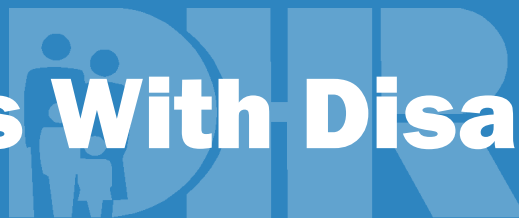


Americans With Disabilities Act



What is ADA?

The ADA applies to all people with physical or mental impairments that substantially limit one or more major life activities.

Such activities include walking, talking, hearing, seeing, breathing, learning, performing manual tasks and caring for oneself. Other kinds of major life activities contained in the Equal Employment Opportunity Commission's Interpretive Guidelines include sitting, standing, lifting and reaching.

The law also applies to individuals who have a history of such impairment, as well as those who are perceived as having such an impairment.

What does the ADA say about employment?

The ADA prohibits discrimination against a qualified individual with a disability with regard to job application procedures, hiring, advancement, compensation, training, and other terms, conditions, and privileges of employment.

Although applicants and employees are not protected from personnel actions based on their use of illegal drugs, recovered or recovering drug users would have rights under the Act under specified conditions.

HISTORY OF THE ADA

The Americans With Disabilities Act (ADA) extends civil rights to an estimated 43 million Americans with disabilities in much the same way that individuals are protected on the basis of race, color, sex, national origin, and religion. The ADA makes it illegal to discriminate on the basis of disability in the areas of employment, public accommodations, transportation, and communications.

People with disabilities can no longer be denied employment because they are disabled. In addition, the ADA provides that restaurants, movie theaters, libraries, doctor's offices, parks, and millions of other public facilities will be accessible to people with disabilities. Services provided by state and local governments must conform to the ADA requirements as well.





Does a reasonable accommodation apply just to the employee's workstation?

A reasonable accommodation also includes adjustments which would enable employees with disabilities to enjoy the same benefits and privileges of employees without disabilities.

What if someone finds it difficult to physically perform certain job tasks?

If an individual with a disability can perform the essential job functions with reasonable accommodation, that individual may not be denied employment simply because of the disability.

Employers must provide reasonable accommodation for qualified applicants or employees with disabilities unless an undue hardship would result.

In a nutshell, the ADA requires an employer to hire a worker with a disability if that worker is otherwise qualified for the job.

What is a reasonable accommodation?

A reasonable accommodation may include such things as job restructuring, modified work schedules, acquisition or modification of equipment, or the provision of readers or interpreters.

In many cases, something simple or inexpensive may enable an employee with a disability to perform a job. For example, placing wooden blocks under desk legs would allow an employee in a wheel chair to use a desk. A telephone amplifier might help someone with a hearing disability.

How will the ADA be enforced?

Any employee, or applicant for employment, customer or applicant for services or benefits may file a complaint with the ADA Coordinator if they believe any activity of this Department is in violation of the ADA law.

Individuals may bring a private lawsuit to obtain court orders to stop discrimination. Only in cases of intentional employment discrimination can money damages be awarded.

Individuals may also file complaints with the U.S. Attorney General, who may file lawsuits to stop discrimination and obtain monetary penalties.

The ADA prohibits interference, coercion, intimidation, or retaliation against individuals exercising their rights under the law.

What if I have questions?

For additional information contact the Office of Employment and Program Equity.

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