



Securing the Promise of the Americans with Disabilities Act (ADA)

The ADA: A Landmark Civil Rights Law

- Like other landmark civil rights laws, the Americans with Disabilities Act has transformed the nation since its enactment in 1990. As enacted, it outlaws discrimination against people with disabilities at work and in public life.
- The ADA has helped millions of Americans with disabilities to enter and to excel in the workplace.
- The law has made America a more accessible country with ramps, curb cuts, Braille signs, and captioned television programs.

Why Does Congress Need To Enact The Ada Amendments Act Of 2008?

- Over the last decade, judicial decisions have excluded and left vulnerable individuals who should have been covered under the current ADA law.
- Employers and disability groups agree that we should address these concerns to secure the promise of the ADA.
- For example, as the courts' interpretations stand now, many people with epilepsy who take medication to control the condition, or whose seizures only occur periodically, are no longer covered by the ADA. This is simply not right.
- Narrow interpretations are hurting people with disabilities and hurting employers – that's why the employer and disability groups are working hard to make things right.

What Does The New Proposal Do?

- In a nutshell, the proposal strikes the right balance between protections for individuals with disabilities and the obligations and requirements of employers.
- The proposal specifically overturns Supreme Court decisions that have caused too many people with disabilities whom Congress intended the ADA to cover to lose important protection.

- The proposal makes it clear that Congress intended the ADA's coverage to be broad, to cover anyone who faces unfair discrimination because of a disability.
- The proposal clarifies the current requirement that an impairment must substantially limit a major life activity in order to be considered a disability.
- The proposal prohibits consideration of mitigating measures in the determination of whether an individual has a disability, with the exception of ordinary eyeglasses and contact lenses.
- The proposal affords broad coverage for individuals "regarded as" having a disability under the ADA.
- The proposal includes a provision to make it clear that accommodations need not be made to someone who is disabled solely because he or she is "regarded as" having a disability.

Who Supports The ADA Amendments Act?

- An impressive list of employers and disability advocates as well as key House and Senate Representatives.

Working Together

- The employer and disability communities understand the benefit of this proposal for both employers and employees because it puts more Americans to work.
- The nation's most prominent employer trade organizations – the U.S. Chamber of Commerce, the National Association of Manufacturers, Society for Human Resource Management and HR Policy Association– have illustrated how civil rights advocates and employer organizations can effectively work together to develop a proposal that each side can support.

Why Is This Important To Both Employer and Disability Groups?

- We want to ensure that all Americans have a fair opportunity to secure employment.
- The employer and disability community believe that there is an opportunity in this Congress to improve the ADA and to address the issues that have been raised by these court decisions.

Help Us Achieve Our Goal of Enactment of the ADA Amendments Act of 2008 by the Close of the 110th Congress.