

PUBLICATION

ADA Amendments Act of 2008 Enacted

October 8, 2008

In the midst of the proposed economic legislation being negotiated and passed in Washington, D.C., the ADA Amendments Act of 2008 (the Act) was enacted into law. At a small White House ceremony on Thursday, September 25, 2008, President Bush signed S. 3406, the ADA Amendments Act. The U.S. House of Representatives had accepted the Senate version of the Act the prior week, sending it to the President for signature. As we reported in our September 19 Alert, the Act will significantly expand the definition of "disability" under the ADA, limiting consideration of mitigating measures in determining whether a person is disabled under the ADA. This will result in ADA protection extending to a large number of employees who would not have been considered disabled under the prior construction of the ADA.