protected classes under, 116
special treatment stigma and, 94–97	reasonable accommodation obligation and,
universal accommodation approach for, 168-71	54-55
abuse of policy concerns, 170–71	Short-Term Absences Act, 139–41, 153–54
cost concerns, 168–69	criticism of, 142–43
implementation concerns, 169–70	logistics of, 141–42
employment rates	special treatment stigma under, 94
Americans with Disabilities Act as influence on, 7	family responsibilities discrimination, 121
for workers with disabilities, 36, 65, 67	Fineman, Martha, 107, 112, 120
Equal Employment Opportunity Commission	Flake, Dallan, 159
(EEOC)	flexibility, in workplaces, work schedules, 128
reasonable accommodation obligation and, 53	caregiver conundrum and, 18–23
Title VII enforcement by, 30	flextime hours, 117
equal treatment, 104-5	Flexibility for Working Families Act, 120–21
under universal accommodation approach,	FMLA. See Family and Medical Leave Act
173-74	formal equality, 107
equality	anti-classification theory and, 105–6
substantive, 105, 107	equal treatment and, 104–5
theories of, 103–10	40-hour work week, caregiver conundrum and,
anti-classification theory, 105–6	19–20
anti-subordination theory, 106–7	functional model of disability, 39
communitarian theory, 108–10	1 C 1 1: : : :
formal, 105–7	gender. See also sex discrimination
traditional, 104–8	changing norms, 174–75
vulnerability theory, 107	intersectionality and, 61–63
essential functions, 88–89	Gerson, Kathleen, 76
reasonable accommodation obligation and,	hardship defense See two tier undue hardship
52–53	hardship defense. See two-tier undue hardship
two-tier undue hardship defense and, 147–49 under universal accommodation approach,	defense; undue hardship defense
161–62	Harris, Jasmine, 64 Harris, Seth, 160
Etzioni, Amitai, 108	Hickox, Stacy, 123–24
Etzioni, Aintai, 100	Hochschild, Arlie, 21–22, 32, 84–86, 100, 123
Fair Labor Standards Act (1938), 74-76, 124	on reduced hours proposals, 125
Family and Medical Leave Act (FMLA) (1993), 8,	Hoffman, Allison, 116, 124–25
66, 131–37	human rights model of disability, 39–40
abuses of, 135–37	anti-discrimination protections and, 40
··- ··- · · · · · · · · · · · · · · · ·	



ideal worker norms. See also "real workers"	short-term leave, 130–31
caregiver conundrum and	structural norms in workplace and, 80
under Title VII, 25–27	under Family and Medical Leave Act, 80
for women in workforce, 17, 24	under Pregnancy Discrimination Act, 80
definition of, 15	women disproportionally impacted by, 26
disadvantages in workplaces and, 3-6	Lewis, Jerry, 41
physical functions of job, 4	LGBTQ+ populations
for pregnant workers, 4	exclusions under Americans with Disabilities
structural norms and, 3–6	Act, 68–69
work schedules and, 4–5	under Family and Medical Leave Act, 68
for workers with disabilities, 4, 6	intersectionality for, 67–69
scope of, 1	mental illness issues for, 69
structural norms and, 3–6	Lin, Shirley, 159–60
in workplaces, 83–84	Linton, Simi, 38
termination and, 6	
	Littleton, Christine, 59
for women in workplace	long work hours, 81–86
caregiver conundrum and, 17, 24	long-term leave, 129–30, 135
tor pregnant workers, 4	low-income populations, 65–67
income. See economic class	universal accommodation approach for, 175
intermittent leave, 136–37. See also Family and	A. C. 1
Medical Leave Act	Macfarlane, Katherine, 170
intersectionality. See also gender; race	major life activities, under ADA Amendments Ac
age and, 69–70	46
caregiving responsibilities and, 69–70	medical model of disability, 37–38
conceptual development of, 60	men, in workplace
definition of, 60	caregiver conundrum for, 31–32
economic class and, 65–67	hostility towards, 32
disability and, 67	Miller, Paul, 41
motherhood and, 66–67	Miller v. Illinois Department of Transportation,
LGBTQ+ populations, 67–69	100
for mothers	minority populations. See also Black women
with disabilities, 71–72	during COVID-19 pandemic, 64
economic class and, 66-67	mitigating measures rule, in ADA, 45
race and, 61–65	modifications, in workplaces
disability and, 63–65	for older workers, 2
gender and, 61–63	for pregnant workers, 2
	to schedules, special treatment stigma as result
Jacobs, Jerry, 76	of, 7
job restructuring, special treatment stigma and, 7,	"mommy track," 97
97–98	mothers. See also single mothers
Jolls, Christine, 49	intersectionality for, economic class and,
Jones, Trina, 99–100, 116, 152–53	66–67
Jones, 11ma, 99 100, 110, 132 33	intersectionality with disabilities,
Kafer, Alison, 39-41	
	71–72 "mommy track" for, 97
Kelman, Mark, 49–50	multiple sclerosis (MS), 6
lasse of absorber reliains =	multiple scierosis (W3), 0
leave of absence policies, 7, 129–31	National Labor Dalations Act (1997) 169
under Family and Medical Leave Act, 9–11, 116,	National Labor Relations Act (1935), 160
129–30, 132–33, 138–43	norms, in workplace. See ideal worker norms;
Short-Term Absences Act, 139–43	structural norms
structural norms in workplace and, 80	
funding for, 139	Obergefell v. Hodges, 68
intermittent leave, 136–37	older workers, 2
long-term leave, 129–30, 135, 138–39	Oliver, Michael, 38



