

FAQs for ADA due to COVID-19

Frequently Asked Questions for the Americans with Disabilities Act



1. Is COVID-19 a disability?

Normally, no, because it would likely not last long enough to qualify as a disability under the ADA. However, complications from COVID-19 may qualify as a disability.

2. Can I be assigned to a higher position as a reasonable accommodation?

No. A promotion or demotion may not be considered as a reasonable accommodation.

3. Am I entitled to a reasonable accommodation under the ADA to avoid exposing a family member who is at higher risk of severe illness from COVID-19 due to an underlying condition?

No. Requests for ADA accommodations are based on the employee's disability. The ADA does not require an employer to accommodate an employee based on the disability-related needs of a family member or an employee's association with any other person.

4. What should I do to request a reasonable accommodation if I have a medical condition that may put me at higher risk of severe illness from COVID-19?

Contact Jen Parker to schedule a meeting with our Executive Director and Human Resources

5. If I request an accommodation during a pandemic, can my employer still request information and ask why an accommodation is needed?

Yes. Your employer may ask questions or request medical documentation to determine whether or not an employee has a qualifying disability and if an accommodation is needed.

6. During a pandemic, how much information may an ADA-covered employer request from employees who reports feeling ill at work or who calls in sick?

Based on ADA principles and current CDC guidance regarding COVID-19, employers may ask employees questions about their symptoms to determine if they have or may have COVID-19. Currently these symptoms include, for example, fever, chills, cough, shortness of breath, or sore throat.

7. During a pandemic, may my employer take my temperature to determine whether I have a fever?

Yes. Because the CDC and state/local health authorities have acknowledged community spread of COVID-19 and issued attendant precautions as of March 2020, employers may measure employees' body temperature.

8. Am I allowed to travel during this pandemic?

Yes. However, your employer is responsible for providing a safe and healthy workplace. During the COVID-19 pandemic, nonessential travel is discouraged. Employers may follow the advice of the CDC and state/local public health authorities regarding information needed to permit an employee's return to the workplace after visiting a specified location, whether for business or personal reasons.

9. During a pandemic, may an employer require its employees to wear personal protective equipment (e.g. face masks, gloves) and adopt infection control practices, such as regular hand washing, at the workplace?

Yes. However, if an employee with a disability needs a related reasonable accommodation under the ADA (e.g., non-latex gloves, or gowns designed for individuals who use wheelchairs), the employer should provide these, absent undue hardship.

10. I am 65 years of age or older, do I qualify for accommodations for COVID under ADA?

No. The ADA does not consider age a disability. However, the CDC has identified age 65 as the age when an individual may be more at risk for COVID. As such, the EEOC allows employers to provide flexibility for workers age 65+, such as teleworking, that is not provided to younger employees.

Please click [here](#) for more information regarding COVID-19 and the Americans with Disabilities Act.