

Table of Contents

Volume 1

CHAPTER 1. AMERICANS WITH DISABILITIES ACT: TITLE I

§ 1:1 Overview of ADA Amendments Act of 2008

§ 1:2 Key points raised in this chapter

I. INTRODUCTION

§ 1:3 Overview

§ 1:4 Definition

II. COVERED IMPAIRMENTS

§ 1:5 Physical impairments

§ 1:6 Mental impairments

§ 1:7 Other impairments

§ 1:8 Conditions not considered impairments

III. MAJOR LIFE ACTIVITIES

§ 1:9 General rule

§ 1:10 Reproduction and infertility

§ 1:11 Lifting as major life activities

IV. SUBSTANTIAL LIMITATIONS

§ 1:12 General rule

§ 1:13 Mitigation measures

§ 1:14 Disabilities per se

§ 1:15 Substantial limitation in life activity of working

§ 1:16 —Evidentiary requirements

§ 1:17 —Exclusion from single job

§ 1:18 Alcoholism as a disability

§ 1:19 Two or more impairments

§ 1:20 Temporary impairment

§ 1:21 Individuals with a record of a substantially limiting condition

§ 1:22 Individuals regarded as substantially limited

V. QUALIFIED INDIVIDUAL WITH A DISABILITY

§ 1:23 Overview

§ 1:24 Identifying the essential functions of a job

§ 1:25 Evidence used to determine essential functions

§ 1:26 Examples of essential functions

§ 1:27 Performing essential functions “with or without reasonable accommodation”

VI. COVERED INDIVIDUALS

§ 1:28 Applicants

- § 1:29 Employees
- § 1:30 Independent contractors
- § 1:31 Volunteers
- § 1:32 Individuals specifically not covered by the ADA

CHAPTER 2. REASONABLE ACCOMMODATION

- § 2:1 Key points raised in this chapter

I. OVERVIEW OF REASONABLE ACCOMMODATION

- § 2:2 Legal obligations
- § 2:3 Necessity for reasonable accommodation
- § 2:4 Reasonable accommodation defined
- § 2:5 —Reasonable accommodation in the application process
- § 2:6 —Accommodation to perform essential functions
- § 2:7 —Accommodation to ensure equal benefits of employment

II. BASIC PRINCIPLES OF REASONABLE ACCOMMODATION

- § 2:8 Effectiveness requirement
- § 2:9 —Need not be best accommodation
- § 2:10 Relation to disability
- § 2:11 Employers exceeding ADA accommodation requirements
- § 2:12 Accommodation not required if primarily for personal use
- § 2:13 Examples of reasonable accommodation
- § 2:14 Persons entitled to reasonable accommodation
- § 2:15 When employer is obligated to make reasonable accommodation
- § 2:16 Employer's notice requirement
- § 2:17 Employee's obligation to notify employer of nonobvious disability and need for accommodation
- § 2:18 —Documentation of need for accommodation
- § 2:19 Determining what is a reasonable accommodation

III. IDENTIFYING REASONABLE ACCOMMODATION: "THE INTERACTIVE PROCESS"

- § 2:20 Overview
- § 2:21 Analysis of particular job involved
- § 2:22 Consulting with a disabled individual
- § 2:23 Obtaining technical assistance if necessary
- § 2:24 Determining the effectiveness of an accommodation
- § 2:25 Illustration of reasonable accommodation process

IV. UNDUE HARDSHIP LIMITATION

- § 2:26 Overview
- § 2:27 Undue hardship factors
- § 2:28 Impact of accommodation on coworkers
- § 2:29 Other cost issues
- § 2:30 Collective bargaining agreements
- § 2:31 Documentation of undue hardship

