

## Aging and the ADA: Aging in the Workforce

The Americans with Disabilities Act (ADA) protects qualified workers with all kinds of disabilities from discrimination in many workplaces, specifically:

- State and local government agencies
- Private companies and organizations that have at least 15 employees



### From Hire to Retire

The ADA prohibits discrimination in all aspects of employment, including:

- Hiring (application process, interviews, pre-employment tests, etc.)
- Training, assignments, compensation
- Evaluation, discipline
- Layoff, recall, termination
- Benefits and privileges (leave, health insurance, etc., if provided)

### Reasonable Accommodation

The ADA requires covered employers to provide “reasonable accommodations” that qualified workers with disabilities may need to apply for jobs, perform job duties, or have access to the same benefits and privileges that workers without disabilities have.

#### *Examples of Workplace Accommodations:*

- Equipment or devices to assist with lifting or other physical work duties
- Adjustments in schedules to accommodate medical appointments, treatments, or other disability-related needs
- Amplified telephones or assistive listening devices to accommodate hearing loss
- Making facilities more accessible or reserving parking spaces
- Magnification or screen reading technologies for individuals with vision loss using computers
- Adjustments in supervisory or communication methods to support workers with memory or cognitive impairment

## Medical Information

The ADA limits employers' ability to require medical examinations or ask for medical information from job applicants and employees.

- **Before offering a job**, an employer generally cannot require medical exams (except tests for illegal drug use) or ask an applicant any questions about disability or medical conditions.
- **After offering a job but before an applicant begins work duties**, employers may require medical exams and ask disability-related questions, but only if all entering employees in the same job category are required to undergo the same exams and answer the same questions.
- **After employees are on the job**, employers may only require limited medical exams or ask focused disability-related questions if they are related to the employee's specific job and serve a legitimate business purpose.
- Employers may require medical information **to support an employee's request for reasonable accommodation** (at any point in the employment process), but only if the employee's disability or need for accommodation is not known or obvious.
- Employers may collect information about employees' health and medical conditions as part of **employer-sponsored wellness programs**, but only if participation in such programs is **voluntary**.
- **Medical information must always be kept confidential**, closely guarded, and separate from other employee files and records.

For more information:

**Mid-Atlantic ADA Center**

**[www.ADAinfo.org](http://www.ADAinfo.org)**

**1-800-949-4232 (DC, DE, MD, PA, VA, WV)**

**301-217-0124**

**[ADAinfo@transcen.org](mailto:ADAinfo@transcen.org)**



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