

## **FILING A COMPLAINT**

Victims of disability based discrimination may be entitled to lost wages, back pay, reinstatement, compensatory damages, punitive damages, and other forms of compensation and relief.

If you believe that you have been discriminated against under Palm Beach County's Equal Employment Opportunity Ordinance or Title I of the Americans with Disabilities Act, you should call, write or visit the Office of Equal Opportunity at the address below.

Under Palm Beach County's Equal Employment Opportunity Ordinance complaints must be sworn, in writing, and received by the Office of Equal Opportunity within 180 days of the date of the most recent alleged discrimination.

**Note:** There are longer filing periods for complaints filed with either the U.S. Equal Employment Opportunity Commission (300 days) or with the Florida Commission on Human Relations (365 days).

*For information, assistance  
or to file a complaint, contact:*

### **Palm Beach County Office of Equal Opportunity**

**Governmental Center**  
301 North Olive Avenue  
10th Floor  
West Palm Beach, FL 33401

**TEL: (561) 355-4883**

**FAX: (561) 355-4932**

**TTY/TTD: (561) 355-1517**

**[www.pbcgov.com/equalopportunity](http://www.pbcgov.com/equalopportunity)**



**Palm Beach County  
Board of County Commissioners**

# ***The Law***

# ***Prohibits***

# ***Discrimination***

# ***Against a Person***

# ***With a Disability***

# ***in Employment***



**Palm Beach County  
Office of Equal Opportunity**

**Pamela Guerrier  
Director**

In accordance with ADA provisions, this brochure may be requested in an alternate format. Please call (561) 355-4883.

## **WHAT CONDUCT IS PROHIBITED?**

Palm Beach County's Equal Employment Ordinance (Ordinance 95-31) and Title I of the Americans with Disabilities Act of 1990, prohibit private employers, state and local government, employment agencies and labor unions from discriminating against qualified individuals with disabilities. Discrimination is prohibited in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions and privileges of employment. Under the law, an individual with a disability is a person who:

- Has a physical or mental impairment that substantially limits one or more major life activities;
- Has a record of such impairment; or
- is regarded as having such an impairment.

## **WHAT IS MEANT BY “REASONABLE ACCOMMODATION”?**

A qualified employee or applicant with a disability is an individual who, with or without reasonable accommodation, can perform the essential functions of the job in question. Reasonable accommodation may include, but limited to:

- Making existing facilities used by employees readily accessible to and usable by persons with disabilities;
- Job restructuring, modifying work schedules, reassignment to a vacant position;
- Acquiring or modifying equipment or devices, adjusting or modifying, examinations, training materials, or policies, and providing qualified readers or interpreters.

An employer is required to make an accommodation to the known disability of a qualified applicant or employee, if it would not impose an “undue hardship” on the operation of the employer's business. Undue hardship is defined as an action requiring significant difficulty or expense when considered in light of factors such as the size of the employer's business, the employer's financial resources and the nature and structure of its operation.

An employer is not required to lower quality or production standards to make an accommodation, nor is an employer obligated to provide personal use items, such as eyeglasses or hearing aids.

## **MEDICAL EXAMINATIONS AND INQUIRIES**

Employers may not ask job applicants about their existence, nature or severity of a disability. Applicants may be asked about their ability to perform specific job functions. A job offer may be conditioned on the results of a medical examination, but only if the examination is required for all entering employees in similar jobs. Medical examinations of employees must be job related and consistent with the employer's business needs.

## **DRUG AND ALCOHOL ABUSE**

Employees and applicants currently engaging in illegal use of drugs, are not covered by either the ADA or Palm Beach County's Equal Employment Ordinance, when an employer takes an employment action on the basis of such use. Tests for illegal drugs are not subject to the laws' restrictions on medical examinations. Employers may hold illegal drug users and alcoholics to the same performance standards as other employees.