

ADA Awareness Answers

Below are some problems to test your familiarity with the ADA.

1. If a job candidate is in a wheelchair, it is legal to ask them if their disability will prevent them from doing the job

TRUE FALSE

You are correct...

The Americans with Disabilities Act (ADA) prohibits making direct reference to a person's disability. Always state the requirement or essential function of the job and ask, "Can you do that."

2. The following question would be illegal: "This job requires traveling to different sites. What physical disabilities do you have that would not allow you to do that?"

TRUE FALSE

You are correct...

Similar to question one, you cannot address the disabilities directly. If you need to know about the person's ability to travel you can state the job requirement and ask, "Can you do that." Avoid asking, "What problems would prevent you from doing that."

3. Even though a candidate does not have a disability, the fact that other people regard them as disabled qualifies them for protection under the ADA.

TRUE FALSE

You are correct...

A person is disabled if they have a physical or mental impairment that substantially limits one or more of the person's major life activities, has a record or such impairment, or **is regarded as having such an impairment.**

4. The position you are interviewing for is a Customer Service Rep in which the employee deals face-to-face with your customers. You can reject the candidate you are interviewing because they are physically disfigured.

TRUE FALSE

You are correct...

Under ADA you are specifically prohibited from excluding a qualified person from consideration because they are disfigured or disabled. The key here is the word "qualified"; i.e., the candidate's ability to perform the essential job functions. There is no requirement to hire an unqualified person.