

The Americans with Disabilities Act (ADA) is a federal law prohibiting discrimination in employment against people with disabilities. It requires employers to provide reasonable accommodations to allow employees with disabilities to continue in their employments. It also prohibits retaliation against employees for asserting their rights under the ADA. Under the ADA, a disability is a physical or mental impairment that *substantially limits* one or more major life activities. “Disability” is a legal term (not a medical term), and is interpreted broadly. Major life activities include by way of example, breathing, writing, sitting, sleeping, the operation of major bodily functions (e.g., immune system, normal cell growth, respiratory). A list of impairments that are presumed to be disabilities under the ADA include cancer, diabetes, major depressive disorders, PTSD, HIV infection.

Reasonable accommodations generally include some modification or adjustment to a job or work environment that will enable an employee with a disability to continue to perform the essential functions of his/her job. Employers are required to provide reasonable accommodations to *qualified individuals* unless doing so would pose an *undue hardship on the employer*. I can't tell someone if they are disabled and/or what a reasonable accommodation would be— they need to discuss with their doctor, and they should start that process now, so they are prepared if schools are going to reopen for in-person instruction.

Certain health conditions could possibly put someone at higher risk for complications from COVID and *possibly* qualify for an ADA-covered disability. These include:

- Chronic lung disease
- Moderate to severe asthma
- Serious heart conditions
- Conditions that compromise immunity (e.g., cancer treatments, immune deficiencies, organ transplant)
- Diabetes
- Kidney or liver disease
- Hypertension
- Anxiety disorders
- PTSD

For additional information visit:

https://educatingthroughcrisis.org/your-rights/?_ga=2.222230168.1292813324.1596149597-280298276.1596149597