

# Americans with Disabilities Act: Title I - Employment Discrimination

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## Introduction

42 USC 12101 In 1990 the Americans with Disabilities Act (ADA) was passed to address longstanding discrimination faced by people with disabilities. Congress recognized that people with disabilities have experienced discrimination based on myths and stereotypes, been excluded by architectural barriers and exclusionary policies, and been subject to overprotection and segregation. Congress set out its intended purposes through the ADA, including providing a national mandate for the elimination of discrimination against people with disabilities.

**Five ADA titles** The ADA consists of five titles. Title I deals with employment discrimination. Title II deals with government services including transportation. Title III addresses public accommodations and services provided by private entities. Title IV addresses telecommunications and Title V includes several miscellaneous provisions. Neither of these last two titles are covered in *Rights & Reality II*. This chapter will address the employment provisions in Title I and provide the basic ADA information relevant to other chapters in this guide that address ADA protections (*including “Who is Protected by the ADA?” on pg. 306*).

## What Employers and Entities are Covered by the ADA?

29 CFR 1630.2 (b) & (e) The employment provisions of the ADA apply to employers who have fifteen or more employees for each working day in each of 20 or more calendar weeks in the current or preceding year. In addition to employers, the practices of employment agencies, labor organizations or joint labor management committees are covered under this section. The ADA refers to all of these as covered entities. For purposes of this chapter the term employer shall be used to include all covered organizations. The ADA does not cover the United States as an employer or corporations wholly owned by the United States government nor does it apply to Indian tribes as employers. Employees of the federal government and its subcontractors are protected from discrimination based on disability under the Rehabilitation Act of 1973. (*For smaller employers see Wisconsin Fair Employment Act chapter, pg. 276.*)

## What Actions are Prohibited by the ADA?

29 CFR 1630.4 The ADA makes it unlawful for an employer to discriminate on the basis of disability against a qualified individual with a disability in regard to the following:

1. Recruitment, advertising, and job application procedures.

2. Hiring, promotion, transfer, layoff, demotion, termination, return from layoff and rehiring.
3. Rates of pay or other compensation.
4. Job assignment or classification.
5. Leaves of absence, sick leave or any other leave.
6. Fringe benefits available by virtue of employment, whether or not they are administered by the employer.
7. Selection and financial support for training, apprenticeships, professional meetings, and conferences, including selection for leave of absence to pursue training.
8. Activities sponsored by an employer, including social and recreational programs.
9. Any other terms, conditions or privileges of employment.

29 CFR 1630.5 In other words, the ADA covers all aspects of the employment relationship from application to termination. In general, it is unlawful discrimination to limit, segregate, or classify a job applicant or employee in a way that adversely affects his/her employment status or opportunities on the basis of disability.

29 CFR 1630.6 It is also unlawful discrimination for an employer to participate in a contractual or other relationship with agencies such as employment agencies, referral agencies, and labor unions that has the effect of subjecting the employer's own employees to the discrimination prohibited under the ADA.

*Example:* An employer who hires people through a temporary agency could not tell that agency to avoid sending them anyone with a disability.

29 CFR 1630.7 Additionally, the ADA prohibits discrimination based on association with a person with a disability. It also states that it is unlawful discrimination to use standards, criteria, or methods of administration which are not job related, are not consistent with business necessity, have the effect of discriminating on the basis of disability, or perpetuate the discrimination of others who are subject to common administrative control.

## **Who is Protected by the ADA?**

**Qualified individual with a disability**  
29 CFR 1630.2

The ADA prohibits discrimination against "qualified individuals with disabilities." The term qualified individual with a disability has several important components.

First, **qualified** means an individual who has the requisite skill, experience, education, and other job related requirements for the job and who can perform the *essential functions* of the job with or without *reasonable accommodations*.

Note: Italicized phrases in this definition are discussed later in this chapter.

Second, **disability** means a physical or mental *impairment* that *substantially limits* one or more *major life activities*, or an individual who has a *record of such impairment*, or is *regarded as having such an impairment*. This definition in turn has sub-parts.

Impairment means any physiological disorder, condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genito-urinary, hemic and lymphatic, skin, and endocrine; or any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

Major life activities refers to functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. This list is not exhaustive, and other life activities besides working should be considered first to determine if an individual meets the definition. (See pg. 308.)

