

# The Americans with Disabilities Act (ADA) and The Rehabilitation Act

## The Americans with Disabilities Act (ADA)

Prohibits discrimination against people with disabilities and guarantees equal opportunities for individuals with disabilities in employment, transportation, public accommodations, state and local government services, and telecommunications. Two sections of the ADA relate to employment:

### **Title I Employment:**

Prohibits covered employers from discriminating against people with disabilities in all employment-related activities, including hiring, pay, benefits, firing and promotions. Covered employers include private businesses, educational institutions, employment agencies, labor organizations, and state and local government entities with 15 or more employees.

### **Title II State and Local Government:**

Protects people with disabilities from discrimination in state and local government services, programs and activities. It prohibits all state and local government entities, regardless of how many people they employ or whether they receive federal financial assistance, from discriminating against qualified individuals with disabilities in employment.

## The Rehabilitation Act

Authorizes funding for various disability-related purposes and activities, including state vocational rehabilitation (VR) programs, independent living programs, training and research, and the work of the National Council on Disability. It also includes three sections that prohibit discrimination against individuals with disabilities by specific types of employers: federal agencies, employers/businesses contracting with federal agencies and programs receiving federal financial assistance.

### **Section 501**

Prohibits federal employers from discriminating against qualified individuals with disabilities and requires them to take affirmative action to employ and advance in employment qualified individuals with disabilities.

### **Section 503**

Prohibits employment discrimination based on disability and requires affirmative action in the hiring, placement and advancement of people with disabilities by federal contractors or subcontractors who have federal contracts or subcontracts in excess of \$10,000.

### **Section 504**

prohibits discrimination against qualified individuals with disabilities by federal agencies, or by programs or activities that receive federal financial assistance or are conducted by a federal agency.