194

Index

pandemics. See COVID-19 pandemic parents, parenting and caregivers and, 2-3 single, 23-24, 66, 124-26, 128, 130-31 Paul-Emilie, Kimani, 64-65 PDA. See Pregnancy Discrimination Act people-first language, for workers with disabilities, 2 poverty, among people with disabilities, 36 precarious workers, caregiver conundrum and, 23-24 pregnancy, in workplace disadvantages as result of absences and, 5 ideal worker norms and, 4 reasonable accommodation obligation for, 56-59 under ADA Amendments Act, 59 under Americans with Disabilities Act, 56-57 pregnancy classified as a disability, 58-59 under Pregnancy Discrimination Act, 57-58 pregnancy neutral accommodations, 58 sex discrimination and, 57 termination and, 5 workplace modifications for, 2 Pregnancy Discrimination Act (PDA) (1978), 8 accommodations under, 104-5 caregiver conundrum and, 27-28 accommodations under, 28 limited protections under, 28 caregiver protections under, 9-11 leaves of absence policies under, 80 legal interpretations of, 57 legal scope of, 57 reasonable accommodation obligation under, 57-58 special treatment stigma under, 94-95 violations of, 57 Young v. UPS, 11, 57-58, 96, 148, 169 pregnancy neutral accommodations, 58 race, discrimination and. See also discrimination; against Black women, 61-65 gender discrimination and, 61-63 intersectionality and, 61-65 disability and, 63-65 gender factors for, 61-63 racism. See also intersectionality institutional, 64 "real workers," caregiver conundrum and, 29-31 caregivers as "real workers," 15-16 Equal Employment Opportunity Commission and, 30

reasonable accommodation obligation, 47-59 as affirmative action, 49 under Americans with Disabilities Act, 52-56 easy accommodation questions, 53-54 pregnancy accommodations, 56-57 qualifications inquiries, 52-53 unanswered accommodation questions under, 54-55 undue hardship defense, 55-56 Bagenstos on, 49-50 conceptualization of, 47-52 definition of, 47-52 employers and, 51-52 employer-employee relationship, 51-52 Equal Employment Opportunity Commission and, 53 Family and Medical Leave Act and, 54–55 for pregnancy, 56-59 under ADA Amendments Act, 59 under Americans with Disabilities Act, classification as a disability, 58-59 under Pregnancy Discrimination Act, 57-58 pregnancy neutral accommodations, 58 undue hardship defense and, 48 under Americans with Disabilities Act, 55-56 universal accommodation approach and, 163-65 for women in workplace, 48-49 reduced work hours caregiver conundrum and, 19-20 special treatment stigma and, 20-21 special treatment stigma and, 7, 20 structural norms and, 84, 124-25 Rehabilitation Act (1973), 34-35 reimagining of workplaces, 1, 11-14 through accommodation requests, 13 through collective action, 123-24 combined approaches to, 129 conceptual approaches to, 12-14, 120-21 individual accommodation mandate, 127-28 through litigation reform, 121–22 by mindset changes, 11-12 structural norm reforms COVID-19 pandemic as influence on, 126 through legislation, 124-27 relational model of disability, 39 hybrid versions of, 39-40 religious accommodations, 115 under Title VII, 13 in universal accommodation approach, 156-57 relocation, caregiver conundrum and, 23 remote work. See also work from home during COVID-19 pandemic, 126