*Case Law*: A few examples of functions that have been found to be major life activities by the courts include reproduction and intimate sexual relations, eating, reading, and traveling freely.

Substantially limits means that an individual is unable to perform a major life activity that the average person in the general population performs, or is significantly restricted as to the condition, manner or duration under which an individual can perform a major life activity compared to the average person in the general population performing that same major life activity. In addition the following factors are to be considered when determining whether an individual is substantially limited in a major life activity:

1. The nature and severity of the impairments.
2. The duration or expected duration of the impairment. (Generally, temporary, non-chronic impairments of short duration, such as simple broken limbs, sprains, concussions, and influenza are not disabilities under the ADA.)
3. The permanent or long term impact or expected impact resulting from the impairment.

**Determinations of whether an individual has a disability are made on a case by case basis, not simply by a diagnosis or label.** One should consider the effect of the impairment on the life of the individual.

*Case Law:* If an individual is seeking protections under the ADA as someone who is “regarded as “disabled by an employer, the individual will have to show that the employer viewed him/her as unable to perform a whole class of jobs. This may be difficult to show because in most situations an individual applies for only one job and the employer indicates that s/he is not qualified in their eyes for only that one job.

### **Working as a major life activity**

If the person’s disability means an impairment in the major life activity of “working”, the “substantially limits” provision is further defined to state that an individual is significantly restricted in the ability to perform either a class of jobs, or a broad range of jobs in various classes, as compared to the average person having comparable training, skills, and abilities. The inability to perform a single particular job does not constitute a substantial limitation in the major life activity of working.

Other factors also may be considered when determining whether an individual is substantially limited in the major life activity of working. They include the geographical area to which the individual has reasonable access and the class of jobs from which the individual has been disqualified because of an impairment. In other words, this analysis requires a consideration of the number and types of jobs utilizing similar training, knowledge, skills, or abilities, within their geographic area, from which the individual is also disqualified because of the impairment.

Has a record of such impairment means that an individual has a history of an impairment. An example often cited is an individual who has been treated for cancer in the past but who is in remission. This provision also covers individuals who have been misclassified as disabled in or due to their educational, medical, or employment records.

Is regarded as having such impairment means one of three things:

- an individual has a physical or mental impairment that does not substantially limit major life activities but s/he is treated as having such a limitation;
- an individual has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such an impairment; or

*Example:* A person with a facial disfigurement who is not impaired but is treated as such by an employer who fears negative reactions of customers;

- an individual who does not have an impairment but is treated as if s/he does.

*Example:* An employer who hears an unfounded rumor that an individual is mentally ill and takes some negative action against the employee on that basis.

### **Conditions or lifestyles not covered by ADA**

Disability under the ADA does not include people who currently are engaged in the illegal use of drugs. However, people who are no longer using illegal drugs and have completed a rehabilitation program, or are participating in a rehabilitation program are protected under the ADA.

The ADA definition of disability does not include transvestism, transsexualism, pedophilia, exhibitionism, voyeurism, gender identity disorders not resulting from physical impairments, or other sexual behavior disorders. It also does not include compulsive gambling, kleptomania, or pyromania. The ADA does not view homosexuality or bisexuality as covered disabilities.

### **Mitigating measures**

*Case law:* In 1999, the United States Supreme Court ruled in a line of cases, that disability is to be determined with mitigating measure in place. If a person takes medication, uses an assistive device, or otherwise compensates for her impairment, she will not meet the definition of disability unless she remains substantially limited in one or more major life activities *after* using those mitigating measures. The Court determined that a disability exists only where an impairment limits a major life activity, not where it “might”, “could” or “would” be substantially limiting if mitigating measures were not taken. The Court recognized that even with mitigating measures an individual may still be substantially limited or that the mitigating measures themselves may have consequences or side effects that substantially limit.

## **What are Essential Functions?**

To be protected under the ADA an individual must be able to perform the essential functions of the job. Essential functions are the fundamental job duties of the employment position the individual with a disability holds or desires. Essential functions do not include marginal functions. Essential functions may be determined by some or all of the following:

1. The reason the position exists.
2. The limited number of employees available to perform that function.

3. The need for a highly specialized function, so that the incumbent in that position is hired for his/her expertise or ability to perform the function.

