

The Law Of Disability Discrimination: A Comprehensive Guide For Individuals With Disabilities

The Law of Disability Discrimination is a complex and ever-evolving field with significant implications for individuals with disabilities. This article will provide a comprehensive overview of the key provisions of the Law of Disability Discrimination, offering valuable insights and guidance for individuals with disabilities seeking to understand their rights and navigate the legal landscape.



The Law of Disability Discrimination by Ruth Colker

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The Rehabilitation Act of 1973

The Rehabilitation Act of 1973 is a landmark piece of legislation that prohibits discrimination against individuals with disabilities in employment, housing, public accommodations, transportation, and federally funded programs. The Act defines disability as a physical or mental impairment that substantially limits one or more major life activities. This broad

definition encompasses a wide range of conditions, including physical, cognitive, and sensory impairments.

The Rehabilitation Act imposes several obligations on employers, landlords, and other covered entities. These obligations include:

- Prohibiting discrimination against individuals with disabilities in hiring, firing, promotions, and other terms and conditions of employment
- Making reasonable accommodations for employees with disabilities
- Providing accessible housing for individuals with disabilities
- Ensuring that public accommodations are accessible to individuals with disabilities
- Providing accessible transportation for individuals with disabilities

The Americans with Disabilities Act (ADA)

The Americans with Disabilities Act (ADA) is a comprehensive civil rights law that prohibits discrimination against individuals with disabilities in employment, housing, public accommodations, transportation, and telecommunications. The ADA defines disability as a physical or mental impairment that substantially limits one or more major life activities, or a record of such an impairment. This definition is similar to the definition of disability under the Rehabilitation Act.

The ADA imposes similar obligations on employers, landlords, and other covered entities as the Rehabilitation Act. However, the ADA also includes several important provisions that are not found in the Rehabilitation Act, including:

- A requirement that employers provide reasonable accommodations for employees with disabilities
- A requirement that public accommodations be accessible to individuals with disabilities
- A requirement that telecommunications companies provide accessible services to individuals with disabilities

Remedies for Disability Discrimination

Individuals who have been discriminated against under the Law of Disability Discrimination may be entitled to a variety of remedies, including:

- Back pay and benefits
- Reinstatement to their job
- Reasonable accommodations
- Damages for emotional distress
- Attorney's fees

Enforcing the Law of Disability Discrimination

The Law of Disability Discrimination is enforced by a variety of federal agencies, including the Equal Employment Opportunity Commission (EEOC), the Department of Justice (DOJ), and the Department of Transportation (DOT). Individuals who believe they have been discriminated against under the Law of Disability Discrimination can file a complaint with one of these agencies.

The Law of Disability Discrimination is a complex and ever-evolving field. However, by understanding their rights and the legal protections available to them, individuals with disabilities can effectively overcome discrimination and live full and productive lives.

Additional Resources

- Equal Employment Opportunity Commission (EEOC)
- Americans with Disabilities Act (ADA)
- Department of Justice (DOJ) Disability Rights Section
- Department of Transportation (DOT) Office of Civil Rights



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