V. TYPES OF REASONABLE ACCOMMODATION

- § 2:32 Examples of making facilities accessible and usable

TABLE OF CONTENTS

§ 2:33	Job restructuring
§ 2:34	Modified work schedules
§ 2:35	Flexible leave policies
§ 2:36	Reassignment to a vacant position
§ 2:37	—Reassignment to a lower-graded position
§ 2:38	—Creating a new position to provide reassignment
§ 2:39	Acquisition or modification of equipment and devices
§ 2:40	—Examples of equipment as reasonable accommodation
§ 2:41	—Examples of low-cost assistive devices
§ 2:42	Adjusting and modifying examinations, training materials, and policies
§ 2:43	Tests and examinations
§ 2:44	Training
§ 2:45	Other policies
§ 2:46	Providing qualified readers
§ 2:47	Providing qualified interpreters
§ 2:48	Benefits and privileges of employment
§ 2:49	Modifying policies
§ 2:50	Other accommodations
§ 2:51	Unreasonable accommodations

CHAPTER 3. INQUIRIES AND MEDICAL EXAMINATIONS

§ 3:1	Key points raised in this chapter
-------	-----------------------------------

I. INQUIRIES

§ 3:2	Basic legal obligations of employers
§ 3:3	Inquiries concerning the existence, nature, or severity of a disability
§ 3:4	Voluntary disclosure of disability by applicant
§ 3:5	Performance of job functions
§ 3:6	Impairments
§ 3:7	Ability to perform major life activities; substantial limitation of major life activities
§ 3:8	Need for reasonable accommodation during the hiring process or on the job
§ 3:9	Need for reasonable accommodation in cases of obvious disability or voluntary disclosure of need for accommodation
§ 3:10	Requests for documentation when applicant asks for reasonable accommodation
§ 3:11	Known disability
§ 3:12	Attendance
§ 3:13	Workers' compensation history
§ 3:14	Drug use
§ 3:15	Certifications/licenses
§ 3:16	Lifestyle
§ 3:17	Drinking habits and use of alcohol
§ 3:18	Arrest/conviction record
§ 3:19	Compliance with affirmative action obligations
§ 3:20	Inquiries to third parties regarding an applicant's medical condition

II. JOB PERFORMANCE DEMONSTRATIONS

§ 3:21	Requests to describe or demonstrate performance of job-related functions
--------	--

- § 3:22 Employer's reasonable belief that disability will interfere with performance of job-related functions
- § 3:23 Employer not able to determine that disability will interfere with performance of job-related functions

III. MEDICAL EXAMINATIONS

- § 3:24 Overview of medical examinations
- § 3:25 Elements of medical examinations
- § 3:26 Physical ability/agility and physical fitness tests
- § 3:27 Psychological examinations
- § 3:28 Polygraph examinations
- § 3:29 Vision tests
- § 3:30 Drug tests
- § 3:31 Alcohol tests

IV. JOB OFFERS THAT PERMIT EXTENSIVE INQUIRIES AND EXAMINATIONS

- § 3:32 What constitutes an "offer"
- § 3:33 Definition of "bona fide" offer
- § 3:34 Whether offers must be limited to current vacancies
- § 3:35 Hiring individuals from a pool of offerees

V. POSTOFFER, PREEMPLOYMENT EXAMINATIONS AND INQUIRIES

- § 3:36 General rules regarding postoffer medical examinations and inquiries
- § 3:37 Requesting documentation of the need for reasonable accommodation
- § 3:38 Fitness for duty

VI. CONFIDENTIALITY

- § 3:39 Disclosure to appropriate decision makers/coworkers
- § 3:40 Voluntary disclosure by the employee
- § 3:41 Medical files
- § 3:42 Rejected applicants
- § 3:43 Information obtained prior to date ADA became effective for employer
- § 3:44 When disclosure is allowed

VII. THE JOB APPLICATION FORM

- § 3:45 Impermissible questions on job application forms
- § 3:46 —Exception for federal contractors and other federal programs
- § 3:47 Permissible questions on job application forms
- § 3:48 Making job applications accessible
- § 3:49 Background and reference checks

CHAPTER 4. NONDISCRIMINATION IN EMPLOYMENT PRACTICES

- § 4:1 Key points raised in this chapter
- § 4:2 Nondiscrimination in all employment practices—Types of employment practices