29 CFR 1630.2(n) Evidence of whether a particular function is essential may include the employer's judgment as to which functions are essential, written job descriptions, the amount of time spent performing the function, the consequence of not requiring the individual to perform the function, the terms of a collective bargaining agreement covering the position, and the work experience of past or current incumbents in the job.

## What is a Reasonable Accommodation?

29 CFR 1630.2(o) Reasonable accommodation means modifications or adjustments to a job application process, to the work environment, or to the manner or circumstances under which the position is performed that allow the individual with a disability to perform the essential functions. It also includes modifications or adjustments that enable an employee with a disability to enjoy equal privileges and benefits of employment that are enjoyed by similarly situated employees without disabilities. Reasonable accommodation may include (but is not limited to) making facilities used by employees readily accessible to and usable by persons with disabilities; job restructuring; part-time or modified work schedules; reassignment to a vacant position; acquisition or modifications of equipment devices; appropriate adjustments or modifications of examinations, training materials or policies; and the provision of qualified readers or interpreters.

### Examples

*Case Law:* In addition to the examples set out in the regulations, courts have found reasonable accommodations to include job coaches, work at home (if this accommodation would be effective and not pose an undue hardship) and accommodating the side effects of a medication that an employee takes because of a disability.

**Determining the appropriate reasonable accommodation should be an interactive process between the employer and the individual with the disability.** Generally, the individual with a disability must inform the employer when an accommodation is needed. The request can be made orally or in writing.



*While a request need not be in writing it may be a good idea to put it in writing so that it is dated and a copy can be kept. There are no "magic" words that need be used. The use of the term reasonable accommodation is not necessary for a request to be valid.*

Employers are not necessarily required to provide the individual with the specific accommodation, modification, or device the individual with a disability requests. The employer need only provide a reasonable accommodation that effectively meets the needs of the individual with a disability. An effective accommodation is one that allows an

employee with a disability an equal opportunity to enjoy the benefits and privileges of employment that employees without disabilities enjoy.

**No maximum number**

There is no limit on the number of accommodations an individual is entitled to receive. A request for a reasonable accommodation can be made at any time. An employee is not foreclosed from receiving an accommodation because he did not ask for it at the time of applying for the job or receiving a job offer. The appropriate amount of reasonable accommodations depends upon the needs of the individual and the functions of the job.

EOC Enforcement Guidance on  
Reasonable Accommodation and Undue  
Hardship Under the ADA, 3/1/99

**Reasonable documentation of need**

An employer can request reasonable documentation that supports the need for the accommodation when the disability or the need for the accommodation is not obvious. This does not mean the employee's entire medical file becomes open to the employer. Reasonable documentation is that which is needed to establish that the individual has an ADA disability and that the disability necessitates a reasonable accommodation. An employer is not allowed to request documentation that is not related to the existence of the disability and the need for the accommodation. The employee may request that this documentation come from an appropriate health care or rehabilitation professional.

An employee is not required to accept a reasonable accommodation offered by an employer, but if the employee is not able to perform the essential functions of the job without the accommodation, the employee can be subject to the consequences of not accepting the accommodation and may lose his/her job.

An employer is not required to provide an accommodation that is primarily intended for personal use such as eyeglasses or prosthetic devices. Equipment that assists a person in daily living on and off the job is generally considered a personal device.

**Specific Accommodations**

Some frequently requested accommodations and the special considerations involved with them are addressed below.

Job restructuring. This includes modifications such as reallocating or redistributing marginal job functions that an employee is unable to perform because of disability, or altering when and/or how a function (whether it is essential or marginal) is performed. An employer is not required to reallocate essential functions to other employees. The courts have given great deference to the employer's determination of what is an essential function and what is a marginal function.

Part-time or modified work schedules. A modified schedule may include such things as adjusting arrival or departure times, providing break periods, changing when certain functions are performed, or

allowing an employee to work part-time or take time off for medical or therapeutic appointments. An employer must provide a modified or part-time schedule when required as a reasonable accommodation unless it is an undue hardship to do so. It does not matter that the employer does not allow other employees to work such schedules.

