

**Does reasonable accommodation apply just to the employee's workstation?**

Reasonable accommodation also includes adjustments which would enable the employee with disabilities to enjoy the benefits and privileges of employment that are available to employees without disabilities.

**How will the ADA be enforced?**

Individuals may bring private lawsuits to obtain court orders to stop discrimination. Only in cases of intentional employment discrimination can money damages be awarded.

Individuals can also file complaints with the U.S. Attorney General, who may file lawsuits to stop discrimination and obtain monetary penalties.

The ADA prohibits interference, coercion, intimidation or retaliation against individuals exercising their rights under the law.

**What if I have questions?**

For additional information, contact the ADA Compliance Officer or your Human Resources Office.

ADA

MDOT

...and YOU!

What you need to know about the Americans With Disabilities Act of 1990 and how it affects your employment with the Maryland Department of Transportation



**Gregory Slater**  
Secretary

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On July 26, 1990, President George Bush signed into law the Americans with Disabilities Act (ADA). This significant legislation extends civil rights to an estimated 43 million Americans with disabilities in much the same way that individuals are protected on the basis of race, color, sex, national origin and religion. The ADA makes it illegal to discriminate on the basis of disability in the areas of employment, public services, public accommodations, transportation and telecommunications.

People with disabilities can no longer be denied employment just because they are disabled. In addition, the ADA provides that restaurants, movie theaters, libraries, doctors' offices, parks and millions of other public accommodations will become accessible to people with disabilities. The services provided by state and local governments must conform to ADA requirements as well.



### **Who are Americans with disabilities?**

The ADA applies to all people with physical or mental impairments that substantially limit one or more major life activities.

Such activities include walking, talking, hearing, seeing, breathing, learning, performing manual tasks and caring for oneself. Other kinds of major life activities contained in the Equal

Employment Opportunity

Commission's Interpretive Guidelines include sitting, standing, lifting and reaching.

The law also applies to individuals who have a history of such impairment, as well as those who are perceived as having such impairment.

### **What does ADA say about employment?**

The ADA prohibits discrimination against a qualified individual with a disability with regard to job application procedures, hiring, advancement, compensation, training and other terms, conditions and privileges of employment.

Applicants and employees are not protected from personnel actions based on their use of illegal drugs.

However, recovered or recovering drug users would have rights under the act under specified conditions.

### **What if someone finds it difficult to physically perform certain job tasks?**

If an individual with a disability can perform the essential job functions with reasonable accommodation, that individual may not be denied employment simply because of the disability.

Employers must provide reasonable accommodation for qualified applicants or employees with disabilities unless an undue hardship would result.

In a nutshell, the ADA requires an employer to hire a worker with a disability if that worker is otherwise best qualified for the job.

### **What is reasonable accommodation?**

Reasonable accommodation may include such things as job restructuring, modified work schedules, acquisition or modification of equipment, or the provision of readers or interpreters.

In many cases something simple or inexpensive may enable a disabled employee to perform a job. For example, placing wooden blocks under desk legs would allow an employee in a wheelchair to use a desk. A telephone amplifier might help someone with a hearing disability.