



Disability Law

Basics of the REHAB ACT



PROTECTS PERSONS WITH DISABILITIES AGAINST DISCRIMINATION

Requires that employers provide reasonable accommodation(s) to persons with disabilities where needed.

Requires federal agencies to establish “**AFFIRMATIVE ACTION**” programs for the hiring, advancement and retention of persons with disabilities.

PROHIBITS employers from making improper disability-related inquiries or requiring improper medical examinations.

Requires that employers keep the medical information of all employees confidential.

Requires that employers comply with anti-harassment standards; and Prohibits retaliation by employers.



WHAT IS REQUIRED?

What are agencies/managers/supervisors required to do, under the law?

Provide RA to those who **NEED** it and are entitled to it...

Recognize requests for RA.

Know your agency's policy and procedures for RA.

Process requests according to your agency's policy and procedures.



Know when to ask for help!



DISABILITY DEFINED

An individual has a disability under the ADA if he/she:

Has a physical or mental impairment which substantially limits one or more major life activities.

Has a record of such an impairment, or is regarded as having such an impairment.

Substantially Limited in a Major Life Activity.

States the definition of “disability” in the ADA “shall be construed in favor of broad coverage” and “should not demand extensive analysis.”

The “primary object of attention” in ADA cases should not be on the definition of disability but rather on whether individual can be accommodated absent undue hardship, or whether discrimination occurred.

Guiding Principles

Additional Information



For additional information, please visit us on:

EEOC -- www.eeoc.gov

Enforcement Guidance: RA and Undue Hardship Under the Americans with Disabilities Act

www.eeoc.gov/policy/docs/accommodation.html

Enforcement Guidance on the ADA and Psychiatric Disabilities

www.eeoc.gov/policy/docs/psych.html

Veterans with Service-connected Disabilities in the Workplace and the ADA

www.eeoc.gov/facts/veterans-disabilities.html

JAN -- AskJAN.org

CAP -- www.CAP.mil