reasons for, 90

single mothers, 29-30



Index 195

resentment from coworkers, special treatment stigma and, 7-8, 97-101 child-free workers and, 99-100 from job restructuring, 97-98 Roosevelt, Franklin D., 75-76 schedules. See work schedules Schoenbaum, Naomi, 106 Schultz, Vicki, 116, 124-25 Schur, Lisa, 110 Selmi, Michael, 81, 113, 175 Serendnyj v. Beverly Healthcare, 6-7, 100-1 sex discrimination against disabled women, 71 pregnancy and, 57 under Title VII, 8, 10, 105-6 Shinall, Jennifer, 33, 71, 157 Shoben, Elaine, 33 Short-Term Absences Act (STAA), 139-41, 153-54 criticism of, 142-43 logistics of, 141-42 short-term leave, 130-31 single mothers, 151-52 caregiver conundrum and, 29-30 disadvantages in workplaces for, 5 as "real workers," 29-30 termination of, 29-30 single parents, 23-24, 66, 124-26, 128, 130-31 Smith, Peggie, 120-21, 127, 150-51 social model of disability, 38-40 bio-psycho-social model, 39 disability binary, 38 Social Security Disability Insurance, 49 social welfare law, 49 special treatment stigma, 2, 6-8 accommodations and, 6-7 elimination of stigma, 114-15 under ADA Amendments Act, 93 under Americans with Disabilities Act, 94-95 caregiver conundrum and, 20–21 for caregivers, 8 consequences of, 96-102 resentment from coworkers, 7-8, 97-101 stigma from identification with protected class, 101-2, 115-16 in workplace, 96-97 coworkers' resentment and, 7-8, 97-101 by child-free workers, 99-100 from job restructuring, 97-98 definition and scope of, 93-94 elimination of, 114–15 employers' refusal to accommodate and, 94-97 under Family and Medical Leave Act, 94 job restructuring and, 7, 97-98

modified work schedules, 7 for pregnancy, 101 under Pregnancy Discrimination Act, 94-95 reduced work hours and, 7, 20-21 for workers with disabilities, 8 workplace consequences, 6-7 STAA. See Short-Term Absences Act Stein, Michael, 50, 118 stereotypes, about women in workplace benevolent stereotypes, 25 discrimination as result of, 25 stigma. See special treatment stigma stigmatization. See special treatment stigma structural norms, in workplace, 3-6 ADA Amendments Act and, 88 Americans with Disabilities Act and, 88-89 attendance policies, 78-80 under Americans with Disabilities Act, during COVID-19 pandemic, 79 under Family and Medical Leave Act, 78-79 conceptual approach to, 73-74 during COVID-19 pandemic, 73-74, 90-92 attendance policies, 79 work from home policies during, 91 for work hours, 77 dismantling of, 116-18 entrenchment of, 80-90 of default time norms, 81-86 employees' perception of, 81-86 employers' control over, 86-88 through judicial institutions, 88-89 worker harm as result of, 89-90 history of, 74-80 for ideal workers, 83-84 leaves of absence, 80 under Family and Medical Leave Act, 80 under Pregnancy Discrimination Act, 80 reduced work hours and, 84, 124-25 Title VII and, 89 in work from home contexts, 90-92 during COVID-19 pandemic, 91 for work hours, 74-77, 128 after COVID-19 pandemic, 77 employees' perception of, 81-86 under Fair Labor Standards Act, 74-76 40-hour work week, 19-20 unionization and, 76 for work shifts, 77-78 substantive equality, 105, 107 Supreme Court, disability definitions by, Sutton v. United Airlines, Inc., 43, 45-46



