

# Disability Discrimination

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## **Discrimination based on disability is illegal in Minnesota**

Under the Minnesota Human Rights Act, disability is a “protected class.” And it is illegal to treat you differently because of your disability in:

- Employment
- Housing
- Public accommodations
- Public services
- Education
- Credit
- Business

These are called “protected areas.” There are some exceptions about how disability is covered under the Minnesota Human Rights Act.

## **What is a disability?**

A person has a disability if:

- he or she has a physical, sensory—blindness or deafness, for example—or mental impairment. This impairment “materially interferes” with—it largely gets in the way of—a major life activity; or
- he or she has a record of this kind of impairment; or
- he or she is recognized as having this kind of impairment.

Not every injury or illness amounts to “disability” under the Minnesota Human Rights Act.

## **Examples of what could be discrimination based on disability**

Unfair treatment based on disability happens a lot. But not every unfair act is illegal. Here are some examples of what could be disability discrimination:

- Police arrest a deaf man and refuse to provide an interpreter to allow him to communicate with them.
- The people you work with call you bad names and harass you because you have speech impairment. This happens every day. Your boss knows about it but does nothing.
- A restaurant refuses to make a simple and inexpensive adjustment that would make its entrance accessible for people in wheel chairs.
- Your boss treats you much worse than other employees because you have a disability.

## Reasonable Accommodations

People with disabilities are entitled to “reasonable accommodation.” This ensures the services and settings in protected areas are “accessible”—easy to get to—for people with disabilities.

A “reasonable accommodation” is an adjustment that is made to make it possible for a person with disabilities to use the business, school, transportation, or other services these places offer. The accommodation must be “reasonable.” It cannot make a workplace unsafe, for example, or cost more than the business can afford.

### Examples of what could be reasonable accommodations

An accommodation can be many things. Here are some examples of what a person with a disability might need, and what might be reasonable for a business, employer, or other place to provide:

- An employer redesigns workspace to make it easier for a blind employee to do what is required for the job.
- An employer makes minor changes to job duties or adjusts the work schedule for a mentally disabled employee.
- Buses have special equipment to allow people who use wheelchairs to get on and off the bus.
- A government health service provides sign language interpreters for people who have a speech or hearing disability.
- A restaurant makes its building easier to get to by making a wheelchair ramp.

These places have some flexibility in working out how to accommodate the needs of a person with a disability. The accommodation cannot cause “undue hardship.” Undue hardship means the cost of the adjustment would be much more than the business, employer, school, or other place could afford.

## What to do

If you think you are a victim of discrimination:

- Write down what happened to you if you think it was unfair.
- Write down the dates when the unfair treatment happened.
- Write down the names of other people that were there.
- Write down what the people who were there said.

### Do not wait!

Sometimes it is hard to say what is discrimination and what is not discrimination—every situation is different. But if you think you are a victim of discrimination, do not wait. Contact the Minnesota Department of Human Rights immediately. You have one year after the discrimination happened to file a complaint.

## How to Contact Us

### **We take phone calls Monday through Friday, 8:00 am to 4:30 pm**

Phone: 651-539-1100 (TTY 651-296-1283); Toll free: 1-800-657-3704

### **You do not need an appointment to visit our office**

We accept walk-ins from 9:00 am to 4:00 pm, Monday through Friday.

### **Our address**

Minnesota Department of Human Rights  
Freeman Building  
625 Robert Street North  
Saint Paul, MN 55155

### **Email address**

info.MDHR@state.mn.us

*If you are emailing the department about filing a charge of discrimination and do not receive a reply within five business days, please contact our intake unit by phone at 651-539-1100 (TTY 651-296-1283) or Toll Free at 1-800-657-3704.*

### **Getting an interpreter**

Interpreters may be available to communicate with our office. Call us and say, “I need a (say your language here) interpreter.”

*This document is not a complete answer to disability discrimination under the Minnesota Human Rights Act.*