**Basic Facts about the**

**Americans with Disabilities Act**

Title I – Employment

* Employers may not discriminate against an individual with a disability in hiring or promotion if the person is otherwise qualified for the job.
* Employers can ask about one’s ability to perform a job, but prior to offering a job they cannot inquire if someone has a disability or require medical examinations.
* Employers cannot use tests that tend to screen out people with disabilities unless the tests measure job-related skills.
* Employers need to provide “reasonable accommodation” to individuals with disabilities. This includes steps such as job restructuring and modification of equipment.
* Employers do not need to provide accommodations that impose an “undue hardship” on business operations.
* Who needs to comply:
  + Private employers with 15 or more employees.
  + State and local government employers, regardless of how many employees they have.

Title II – State and Local Governments

* State and local governments may not discriminate against qualified individuals with disabilities.
* State and local government agencies must make reasonable modifications to their policies and procedures to allow equal opportunities for individuals with disabilities to participate.
* All government facilities, services, and communications must be accessible consistent with the requirements of Section 504 of the Rehabilitation Act of 1973.
* All new construction must be accessible.
* New public transit buses must be accessible to individuals with disabilities.
* Transit authorities must provide comparable paratransit or other special transportation services to individuals with disabilities who cannot use fixed route bus services, unless an undue burden would result.
* Existing rail systems must have one accessible car per train.
* New rail cars must be accessible.
* New bus and train stations must be accessible.
* Key stations in rapid light and commuter rail systems must be made accessible by July 26, 1993, with extensions up to 20 years for commuter rail (30 years for rapid and light rail).
* All existing Amtrak stations must be accessible by July 26, 2010.

Title III – Public Accommodations

* Private businesses such as restaurants, hotels, banks, and retail stores may not discriminate against individuals with disabilities.
* Auxiliary aids and services must be provided to ensure effective communications with individuals with vision or hearing impairments, unless an undue burden would result.
* Physical barriers in existing facilities must be removed, if removal is readily achievable. If removal is not readily achievable, alternative methods of providing the services must be offered, if they are readily achievable.
* All new construction and alterations of facilities must be accessible.

Title IV – Telecommunications

* Companies offering telephone service to the general public must offer telephone relay services to individuals who use telecommunications devices for the deaf (TDDs) or similar devices.
* All television public service announcements produced or funded in whole or in part by the federal government must include closed captioning.

Title V – Miscellaneous Provisions

* Title V includes information regarding the ADA’s relationship with other federal and state laws such as the Rehabilitation Act of 1973.
* Retaliation and coercion are prohibited.
* The U.S. Congress and the agencies of the federal legislative branch are covered; discrimination against individuals with disabilities is prohibited in employment and other programs.