

Americans with Disabilities Act (ADA)

Key Aspects of the ADA

The Americans with Disabilities Act of 1990 (ADA) makes it unlawful to discriminate in employment against a qualified individual with a disability. The ADA also makes it illegal to discriminate against individuals with disabilities in providing government services. You, as a supervisor, have the responsibility of complying with this Act.

The following information should help you understand what the requirements are and help you be better equipped to fulfill your responsibilities under this Act. The ADA definition of individual is very specific. A person with a “disability” is an individual who:

- Has a physical or mental impairment that substantially limits one or more of his/her major life activities.
- Has a record of such an impairment.
- Is regarded as having such an impairment.

Major life activities are activities that an average person can perform with little or no difficulty. Examples are walking, hearing, caring for oneself, sitting, reading, seeing, breathing, working, standing, speaking, learning, performing manual task, and lifting.

The ADA protects a “qualified” individual with a disability e.g., someone with a disability who meets the essential eligibility requirements for the program or activity offered.

An employer must make a reasonable accommodation to the known physical or mental limitations of a qualified applicant or employee with a disability unless it can show that the accommodation would cause an undue hardship on the operation or its business.

Examples of Reasonable Accommodation

- Making existing facilities used by employees readily accessible to, and usable by, an individual with a disability
- Job restructuring
- Modifying work schedules
- Reassignment to a vacant position
- Acquiring or modifying equipment or devices
- Adjusting or modifying examinations, training materials, or policies
- Providing qualified readers or interpreters
- An employer is not required to lower quality or quantity standards to make an accommodation, nor is an employer obligated to provide personal use items, such as glasses or hearing aides, as accommodations.

Consider implementing a feedback system: a simple method for participants and staff to suggest accessibility improvements. Make sure that any emergency plans at your organization include specific assistance procedures to address the needs of youths with disabilities at your organization.