

## Legislative Update JUNE 2020\*

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### **ON JUNE 17, 2020, THE U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION ISSUED UPDATED GUIDANCE ENTITLED “WHAT YOU SHOULD KNOW ABOUT COVID-19 AND THE ADA, THE REHABILITATION ACT, AND OTHER EEO LAWS.”**

The U.S. Equal Employment Opportunity Commission (“EEOC”) enforces workplace anti-discrimination laws, including the Americans with Disabilities Act (“ADA”) and the Rehabilitation Act (which include the requirement for reasonable accommodation and non-discrimination based on disability, and rules about employer medical examinations and inquiries), Title VII of the Civil Rights Act (which prohibits discrimination based on race, color, national origin, religion, and sex, including pregnancy), the Age Discrimination in Employment Act (which prohibits discrimination based on age, 40 or older), and the Genetic Information Nondiscrimination Act. Title I of the ADA, which addresses nondiscrimination in employment, applies to private employers with 15 or more employees and to state and local government employers, employment agencies, and labor unions. All nondiscrimination standards under Title I of the ADA also apply to federal agencies under Section 501 of the Rehabilitation Act.

Note: Other Federal laws and State/local laws may provide employees with additional protections.

The following topics are covered in the EEOC’s Technical Assistance Questions and Answers that were updated on June 17, 2020, which can be found at this link: [https://www.eeoc.gov/wysk/what-you-should-know-about-covid-19-and-ada-rehabilitation-act-and-other-eeo-laws?mkt\\_tok=eyJpIjoiTldVME1tRTVZak5tWTJGaiIsInQiOiJjdFoc3ZKS1oxUWh2d1wvQTI MMWdoc0VVdWdwNkpKWkhGempERTBEVUISSmdCZ0dlUnVMVm92RFwveElwWWRjV VNsaStDZVhXR2hkYjJOSTIwVzRzZzljVTZaM0lcL3hRanpOS0lIRnQ2XC9DUFFMK0UrYTI 2bmkyU0RreXFFV2hHNHkifQ%3D%3D](https://www.eeoc.gov/wysk/what-you-should-know-about-covid-19-and-ada-rehabilitation-act-and-other-eeo-laws?mkt_tok=eyJpIjoiTldVME1tRTVZak5tWTJGaiIsInQiOiJjdFoc3ZKS1oxUWh2d1wvQTI MMWdoc0VVdWdwNkpKWkhGempERTBEVUISSmdCZ0dlUnVMVm92RFwveElwWWRjV VNsaStDZVhXR2hkYjJOSTIwVzRzZzljVTZaM0lcL3hRanpOS0lIRnQ2XC9DUFFMK0UrYTI 2bmkyU0RreXFFV2hHNHkifQ%3D%3D)

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|---|---------------------------------------|
| A. Disability-Related Inquiries and Medical Exams   | F. Furloughs and Layoffs              |
| B. Confidentiality of Medical Information   | G. Return to Work                     |
| C. Hiring and Onboarding  | H. Age                                |
| D. Reasonable Accommodation   | I. Caregivers/Family Responsibilities |
| E. Pandemic-Related Harassment Due to National Origin, Race, or Other Protected Characteristics | J. Pregnancy                          |

Source: EEOC

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