

Inclusive Hiring Toolkit

Leadership Council-Exclusive Resource



The ADA prohibits employers (with fifteen employees or more) from discriminating against qualified individuals based on disability during every stage of employment. An inclusive recruiting process ensures ADA compliance and creates a positive first impression to all prospective employees, illustrating your commitment to an equitable workplace.

To make your interview process more inclusive, ensure all recruiters and talent acquisition personnel are trained to:

Step 1

Understand how the ADA protects job applicants with disabilities.

The ADA protects an individual's right to seek employment opportunities based on qualification without being barred by disability status. To be protected by the ADA, one must have a disability or be a caregiver to an individual with a disability. An individual with a disability is defined by the ADA as a person who:

- EITHER** Has a physical or mental impairment that substantially limits one or more major life activities,
- **OR** has a history or record of such an impairment,
- **OR** is perceived by others as having such an impairment.

Examples of disabilities include, but are not limited to, cancer (past or present), diabetes, gastrointestinal disorders, mental health conditions, and neurodivergence.



Step 2

Only ask questions permitted under the ADA.

To prevent discrimination based on disability, the ADA prohibits employers from asking questions that may reveal an applicant's disability status.

An employer **can ask** if a prospective employee can satisfy the requirements necessary for performing a job function.

DO ASK

- Are you available to work [specific days/hours] required for this position?
- Do you have any certifications or licenses required for this job?
- How would you handle [specific job-related situation]?
- How have you successfully handled [specific job-related task] in previous roles?

An employer **cannot ask** if a prospective employee has a disability or ask questions about the disability.

DO NOT ASK

- Can you tell me about your disability?
- How does your disability impact your work?
- How many sick days did you take in your previous job?
- Have you ever been injured on the job?

Action Step

Train all interviewers on which questions are not permitted under the ADA. Additionally, provide guidance on how to respond appropriately if a candidate discloses their disability status.

Step 3

Offer appropriate accommodations throughout the interview process.

Employers are required under ADA to provide reasonable accommodations for prospective employees throughout the interview process. A reasonable accommodation should not be an undue hardship for the employer.

Action Step

Explain how to apply for accommodations to **all** applicants early in the process, providing the opportunity to identify needs and to request accommodations necessary to complete the process.

Step 4

Write inclusive job descriptions.

A job description is a tool candidates use to assess their ability to meet requirements before they apply. However, these descriptions often lack the details to help candidates with disabilities understand the role or may include information that unintentionally discourage people with disabilities from applying.

Action Step

Differentiate a job's Essential Skills (skills critical to perform the job) from Marginal Skills (skills that are good to have but not essential). Ensure that all requirements marked as essential are genuinely necessary for the role to prevent discouraging candidates with disabilities from applying.

Action Step

Review all job descriptions and determine if they include the following elements to help candidates assess the role:

- **Work Environment** — Is it bright? Dark? Noisy? Quiet?
- **Physicality** — Will someone be expected to lift heavy items? Will they be required to stand or sit for large portions of the day?
- **Schedule and Location** — Will flexible hours and remote work be allowed?

NOD recommends implementing annual, mandatory training on interviewing and recruiting procedures that are inclusive of people with disabilities.

It is critical that people with disabilities are treated with the same respect as all other applicants. Training recruiters to conduct productive interviews and cultivate accessible interview environments will foster fruitful conversation and lead to meaningful, more inclusive workplaces.

Interested in digging deeper? NOD's *Interviewing and Managing Employees with Disabilities* interactive learning session will enhance your hiring process and provide inclusive workforce training. Contact your Relationship Manager to discuss pricing and get started.

[Learn More](#)

