



THE RIGHT TO ACCOMMODATIONS IN THE WORKPLACE

The Right to Accommodations in the Workplace is governed by the Americans with Disabilities Act (ADA) and the Rehabilitation Act of 1973. The ADA applies to state and local governments and to private employers with 15 or more employees. The Rehabilitation Act applies to the federal government.

Under the laws, employers must provide reasonable accommodation to an employee or job applicant with a disability unless doing so would cause significant difficulty or expense (called an “undue hardship”) for the employer. Undue hardship is determined by considering the employer’s size, financial resources, and the needs of the business.

A reasonable accommodation is any change in the work environment or in the ways things are usually done to help a person with a disability at work. Examples include job restructuring, part-time or modified work schedules, acquisition or modification of equipment or devices, and modifications of policies. The employer does not have to provide the specific accommodation requested by the employee or job applicant; the employer may choose a different accommodation if it will work.

In order to be protected by the ADA and Rehabilitation Act, a person must be qualified for the job and have a disability. A person is considered disabled if he or she has a physical or mental condition that substantially limits a major life activity, for example, Autism Spectrum Disorder (ASD). (Individuals who are thought to have a disability and individuals with a history of past disability are also protected.) As defined by the law, “substantially” should be construed broadly, and it does not mean that a person’s disability must be “severe” or that a life activity must be “significantly restricted.” Even a minor impairment may qualify a person. With the exception of corrective lenses, the determination of whether an impairment substantially limits a major life activity must be made without regard to the ameliorative effects of mitigating measures, such as medication or assistive

technology.

Major life activities include, but are not limited to: caring for oneself, performing manual tasks, communicating, learning, reading, concentrating, thinking, and working.

Related Articles:

- [Workplace Accommodations and Supports for Individuals with ASD](#)
- [Assessing Needs for Supports in the Workplace](#)
- [Protections Against Employment Discrimination](#)
- [To Tell or Not to Tell: Issues of Disclosure in the Workplace](#)

Additional Resources:

- [Disability Discrimination from the Equal Employment Opportunity Commission \(EEOC\)](#)
- [EEOC Website](#)
- [The Americans with Disabilities Act](#)
- [The Rehabilitation Act of 1973](#)
- [An Autistic View of Employment](#)

The Center for Autism Research and The Children's Hospital of Philadelphia do not endorse or recommend any specific person or organization or form of treatment . The information included within the CAR Autism Roadmap & trade; and CAR Resource Directory & trade; should not be considered medical advice and should serve only as a guide to resources publicly and privately available . Choosing a treatment, course of action, and/or a resource is a personal decision, which should take into account each individual's and family's particular circumstances .