

SEVEN DEADLY DISCRIMINATION SINS

When the Americans with Disabilities Act (ADA) became effective in 1990, employers and others making decisions about inclusion and service delivery were reminded of the need to treat employees, students, or patrons with disabilities as they would treat any other person. The following seven points identify some common pitfalls in business and school relations.

1. Limiting, segregating, or classifying an applicant or employee because of the individual's disability in a manner that affects employment, education, or training opportunities.
 2. Participating in a contractual or other relationship that has the effect of subjecting a qualified applicant or employee to prohibited discrimination. (This covers relationships with labor unions, employment or other agencies, providers of fringe benefits, training programs, and apprenticeships.)
 3. Using criteria, standards, or methods of administration that have the effect of discriminating on the basis of disability.
 4. Excluding or otherwise denying equal jobs, participation, or benefits to an individual based on that individual's association or relationship with a person with a disability.
 5. Using qualification standards, tests, or other criteria that tend to screen out individuals with disabilities unless they can be shown to be job related and consistent with the necessities of the position or the program.
 6. Selecting and administering tests concerning employment in such a way as to exclude applicants or employees with disabilities with impaired sensory, manual, or speaking skills on grounds unrelated to the skills, aptitudes, or other criteria the tests purport to measure.
 7.
 - A) Requiring medical exams for job applicants or inquiring about disabilities before making an offer of hire or conferring student or participant status upon an individual.
 - B) Requiring an employee or student take a medical exam solely on the basis of the disability.
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