Definition of Disability Under the ADA

A person with a disability is someone who:

1. has a physical or mental impairment that substantially limits a major life activity;
2. has a record of such an impairment; or
3. is regarded as having such an impairment.
Long COVID as a Disability Under the ADA

- Symptoms:
  - Tiredness or Fatigue
  - Difficulty thinking or concentrating ("brain fog")
  - Shortness of breath or difficulty breathing
  - Headache
  - Dizziness or standing
  - Fast-beating or pounding heart (heart palpitations)
  - Chest pain
  - Cough
  - Joint or muscle pain
  - Depression or anxiety
  - Fever
  - Loss of taste or smell

- Long COVID is a physical or mental impairment under the ADA.
- Long COVID can substantially limit a major life activity such as:
  - Respiratory function
  - Gastrointestinal function
  - Brain function
  - Concentrating and/or thinking

- Long COVID is NOT always a disability.
  - An individualized assessment is necessary to determine.

Qualified

- Individual who has the prerequisite skills and experience for the position they desire to hold or currently hold and are able to perform the essential functions of the position with or without reasonable accommodation.

COVID Workplace Topics/Issues

- Hybrid work arrangements i.e., remote work options
- Employer Face Covering and Vaccine Mandates
- Leave
QUESTIONS

You may type and submit questions in the Q&A Area of the Zoom Platform

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Resources

- What You Should Know About COVID-19 and the ADA, the Rehabilitation Act, and Other EEO Laws | U.S. Equal Employment Opportunity Commission
- Guidance on "Long COVID" as a Disability Under the ADA, Section
- Federal Laws Protect You Against Employment Discrimination During the COVID-19 Pandemic
- COVID-19 Workplace Resources and Tools
- COVID-19 Long Haulers and the Americans with Disabilities Act
- Masks for COVID-19 Management and ADA Accommodations [askjan.org]
- Work at Home/Telework as a Reasonable Accommodation | U.S. Equal Employment Opportunity Commission (eeoc.gov)
Audio Conference Series

Next Session:
Tuesday, October 19, 2021

Workers with Long COVID-19 and the ADA Accommodation Process

Registration available at: www.ada-audio.org

Audio Conference Series

Wednesday, January 12, 2022

During this session individuals will have the opportunity to ask ADA professionals questions about service animals.

Registration available at: www.ada-audio.org

Audio Conference Series

Session Evaluation
Your feedback is important to us

You will receive an email following the session with a link to the on-line evaluation.

National Network Information, Coordination, and Training on the Administration of the Americans with Disabilities Act