



# County Technical Assistance Service

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## Disability-Related Inquiry

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Dear Reader:

The following document was created from the CTAS electronic library known as e-Li. This online library is maintained daily by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other e-Li material.

Sincerely,

The University of Tennessee  
County Technical Assistance Service  
226 Capitol Blvd. Suite 400  
Nashville, TN. 37219  
615-532-3555 phone  
615-532-3699 fax  
[ctas@tennessee.edu](mailto:ctas@tennessee.edu)  
[www.ctas.tennessee.edu](http://www.ctas.tennessee.edu)

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## Disability-Related Inquiry

**Reference Number:** CTAS-2024

A disability-related inquiry is a question or series of questions that result in information about a disability.

Questions to avoid include—

- Asking if the person has or ever had a disability.
- Asking a person how he/she became disabled and the severity of the disability.
- Asking a person to provide medical documentation about a disability.
- Asking co-workers, family members or friends about an employee's disability.
- Asking about genetic information.
- Asking about worker's compensation claims.
- Asking about drugs and medications currently being taken or taken in the past.
- Asking broad questions about impairments that result in information about a disability.

Any question that does not elicit information about a disability is not prohibited under the ADA. Questions such as—

- Asking about an employee's well being, a cold, a divorce, etc.
  - Asking about nondisability-related impairments.
  - Asking an employee if he/she can perform the job functions.
  - Asking an employee if he/she has been drinking or has been using drugs.
  - Asking for contacts/phone numbers in case of a medical emergency.
  - Asking a pregnant employee when the baby is due....make sure the employee is pregnant before asking this question.
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**Source URL:** <http://eli.ctas.tennessee.edu/reference/disability-related-inquiry>

