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President Bush Signs ADA Amendments Bill

By Bill Leonard

President Bush on Sept. 25, 2008, signed into law landmark legislation that will clarify and strengthen worker protections guaranteed by the Americans with Disabilities Act (ADA).

“The Americans with Disabilities Act is instrumental in allowing individuals with disabilities to fully participate in our economy and society, and the administration supports efforts to enhance its protections,” the president said in a written statement released prior to signing the bill. “The administration believes that the ADA Amendments Act of 2008 is a step in the right direction, and is encouraged by the improvements made to it during the legislative process.”

The law is set to take effect on Jan. 1, 2009.

Both houses of Congress passed the ADA Amendments Act ([S 3406](#)) with overwhelming bipartisan support. The measure was introduced to make legislative fixes for several federal court rulings and restore the original intent of Congress when the law was enacted.

The court decisions had limited worker protections offered under the existing statute and had “excluded individuals who should have been covered under the ADA,” according to a letter sent to Congress from a coalition of business-related and disability advocacy groups.

The groups, which included the Society for Human Resource Management, the U.S. Chamber of Commerce, the American Diabetes Association and the National Disability Rights Network, announced their support of the ADA Amendments Act, stating that the measure struck “an appropriate balance between the needs of individuals with disabilities and those of employers.”

According to a summary released by the Congressional Research Service, the new law will:

- Prohibit the consideration of measures that reduce or mitigate the impact of impairment—such as medication, prosthetics and assistive technology—in determining whether an individual has a disability.
- Cover workers whose employers discriminate against them based on a perception that the worker is impaired, regardless of whether the worker has a disability.

- Clarify that the Americans with Disabilities Act provides broad coverage to protect anyone who faces discrimination on the basis of a disability.

Bill Leonard is senior writer for SHRM Online.