

	<b>ADA</b>	<b>FMLA</b>	<b>WC</b>
<b>Covered Employers</b>	15 or more Employees	50 or more employees in a 75 mile radius	1 employee
<b>Eligible Employees</b>	All	Employee has worked 12 months and 1250 hrs	All
<b>Health Condition Trigger</b>	Impairment that substantially limits a major life activity	1. Serious health condition of self or family member 2. Birth or adoption of child	Illness or injury during course of employment
<b>Ability to Work</b>	Must be able to perform essential functions of job for ADA protection	Health condition must keep employee from performing essential functions	Some level of incapacity to receive benefits
<b>Leave Requirements</b>	Only if it is a reasonable accommodation that does not cause an undue hardship	12 weeks of job protected leave in a 12 month period	If employee is temporarily or permanently disabled
<b>Intermittent Leave?</b>	Only if it is a reasonable accommodation that does not cause an undue hardship	Yes	Yes - if required by doctor
<b>Medical Certification</b>	Yes	Yes	Yes
<b>Benefits During Leave</b>	Can't discriminate	Must maintain same as before leave	No Requirement
<b>Reinstatement</b>	Reasonable Accommodation Test	Must return to same or equal job	Bickers v. W&S
<b>Light Duty</b>	Reasonable Accommodation Test	No; Can't require employee to shorten leave for light duty	No obligation, but you can have light duty
<b>Notice to Employee</b>	Required to start clock	Not required	Not required

