

Employment Alert: President Bush Signs ADA Amendments Act of 2008

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On September 25, 2008, President Bush signed the ADA Amendments Act of 2008 ("ADAAA") into law. The ADAAA, set to become effective January 1, 2009, overturns United States Supreme Court decisions that narrowed the scope of the ADA's protection. The law clarifies that the Americans with Disabilities Act of 1990 ("ADA") is intended to provide broad coverage for protecting individuals with disabilities from discrimination. Among other provisions, the ADAAA increases the scope of "major life activities," requires the term "substantially limits" to be construed consistently with Congress's intent of broad coverage under the ADA, and forbids courts from taking mitigating measures into consideration when evaluating whether an individual has a covered disability.

For more information on the ADAAA, see our full-length alert on the topic.

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