TABLE OF CONTENTS

§ 4:3	—Meaning of nondiscrimination
§ 4:4	Relationship or association with an individual with a disability
§ 4:5	Relationship or association defined
§ 4:6	—No reasonable accommodation required
§ 4:7	Opportunity for advancement
§ 4:8	Training
§ 4:9	—Examples of reasonable accommodations in training
§ 4:10	—Contracting for training
§ 4:11	Evaluations, discipline and discharge—Performance standards
§ 4:12	—Evaluations
§ 4:13	—Reasonable accommodation in the evaluation process
§ 4:14	—Discipline and discharge
§ 4:15	Compensation
§ 4:16	Health insurance and other employee benefit plans
§ 4:17	—Compliance with other federal and state laws
§ 4:18	—Limitations on insurance coverage
§ 4:19	—Distinctions not based on disability
§ 4:20	—Distinctions based on disability
§ 4:21	—Health insurance plans that are “bona fide” and consistent with applicable law
§ 4:22	—Disability-based distinction not a subterfuge
§ 4:23	Leave
§ 4:24	—Adjustments to leave as reasonable accommodation
§ 4:25	Contractual or other relationships
§ 4:26	—Collective Bargaining agreements
§ 4:27	Other benefits and privileges of employment
§ 4:28	Sample indemnification clause
§ 4:29	Retaliation
§ 4:30	Reverse discrimination

CHAPTER 5. SELECTION CRITERIA AND TESTING

§ 5:1	Key points raised in this chapter
§ 5:2	Overview of legal obligations
§ 5:3	Qualification standards and selection criteria
§ 5:4	—Job related
§ 5:5	—Consistent with business necessity
§ 5:6	—Reasonable accommodation requirement
§ 5:7	Physical and mental qualification standards
§ 5:8	—Examples of reasonable accommodation
§ 5:9	—Blanket exclusions
§ 5:10	—Physical agility tests
§ 5:11	Standards necessary for health and safety
§ 5:12	—Direct threat to health and safety
§ 5:13	—Significant risk of substantial harm
§ 5:14	—Identified specific risk
§ 5:15	—Current risk
§ 5:16	—Risk based on objective medical evidence
§ 5:17	—Direct threat to self
§ 5:18	—Eliminating risk through reasonable accommodation
§ 5:19	—Direct threat and accommodation in food-handling jobs
§ 5:20	—Health care workers and HIV

- § 5:21 —Burden of proof
- § 5:22 Health and safety requirements of other laws
- § 5:23 —Federal laws and regulations
- § 5:24 —State and local laws
- § 5:25 Testing
- § 5:26 —Accommodation in testing
- § 5:27 —Examples of alternative test formats and accommodations

CHAPTER 6. SUBSTANCE ABUSE

- § 6:1 Key points raised in this chapter
- § 6:2 Overview of legal obligations
- § 6:3 Illegal use of drugs
- § 6:4 Definition of “current” drug use
- § 6:5 —Safe harbor
- § 6:6 Recovering drug addicts
- § 6:7 Persons “regarded as” drug addicts and illegal drug users
- § 6:8 Alcoholism
- § 6:9 —Reasonable accommodations for alcoholics
- § 6:10 Efforts to prohibit drug and alcohol use in the workplace
- § 6:11 Specific defenses available to an employer
- § 6:12 Preemployment inquiries about drug and alcohol use
- § 6:13 Drug testing
- § 6:14 Laws and regulations concerning drugs and alcohol

CHAPTER 7. GENETIC INFORMATION DISCRIMINATION

- § 7:1 Overview
- § 7:2 General definitions
- § 7:3 Definitions specific to GINA
- § 7:4 Prohibited practices—In general
- § 7:5 —Limiting, segregating, and classifying
- § 7:6 —Causing a covered entity to discriminate
- § 7:7 —Retaliation
- § 7:8 Acquisition of genetic information
- § 7:9 Confidentiality
- § 7:10 Enforcement and remedies
- § 7:11 Construction
- § 7:12 Medical information that is not genetic information

