

Corporate & Financial Weekly Digest

March 9, 2012 by [Steven G. Eckhaus](#)

EEOC Issues ADA Guidance for Employers on the Rights of Veterans with Disabilities

Co-authored by [Evan A. Belosa](#).

Each year, veterans leave the armed services and enter or re-enter the job market. The U.S. Equal Employment Opportunity Commission (the EEOC) estimates that 25% of veterans returning from the Middle East conflicts will have a service-connected disability. Recognizing the importance of assuring returning veterans a level playing field at home, on February 28, the EEOC issued Q&A guides for employers and for veterans, serving as reminders that veterans with disabilities are covered by the Americans with Disabilities Act (the ADA), and the Americans with Disabilities Act Amendments Act of 2008.

The employers' guide offers employers a practical guide to the recruitment, hire, and accommodation of veterans with disabilities. For example, the guide answers questions such as: what does the ADA require, and when is it applicable? It further answers questions such as: can an employer ask if an applicant is a disabled veteran; and can an employer give preferential treatment to a veteran with a disability? The guide outlines actions employers can take to prevent employment-based discrimination against veterans from occurring, how to provide reasonable accommodations, specific steps to take if an employer desires to recruit and hire veterans with disabilities, and finally, supplies information on laws and regulations that employers may find helpful if they intend to recruit and hire veterans with disabilities.

While the guide does not have the force of law, the EEOC guidance expresses the agency's view on the subjects stated. Employers therefore have a strong interest in understanding the policy.

The EEOC guidance can be found [here](#).