



ADA’s 21st anniversary serves as a reminder of making the world more inclusive

The ADA was signed into law on July 26, 1990, increasing opportunities experienced by people with disabilities.

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Reasonable Accommodations Mean Getting the Job Done

Employees with disabilities may do a job differently—they may use adapted computers, screen reading software, large print materials or raised desks that can accommodate a wheelchair—but they get the job done like any other employee in their position. They are not asking for special treatment or to be excused from performing the essential functions of their jobs. But they do ask that they be given the tools or supports they need to perform these tasks competently.

The Americans with Disabilities Act (ADA) was passed almost unanimously by both the House and the Senate in July 1990. It provides civil rights protections to individuals with disability and prohibits discrimination on the basis of disability. Title I of the ADA requires that employers provide qualified employees with disabilities with reasonable accommodations—changes to the workplace or the way things are customarily done—that allow them to perform the essential functions of their jobs.

Why is the Americans with Disabilities Act Needed?

Cheri Hofmann, who has a significant hearing loss, had worked as a paralegal position for 13 years, collecting awards and superior performance reviews throughout her career. Until her job duties changed in her 14th year, she never needed any changes to her workplace or different equipment to perform her job well. When her job duties in changed, however, she asked for a few, modest changes to her workplace.

"In my 14th year, my job had additional duties that required me to be able to assist clients while others were on break and to answer phones. I asked for a mirror to be placed where I could see the door opening when clients came in, a head set for the telephone with amplification, and to re-position my desk to also have a better view of the front door. They refused the mirror, saying it would be a distraction to the other paralegals; they said to reposition my desk would cause the entire area to have to be changed; and they said they ordered a head set, but it never came. Instead they gave me a phone with a volume control but it was not effective."

None of these changes cost more than \$30, but without them, Cheri was unable to do her job and was eventually forced to leave.

Under Title I of the ADA, however, employers with 15 or more employees are required to provide reasonable accommodations to qualified applicants or employees with disabilities unless to do so would result in an undue burden. Reasonable accommodations are changes to the workplace, modifications in workplace policies or provision of assistive technology that allow a qualified employee with a disability to perform the essential functions of the job.

What are Reasonable Accommodations?

A reasonable accommodation is any change to the work environment or to the way that things are customarily done that enables an individual with a disability to enjoy equal employment opportunities. Rene Cummins, Executive Director of a Center for Independent Living in North Carolina, has low vision. She uses a screen reader to read computer and a scanner to scan print materials into computer text where they can be read back to her. Christinne Rudd has cerebral palsy and walks with a cane. Her employer provided a printer in her office so that she doesn't have to go to the main printer to retrieve letters and other documents. Her employer has also offered to provide a scooter, if necessary, when there are employee outings and reimburses her for cab fare for her local travel on company business.

Until the past few years, Fran Bell, Executive Assistant at IBM, did not require reasonable accommodations for the effects of childhood polio. When she traded her crutches for a wheelchair, however, her employer gave her a cubicle at the end of a row near a window so that she would have more room for her wheelchair.

Patricia Valadaris is an outreach worker for a social services agency. Patricia is blind and uses a screen reader, JAWS software that reads computer text, and the Open Book program that scans in printed material and reads it back so she can read and save printed documents. She also asks that handouts for conferences and trainings be given to her on CDs.

John Hobgood is a social worker who received a traumatic brain injury in a motor vehicle accident. As the result of his head injury, John has difficulty paying attention, so he uses a daytimer to keep his schedule and relies on the Outlook calendar computer software to remind him of appointments. Reading is difficult, so John uses free screen reader software from Readplease.com. Individuals with traumatic head injury often have difficulty concentrating at the end of the day. When his agency moved to a 4-day week of 10 hour days, John and another co-worker asked for a modified schedule in which they would remain on the 5-day week. Their requests were granted, and the two come into work on the 5th day, lock the door, answer phones, and catch up with their paperwork.

John Duplessis, a social worker who became legally blind as an adult, relies on a tape recorder that is "glued to my side for dictating notes and recording conversations that I need to remember." He uses Zoom Text software to enlarge text on his computer screen and uses its speech function to read aloud what is on the screen. John also has talking Caller I.D. on his landline and cell phones to announce the name and number of incoming calls. In addition, he uses glasses with magnification to read printed documents and to write. Even so, he notes wryly, "I don't write quickly and my penmanship is not very good."

Not all effective accommodations need to be provided by the employer. Many people with disabilities can use "off the shelf" assistive technology to meet their personal needs. For example, Eric Dupre is a news photojournalist, a job that is fast-paced and unpredictable. Dupre thrives in his fast-paced, unpredictable job as a news photojournalist. He carries a small pad each day to write down his schedule. "I use an electronic pocket reminder for assignments that may be projected in the future. I use a GPS to assist me to find locations where I have to be. I purchased my own accommodations for under \$100."

Although many people with disabilities can perform all their job duties without an accommodation of any sort, others encounter workplace barriers that hinder or prevent them from performing competently on the job. By mandating the provision of reasonable accommodations, changes to the work environment as long as they do not create an undue burden, Title I of the ADA make it possible for qualified employees with disabilities to demonstrate their competence and ability to perform on the job.