CHAPTER 7A. PREGNANT WORKERS FAIRNESS ACT

- § 7A:1 Introduction to the Pregnant Workers Fairness Act
- § 7A:2 Summary of Pregnant Workers Fairness Act’s requirements
- § 7A:3 Key definitions under the Pregnant Workers Fairness Act—Limitations
- § 7A:4 —Pregnancy, childbirth, or related medical conditions
- § 7A:5 —Communicated to the employer
- § 7A:6 —Consideration of mitigating measures
- § 7A:7 —Qualified employee
- § 7A:8 —Essential functions
- § 7A:9 —Reasonable accommodation
- § 7A:10 — —Examples

TABLE OF CONTENTS

- § 7A:11 —Undue hardship
- § 7A:12 —Interactive process
- § 7A:13 Nondiscrimination with regard to reasonable accommodations related to pregnancy
- § 7A:14 Retaliation and coercion
- § 7A:15 Remedies and enforcement
- § 7A:16 Waiver of state immunity
- § 7A:17 Relationship to other laws
- § 7A:18 EEOC Q&A on the Pregnant Workers Fairness Act

CHAPTER 8. FAMILY AND MEDICAL LEAVE ACT

- § 8:1 Key points raised in this chapter
- § 8:2 Introduction
- § 8:3 Purpose of the Act
- § 8:4 Overview
- § 8:5 Coverage under the Family and Medical Leave Act
- § 8:6 —Eligible employees
- § 8:7 —Determining whether 50 employees are employed within 75 miles
- § 8:8 Qualifying reasons for leave
- § 8:9 —Definitions relating to family members
- § 8:10 —Definition relating to being unable to perform the functions of the position
- § 8:11 —Definition relating to being needed to care for a family member or covered servicemember
- § 8:12 —Definition of health care provider
- § 8:13 —Serious health condition
- § 8:14 —Leave because of a qualifying exigency
- § 8:15 —Leave to care for a covered servicemember with a serious injury or illness
- § 8:16 —Leave to care for a parent
- § 8:17 Amount of leave
- § 8:18 —Intermittent leave or reduced leave schedule
- § 8:19 — —Scheduling of intermittent or reduced schedule leave
- § 8:20 — —Transfer of an employee to an alternative position during intermittent leave or reduced leave schedule
- § 8:21 — —Increments of FMLA leave for intermittent or reduced schedule leave
- § 8:22 Interaction with the FLSA
- § 8:23 —Substitution of paid leave
- § 8:24 Maintenance of employee benefits
- § 8:25 —Employee payment of group health benefit premiums
- § 8:26 —Maintenance of benefits under multi-employer health plans
- § 8:27 —Employee failure to pay health plan premium payments
- § 8:28 —Employer recovery of benefit costs
- § 8:29 Employee right to reinstatement
- § 8:30 —Equivalent position
- § 8:31 —Limitations on an employee's right to reinstatement
- § 8:32 —Key employees
- § 8:33 — —Substantial and grievous economic injury
- § 8:34 — —Rights of a key employee
- § 8:35 Protection for employees who request leave or otherwise assert FMLA rights
- § 8:36 —Employer notice requirements

- § 8:37 —Designation of FMLA leave
- § 8:38 —Employee notice requirements for foreseeable FMLA leave
- § 8:39 —Employee notice requirements for unforeseeable FMLA leave
- § 8:40 —Employee failure to provide notice
- § 8:41 Certification
- § 8:42 —Leave due to serious health condition
- § 8:43 — —Second or third opinions
- § 8:44 — —Recertification
- § 8:45 —Leave taken because of a qualifying exigency
- § 8:46 —Leave taken to care for a covered servicemember (Military caregiver leave)
- § 8:47 Intent to return to work
- § 8:48 —Fitness for duty certification
- § 8:49 —Failure to provide certification
- § 8:50 Enforcement mechanisms
- § 8:51 —Filing a complaint with the federal government
- § 8:52 —Violations of the posting requirement
- § 8:53 —Recordkeeping requirements
- § 8:54 —Effect of other laws, employer practices, and collective bargaining agreements on employee rights under FMLA
- § 8:55 Special rules applicable to employees of schools

