



Legislation Text

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Res. No. 1537

Resolution calling on the President to direct the Department of Justice to review how the Americans with Disabilities Act protections against discrimination contained in Title I are applied and enforced.

By Council Members Brewer, Fidler, James, Liu, Nelson, Weprin, White, Jr. and Dickens

Whereas, In 1990, President George H. W. Bush signed into law the Americans with Disabilities Act (“ADA”), which protects people with disabilities from discrimination in employment, public services and public accommodations, as well as other areas; and

Whereas, Title I of the ADA specifically requires employers to make reasonable accommodations for applicants or employees with disabilities so that they may enjoy equal footing, either in the application process or the workplace, with individuals without disabilities; and

Whereas, An employer is required by the ADA to make an accommodation if it can be done without extreme difficulty or expense to the employer; and

Whereas, People with disabilities comprise the biggest minority group in the United States, accounting for 18 percent of the population; and

Whereas, Approximately 11.5 percent of working-age individuals in New York State are considered disabled; and

Whereas, Only three in ten working-age New Yorkers with disabilities are currently employed; and

Whereas, Only 19 percent of New Yorkers with disabilities hold full-time or full-year jobs; and

Whereas, The poverty rate of working-age New Yorkers with disabilities is approximately three times as high as that of New Yorkers without disabilities; and

Whereas, Advocacy groups for people with disabilities complain that, though it is well-intentioned, the

ADA is not well enforced and employers regularly refuse to hire qualified applicants with disabilities; and

Whereas, Despite a large number of prospective workers with disabilities, advocates report that employers often prefer to hire similarly skilled job applicants who will not require special accommodations; and

Whereas, Difficulties in acquiring regular employment often cause people with disabilities to have less seniority when they are employed and create large gaps in their job histories; and

Whereas, In light of the high rates of unemployment among people with disabilities, it is imperative that the appropriate parties review the manner in which Title I of the ADA is applied and enforced; now, therefore, be it

Resolved, That the Council of the City of New York calls on the President to direct the Department of Justice to review how the Americans with Disabilities Act protections against discrimination contained in Title I are applied and enforced.

DMB
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7/7/08