



The ADA and the Workplace: Your Rights and Responsibilities

The Americans with Disabilities Act (or the ADA) is a law that guarantees full participation in American society for all people with disabilities. Major employment protections are guaranteed by the ADA.

How Do I Know If I'm Protected By the ADA?

If you have a disability, the ADA protects you from job discrimination on the basis of your disability. You still have to prove you are qualified for the job. You need to have the right skills, experience, and education.

Under the ADA, you have a disability if you have a physical or mental disability that substantially limits a major life activity. Major life activities include caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. The ADA also protects you if you have a history of such a disability, or if an employer believes that you have such a disability, even if you don't.

How Does the ADA Protect Me?

The ADA makes it unlawful to discriminate in all employment practices, including:

- recruitment
- firing



- hiring
- training
- job assignments
- promotions
- pay
- benefits
- lay off
- leave

This law applies to applicants, employees with disabilities, and those who develop a disability after being hired. The only exception are private employers with fewer than 15 employees.

Do I Have to Tell An Employer About My Disability?

No. An employer can't ask workers about their disability. You do not have to tell your employer you have a disability during an interview process. However, you must provide information



about your disability if you would like an accommodation. Any time an accommodation is requested (during the interview process, after a job offer has been made, or after employment has started), employers may ask for information about your disability. In some cases, this may include questions about your diagnosis.

If you think you will need a reasonable accommodation in order to apply for the job or to perform the job, you should inform the employer that you need an accommodation. Generally, it is your responsibility to inform your employer that an accommodation is needed. Once you leave high school, you must advocate for yourself to receive protection under the ADA, including accommodations.

What is a Reasonable Accommodation?

Your employer is required to provide you with “reasonable accommodations” unless it will cause “undue hardship” to the employer. For example, if the accommodation is too expensive or impacts the work done in the company, they might say the accommodation is an “undue hardship.”

Here are some examples of reasonable accommodations:

- Modifying work hours or changing the place where work is performed.
- Ability to take more frequent breaks at work
- Flexible schedule
- Provide checklists
- Post visual instructions on frequently-used machines, such as the copier r Provide space for

Where can I learn more?

U.S. Equal Employment Opportunity
Commission:
<https://www.eeoc.gov/facts/ada18.html>

job coach

- Buying or modifying equipment or devices.
- Providing qualified readers or interpreters
- Modifying training materials

What is “reasonable” for one employer might not be for another. If an accommodation is impractical, costs more than an alternative accommodation, disrupts business, or proves to be a problem for customers, employers might not make the accommodation. However, the employer must try to identify another accommodation that will not pose such a hardship.