CHAPTER 9. PUBLIC ACCOMMODATIONS AND COMMERCIAL FACILITIES

- § 9:1 Key points raised in this chapter
- § 9:2 Basic legal obligations
- § 9:3 Title III coverage
- § 9:4 Definition of “places of public accommodation”
- § 9:5 —Judicial construction
- § 9:6 —Mixed-use facilities
- § 9:7 —Split geographic areas
- § 9:8 —Landlord/tenant obligations
- § 9:9 —Facilities subject to fair housing
- § 9:10 —Common areas of residential facilities
- § 9:11 —Model homes as places of public accommodation
- § 9:12 —Vacation timeshares as places of public accommodation
- § 9:13 Definition of “commercial facilities”
- § 9:14 “Religious entities” excluded from Title III
- § 9:15 “Private clubs” exempt from Title III
- § 9:16 Relationship of Title III to other laws

CHAPTER 10. OBLIGATIONS OF PUBLIC ACCOMMODATIONS

- § 10:1 Key points raised in this chapter

I. GENERAL REQUIREMENTS OF TITLE III

- § 10:2 Overview
- § 10:3 Denial of services to disabled individuals
- § 10:4 Equality in participation and benefits
- § 10:5 Separate benefit/integrated setting

TABLE OF CONTENTS

- § 10:6 —Separate programs for individuals with disabilities
- § 10:7 —Right to participate in the regular program
- § 10:8 —Modifications in regular programs
- § 10:9 Discrimination on the basis of association
- § 10:10 Retaliation or coercion
- § 10:11 Obligation to maintain accessible features

II. EXCLUSIONS

- § 10:12 Person who is direct threat to others
- § 10:13 Illegal use of drugs
- § 10:14 Smoking
- § 10:15 Insurance

III. ELIGIBILITY CRITERIA FOR ACCESS

- § 10:16 Eligibility requirements
- § 10:17 —Safety concerns
- § 10:18 —Prohibition on unnecessary inquiries
- § 10:19 —Surcharges

IV. SPECIFIC OBLIGATIONS

- § 10:20 Obligation to make reasonable modifications to policies
- § 10:21 Service animals
- § 10:22 Check-out aisles
- § 10:23 Accessible or special goods
- § 10:24 Personal services and devices
- § 10:25 Obligation to provide auxiliary aids
- § 10:26 —Examples of auxiliary aids and services
- § 10:27 —Obligation to provide telecommunication devices for the deaf (TDD's)
- § 10:28 —Obligation to provide closed caption decoders
- § 10:29 —Limitations and alternatives to providing auxiliary aids
- § 10:30 Obligation to remove barriers
- § 10:31 —Readily achievable barrier removal
- § 10:32 — —Examples of readily achievable barrier removal
- § 10:33 —Removal of barriers at historic buildings
- § 10:34 —Effect of modification on operation of business
- § 10:35 —Standards to apply when removing barriers
- § 10:36 —Continuing obligation to remove barriers
- § 10:37 —Priorities for barrier removal
- § 10:38 —Seating in assembly areas
- § 10:39 —Removal of transportation barriers
- § 10:40 Alternatives to barrier removal
- § 10:41 Examinations and courses
- § 10:42 —Accessible location of examinations
- § 10:43 —Proof of disability for examiners
- § 10:44 —Relationship of examination to licensing requirements
- § 10:45 —Courses

CHAPTER 11. INFORMATION ON COVID-19, DISABILITY LAWS AND LEAVE LAWS

- § 11:1 Pandemic preparedness in the workplace and the Americans with Disabilities Act

- § 11:2 What you should know about COVID-19 and the ADA, the Rehabilitation Act, and other EEO laws
- § 11:3 Guidance on “Long COVID” as a Disability Under the ADA, Section 504, and Section 1557
- § 11:4 Protecting Workers: Guidance on Mitigating and Preventing the Spread of COVID-19 in the Workplace

CHAPTER 12. ENFORCEMENT PROVISIONS

- § 12:1 Key points raised in this chapter

I. ENFORCEMENT OF TITLE I

- § 12:2 Overview of enforcement provisions
- § 12:3 Persons eligible to file charges
- § 12:4 Filing discrimination charges
- § 12:5 Individual suits against an employer
- § 12:6 EEOC processing of discrimination charges
- § 12:7 EEOC has determination as to whether discrimination occurred
- § 12:8 Remedies

