



Policy Directory

Responsible Division: Finance and Administrative Services

Responsible Office: Human Resources

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Americans With Disabilities Act (ADA)

The Americans with Disabilities Act, also known as the ADA, prohibits discrimination against individuals based on disability. An amendment to the ADA, the Americans with Disabilities Act Amendments Act of 2008 (ADAAA), clarified that a disability is a mental or physical condition or impairment that substantially limits one or more major life activities or bodily functions, such as:

- Eating
- Sleeping
- Walking
- Reading
- Communicating
- Function of the Immune System
- Function of the Digestive System
- Function of the Respiratory System
- Function of the Endocrine System

Guidance included within the law is ***not all inclusive***. Per the ADAAA, the definition of disability should be considered broadly, and should not require extensive analysis.

Important Points

- **The ADA covers employers with 15 or more employees.** This includes public and private employers, employment agencies, religious entities and labor organizations.

- **The ADA requires employers to make reasonable accommodations.** Unless such accommodations would constitute undue hardship for the employer. Reasonable accommodations are arrived at through engaging in the Interactive Process.
- **Treating someone differently based on the perception of disability may violate the ADA.** Regardless of whether the disability is substantiated or not. Accommodations should come as result of the Interactive Process, not based on assumptions.
- **Disability is a federally protected characteristic.** Harassment and discrimination based on perceived or actual mental or physical disabilities, regardless of whether accommodations exist or have been requested, is illegal.