

OPINION / GUEST COLUMNIST

In 30 years, ADA has brought welcome changes, but there is still work to be done

'We cannot be complacent.'

By **GERRI L. SPERLING**

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Gerri L. Sperling (Photo by Jen Barker Worley Photography)

Ever since my daughter was born on July 26, 1993, that day has had great significance for my family. We have remarked on how many in our social and family circle share that birth date. And those attending our daughter's bat mitzvah may recall the multiple references to the Rolling Stones songs in my husband's welcome speech at the party, since she was born on Mick Jagger's 50th birthday.

But I did not realize until recently that a law that has had great impact on her life and mine became law exactly three years prior to the day she was born.

President George H.W. Bush signed the federal Americans with Disabilities Act into law on July 26, 1990. As we near the 30th anniversary of this landmark piece of bipartisan legislation, it is fitting to reflect on its accomplishments.

The ADA is a comprehensive federal civil rights law that prohibits discrimination in employment based upon disability and guarantees access to public accommodations to individuals with disabilities. This statute literally opened doors that had been closed for far too long.

As an attorney practicing employment law, I have seen firsthand ADA's impact in the workplace. The ADA prohibits discrimination in employment based upon disability, which is defined as a physical or mental impairment that substantially limits one or more major life activities. Clients who initially conclude that they cannot accommodate an

employee with a disability have engaged in what is called the “interactive process” with the employee to come up with what the law requires; that is, a reasonable accommodation.

An employer has the burden of showing that the proposed accommodation causes an undue hardship. I have repeatedly seen that making a reasonable accommodation for an employee with a disability creates a win-win situation — the employer hires or retains a willing employee, the employee has meaningful employment and the workplace is enriched by inclusion.

The ADA’s public accommodations provisions may have had an even greater societal impact than its workplace provisions. Sections II and III of the ADA require public services and private businesses and other entities to make design and construction alterations to their physical structures or other operations so that their facilities are accessible to those with disabilities. These requirements have enabled individuals with disabilities to partake in basic everyday activities that those of us without disabilities take for granted — riding a bus, going to school, banking, shopping, attending movies and arts and sporting events, and so much more.

On the whole, the Western Pennsylvania Jewish community has embraced the ADA’s mandate. Congregations have worked to ensure that their synagogues and temples are accessible. Many congregations also have implemented measures to make religious services accessible to those with hearing or visual impairments. Bar and bat mitzvah services have been adapted so that children with developmental and cognitive disabilities can experience this meaningful rite of passage.

Our Jewish community has developed organizations and programs to promote inclusion and remove stigma. Children with disabilities can attend the Jewish Community Center’s various camps. Our religious schools have generally welcomed children with disabilities. The Friendship Circle provides wonderful programming for children of all abilities in a completely inclusive environment and employs young adults with disabilities to assist with its programs. Jewish Family and Community Services offers programs that support adults with disabilities in a myriad of ways. Jewish Residential Services, the organization for which I serve as president, exists to assist adults with mental health, developmental and intellectual disabilities live independently with supports through its Supportive Living and Families In Transition programs, as well as to provide vocational rehabilitation services to individuals with certain mental health disabilities through JRS’s Sally and Howard Levin Clubhouse. JRS also has partnered with RespectAbility for disability and inclusion online training. And the Jewish Federation of Greater Pittsburgh is currently researching disability inclusion needs and strategies for serving individuals with disabilities.

But we cannot be complacent. There is still so much work to be done. Although the ADA has accomplished so much to prohibit discrimination and promote inclusion, its mission is not fully accomplished. My daughter and I know firsthand — she has a disability that causes anxiety, sensory issues, and difficulties with social interactions. Her strengths are amazing — she is smart, funny, creative and kind. But certain doors have remained closed to her and her peers in our Jewish community and the world at large.

We need to adhere to the mission and purpose of the ADA as a community and open more doors to inclusion in educational and employment opportunities and social interaction. We need to show Mick Jagger, my daughter’s birthday buddy, that if we try, we can get what we want: a truly inclusive world where individuals are valued for their strengths and not defined by their disabilities. **PJC**

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