II. ENFORCEMENT OF TITLE III

- § 12:9 Overview
- § 12:10 Private suits
- § 12:11 Investigations and compliance reviews
- § 12:12 Suit by the Attorney General

III. MISCELLANEOUS PROVISIONS

- § 12:13 Attorney’s fees
- § 12:14 Alternative means of dispute resolution

Volume 2

Appendices A STATUTORY AND REGULATORY MATERIALS

- Appendix A1. The Americans with Disabilities Act of 1990, as amended (42 U.S.C.A. §§ 12101 to 12213)
- Appendix A2. EEOC Regulations Implementing Title I of the Americans With Disabilities Act (29 C.F.R. §§ 1630.1 to 1630.16)
- Appendix A3. Department of Justice Regulations Implementing Title III of the Americans With Disabilities Act (28 C.F.R. §§ 36.101 to 36.999)
- Appendix A4. Final Regulations Implementing the ADA Amendments Act of 2008 (76 FR 16978)
- Appendix A5. Questions and Answers on the Final Rule Implementing the ADA Amendments Act of 2008
- Appendix A6. The Family and Medical Leave Act of 1993 (29 U.S.C.A. §§ 2601 to 2654)
- Appendix A7. Regulations Implementing the Family and Medical Leave Act (29 C.F.R. §§ 825.100 to 825.803)

Appendices B EEOC MATERIALS

- Appendix B1. Equal Employment Opportunity Commission National Enforcement Plan (for Title VII, ADEA, EPA, and ADA)

TABLE OF CONTENTS

Appendix B2.	EEOC Enforcement Guidance: Compensatory and Punitive Damages Available Under 102 of the Civil Rights Act of 1991
Appendix B3.	EEOC Policy Statement on Mandatory Binding Arbitration of Employment Discrimination Disputes as a Condition of Employment
Appendix B4.	EEOC Enforcement Guidance on the Effect of Representations Made in Applications for Benefits on the Determination of Whether a Person Is a “Qualified Individual With a Disability” Under the Americans With Disabilities Act of 1990 (ADA)
Appendix B5.	Interim EEOC Enforcement Guidance on the Application of the Americans With Disabilities Act of 1990 to Disability-Based Distinctions in Employer Provided Health Insurance
Appendix B6.	EEOC Enforcement Guidance on the Americans With Disabilities Act and Psychiatric Disabilities
Appendix B7.	EEOC Enforcement Guidance on Workers’ Compensation and the ADA
Appendix B8.	EEOC Compliance Manual Section 902: Definition of the Term “Disability”
Appendix B9.	Enforcement Guidance: Reasonable Accommodation and Undue Hardship Under the Americans with Disabilities Act
Appendix B10.	EEOC Instructions for Field Offices: Analyzing ADA Charges After Supreme Court Decisions Addressing “Disability” and “Qualified”
Appendix B11.	EEOC Enforcement Guidance on Equal Employment Opportunity Commission & Walters v. Metropolitan Educational Enterprises, Inc., 117 S. Ct. 660 (1997)
Appendix B12.	EEOC Enforcement Guidance on Disability-Related Inquiries and Medical Examinations of Employees Under the ADA
Appendix B13.	Questions and Answers: Enforcement Guidance on Disability-Related Inquiries and Medical Examinations of Employees Under The Americans With Disabilities Act (ADA)
Appendix B14.	EEOC Policy Guidance on Executive Order 13145: To Prohibit Discrimination in Federal Employment Based on Genetic Information
Appendix B15.	Questions and Answers: EEOC Policy Guidance on Executive Order 13145 Prohibiting Discrimination in Federal Employment Based on Genetic Information
Appendix B16.	EEOC Compliance Manual Section 2: Threshold Issues (Excerpts and Q&A)
Appendix B17.	EEOC Compliance Manual Section 3: Employee Benefits (Excerpts and Q&A)
Appendix B18.	EEOC: Policy Guidance on Executive Order 13164: Establishing Procedures to Facilitate the Provision of Reasonable Accommodation (Text and Q&A)
Appendix B19.	Questions and Answers for Small Businesses: The Final Rule Implementing the ADA Amendments Act of 2008
Appendix B20.	Fact Sheet on the EEOC’s Final Regulations Implementing the ADA Amendments Act of 2008
Appendix B21.	Questions and Answers about Health Care Workers and the Americans with Disabilities Act

