

A Guide for Employees with Disabilities

The **Americans with Disabilities Act of 1990 (ADA)**, is a federal civil rights law designed to prevent discrimination and enable individuals with disabilities to participate fully in all aspects of society. One fundamental principle of the ADA is that individuals with disabilities who want to work and are qualified to work must have an equal opportunity to work.

How do I know if I am protected by the ADA?

To be protected, you must be a qualified individual with a disability. This means that you must have a disability as defined by the ADA. Under the ADA, you have a disability if you have a physical or mental impairment that substantially limits a major life activity such as hearing, seeing, speaking, thinking, walking, breathing, or performing manual tasks. You also must be able to do the job you want or were hired to do, with or without reasonable accommodation.

What are my rights under the ADA?

The ADA protects you from discrimination in all employment practices, including: job application procedures, hiring, firing, training, pay, promotion, benefits, and leave. You also have a right to be free from harassment because of your disability, and an employer may not fire or discipline you for asserting your rights under the ADA. Most importantly, you have a right to request a reasonable accommodation for the hiring process and on the job.

What is a “reasonable accommodation”?

A reasonable accommodation is any change or adjustment to a job, the work environment, or the way things usually are done that would allow you to apply for a job, perform job functions, or enjoy equal access to benefits available to other individuals in the workplace. There are many types of things that may help people with disabilities work successfully. Some of the most common types of accommodations include:

- physical changes, such as installing a ramp or modifying a workspace or restroom;
- providing a quieter workspace or making other changes to reduce noisy distractions for someone with a mental disability;
- training and other written materials in an accessible format, such as in Braille, on audio tape, or on computer disk;
- TTYs for use with telephones by people who are deaf, and hardware and software that make computers accessible to people with vision impairments or who have difficulty using their hands; and
- time off for someone who needs treatment for a disability.

What should I do if I think I might need a reasonable accommodation?

If you think you might need an accommodation for the application process or on the job, you have to request one. You may request a reasonable accommodation at any time during the application process or any time before or after you start working.

How do I request a reasonable accommodation?

You simply must let your supervisor and your agency Human Resources office know that you need an adjustment or change because of your disability. You do not need to complete any special forms or use technical language to do this (although a sample request form is available). For example, if you use a wheelchair and it does not fit under your desk at work, you should tell your supervisor. This is a request for a reasonable accommodation. A doctor's note requesting time off due to a disability or stating that you can work with certain restrictions is also a request for a reasonable accommodation.

What happens after I make a request for a reasonable accommodation?

Once you have made a request for a reasonable accommodation, the agency Human Resources office will discuss available options with you. The agency may request documentation from you demonstrating that you have a disability and explaining why you need a reasonable accommodation. You and the agency should work together to determine an appropriate accommodation.

What should I do if I think my ADA rights have been violated?

You should discuss the alleged violation with your agency Human Resources office or the Arizona Department of Administration Human Resources Division.

You may also contact the nearest office of the Equal Employment Opportunity Commission (EEOC). Someone will help you determine whether you should file a charge of discrimination. There are strict time frames for filing charges of employment discrimination. The EEOC field office nearest you can tell you which time period applies to you. However, you should file a charge as soon as possible after you believe the discrimination occurred.

For more information on your rights under the ADA, visit www.ada.gov.

Request for Reasonable Accommodation

This form is not a requirement for requesting a reasonable employment accommodation from the State of Arizona. It is a sample you may utilize to initiate the interactive process of requesting and evaluating accommodation requests under the ADA. Submission of this form does not guarantee your request for accommodation will be granted.

Identifying Information

Name: _____ EIN: _____

Position: _____ Agency: _____

Preferred Contact Method: Telephone Email

At: _____ Date: _____

Accommodation(s) Requested

What specific accommodation(s) are you requesting?

If you are not sure, do you have suggestions on what options we can explore?

Is your request time sensitive? Yes No

If yes, please explain.

Reason for Accommodation(s) Requested

What, if any, job function are you having difficulty performing?

What, if any, employment benefit are you having difficulty accessing?

What limitation is interfering with your ability to perform your job or access an employment benefit?

Have you had an accommodation in the past for this same limitation? Yes No

If yes, what was it and how effective was it?

If you are requesting a specific accommodation, how will that accommodation assist you?

Other

Please provide any additional information that might be useful in processing your accommodation(s) request. Attach additional sheets if necessary.

Signature

Date

Return this form to your supervisor or agency Human Resources office.