



Americans With Disabilities Act of 1990

Passed by Congress in 1990, the Americans with Disabilities Act (ADA) is the nation's first comprehensive civil rights law addressing the needs of people with disabilities, prohibiting discrimination in employment, public services, public accommodations, and telecommunications. EEOC was given enforcement authority for Title I of the Act and the employment discrimination provisions.

President Bush Signing the
ADA



Frequently Asked Questions:

Q: What is the purpose of the Americans with Disabilities Act?

A: *The Americans with Disabilities Act (ADA) gives civil rights protections to individuals with disabilities that are like those provided to individuals on the basis of race, sex, national origin, and religion. It guarantees equal opportunity for individuals with disabilities in employment, public accommodations, transportation, state and local government services, and telecommunications.*

Q: What are employers' responsibilities as it relates to ADA?

A: *Employers with 15 or more employees are prohibited from discriminating against people with disabilities according to Title I of the Americans with Disabilities Act (ADA). In general, the employment provisions of the ADA require:*

- *equal opportunity in selecting, testing, and hiring qualified applicants with disabilities;*
- *job accommodation for applicants and workers with disabilities when such accommodations would not impose "undue hardship;" and*
- *equal opportunity in promotion and benefits.*

Q: What is a job accommodation?

A: *A job accommodation is a reasonable adjustment to a job or work environment that makes it possible for an individual with a disability to perform job duties. Under the ADA, an employer is required to "reasonably accommodate" a "qualified individual with a disability."*

Q: What type of job accommodations may be requested?

A: *Accommodations may include specialized equipment, facility modifications, and adjustments to work schedules or job duties, as well as a whole range of other creative solutions.*

Q: How can I request a job accommodation under the Americans with Disabilities Act?

A: *Employees may request a job accommodation by notifying their supervisor or Human Resources, and completing the ADA -Accommodation Request Form and returning it to the Human Resources - Employee Relations department.*

<http://www.augustaga.gov/1961/ADA-Reasonable-Accommodation-Procedure>

Q: Will I be terminated if I request a job accommodation?

A: *No, you cannot be terminated if you submit a request for a job accommodation.*

Q: Is my employer required to make reasonable accommodations?

A: *An employer is only required to accommodate a "known" disability of a qualified applicant or employee. The requirement generally will be triggered by a request from an individual with a disability, who frequently will be able to suggest an appropriate accommodation. Accommodations must be made on an individual basis, because the nature and extent of a disabling condition and the requirements of a job will vary in each case. If the individual does not request an accommodation, the employer is not obligated to provide one except where an individual's known disability impairs his/her ability to know of, or effectively communicate a need for, an accommodation that is obvious to the employer. If a person with a disability requests, but cannot suggest, an appropriate accommodation, the employer and the individual should work together to identify one. There are also many public and private resources that can provide assistance without cost.*

Q. Is my employer obligated to make the accommodation I request?

A. *The individual with a disability requiring the accommodation must be otherwise qualified, and the disability must be known to the employer. In addition, an employer is not required to make an accommodation if it would impose an "undue hardship" on the operation of the employer's business. "Undue hardship" is defined as an "action requiring significant difficulty or expense" when considered in light of a number of factors. These factors include the nature and cost of the accommodation in relation to the size, resources, nature, and structure of the employer's operation. Undue hardship is determined on a case-by-case basis. Where the facility making the accommodation is part of a larger entity, the structure and overall resources of the larger organization would be considered, as well as the financial and administrative relationship of the facility to the larger organization.*

If a particular accommodation would be an undue hardship, the employer must try to identify another accommodation that will not pose such a hardship. Also, if the cost of an accommodation would impose an undue hardship on the employer, the individual with a disability should be given the option of paying that portion of the cost which would constitute an undue hardship or providing the accommodation.

If you would like more information regarding accommodations, rights under the Americans with Disabilities Act (ADA) and/or related laws, please visit <http://askjan.org/>