- Appendix B22. Questions and Answers about Deafness and Hearing Impairments in the Workplace and the Americans with Disabilities Act
- Appendix B23. Questions and Answers About Blindness and Vision Impairments in the Workplace and the Americans with Disabilities Act
- Appendix B24. Questions and Answers About the Association Provision of the Americans with Disabilities Act
- Appendix B25. Questions and Answers About Diabetes in the Workplace and the Americans with Disabilities Act
- Appendix B26. Questions and Answers About Epilepsy in The Workplace and The Americans with Disabilities Act
- Appendix B27. Questions & Answers About Persons with Intellectual Disabilities in the Workplace and the Americans with Disabilities Act
- Appendix B28. Questions and Answers About Cancer in the Workplace and the Americans with Disabilities Act (ADA)
- Appendix B29. The ADA: Your Employment Rights as an Individual With a Disability
- Appendix B30. Job Applicants and the Americans with Disabilities Act
- Appendix B31. Questions and Answers: Promoting Employment of Individuals with Disabilities in the Federal Workforce
- Appendix B32. The Family and Medical Leave Act, the Americans with Disabilities Act, and Title VII of the Civil Rights Act of 1964
- Appendix B33. The Americans with Disabilities Act: A Primer for Small Business
- Appendix B34. The ADA: Your Responsibilities as an Employer
- Appendix B35. Work At Home/Telework as a Reasonable Accommodation
- Appendix B36. The Americans With Disabilities Act: Applying Performance And Conduct Standards To Employees With Disabilities
- Appendix B37. Fact Sheet on Obtaining and Using Employee Medical Information as Part of Emergency Evacuation Procedures
- Appendix B38. Veterans and the Americans with Disabilities Act (ADA): A Guide for Employers
- Appendix B39. Pandemic Preparedness in the Workplace and the Americans with Disabilities Act
- Appendix B40. Reasonable Accommodations for Attorneys with Disabilities
- Appendix B41. How to Comply with the Americans with Disabilities Act: A Guide for Restaurants and Other Food Service Employers
- Appendix B42. Final Report on Best Practices For the Employment of People with Disabilities In State Government
- Appendix B43. The Americans with Disabilities Act and the Use of Software, Algorithms, and Artificial Intelligence to Assess Job Applicants and Employees
- Appendix B44. New Protections for Pregnant and Nursing Workers in 2023
- Appendix B45. Hearing Disabilities in the Workplace and the Americans with Disabilities Act
- Appendix B46. Visual Disabilities in the Workplace and the Americans with Disabilities Act

Appendices C FORMS

- Appendix C1. FMLA Poster

TABLE OF CONTENTS

Appendix C2.	WH-380-E: Certification of Health Care Provider for Employee's Serious Health Condition under the Family and Medical Leave Act
Appendix C3.	WH-380-F: Certification of Health Care Provider for Family Member's Serious Health Condition under the Family and Medical Leave Act
Appendix C4.	WH-381: Notice of Eligibility & Rights and Responsibilities under the Family and Medical Leave Act
Appendix C5.	WH-382: Designation Notice under the Family and Medical Leave Act
Appendix C6.	WH-384: Certification for Military Family Leave for Qualifying Exigency under the Family and Medical Leave Act
Appendix C7.	WH-385: Certification for Serious Injury or Illness of a Current Servicemember for Military Caregiver Leave under the Family and Medical Leave Act
Appendix C8.	WH-385-V: Certification for Serious Injury or Illness of a Veteran for Military Caregiver Leave under the Family and Medical Leave Act

Appendices D MISCELLANEOUS MATERIALS

Appendix D1.	FMLA, ADA, Title VII Fact Sheet
Appendix D2.	ADA Materials Available from Department of Justice

Table of Laws and Rules

Table of Cases

Index