

Some Differences Between Section 504 and the Americans with Disabilities Act (ADA)

AREA	SECTION 504	ADA
Scope	Applies to recipients of federal financial assistance only.	Applies to employment, public services, transportation, and public accommodations, regardless of whether federal funding is received.
Coverage	Covers “qualified individuals with handicaps.”	Covers “qualified individuals with disabilities,” and qualified non-disabled people related to or associated with a disabled person.
Health and Safety	Does not protect people with contagious diseases or alcoholics whose condition would threaten the health or safety of others.	Direct threat standard applies to all conditions, not just contagious diseases or alcoholism. In employment, applies to threat posed to others and the individuals themselves.
Site-Specific Factors	Not addressed by Section 504.	Relationship between local facility and parent company considered in determining undue hardship.
“Readily Achievable”	Not addressed by Section 504.	Public accommodations must remove architectural and communication barriers if removal is “readily achievable.”
Self-Evaluation and Coordinator	All recipients of federal assistance must conduct a self-evaluation and name a Section 504 coordinator.	Required only of state and local governments, regardless of whether federal funding is received.
Health Insurance	Federal funds recipients must change health insurance company if employee policy does not cover disabilities.	Employers must provide equal benefits to disabled employees, but are not required to change insurance carrier.
Written Job Description as Evidence of Essential Job Functions	Not addressed by Section 504.	Allows written job description to be considered evidence of essential job functions.