Leave. It may be a reasonable accommodation for an employer to allow the use of accrued paid or unpaid leave when necessitated by a person's disability. An employer does not have to provide additional paid leave beyond that which is available to similarly situated non-disabled employees. An employer may have an obligation to provide additional unpaid leave unless it can establish that to do so would pose an undue hardship or that there is another effective accommodation that would enable the employee to perform the essential functions of his/her position. However, the courts have been reluctant to require employers to provide indefinite leave. It is generally felt that working is an essential function of any job and that while employers should grant reasonable amounts of leave there comes a point where the individual is no longer a qualified individual with a disability because s/he cannot work.

Employers cannot penalize employees for work missed during a leave that was granted as a reasonable accommodation. This includes no-fault leave policies where an employee is automatically terminated after missing a certain amount of work. **The point at which a leave becomes unreasonable will vary from job to job and with the needs of the employer.** Unless it is an undue hardship to do so, an employer must hold the employee's job open during a leave that is granted as a reasonable accommodation. If holding the job open is an undue hardship on the employer, then the employer must consider whether it has an equivalent position for which the employee is qualified and to which the employee can be assigned at the conclusion of the leave. *(The Family and Medical Leave Act may impose additional requirements regarding leave on an employer. See Insurance Discrimination chapter, pg. 93, for further information.)*

EEOC Enforcement Guidance on  
Reasonable Accommodation 3/1/99

Transfer to a vacant position. If an individual can no longer perform the essential functions of his/her position with or without reasonable accommodations, it may be a reasonable accommodation to transfer that employee to a vacant position for which the employee is qualified. The employee does not need to be the best qualified person for the position in order to obtain it in reassignment. If the individual is qualified for the vacant position, s/he gets it. They do not have to compete for it. An employer does not have to bump another employee to make room for the individual with a disability nor does the employer have to create a position for the individual with a disability. Reassignment is not available to new applicants.

*Example:* A police department may have physical agility standards for new recruits, but have stationary light-duty jobs for officers who get injured in the line of duty and can no longer meet those physical agility standards.

Finally, an employer need not promote an individual as a reassignment nor as an accommodation. The employer need not maintain the salary level if the only vacant position that an individual is qualified for is at a lower salary grade.

### **Collective Bargaining Agreements**

An employer cannot deny a reasonable accommodation request simply because it violates a collective bargaining agreement. The employer should first try to find an accommodation that would effectively meet the employee's need without violating the collective bargaining agreement. If the employer determines that there is no reasonable accommodation that exists that avoids violating the agreement, then the employer and the union must negotiate in good faith a variance to the agreement unless the proposed accommodation unduly burdens the expectations or rights of other workers.

## **What Defenses Does an Employer Have?**

### **Undue Hardship**

42 USC 12111 An employer need not provide a reasonable accommodation if providing that accommodation would pose an undue hardship on the employer. Undue hardship is defined by the Americans with Disabilities Act as "an action requiring significant difficulty or expense, when considered in light of " the following factors:

- the nature and cost of the accommodation;
- the overall financial resources of the facility or facilities involved in the provision of the reasonable accommodation including the number of persons employed at such facility, the effect on expenses and resources, or the impact otherwise of such accommodation upon the operation of the facility;
- the overall financial resources of the employer including the overall size of the business of an employer with respect to the number of its employees; the number, type, and location of its facilities; and
- the type of operation(s) of the employer, including the composition, structure, and functions of the workforce of such employer; the geographic separateness; and administrative or fiscal relationship of the facility or facilities in question to the employer.

**Undue hardship is to be determined on a case by case basis.** An undue hardship for one employer may not be an undue hardship for another employer. Undue hardship could be a financial difficulty or expense or it could include accommodations that were unduly extensive or disruptive, or it could be an accommodation that fundamentally alters the nature of the employer's business.

**Cost as undue hardship** In determining whether cost is an undue hardship, Congress intended that employers consider possible outside sources of funding as well, such as the Division of Vocational Rehabilitation or social service agencies, or if the employer would be eligible for tax credits or deductions to offset the cost of the accommodation.

**Unallowable claims of undue hardship** Undue hardship cannot be claimed based on other employees' or customers' fears or prejudices toward the individual's disability.

*Example:* An employer cannot contend that an individual with mental illness poses an undue hardship based on the fear of other employees. Nor can an employer claim that its customers' preference not to be served by, for instance, an individual who uses a wheelchair, creates an undue hardship.

