

ADA Safety Topic

This section addresses general information pertaining to the Americans with Disabilities Act of 2008.

The **Americans with Disabilities Act (ADA)** prohibits employer discrimination based on an employee or potential employee's disability. Under the ADA the term "disability" is defined as a *physical or mental impairment that substantially limits* one or more of the individual's major life activities. A mitigating measure (i.e., medication or a device that improves impairment) must not be considered when determining whether an impairment as a disability. It clearly establishes that an employer cannot discriminate against a qualified individual with a disability, and that "reasonable accommodation" is required for those that fall under the protection of the ADA (unless doing so would cause "undue hardship" on the overall operation).

Who it applies too

The ADA applies to all private employers with 15 or more employees, state and local governments, employment agencies, and labor organizations. Such company's recruitment, hiring, rates of pay, promotions, and selection for training are all subject to follow the ADA ruling. For ADA protection an employee or candidate must have a disability, *and* must be capable to execute the essential functions of the job, with or without a reasonable accommodation by the employer.

Reasonable Accommodation

Reasonable accommodation is any modification or adjustment to a job duty or work environment that permits a qualified employee or potential employee with a disability to participate in the job application process, perform the essential duties of a job, or to receive benefits and privileges of employment equal to those given to employees without disabilities.

For further information please contact the ADA at

800-514-0301 or visit ADA.gov

Company Name: _____

Date:

Safety

Recommendations:

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