Over the past 30 years, the Americans with Disabilities Act (ADA) has improved communication access for people who are deaf, deafblind and hard of hearing. However, gaps and barriers to communication access still exist in a wide variety of settings.

The Deaf and Hard of Hearing Services Division developed this fact sheet on how ADA applies to people with hearing loss in employment settings, accessing state and local government services, and in public spaces.

**ADA Title I: Employment**

Title I of the ADA focuses on employment. It says that any employer with 15 or more employees cannot discriminate against employees or job applicants because of a disability. This includes:

- The job application process
- Deciding who to hire
- Deciding to fire an employee
- Deciding who gets promoted
- Deciding how much to pay an employee
- Offering job training

Employers can reduce barriers and potential for discrimination against deaf, deafblind and hard of hearing applicants or employees by:

- Providing a qualified interpreter or captioning for a job interview, if requested.
- Accepting video relay calls for phone interviews.
- Arranging interpreters or captioning for required job training.
- Not considering hearing loss as a factor when decided to hire, promote or dismiss an employee.
- Not asking an employee to provide their own interpreters or captioning, or otherwise cover the cost.

**To whom does Title I apply?**

Title I of the ADA applies to all employers with 15 or more employees, including:

- Private business owners
- State and local governments
- Employment agencies
- Labor unions
- Non-profit businesses
- Health care providers
- Educational organizations

**Learn more about Title I**

Employers who provide ADA accommodations benefit from the unique skills, knowledge and experience people who are deaf, deafblind and hard of hearing bring to the table.

To learn more about resources available to help employers meet ADA requirements, employers can visit DHHSD’s website. The [Employer resources page](http://www.state.mn.us) offers links and handouts that explain how to provide communication access.
ADA Title II: State and Local Government

Title II of the ADA focuses on access to state and local government services. It says state and local governments cannot discriminate against individuals who have a disability when providing services, programs and activities.

Barriers often occur when state and local governments do not plan for a variety of access needs that include people who are deaf or hard of hearing. State and local government programs, services and activities can reduce barriers by:

- Offering qualified interpreter services, captioning and/or assistive listening devices for public announcements, forums, press conferences or community information sessions.
- Ensuring access to state or local government services through video or telecommunications relay services.
- Arranging interpreters and captioning for services, training or educational programs.

To whom does Title II apply?

Title I of the ADA applies to all state and local governments, including:

- State government agencies
- State government offices
- School districts, including community education program
- Health care run by state and local government
- Courts
- Public transit agencies
- City councils
- City government offices
- Township offices

ADA Title III: Public accommodations

Title III focuses on public places. It says places that are open to the public cannot discriminate against individuals who have a disability.

Barriers often occur when public places do not include people who are deaf or hard of hearing when planning their service delivery.

Public places can reduce barriers faced by people who are deaf, deafblind and hard of hearing in accessing services by:

- Providing alternate ways to access spoken or auditory information.
- Offering captions or interpreters for performances or movies.
- Including visual access to emergency alerts, such as fire alarms.

Where does Title III apply?

Title III of the ADA applies to all businesses that serve the general public, including:

- Restaurants
- Hotels
- Theaters
- Doctor’s offices
- Retail stores
- Museums
- Libraries
- Parks
- Private schools
- Day care centers
- Funeral homes
Reduce barriers by providing accommodations

As the ADA has encouraged more inclusion, many employers, state and local governments, and public places have built access into their everyday practices, reducing the barriers. These practices include:

- Offering assistive listening devices for museum tours. Assistive listening devices eliminate background noise, and help people who are hard of hearing control the volume and clarity of the speaker’s voice.
- Including captions when showing movies. This includes free events like movies in the park and ticketed events at movie theaters.
- Using alerts that can be seen and heard. A good example is Driver and Vehicle Services. When they call the next number for service, they also show it on the displays around the waiting area.
- Providing American Sign Language interpreters for a wide variety of services, performances and public events.
- Including instructions for requesting an American Sign Language interpreter or other accommodation(s).

Different solutions for different needs

When it comes to planning accommodations, keep in mind that more than one solution may be needed.

- People whose native language is American Sign Language (ASL) may need an ASL interpreter for effective communication access.
- People who are late deafened may need captioning for effective communication access.
- People who are deaf, deafblind or hard of hearing and use a language other than English or ASL may need other accommodations.
- People who are deafblind or have combined hearing and vision loss may need large print or braille materials or a tactile ASL interpreter.

Ask the person requesting an accommodation what their needs are.

Learn more about providing ADA accommodations

If you are an employer, state or local government entity or provide public accommodations, you can learn more about resources for providing access, including assistive listening devices, captioning and American Sign Language interpreters through:

Deaf and Hard of Hearing Services Division’s website (mn.gov/deaf-hard-of-hearing).

U.S. Department of Justice Civil Rights Division’s Americans with Disabilities Act website (ada.gov).
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