An employer cannot contend that granting an accommodation will damage employee morale and in turn cause an undue hardship. Employers are often reluctant to grant accommodations in the mistaken belief that if they do it for one, they have to do it for everybody. In reality, an employer only has to grant an accommodation to a qualified individual with a disability who has a need for that accommodation to allow him/her to perform the essential functions of his/her job.

**Impact of accommodation on other employees** However, if the accommodation impacts on other employees' ability to do their jobs, it may indeed be an undue hardship. If for example the employee with a disability works on an assembly line, and the other employees count on her to do her job before they can do theirs, it may be an undue hardship to allow that person to have an hour later start time as an accommodation.

*Case Law:* One court found that although in some circumstances allowing an employee a later start time due to morning grogginess from medications taken because of a disability was reasonable, it was not reasonable in the case of a head nurse who had to be present at shift change to get information about patients from other staff that were leaving their shift.

### **Direct Threat**

29 CFR 1630.2(r) An employer may require as a qualification standard that an individual not pose a threat to him or herself or others. The risk of direct

threat cannot be based on generalization or stereotype. The employer must show all of the following:

1. There is significant risk of substantial harm.
2. The specific risk is identified.
3. The risk must be current, not speculative or remote.
4. The assessment of the risk must be based on objective medical or other factual evidence.
5. Even if there is a genuine risk of substantial harm, the employer must consider if the risk can be eliminated or reduced below a significant risk of a direct threat by reasonable accommodation.

*Case Law:* A school district was not allowed to transfer a teacher who was HIV positive from a classroom of students with severe behavioral disorders based on “direct threat.” The court found that the risk to the students was too remote and theoretical.

## Other Issues

### Can an Employer Ask About Disability Before a Job is Offered?

#### Unallowable questions

Before a job offer is made, an employer is forbidden from making an inquiry about a disability. Some examples of things a prospective employer cannot ask are as follows:

- employers cannot ask on application forms or in interviews if an individual has been treated for a checklist of conditions or illnesses;
- employers cannot ask if an individual has been hospitalized and for what purpose;
- employers cannot ask if an applicant has been treated by a psychiatrist or psychologist;
- employers cannot ask an applicant if s/he has ever been treated for a mental condition nor can an employer ask if there is any health related reason why an applicant may not be able to perform the job for which s/he is applying;
- the applicant cannot be asked if s/he takes prescription drugs or if s/he has ever been treated for drug addiction or alcoholism; and

- an applicant cannot be asked about his/her worker's compensation history; and
- pre-employment questions about illness may not be asked because they may reveal the existence of a disability.

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If a disability is obvious in an interview or an individual has volunteered information about a disability, the employer cannot ask questions about the nature of the disability, the severity of the disability, the condition causing the disability, any prognosis or expectation regarding the disability or whether the individual will need treatment or special leave because of the disability. An employer cannot require a job applicant to take a medical examination, to respond to medical inquiries or to provide information about worker's compensation claims before the employer makes a job offer.

### **Allowable questions**

**An employer may, however, ask about an individual's ability to perform specific job functions.** If an individual indicates that s/he can perform job tasks with an accommodation an employer can ask to which tasks the person is referring and what accommodation is needed. The employer may ask about marginal job functions as well as essential job functions before making a job offer.

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### **Can an Employer Condition a Job Offer on a Medical Exam?**

It is permissible for an employer to make a conditional job offer contingent on the satisfactory result of a post-offer medical examination or medical inquiry *if* this exam or inquiry is required of all entering employees in the same job category. In other words, an employer cannot require only applicants with disabilities to undergo a post-offer examination. This post-offer exam or inquiry need not be limited to things that are "job related" and "consistent with business necessity". After the offer, the employer can ask questions about previous injuries and worker's compensation claims. However, if as a result of the post-offer examination or inquiry, the employer discovers an individual has a disability and withdraws the job offer, the reasons for not hiring the individual must be job related and based on business necessity. Additionally, the employer must also show that no reasonable accommodation was available that would enable this individual to perform the essential functions or that such accommodation would impose an undue hardship. Employers may disqualify an individual who poses a "direct threat" as described above. Employers may not disqualify a qualified individual with a disability based on speculation that the disability may cause a risk of future injury.

