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Legal Resources for Employers: Mature Worker Initiatives

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(1) Federal Regulations Discussing Medical Examinations and Inquiries Under the ADAAA:

29 CFR § 1630.13 Prohibited Medical Examinations and Inquiries

29 CFR § 1630.14 Medical Examinations and Inquiries Specifically Permitted.

(2) Guidance from the U.S.EEOC, and Wisconsin ERD::

- a. Enforcement Guidance: Unlawful Disparate Treatment of Workers with Caregiving Responsibilities (2011).
Currently located at:
<http://www.eeoc.gov/policy/docs/caregiving.html>
- b. Employer Best Practices for Workers with Caregiving Responsibilities. (2007)
Currently located at:
<http://www.eeoc.gov/policy/docs/caregiver-best-practices.html>
- c. EEOC Enforcement Guidance on the Americans with Disabilities Act and Psychiatric Disabilities. (March 1997)
Currently located at:
<http://www.eeoc.gov/policy/docs/psych.html>
- d. ADA Enforcement Guidance: Pre-Employment Disability-Related Questions and Medical Examinations. (October 1995).
Currently located at:
<http://www.eeoc.gov/policy/docs/preemp.html>
- e. Enforcement Guidance on Disability-Related Inquiries and Medical Examinations of Employees Under the Americans with Disabilities Act (ADA) No. 915.002 - 7/27/00.
Currently located at:
<http://www.eeoc.gov/policy/docs/guidance-inquiries.html>

- f. Questions and Answers: Enforcement Guidance on Disability – Related Inquiries and Medical Examinations of Employees under the Americans with Disabilities Act (ADA).

Currently located at:

<http://www.eeoc.gov/policy/docs/qanda-inquiries.html>

- g. State of Wisconsin / Department of Workforce Development / Equal Rights Division Pamphlet / Wisconsin Fair Employment Law, #4 in a Series, Persons With Disabilities on the Job

Currently located at:

https://dwd.wisconsin.gov/dwd/publications/erd/pdf/erd_7899_pweb.pdf

(3) Accommodations:

Employers' Practical Guide to Reasonable Accommodation Under the Americans with Disabilities Act.

Currently located at:

<https://askjan.org/ErGuide/ErGuide.pdf>

(4) Example: Journal article on Diabetes and the Workplace

Kathy Butler, JD, Des Schatz, MD, and Katie Hathaway, JD: Workplace Checkup: Keeping Patients With Diabetes Employed and Safe on the Job. *Diabetes Advocacy* 32:44-48, 2014

Link to article

<http://clinical.diabetesjournals.org/content/32/1/44.full.pdf+html>