196 Index

unemployment rates, for workers with disabilities, termination, 1-2 attendance requirements and, 12, 21, 78-79, 36, 65, 67 universal accommodation approach, 144-68. See during cancer treatment, 134 also two-tier undue hardship defense ideal worker norms and, 6 breadth of, 154-58 pregnancy as reason for, 5 caregiving obligations, 154-55 of single mothers, 29-30 comparisons to existing legislation, 158, 163-66 theories of equality. See equality coverage under, 158–59 The Time Bind (Hochschild), 21-22, 84-86 criticisms of, 168-75 Title VII (Civil Rights Act of 1964), 8. See also definition and scope of, 145-46 Pregnancy Discrimination Act employee concerns with, 171-75 with changing gender norms, 174-75 anti-discrimination protections under, 104 caregiver conundrum and, 25-27 dilution of rights of disadvantaged, 171-73 comparator method, 25-26 for equal treatment, 173-74 disparate impact claims, 26-27 among lower income workers, 175 ideal workers and, 25-27 employer concerns with, 168-71 working mothers under, 26 abuse of policy, 170-71 caregiver protections under, 9-11 cost issues, 168-69 discrimination protections under, 8, 61-65 implementation issues, 169-70 disparate impact under, 26-27, 49 essential functions determined under, 161-62 Equal Employment Opportunity Commission interactive processes in, 159-60 enforcement of, 30 logistics for, 158-68 ideal worker norms and, 25-27 as mandate, 117, 144–45 religious accommodations under, 13 protections from retaliation in, 166–68 reasonable accommodations in, definition of, sex discrimination protections under, 8, 10, 105-6 163-65 structural norms in workplace and, 89 for religious accommodations, 156-57 undue hardship defense under, 146-47 undue hardship in, 165-66 women in workforce under, 17, 24 for workers with disabilities, 155-56 Toyota Motor Manufacturing v. Williams, universal approach, to disability, 41-43 Upton v. JWP Businessland, 5 traditional disability, 41 US Airways v. Barnett, 109-10, 164 Trans World Airlines v. Hardison, 157 transgender populations, 68 Vande Zande v. Wisconsin Department of Travis, Michelle, 15, 27, 71, 87, 89, 122, 160 Administration, 156 on remedy spillover, 111 Verkerke, J. H., 49-50 treatment, in workplace. See also equal treatment; vulnerability theory, 107 special treatment stigma disparate, 122 Waterstone, Michael, 36 "truly disabled," 41 Widiss, Deborah, 68, 79, 133, 152-53 two-tier undue hardship defense, 146-58, 173 Williams, Joan, 1, 15, 113 necessary accommodations, 147-54 on accommodations for caregiving obligations, 149-54 for caregivers, 120-21 for essential functions, 147-49 for "real workers," 31 on domesticity paradigms undue hardship defense. See also two-tier undue men in, 31-32 hardship defense women in workplace and, 17 under Americans with Disabilities Act, 13, on women in workplace, 26 146-47 domesticity paradigms and, 17 reasonable accommodation obligation and, 48 maternal wall for, 62 women, in workplace. See also mothers; sex under Americans with Disabilities Act, 55-56 under Title VII for religious accommodations, discrimination benevolent stereotypes about, 25 146-47 in universal accommodation approach, 165-66 caregiver conundrum for, 16-18



Index 197

history of, 16-17 ideal worker norm for, 17, 24 sick children scenario, 22 stereotypes about women, 24-25 for working mothers, 26 work/life balance for, 21-22 disabled, 71 ideal worker norms and caregiver conundrum and, 17, 24 for pregnant workers, 4 leaves of absence policies for, disproportional impact on, 26 reasonable accommodation obligation for, 48-49 stereotypes about, 25 Williams on, 17, 26 maternal wall, 62 work from home policies accommodation requests and, 91 extension of, 91-92 purpose of, 90 structural norms in workplace and, 90-92 during COVID-19 pandemic, 91 work hours. See also reduced work hours flextime hours, 117 long, 81-86 structural norms for, 74-77 after COVID-19 pandemic, 77 employees' perception of, 81-86 under Fair Labor Standards Act, 74-76 40-hour work week, 19-20 unionization and, 76 work schedules. See also flexibility; 40-hour work week; reduced work hours flexibility for, 128

ideal worker norms and, 4-5 long work hours, 81-86 modified, 7 special treatment stigma and, 7 work shifts, structural norms for, 77-78 workers. See also older workers; "real workers" age of, 69-70 contingent, 24 modifications to, 1-2 precarious, 23-24 workers with disabilities disadvantages in workplaces for accommodations and, 6 ideal worker norms and, 4, 6 special treatment stigma and, 8 for work availability, 6 special treatment stigma for, 8 universal accommodation approach for, 155-56 work/life balance accommodations in workplace as beneficial factor in, 116 corporate context for, 84-86 for women in workplace, 21–22 workplaces. See also accommodations; disadvantages in workplaces; reimagining of workplaces; remote work; structural norms; work from home methodological approach to, 14 modifications for pregnant workers, 2 special treatment stigma in, consequences of,

Young v. UPS, 11, 57-58, 96, 148, 169