### **Can a Medical Exam Occur After Hire?**

After an individual begins working for an employer, the use of medical exams and inquiries is more limited. An employer must limit such inquiries to those that are job related and consistent with business necessity. The need for such an exam may be triggered by

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some evidence of problems related to job performance or safety, or an examination may be necessary to determine if an individual in a physically demanding job continues to be fit for duty. Either way, the scope of the exam must be job-related.

When an employee becomes disabled from either an on or off-the-job injury or illness, an employee may have to demonstrate his/her continued ability to perform the essential functions, or may develop the need for reasonable accommodations. A medical examination or inquiry may be conducted (as long as it is job related and consistent with business necessity) to determine if the individual can perform the essential functions with or without reasonable accommodation, or to identify a reasonable accommodation that would allow the individual to perform the essential functions of the job.



*This is an area where some employers may overreact by seeking out complete medical records and additional information beyond the scope of job relatedness and business necessity. Persons with disabilities should be careful to protect their privacy by not signing releases of medical information that are too broad or general. It is good practice to talk to your doctor before the employer makes an inquiry.*

### **What About Drug Testing?**

Tests for the illegal use of drugs are not considered medical examinations or inquiries under the ADA and therefore are not subject to the restrictions (*discussed above*).

### **What About Confidentiality of Medical Records?**

All information obtained in post-offer medical examinations and inquiries must be kept in separate files and treated as confidential medical records. These records are to be kept separately, apart from personnel files. Although all medical-related information must be kept confidential, supervisors and managers may be informed about necessary work restrictions or accommodations. Additionally, first aid or emergency personnel may be informed, when appropriate, if the disability may require emergency treatment (perhaps someone who has a seizure disorder) or special procedures in case of fire or other evacuations (perhaps an individual who uses a wheelchair and works on an upper floor since elevators should not be used during a fire).

### **How to File an ADA Discrimination Charge?**

If you believe an employer has discriminated against you, you should contact the Equal Employment Opportunity Commission (EEOC) and ask to file a charge of discrimination. In Wisconsin, charges must be filed within 300 days of the event(s) giving rise to the charge. The practice of the EEOC is to send you a disability questionnaire to fill out

#### **Timelines**

and return to them. They in turn will prepare a charge form and send it to you for your signature. It is important to make sure that (1) the information on the charge form is accurate and reflects what you believe the employer did wrong; and (2) that the signed charge form is returned to the EEOC before the 300 days has passed. You do not need to have a lawyer represent you at this stage of the proceedings, but you can hire one if you so choose.

The completed charge will be sent to the employer for a response and the EEOC investigation is underway. A charge of employment discrimination in Wisconsin filed with the EEOC is automatically cross filed with the State of Wisconsin Equal Rights Division (**ERD**) which enforces the Wisconsin Fair Employment Act (**WFEA**) including its prohibitions against disability discrimination. (*See Wisconsin Fair Employment Act chapter, pg. 278.*) The EEOC investigator will look into the matter and then an initial determination will be issued. This process can take many months. An initial determination will determine whether or not the EEOC has found probable cause to believe you have been discriminated against. In most cases they do not find probable cause, but issue what is called a Right-to-Sue letter. This means that you have exhausted your administrative requirements and can proceed to file your claim in court within ninety days of the letter being issued. In a small number of cases the EEOC finds probable cause and undertakes to file a lawsuit in federal court on your behalf. An EEOC Attorney will be assigned to represent you, but you also have the right to intervene with your own attorney if you so wish.

### **What Remedies are Available Under the ADA?**

#### **Monetary payments**

An employee who proves discrimination under the ADA can seek back pay, reinstatement, front pay in lieu of reinstatement in certain circumstances, other out-of-pocket expenses, compensation for emotional distress, and costs and attorney's fees. If the employer was a private employer (not a government employer), the employee can also seek punitive damages. There are caps set in the law on the amount of damages an employee can be awarded. These caps vary with the size of the employer, with the largest employers capped at \$300,000 in damages. The caps do not include back pay and costs and attorney's fees.

The following resources can provide information and technical assistance about the ADA:

U.S. Department of Justice  
Civil Rights Division  
ADA Information Line  
800-514-0301 Voice  
800-514-0383 TTY

Great Lakes Disability and Business  
Technical Assistance Center  
800-949-4232 Voice/TTY  
[www.gldbtac.org](http://www.gldbtac.org)