

The federal and anti-discrimination statutes must be considered by employers in all aspects of employee relations. It is important to keep up to date on legal changes. Also, many laws must be interpreted in context with one another. For example, various statutes concerning employees injury, illness and disability must be addressed on a case by case basis.

1. Considering the broadened scope of the definition of “disability” under the ADAAA, the review of leave policies, procedures and job descriptions is critical.
2. Ensure all of your sick and disability leaves run concurrently in not only your policies, but also in your collective bargaining agreements.
3. Because of the ADAAA’s broadened scope, HR must consider the heightened interplay among all of your leave policies – workers’ compensation, long and short term disability, FMLA and the PDA.
4. Caution in approval and/or characterization of a physical or mental condition is mandated.
5. Ensure dovetailing of policies, procedures and job descriptions.