

ADA30



Joint Statement by the U.S. Equal Employment Opportunity Commission, Department of Justice, and Department of Labor Commemorating the 30th Anniversary of the Americans with Disabilities Act and its Impact on the American Workforce

Issued on: July 31, 2020

WASHINGTON - July 26, 2020 marked the 30th anniversary of the enactment of the Americans with Disabilities Act (ADA). This landmark civil rights law protects access and opportunity for people with disabilities across community life, including employment. By ensuring that everyone has an equal opportunity to work, free from discrimination based on disability, the ADA is an affirmation of our nation's founding ideals and a cornerstone of our efforts to ensure a fully inclusive American workforce and economy.

As we recognize this important milestone, the U.S. Equal Employment Opportunity Commission (EEOC), Department of Justice (DOJ), and Department of Labor (DOL) pay tribute to the ADA's indelible impact and how it has promoted economic self-sufficiency for individuals with disabilities.

The ADA is about equal opportunity. By safeguarding equal rights for qualified job applicants and employees with disabilities, the ADA ensures that more Americans have equal opportunity to thrive in fulfilling jobs that grow our economy.

To help employers and individuals with disabilities achieve these goals, the EEOC has an extensive program of ADA outreach, and also proactively works to resolve ADA complaints. EEOC's mediation program is instrumental to this effort. It helps parties reach mutually agreed upon, enforceable resolutions to charges of disability discrimination. Examples of such resolutions include an employer who, after initially rejecting a Deaf applicant, hired him and provided an American Sign Language interpreter for trainings, meetings, and performance evaluations; a business that agreed to accommodate an employee with an eating disorder by allowing her to take a longer lunch break; and a public school that reassigned a bus driver to a new position as a teacher's aide when she could no longer drive due to epilepsy.

Conciliation is another way the EEOC advances the ADA's goals. Parties who participate in conciliation's voluntary process can resolve charges efficiently. In many cases, these agreements help spur broader changes that benefit many individuals for years to come. For instance, last year, a nationwide business voluntarily agreed to alter its online application process so that questions actually pertained to the job at hand. This business also agreed to highlight the company's commitment to providing accommodations to both applicants and employees.

The ADA is about freedom from discrimination. DOJ's Civil Rights Division collaborates closely with the EEOC to enforce the ADA's prohibitions on discrimination in employment by state and local governments. By ensuring that people with disabilities have an equal opportunity to become and remain employed, DOJ helps individuals with disabilities to obtain economic self-sufficiency, their own piece of the American dream, and much more. In so doing, DOJ helps make the ADA's promise of equal employment opportunity a reality for Americans with disabilities across the country.

Through its enforcement efforts, DOJ works to ensure that people with disabilities are judged for their skills and what they are able to contribute, rather than having their employment opportunities limited by stereotypes and assumptions about their disability. For example, DOJ recently [settled a case involving a Georgia paramedic](#), who also worked part-time as an emergency medical technician teaching assistant at a technical college, after the college unlawfully terminated her because she had multiple sclerosis. Similarly, DOJ [obtained relief for an applicant](#) for an elevator/escalator parts supervisor position whose job offer was withdrawn after the employer learned the applicant had epilepsy. And DOJ [successfully resolved a claim for an individual with dwarfism](#) who was unlawfully screened out from applying for a job as a purchasing manager because of his disability, even though he was qualified for the position. In all three cases, DOJ entered into settlement agreements that require the employers to revise their policies to ensure nondiscrimination, provide training about the ADA's requirements, and compensate the individuals with disabilities who were affected. Through its efforts to prevent and redress discrimination against people with disabilities in the workplace, DOJ helps ensure that Americans with disabilities have equal access to the sense of dignity, pride, purpose, independence, self-worth, belonging, and community that can come with work.

The ADA is about full participation. Through its Office of Disability Employment Policy (ODEP), DOL delivers on the spirit of the ADA, and goes beyond enforcement to help ensure people with disabilities can effectively prepare for, find, and succeed in meaningful careers. ODEP does this by developing and influencing policies and practices that increase both the number and quality of employment opportunities for people with disabilities.

In support of this mission, each year ODEP provides technical assistance to tens of thousands of individuals and employers on the ADA's employment provisions. For instance, its Job Accommodation Network provides free, confidential guidance on reasonable accommodations in the workplace, a right guaranteed to qualified individuals with disabilities under the law.

A reasonable accommodation is any modification or adjustment to a job or work environment that enables a qualified person with a disability to apply for or perform a job. When requested, employers covered by the ADA are required to provide such accommodations for qualified employees with disabilities, unless doing so would impose an undue hardship.

Accommodations are essentially about flexibility in how, when, and where people work, and this year's challenges of working during a pandemic demonstrate their basic premise. For instance, for some workers with disabilities, telework may be a reasonable accommodation that enables them to obtain or maintain employment, and in recent months it has helped many people, whether they have a disability or not, to continue working in the face of COVID-19.

Individuals with disabilities have the talents and skills to contribute to America's workforce, and, often, their experience with disability offers fresh perspectives on how to solve problems and achieve success. In fact, data indicates that companies that increase disability inclusion over time outperform those that do not.¹

Harnessing the talent and potential of *all* segments of the population, including people with disabilities, is essential for our economic growth going forward, and *increasing access and opportunity* is key. The ADA provides the foundation for this, and the EEOC, DOJ, and DOL are committed to continuing to make progress toward its vital goals—for the next 30 years and beyond.

¹ https://www.accenture.com/t20181108t081959z_w_us-en_acnmedia/pdf-89/accenture-disability-inclusion-research-report.pdf