

Expert Medical Evidence Is Required to Prove Accommodations Offered Were Not Reasonable, New Jersey Appellate Division Holds

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In a precedential opinion, the New Jersey Appellate Division rejected an agoraphobic plaintiff's claim under the New Jersey Law Against Discrimination (LAD) for failure to provide a reasonable accommodation. The court held that the plaintiff failed to show through expert medical evidence that her disability required that her preferred accommodation be granted or that the defendant's proposed accommodations were unreasonable. Thus, the court reaffirmed that the LAD does not give plaintiffs the right to demand a particular accommodation and employers have the ultimate discretion to choose between accommodations so long as they are reasonable. *Wojtkowiak v. New Jersey Motor Vehicle Commission, et. al.*, A-5341-12T4 (January 2, 2015).

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