

discrimination for all citizens of the United States. Proponents of the Act argue that it will make significant cuts in the \$60 billion that the United States spends to support disabled persons who receive various types of social assistance. It was calculated that eight million Americans with disabilities want to work but cannot gain employment as a result of social and economic barriers. Supporters of the legislation can point to estimates that the cost of modifications will be small compared to the economic benefits that will accrue from increased tax revenues and savings in social assistance costs. A study by the American Department of Labour, published in 1982, found minimal costs would accommodate most disabled persons who want to enter the labour force. The cost of one-third of the accommodations would be between \$100 and \$500.

The second element of the ADA's appeal comes from its place in the mainstream of the American political tradition. Consistent with the historic political philosophy of the United States, the legislation reflects the central place of equality of opportunity for the individual, as an American social and economic objective. Accordingly, as far as employment is concerned, the aim of the Act is to provide equality of opportunity *to an individual*. In short, the ADA adopts the viewpoint of disabled persons themselves. The Act treats them as autonomous citizens with the right to live independently and to make their own unique contribution.

The concepts of accountability and enforcement are built into the Act. Not only are there deadlines to develop standards in employment, transportation and public accommodations but there will be significant penalties for non-compliance. In Canada, the general phraseology of regulations has too often led to court interpretations that erode their effectiveness. Although individual Americans can still proceed through complaints and litigation, departments and agencies of the U.S. government will be obligated to enforce clearly-written regulations, with specific standards and both of these come into effect on a date that is known in advance. By publishing the regulations in advance of their effective date, employers or businesses who must make modifications have the time to prepare.

Canadians can learn from the range of measures included in the ADA. Accommodation, for example, is required unless undue hardship would result in order to enable disabled persons to perform the "essential duties" of the job. As part of an employer's obligation to accommodate, the Act refers to restructuring work, part time work, re-assignment of duties, assistive devices and services, as well as training. The concept of "undue hardship" will be based on cost and will be subject to standards developed by a federal agency (The Equal Employment Opportunities Commission).

It is important to note the role that disabled persons have played in developing and in lobbying for the legislation. Disability rights organizations have used federal funds for human rights education to go to the grass roots, to identify local leaders and to forge a