

### Question:

Are depression and anxiety considered disabilities?

### Answer from Kyle, PHR:



They can be, yes. Under the Americans with Disabilities Act (ADA), an individual with a disability is a person who:

- Has a physical or mental impairment that substantially limits one or more major life activities;
- Has a record of such an impairment; or
- Is regarded as having such an impairment.

The ADA prohibits private employers, state and local governments, employment agencies and labor unions from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions, and privileges of employment.

If an employee informs you that they have anxiety or depression (or any other medical condition) and requests an accommodation, you should begin the interactive process to see what, if any, reasonable accommodations you can provide. As part of the interactive process, we recommend that you ask for documentation from a medical provider via a medical inquiry form (we have one in the HR Support Center). This should provide you with information about whether the employee meets the criteria for being disabled, as well as the nature and duration of any necessary accommodations.