

KNOW YOUR BENEFITS.

From



Your Workplace Rights if You Have a Disability

The Americans with Disabilities Act (ADA) is a federal law that gives protections to individuals with disabilities. If your company has 15 or more employees, your employer is required to comply with the ADA.

What Is Considered a Disability?

The ADA defines an individual with a disability as one who has a physical or mental impairment that substantially limits one or more major life activities. Major life activities may include seeing, hearing, speaking, walking, breathing, performing manual tasks, learning, caring for oneself and working. It also protects people who have a record of such an impairment or those who are regarded as having such an impairment.

For instance:

- A person with epilepsy or a learning disability would qualify, but one with a broken limb or short-term illness would not.

- Someone with a history of a disabling condition (such as cancer that is in remission) would be considered disabled.
- Individuals who are perceived as having a disability, such as having a serious visible disfigurement, are covered.

The ADA also protects discrimination based on relationship, such as someone whose spouse is disabled.

What Are Your Rights?

If you have a disability that is covered under the ADA, you have rights in the workplace. Your employer cannot discriminate against you in any employment practice, including hiring, firing, advancement, compensation, training or other terms, conditions and privileges of employment. This means your employer cannot fire you, fail to promote you or take any other negative action against you simply because you are disabled.

However, your employer is not required to give you preference over an individual without a disability when it comes to hiring, advancement, or any other job functions or privileges.

If you have a disability and would like to request an accommodation, contact your supervisor or Human Resources.

In addition, employers may not ask whether a job applicant or employee has a disability. However, you may be asked if you can perform specific job functions, or to undergo a job-related medical exam, but only if all employees are required to do so.

Reasonable Accommodations

Sometimes, an individual with a disability needs a modification to their job or workplace in order to perform the job. Unless it represents an undue hardship, employers are required to reasonably accommodate applicants and employees with disabilities, such as making a facility accessible, restructuring a job, modifying a work schedule or modifying equipment. Note that this is only required for employees and applicants who are also qualified for the position.



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If you have a disability and would like to request an accommodation, contact your supervisor or Human Resources. For more information on your workplace rights, visit www.eeoc.gov/laws/types/disability.cfm.



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