

AMERICANS WITH DISABILITIES ACT

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DEPARTMENT of
REHABILITATION

Employment, Independence & Equality

AGENDA

- ❖ History of ADA
- ❖ Regulations
- ❖ Statistics
- ❖ Reasonable Accommodations



- ▶ Section 504 of the 1973 Rehabilitation Act
 - ▶ Americans with Disabilities Act of 1990
 - ▶ ADA Amendments Act of 2008

HISTORY OF ADA

DISABILITY RIGHTS MOVEMENT



- ▶ The history of the ADA did not begin on July 26, 1990, at the signing ceremony at the White House. It did not begin in 1988 when the first ADA was introduced in Congress. The ADA story began a long time ago in cities and towns throughout the United States when people with disabilities began to challenge societal barriers that excluded them from their communities, and when parents of children with disabilities began to fight against the exclusion and segregation of their children. It began with the establishment of local groups to advocate for the rights of people with disabilities.

DISABILITY RIGHTS MOVEMENT CONTINUED..



For the first time, the exclusion and segregation of people with disabilities was viewed as discrimination

thousands of people who make up the disability rights movement – protests, licking envelopes, sending out alerts, drafting legislation, speaking, testifying, negotiating, lobbying, filing lawsuits, being arrested – doing whatever they could for a cause they believed in



REMEMBERING

JUDITH
HEUMANN
AMERICAN
ACTIVIST

ADA EXPLAINED VIDEO..



DISABILITY DEFINED

The ADA Protects People with Disabilities

A person with a disability is someone who:

- ▶ **has a physical or mental impairment that substantially limits one or more major life activities,**
- ▶ **has a history or record of such an impairment (such as cancer that is in remission), or**
- ▶ **is perceived by others as having such an impairment (such as a person who has scars from a severe burn).**



DISABILITY DEFINED CONT.. QUALIFIED WORKER

You're a qualified worker if you're able to complete the job tasks that are fundamental to your position with or without reasonable accommodation by your company. The law requires your employer to work with you on adjustments or modifications that will allow you to complete your work – so long as the accommodations don't create an "undue hardship" for the company.

Examples of covered ADA conditions:

- **Depression**
- **Multiple sclerosis**
- **Hepatitis B**
- **Epilepsy**
- **Diabetes**
- **Cancer**
- **Hearing loss**



Statistics

- 1 in 4 people have a disability



Difficulty walking/climbing stairs



Require assistance of others with everyday tasks



Vision difficulty (partial or total)



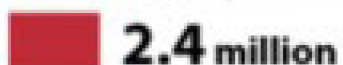
Hearing difficulty



Using a wheelchair



Alzheimer's, senility or dementia



ADA POLL

DO YOU KNOW SOMEONE, OR
DO YOU HAVE A DISABILITY?

REASONABLE ACCOMMODATIONS WHEN TO START THE INTERACTIVE PROCESS

Initiate the interactive process when the employee's disability is known or apparent. For example, when:

- ▶ Employee requests an accommodation
- ▶ Employee presents doctor's note with work restrictions
- ▶ Employer otherwise becomes aware of need for accommodation through third party or observation
- ▶ These requests and the resulting conversations between the employee and the supervisor starts the "interactive process," an important component of the accommodation procedure.

ADA PROTECTS FROM THESE COMMON FORMS OF DISCRIMINATION

1. Refusing to Hire a Job Applicant Based on Their Disability
2. Firing or Demoting an Employee Because of Their Disability
3. Failing to Give Disabled Employees the Same Opportunities
4. Harassing an Employee Based on Their Disability
5. Failing to Provide Reasonable Accommodations



FAIR EMPLOYMENT & HOUSING ACT

[HTTPS://CALCIVILRIGHTS.CA.GOV/](https://CALCIVILRIGHTS.CA.GOV/)

The Fair Employment and Housing Act (California Government Code Section 12900-12951 & 12927-12928 & 12955 - 12956.1 & 12960-12976) provides protection from harassment or discrimination in employment because of: age (40 and over), ancestry, color, creed, denial of family and medical care leave, **disability (mental and physical)** including HIV and AIDS, marital status, medical condition (cancer and genetic characteristics), national origin, race, religion, sex, and sexual orientation.

RESOURCES

Americans with Disabilities Act

<https://www.ada.gov/>

Job Accommodation Network (JAN)

<http://askjan.org/>

California Civil Rights Department

<https://calcivilrights.ca.gov/>

Department of Rehabilitation

<https://www.dor.ca.gov/>

THANK YOU!

Contact Office of Civil Rights

CDFA.OCR_Civil_Rights@CDFA.CA.GOV

Department of Rehabilitation

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