



## The Office of Compliance Celebrates the 22nd Anniversary of the Signing of the Americans With Disabilities Act of 1990

The Office of Compliance celebrates the 22nd anniversary of signing into law the Americans with Disabilities Act of 1990 (ADA). The ADA prohibits discrimination in the workplace based on a disability and requires public accommodations to be accessible to the disabled community. The ADA was introduced in the Senate by Senator Tom Harkin on May 9, 1989 and signed into law on July 26, 1990 by Former President George H.W. Bush.



Inspired by the Civil Rights Movement, members of the disabled community and their families organized to form the Disabled Rights Movement during the 1960s. United by their need to enjoy the same rights as other Americans, disabled individuals fought to share their stories, including testifying before Congress about the many struggles they faced in their attempts to access public accommodations. In one instance, twelve year old Jade Category testified during the 2nd Session of the 100th Congress at a Joint Hearing before the Senate Subcommittee on the Handicapped and the House Subcommittee on Select Education about the difficulties he faced with Spina Bifida in accessing basic facilities such as drinking fountains. During the same hearing, Sylvia Piper provided encouraging testimony about the success her son with Down syndrome was having in a traditional class-

room setting, when she previously had been advised by certain administrators to have her son institutionalized. This Congressional testimony sparked a movement, which included attempts to block buses at Greyhound terminals in major cities incapable of transporting individuals in wheelchairs, and marches and speeches at many public forums to inform individuals about the disabled community's plight. As the movement continued, laws were passed to help individuals with a particular disability, but none were passed to address the larger concerns raised by the Disability Rights Movement.

The ADA was the first of its kind to address those larger issues and remove several barriers faced by the disabled community. There are five titles to the ADA covering employment, public services, public accommodations, telecommunications, and miscellaneous provisions. Under the ADA, a disability means:

- a. a physical or mental impairment that substantially limits one or more of the major life activities of an individual;
- b. a record of such an impairment; or
- c. being regarded as having such an impairment.

Section 201 of the Congressional Accountability Act (CAA) applies Title I of the ADA to the Legislative Branch. This CAA coverage provides protection against discrimination in all personnel actions of qualified individuals with a disability. The CAA prohibits other kinds of discrimination against people with a disability such as using standards or criteria that have the effect of discrimination on the basis of disability. Additionally, using qualification standards or other selection criteria that tend to screen out an individual with a disability would be prohibited. An employing office is required to make a reasonable accommodation for the known physical or mental limitations of a qualified employee or applicant with a disability. If an employer can demonstrate that a reasonable accommodation would impose an undue hardship on the functioning of the office, an accommodation does not have to be provided.

Section 210 of the CAA protects members of the public who are qualified individuals with disabilities from discrimination with regard to access to public services, programs, activities, or places of public accommodation in covered locations and offices. At least once each Congress, the General Counsel is required to inspect and report to Congress on the compliance of the Legislative Branch with the CAA's requirements regarding access to public services and accommodations for the disabled.

The Office of Compliance is here as a resource to employees of the Legislative Branch and visitors to Capitol Hill to ensure everyone has access to these historic grounds. Our brochure on ADA Access in the Legislative Branch can provide you with information about your ADA rights and answer some of the questions you may have regarding the ADA.

Individuals who feel their rights have been violated can file a charge of discrimination with the Office of Compliance. To file a charge of discrimination under Section 201 of the CAA or to request an ADA inspection under Section 210, please visit [www.compliance.gov](http://www.compliance.gov) or call (202) 724-9250 for more information.

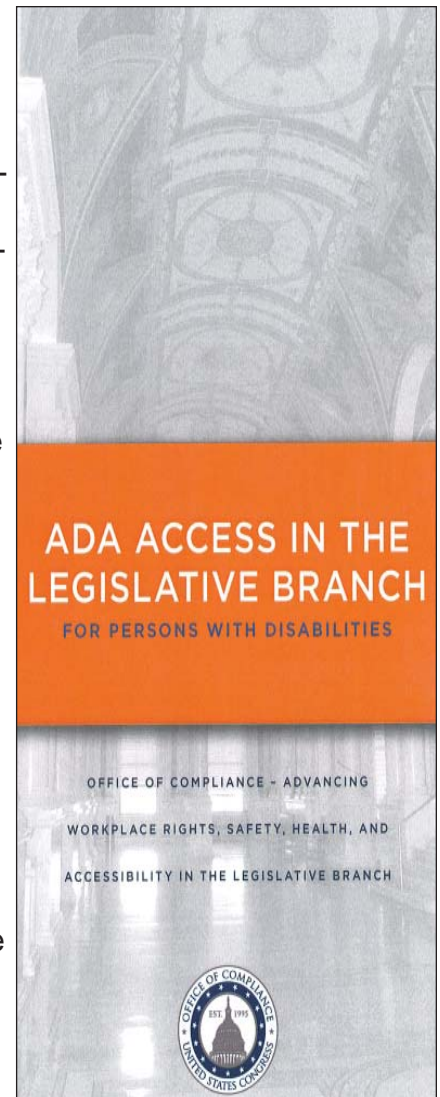


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