

Here are some helpful links that provide more detailed information:

www.dol.gov/odep/about/

www.ssa.gov/work/pafactsheet.html

www.ada.gov/ada_fed_resources.htm

<https://askjan.org/>

The ADA makes it unlawful to discriminate in all employment practices such as:

- recruitment
- firing
- hiring
- training
- job assignments
- promotions
- pay
- benefits
- lay off
- leave
- all other employment related activities.

It is also unlawful for an employer to retaliate against you for asserting your rights under the ADA. The Act also protects you if you are a victim of discrimination because of your family, business, social or other relationship or association with an individual with a disability.

For a more detailed list describing employment rights for an individual with a disability go to:

<https://www.eeoc.gov/facts/ada18.html>

THE MISSION OF DISABILITY RIGHTS MISSISSIPPI IS TO PROMOTE, PROTECT, AND ADVOCATE FOR THE LEGAL AND HUMAN RIGHTS OF ALL PEOPLE WITH DISABILITIES, AND TO ASSIST THEM WITH FULL INCLUSION IN HOME, COMMUNITY, EDUCATION AND EMPLOYMENT.

DRMS has office locations in Jackson and Gulfport, and we serve in a state-wide capacity.

**Toll Free State-wide
1-(800)-772-4057**

Or

You can request assistance online via email at info@drms.ms



www.drms.ms

Disability Rights Mississippi



Mississippi's Protection and Advocacy System

Advancing the civil, human, and legal rights of all individuals with disabilities in Mississippi.

A Guide to Your Rights in the Workplace



DISABILITY RIGHTS MISSISSIPPI
Protection and Advocacy for Individuals with Disabilities

The Americans with Disabilities Act of 1990 (ADA)

The (ADA) makes it unlawful to discriminate in employment against a qualified individual with a disability. The ADA also outlaws discrimination against individuals with disabilities in State and local government services, public accommodations, transportation and telecommunications. This part of the law is enforced by the U.S. Equal Employment Opportunity Commission (EEOC) and State and local civil rights enforcement agencies that work with the Commission.

Who is Protected Under the ADA?

To be protected by the ADA, one must have a disability. You must also be qualified to perform the essential functions or duties of a job, with or without reasonable accommodation. This means two things. First, you must satisfy the employer's requirements for the job, such as education, employment experience, skills or licenses. Second, you must be able to perform the essential functions of the job with or without reasonable accommodation. Essential functions are the fundamental job duties that you must be able to perform on your own or with the help of a reasonable accommodation. An employer cannot refuse to hire you because your disability prevents you from performing duties that are not essential to the job.

When Should You Inform an Employer of Your Disability?

While it is not necessary to tell your employer that you have a disability at any specific time, you should inform your employer and request a "reasonable accommodation" when you first realize that an accommodation is necessary in order for you to successfully fulfill the essential functions of your job. Waiting until after your employer has fired you is too late to request accommodation. In order to prove that your employer engaged in discriminatory hiring or firing based on your disability, you must first be able to show that your employer had knowledge of your disability.

You Have The Right

You have the right to interview and do your job without discrimination.

You also have the right to request and receive reasonable accommodations for your disability so that you can do your job.

If you are unable to get reasonable accommodations at work, we can help you understand how to make the request and what documentation you will need.

If you have not been successful in receiving the reasonable accommodation, we can advise you about filing a charge of discrimination.

What is Reasonable Accommodation?

Reasonable accommodation is any change or adjustment to a job or work environment that permits a qualified applicant or employee with a disability to participate in the job application process, to perform the essential functions of a job, or to enjoy benefits and privileges of employment equal to those enjoyed by employees without disabilities.

Whether an accommodation is reasonable in a particular case involves an analysis of the facts of the particular situation, including the cost of the accommodation and the employer's ability to pay for it. For a list of examples go to: <https://www.eeoc.gov/facts/ada18.html>

How to ask for a Reasonable Accommodation?

If you need an accommodation, you should tell your employer (1) that you have a disability (unless your disability is obvious), (2) how your disability interferes with your ability to do your job functions, and (3) what accommodations you need in order to do your job functions. Although you may make your request orally or in writing, it is better practice to put your request in writing so you have a record of it.