

DIVE IN: With an ADA Life Preserver

TABLE OF CONTENTS

ADA helps people with disabilities fulfill the American vision of equal opportunity	9
President Obama Announces Revised ADA regulations	9
Now's the time for employers to impact new or revised regulations before they are finalized	9
Attention Federal Contractors/Subcontractors	10
Refusing to Return Employee to Work	10
Reasonable Accommodation Provided for Congressman	11
Unlawful Employment Decision	11
U.S. Senate Passes 21 st Century Communications & Video Accessibility Act (S.3304) by Unanimous Consent!	11
Failing to Hire Qualified Applicant1Error! Bookmark not defin	ned.
The Axiom Staffing Group, Inc. of Virginia will pay \$35,000 to settle an ADA lawsuit filed by the EEOC	12
Failing to Hire Qualified Applicant	13
Is providing a chair for a cashier a reasonable accommodation?	14
Can you ask an existing employee to complete a questionnaire about their health conditions and medications?	14
Are your policies and practices flexible when it comes to accommodating people with disabilities?	15
Can you fire an employee who is diagnosed with cancer?	16
Can you fire an employee because you "think" their obesity is a disability?	16
ANPRMs	16
Cruising the Accessible Way	17
Accessible Hilton Hotels	17
Is a No-Fragrance Policy Reasonable?	18

Equal Opportunity and Stadium-style Seating	18
Challenges in the Air	19
Do you know what your company would do?	19
President's 2012 Budget provides support for people with disabilities	20
Is an employer's obligation to provide reasonable accommodation limited to just making sure that your employees can do the essential job functions?	21
Oh my another test!	22
There's Always More to Learn	ned.
Communication is more than providing sign-language	24
Executive Order 13548	25
Our Thoughts Often Misguide Our Actions	26
Just a friendly reminder that the revised ADA Regulations became effective on March 15, 2011	27
When you have a job vacancy, do you typically only consider those currently employed?	27
News Alert! The U.S. Equal Employment Opportunity Commission's (EEOC) final regulations to implement the ADA Amendments Act (ADAAA) released	28
We haven't changed and something is about to be done about it	29
It's No Longer "Them" it's "Us"	29
Do you recruit potential applicants electronically via the Internet or kiosks at various locations?	20
Themes in Employing People with Disabilities	21
Communication Must Be Effective	22
ADA & Employee Benefits	23
EEOC Serious About Inflexible Leave Policies	24
Medical Treatment vs. Staying on the Job	24
The way your customers feel about you is important	25
Good faith isn't cutting it	36
Transferring to Vacant Positions Is Reasonable	36
Deliberate Discrimination Still a Problem	37
What We "Think" Can Increase Risk	37
WIA Reauthorization	38



DIVE IN: With an ADA Life Preserver

USERRA & Reasonable Accommodation	39
ADA & Medical Exams	39
Workplace Supports & Corporate Culture	40
Is providing a job coach a reasonable accommodation?	31
Largest Single Settlement	31
Disability Statistics	32
What We "Think" Can Increase Risk	32
ADA and HIV	33
Work Opportunity Tax Credit (WOTC)	34
Reasonable Accommodation and Association	34
Inflexible & terminal leave policies present certain legal risks to employers	35
Online retail Accessibility	36
Tele-working is considered a form of reasonable accommodation in some situations	36
Reasonable Accommodation & Asthma	37
Reasonable Accommodation for Employee Who's Deaf	37
Disclosing Disability & Reasonable Accommodation	38
The Price is Right or is it?	39
Obesity & Failure to Accommodation	50
How many body parts are needed to do the job?	51
Are you involved in your state's Workforce Investment Board?	51
Recognizing Requests for Reasonable Accommodation	52
Disability Employment Statistics	53
Disability Employment Statistics	53
Unlawful Termination	53
A good business practice	34
Poor Performance & Reasonable Accommodation	35

Reasonable Accommodation & Leave	45
Reasonable Accommodation Not Limited to Existing Employees	46
Service Animals in the Workplace & Marketplace	46
Is Time Off for Surgery Reasonable?	48
Cancer, Leave and the Interactive Process	48
HIV and Disability Discrimination: What do you think?	49
Flex Options on the Job	49
Harassment on the Job is a Serious Matter	60
Wrongful Termination	61
Bullying in the Workplace	62
Why do companies choose to deny providing a workplace support?	63
What's up with Wal-Mart and providing Reasonable Accommodatio	n? 64
Importance of Flexible Policies6I	Error! Bookmark not defined.
When to Provide Accommodations	66
Unlawful Termination	67
Can you snooze on the job and blame it on a disability?	67
Hiring Statistics	69
Disability Discrimination in Hiring Practices	69
Are DVD rental kiosks Accessible?	70
Standards Update	71
The Problem with Terminal Leave Policies	71
Lack of Adequate Employee Training Increases Risk	72
Refusal to Hire Because of Disability	73
Attendance Policies	74
Accessible ATMs	75
Does the ADAAA Let Anyone Claim Disability?7	Error! Bookmark not defined.
2011 EEOC Discrimination Charges	77
Disclosing Hidden Disabilities	77
Failure to Reasonably Accommodate When Leave is Requested	78
Illegally Firing Employee Because of Disability	79



DIVE IN: With an ADA Life Preserver

Disclosing Disability	80
Failing to Accommodate Chronic Back Pain	82
Laws protecting the rights of people with disabilities can get confusing	83
Discrimination in the Hiring Process	84
Leave and Disability	85
Is it Reasonable?	86
Temp Agencies and Equal Employment Opportunity	87
Another Temp Agency Lost its Case When it Refused to Hire a Qualified Applicant with a Disability	88
New Standards for Accessible ATMs	89
Deadline extended for swimming pools	90
When State & Federal Laws Conflict	91
Are We Seniors or Older Americans?	92
Flexibility is the Key	93
Centralizing Reasonable Accommodation	94
Invigorate Your Training Program	95
ADA's 22 nd Anniversary: More Than a Ramp	96
Health Insurance Discrimination and HIV	97
Equal Access to Housing for Persons with Disabilities	98
Hospice Company to Amend Its Policy on Reasonable Accommodation	99
Accessible Tour Buses	100
Wheelchair User Files Lawsuit Against Ticketmaster	101
Swimming Pools Can Everyone Dip In? If not, will your hotel be on the boycott list	103
Segway Dilemma	105
Wal-Mart Sued Again Because Payment Machines Still Aren't Accessible 10 Error! Bookm	ark not

EEOC Systemic Discrimination Cases Get Top Priority	108
Contract Workers and Disability	109
Wal-Mart	110
Medical Exams Under the ADA	111
Accessible Electronic Readers	113
Companies still don't understand what it means to provide workplace supports for its employees	114
Leave as a Reasonable Accommodation - Part 1	115
Leave as a Reasonable Accommodation - Part 2	116
Leave as a Reasonable Accommodation - Part 111Error! Bookmark not	defined.
Leave as a Reasonable Accommodation - Part 2	118
Medical Leave, Accommodation and Termination	119
Everyone wins when people become tax payers rather than tax depleters	120
DOCUMENT DOCUMENT!	121
Discrimination in Hiring - Part 1	122
DOCUMENT DOCUMENT!	123
Exams and Courses	125
Update RE: DOJ'S intervention in LSAC lawsuit	126
ADA's Safe Harbor Provision	128
Unfair Treatment and Harassment Is Serious	129
Reasonable Accommodation for Family Members with Disabilities? - Part 1	131
Reasonable Accommodation for Family Members with Disabilities? - Part 2	131