Legal Basis for Providing Accommodations to People who are Deaf, DeafBlind or Hard of Hearing

# Americans with Disabilities Act (ADA)

[www.usdoj.gov/crt/ada/adahom1.htm](http://workplace/cs/DHHS/Fact%20Sheet/www.usdoj.gov/crt/ada/adahom1.htm)

The ADA is a comprehensive federal civil rights law that prohibits discrimination on the basis of disability.

# ADA Amendment Act (ADAAA)

[www.eeoc.gov/ada/amendments\_notice.html](http://workplace/cs/DHHS/Fact%20Sheet/www.eeoc.gov/ada/amendments_notice.html)

The ADA Amendment Act focuses on the issue of discrimination instead of the individual’s disability. It makes important changes to the definition of the term “disability.”

# Title I – Employment

[www.hhs.gov/od/about/fact\_sheets/adafactsheet.html](http://workplace/cs/DHHS/Fact%20Sheet/www.hhs.gov/od/about/fact_sheets/adafactsheet.html)

Employers with 15 or more employees may not discriminate against qualified individuals with disabilities. Employers must reasonably accommodate the disabilities of qualified applicants or employees, unless undue hardship would result.

For more information about Title I, contact the U.S. Equal Employment Opportunity Commission at 1-800-669-4000 (voice) or 1-800-669-6820 (TTY).

# Title II - State and local governments

[www.usdoj.gov/crt/ada/reg2.html](http://workplace/cs/DHHS/Fact%20Sheet/www.usdoj.gov/crt/ada/reg2.html)

No qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs or activities of a public entity, or be subjected to discrimination by any such entity.

# Title III - Public accommodations

[www.usdoj.gov/crt/ada/reg3a.html](http://workplace/cs/DHHS/Fact%20Sheet/www.usdoj.gov/crt/ada/reg3a.html)

Public accommodations such as restaurants, hotels, theaters, doctor's offices, retail stores, museums, libraries, parks, private schools, and day care centers, may not discriminate on the basis of disability.

For more information about Titles II or III of the ADA or to order technical assistance materials, call the U.S. Department of Justice at 1-800-514-0301 (voice), 1-800-514-0383 (TTY) or the Great Lakes ADA Center at 1-800-949-4232 (voice/TTY), [www.adagreatlakes.org](http://workplace/cs/DHHS/Fact%20Sheet/www.adagreatlakes.org) for Titles I-V.

# Individuals with Disabilities Education Act (IDEA)

IDEA is a federal law designed to protect the rights of students with disabilities by ensuring that everyone receives a free appropriate public education (FAPE).

For more information about IDEA, search the following:

[www.ed.gov/offices/OSERS/IDEA/regs.html](http://workplace/cs/DHHS/Fact%20Sheet/www.ed.gov/offices/OSERS/IDEA/regs.html)

[IDEA at http://idea.ed.gov/](http://idea.ed.gov/)

[Special Education at http://education.state.mn.us/MDE/Learning\_Support/Special\_Education/index.html](http://education.state.mn.us/MDE/Learning_Support/Special_Education/index.html)

[www.revisor.leg.state.mn.us/arule/3525](http://workplace/cs/DHHS/Fact%20Sheet/www.revisor.leg.state.mn.us/arule/3525)

# Section 503 of the Rehabilitation Act of 1973:

[www.dol.gov/ofccp/regs/compliance/fs503.htm](http://workplace/cs/DHHS/Fact%20Sheet/www.dol.gov/ofccp/regs/compliance/fs503.htm)

This Title V Section requires federal contractors and subcontractors with government contracts in excess of $10,000 to take affirmative action to employ and advance in employment qualified individuals with disabilities.

# Section 504 of the Rehabilitation Act of1973:

[www.hhs.gov/ocr/civilrights/resources/factsheets/504.pdf](http://workplace/cs/DHHS/Fact%20Sheet/www.hhs.gov/ocr/civilrights/resources/factsheets/504.pdf)

This Title V Section provides that qualified individuals with disabilities shall not be excluded from, be denied access to or be subjected to discrimination under any program or activity that receives Federal financial assistance.”

To learn more, contact the U.S. Department of Education, Office for Civil Rights

1-800-421-3481 (voice)

1-877-521-2172 (TTY)

ocr@ed.gov

or the Region V office in Chicago,

312-886-2359 (voice), 312-353-5693 (TTY)

orthe U.S. Department of Health and Human Services, Office for Civil Rights,

1-800-368-1019

1-800-527-7697 (V/TTY)

ocrmail@hhs.gov

# Minnesota Human Rights Act

[www.humanrights.state.mn.us/yourrights/mhra.html](http://workplace/cs/DHHS/Fact%20Sheet/www.humanrights.state.mn.us/yourrights/mhra.html)

The Minnesota Department of Human Rights protects persons in Minnesota from discrimination because of race, color, creed, religion, national origin, sex, marital status, disability and age in connection with employment, housing, public accommodations, public services and education.

Contact the Minnesota Department of Human Rights at

1-800-657-3704 or

651-296-5663 (voice)

651-296-1283 (TTY)

Info.mdhr@state.mn.us

www.humanrights.state.mn.us

www.revisor.leg.state.mn.us/stats/363

# Accommodation Resources for Employers

Disabilities Access Tax Credits

[www.eeoc.gov/facts/fs-disab.html](http://workplace/cs/DHHS/Fact%20Sheet/www.eeoc.gov/facts/fs-disab.html)

[www.ada.gov/taxincent.htm](http://workplace/cs/DHHS/Fact%20Sheet/www.ada.gov/taxincent.htm)

The Disabilities Access Tax Credits provides a tax credit to individuals and corporations who make their business more accessible to people with disabilities. Eligible applicants are small businesses whose gross receipts did not exceed $1 million dollars for the previous tax year or who did not employee more than 30 full-time employees during the previous year.

See websites above for full eligibility and explanations on the program.

# Job Accommodation Network (JAN)

[About Ask Jan at http://askjan.org/links/about.htm](http://askjan.org/links/about.htm)

[A to Z Information at http://askjan.org/links/atoz.htm](http://askjan.org/links/atoz.htm)

JAN is a leading source of free, expert, and confidential guidance on workplace accommodations and disability employment issues. Service is provided by the U.S. Department of Labor’s Office of Disability Employment Policy (ODEP)

For more information contact:

(800)526-7234 (V);

(800)ADA-WORK [(800)232-9675] (V); and

(877)781-9403 (TTY)

# Empower Missouri

[www.empowermotraining.org/](http://workplace/cs/DHHS/Fact%20Sheet/www.empowermotraining.org)

Empower Missouri provides on-line interactive training modules on Diversity in Employment/Disability Awareness and The ADA and Reasonable Accommodations. Each Module will end with “Conclusions and Take-Aways.”

This information is in accessible formats for individuals with disabilities by calling 651-431-5940 or by using your preferred relay service.  Additional assistance with legal rights and protections for equal access to human services programs is available.

**Contact Information: (651) 431-5940 ⦁ (800) 456-7589 V ⦁ (651) 964-1514 VP ⦁ (651) 431-5976 TTY**

**(651)431-7587 FAX ⦁ dhhs.metro@state.mn.us ⦁** [**DHHSD - mn.gov/dhs/deaf-hard-of-hearing/**](http://workplace/cs/DHHS/Fact%20Sheet/mn.gov/dhs/deaf-hard-of-hearing)