

Knowing Your Rights



All workers have certain rights and responsibilities. It is against the law for businesses to discriminate against qualified individuals with disabilities.

Equal Access and Opportunity

There are many laws that help to assure your right to equal access and opportunities to jobs.

You have the right to:

- Freedom from harassment
- Not be discriminated against
- Not be fired for asserting your rights
- Request reasonable accommodation

Reasonable Accommodation is any change or adjustment to a job, the work environment, or the way things usually are done that would allow you to apply for a job, perform job duties, or enjoy equal access to benefits. Some examples are:

- Accessible workplaces, break rooms, cafeterias, and restrooms
- Training and written materials in accessible format
- Adaptive equipment including teletypewriters, readers, and software
- Flexible work and break schedules

You can request a reasonable accommodation at any time it is needed to help you do your job. If you are unable to perform the essential duties of your job, your employer is allowed to offer to place you in a different job.

Some Health Insurance offered through employers may exclude coverage for pre-existing conditions. The company does not have to obtain additional coverage for you if the employer offers insurance and it does not cover all of your medical expenses.

In Louisiana, the Medicaid Purchase Plan for workers with disabilities may help to cover medical conditions or services excluded by health insurance available through your employment. Call 1-888-544-7996 or visit www.LaMPP.org for more information.

Job Applications

Businesses must make the job application process accessible for anyone who wishes to apply. Job applications cannot include questions about disability.

You can ask for accommodations in order to take tests that are a required part of the application process.

Interviewing

It is your responsibility to request any accommodation you need for the interview. Reasonable accommodation can include an accessible location for the interview, providing sign language interpreters, or providing a reader if you are blind. You should never be asked to pay for an accommodation. The business pays for any needed accommodation, unless it creates an undue hardship to them.

During an interview, potential employers may not ask questions about



your disability or what type of medications you are taking. They also may not ask you to take a medical exam during or before the interview process. However, potential employers may ask about your ability to perform essential functions of the job with or without accommodations.

Receiving a Job Offer

After you have been offered the job, you may be asked questions about your disability and asked to take a medical exam. This is legal as long as it is asked of all new employees in similar jobs. The employer may not take back the job offer because a medical exam reveals a disability that does not affect your ability to do the essential functions of the job.

For Affirmative Action purposes, an employer may ask you to voluntarily disclose if you have a disability. This is okay as long as giving the information is voluntary and it will be kept confidential. The information cannot be used against you.

Further Assistance

Advocacy Center

8325 Oak Street
New Orleans, LA 70118
1-800-960-7705 (Voice & TTY)
504-522-5507 (Fax)
www.advocacyla.org/

Equal Employment Opportunity Commission

New Orleans Field Office
1555 Poydras Street, Suite 1900
New Orleans, LA 70112
1-800-669-4000 (Voice)
504-595-2958 (TTY)
504-595-2884 (Fax)
www.eeoc.gov/

U.S. Department of Justice

Civil Rights Division

Disability Rights Section

1-800-514-0301 (Voice)

1-800-514-0383 (TTY)

www.usdoj.gov/

DisabilityInfo.gov

www.disabilityinfo.gov

Rehabilitation Act of 1973

www.hhs.gov/ocr/civilrights/resources/factsheets/504.pdf

Americans with Disabilities Act

www.ada.gov/

Developmental Disabilities Assistance and Bill of Rights Act of 2000

www.acf.hhs.gov/programs/add/ddact/DDACT2.html

Mental Health Parity Act

www.cms.hhs.gov/HealthInsReformforConsume/04TheMentalHealthParityAct.asp

Health Insurance Portability and Accountability Act

www.cms.gov/HIPAAGenInfo/Downloads/HIPAAALaw.pdf

Ticket to Work

www.socialsecurity.gov/work/aboutticket.html

The artwork was created by Josephine Carmody for Red River Artists with Disabilities project. Learn more at www.disabledartists.org.

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