

POLICY BRIEF #1

The Americans with Disabilities Act of 1990 prohibits discrimination on the basis of disability in employment, state and local government services, public accommodations, and telecommunications. The act prohibits denying individuals with disabilities the opportunity to participate in a program or service or providing a service that is not equal to or that is different or separate from that given to others (US Department of Labor). The ADA is analyzed in terms of its effects on the employment and wages of disabled men and women. The ADA is the broadest civil law that protects individuals with disabilities. "On average over the post-ADA period, employment of men with disabilities was 7.2 percentage points lower than before the act was passed. In addition, wages of disabled men did not change with the passage of the ADA" (DeLeire, 2000). The Americans with Disability Act defines a disability as "a physical or mental impairment that substantially limits one or more major life activities, a record of such an impairment or being regarded as having such an impairment" (The U.S. Equal Employment Opportunity Commission). Mobility, vision, and hearing impairments represent 17 percent of the disability population and 6.7 percent is represented by the mentally ill and substance abusers (DeLeire, 2000). There are roughly 54 million Americans with some type of disability; physical, intellectual or mental disability. Out of the 54 million, 15.6 million working-age individuals only 34.6% were employed compared to the 79.8% of people who do not have a disability (Hernandez, 2000).

The ADA act was signed into law more than 15 years ago, in hopes to give equal opportunity to individuals with a mental or physical disability. The ADA prohibits discrimination against people with disabilities in employment, transportation, public accommodation, communications, and governmental activities (US Department of Labor). The act was to help those with a disability overcome societal barriers related to job opportunity. Some researchers feel that the ADA might not be as effective as some might think (Harrison, 2002).

By most measures, the ADA helps people with disabilities obtain normal job opportunities. The government needs to continue to improve individuals' lives by promoting equal opportunities for people with physical and mental disabilities. Social workers have to continue to stand up for people's rights and advocate for people who do not understand their rights.

References

DeLeire, Thomas. (2000) The unintended consequences of the americans with disabilities act. *Labor Regulations*, 23(1): 21-24.

DeLeire, Thomas. (2000, Autumn). The wage and employment effects of the americans with disabilities act. *The Journal of Human Resources*, 35(4): 693-715.

Harrison, Tracie. (2002). Has the americans with disabilities act made a difference? A policy analysis of quality of life in the post-americans with disabilities act era. *Policy, Politics, & Nursing Practice*, 3(4): 333-347.

Hernandez, Brigida., Keys, C., and Balcazar, F. (2000). Employer attitudes toward workers with disabilities and their ada employment rights: a literature review. *Journal of Rehabilitation*, 66.

The U.S. Equal Employment Opportunity Commission

US Department of Labor in the 21st Century.

About the Author

My name is Jamie Garretson; I am currently a senior in the Social Work BSW program at UTC. My field placement is at Moccasin Bend Mental Health Institute.

Table 1

Effect of ADA on Employment of Men with Disabilities

Employment rate (percent) and change in employment rate (percentage points)		
	Men with disabilities	Men without disabilities
Before enactment of ADA (1985-1990)	59.8	95.5
After enactment of ADA (1991-April 1995)	48.9	92.4
Change in employment rate	-10.9*	-3.1*
Employment effect of ADA		-7.8*

* Change is significantly different from 0 at a 95-percent confidence level.