



National Network

Information, Guidance and
Training on the Americans with
Disabilities Act

Call us toll-free
1-800-949-4232 V/TTY
Find your regional center
at www.adata.org

For the most current and accessible version, please visit
<https://adainfo.us/employment-rights-pwd>

Your Employment Rights as a Person with a Disability and the Americans with Disabilities Act (ADA)

The Americans with Disabilities Act (ADA) is a law that protects a person from being treated unfairly just because they have a disability. This means the ADA protects people with disabilities from discrimination. Title I of the ADA makes sure that people with disabilities have the same rights and chances as everyone else at work. This information sheet answers questions about Title I of the ADA that deals with jobs.

How do I know if I am protected by the ADA?

The ADA says you have a disability if your body or brain works differently than most people, and that makes it harder or impossible for you to do things like hear, see, speak, think, walk, or breathe. Sometimes, you can see a person's disability. They may use a wheelchair or a white cane when they walk. Sometimes you cannot see a person's disability, like autism, diabetes, cancer, learning problems, or they can be Deaf or hard of hearing.

The ADA also protects people who are discriminated against because they:

- Had a disability in the past (even if they do not have a disability anymore).
- Never had a disability, but someone thinks they do.
- Are close to someone who has a disability, like their child, parent, a person they are married to, or a good friend.



What are my job rights under the ADA?

The ADA protects you from being discriminated against because of a disability when you are applying for a job and at work. At work, these protections cover hiring, firing, training, pay, promotions, benefits, and leave. Under the ADA, leave means taking time off from work if you need to because of your disability. People also cannot bully you at work because of your disability, and an employer cannot fire or punish you for asking for help you need to do your job. This is called a reasonable accommodation. It is important to remember, you have the right to ask for a reasonable accommodation when you apply for and after you get a job.

What is a “reasonable accommodation”?

A reasonable accommodation is any change to a job, the place where you work, or the way things are usually done that would allow you to apply for a job, do the job, or get the same benefits that other people have at your job. Most times, an employer must give you the accommodation you need to apply for a job or do your job. Remember, the final decision about what accommodation you get is made by your employer so long as it lets you do your job equally. You must be able to do the job you want or were hired to do, with or without a reasonable accommodation. Some of the most common types of accommodations are:

- Changes to the building where the person works, like putting in a ramp or making a work area or a restroom bigger.
- A sign language interpreter for a person who is Deaf when they go to meetings or trainings.
- A tool to read information on a computer screen or providing training and written documents in Braille or audio computer files for a person who is blind or has difficulty seeing.
- Computer tools for a person who has difficulty using their hands.
- A quieter workspace or headphones to make it less noisy for a person who has a disability like autism.



Your Employment Rights as a Person with a Disability and the ADA

- Writing down instructions or a checklist to help a person who has a disability like Down syndrome get their job duties done.
- Allowing a different work schedule or time off for a person to get treatment for a disability or to train a service animal.

What should I do If I think I might need a reasonable accommodation?

If you think you might need an accommodation when applying for a job or on the job, you must ask for it. You can ask for a reasonable accommodation at any time—when you are applying for a job, before you start a job you were hired for, or after you start working.

How do I ask for a reasonable accommodation?

If you need an accommodation because of your disability, you need to tell your employer. You do not need to complete a special form or use certain words. For example, if you use a wheelchair and it does not fit under your desk at work, you should tell your supervisor. This is a request for a reasonable accommodation. A doctor's note asking for time off because of a disability or saying you can work but need a different work schedule because of a disability is also a request for a reasonable accommodation.

What happens after I ask for a reasonable accommodation?

Once you ask for an accommodation, your employer should talk with you about how the accommodation will happen. If you have a disability that your employer does not know about, they can ask you to get papers from your doctor or other medical provider saying you have a disability and giving reasons why you need a reasonable accommodation. You and your employer should work together to find an accommodation that works for you. Your employer does not have to give you the exact accommodation you ask for. It has to be "reasonable." But the accommodation must allow you to do the same job that people without disabilities can do. If the accommodation costs too much or is too hard for your employer to do, your employer may have to talk with you about something else that would still work.



What should I do if I think my ADA job rights have not been protected?

You can contact the ADA National Network at 1-800-949-4232 to get advice on what to do next. That might include contacting the nearest Equal Employment Opportunity Commission (EEOC) office. The EEOC is a government agency that helps people protect their job rights. They will help you figure out if you should file a charge of discrimination against your employer.

EEOC national contact information:

800-669-4000 (voice)

800-669-6820 (TTY)

844-234-5122 (ASL video phone)

info@eeoc.gov (email)

EEOC local offices information:

<https://www.eeoc.gov/field-office>

Who can I ask if I have questions or want more information about the ADA?

The ADA National Network answers questions and provides information about the ADA. Contact us toll-free, voice or TTY, at 1-800-949-4232 or email us to speak with one of our ADA Specialists.

Content was developed by the Pacific ADA Center, and is based on professional consensus of ADA experts and the ADA National Network.



<https://www.adapacific.org>

The contents of this factsheet were developed under grants from the National Institute on Disability, Independent Living, and Rehabilitation Research (NIDILRR grant number 90DPAD0006). NIDILRR is a Center within the Administration for Community Living (ACL), Department of Health and Human Services (HHS). The contents of this factsheet do not necessarily represent the policy of NIDILRR, ACL, HHS, and you should not assume endorsement by the Federal Government.

© Copyright 2023 ADA National Network. All Rights Reserved. May be reproduced and distributed freely with attribution to ADA National Network (www.adata.org).