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Old thing I once  
wrote  
- Diana

## AMERICANS WITH DISABILITIES ACT -- SUMMARY

The Americans with Disabilities Act (ADA) provides civil rights protections for persons with disabilities parallel to those established by the Federal government under the Civil Rights Act.

1. Employment: The ADA requires employers to make reasonable accommodations to the known physical and mental limitations of a qualified applicant or employee unless that imposes an undue hardship on the employer. Accommodations in most cases can be made at little or no cost, and could include making worksites accessible, modifying equipment or work schedules, providing new devices, restructuring jobs, or providing readers or interpreters.

Administrative enforcement is done by the Equal Employment Opportunity Commission, after which individuals have the right to sue in court; however, compensatory damages are limited to \$300,000 plus back pay.

The ADA excludes people who currently use illegal (?) drugs from its protections, but it does prohibit discrimination against recovering drug addicts and alcoholics and against individuals who have successfully completed rehabilitation.

2. Transportation: The ADA requires that individuals with disabilities have access to transportation. All new public buses must be accessible to persons with disabilities. No retrofitting of buses is required. Transit authorities must provide paratransit or other special transportation services to those individuals who cannot use regular bus service. All new rail vehicles and stations must be accessible. Existing rail systems and stations are given specific deadlines by which they must comply with ADA standards.

3. Public Accommodations: Public accommodations include all sales and service establishments, as well as educational institutions, recreational facilities, and social service centers. The ADA requires such facilities to make reasonable modifications in policies and procedures, unless those modifications would fundamentally alter the nature of the services provided. All new construction and alterations in public accommodations, as well as in commercial facilities such as office buildings, must be accessible. Retrofitting of existing buildings is only required when "readily achievable." Such facilities may not use eligibility criteria that screen out individuals with disabilities, unless such screens are necessary for their operation.

Individuals can sue for an injunction that requires an accommodation to comply with the ADA. Monetary relief is limited to attorney fees and court costs. Only the Attorney General can seek monetary damages and then only in suits of general public importance.

4. Telecommunications: All carriers offering phone service to the general public must provide telecommunications relay service that permit individuals who use non-voice devices the opportunity for communication equivalent to what is provided to other customers. The system must operate 24 hours a day, and users must pay no more than other customers. The Federal Communications Commission is responsible for enforcement.