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Table of Contents

If you're viewing this document online, you can click any of the topics below to link directly to that section.

Employment of People with Disabilities. ERIC Digest.....	1
THE AMERICANS WITH DISABILITIES ACT.....	2
WORKERS WITH DISABILITIES AND THE LABOR MARKET.....	3
DISCLOSURE OF DISABILITIES.....	4
WORKPLACE ACCOMMODATIONS.....	4
JOB MATCHING.....	5
CONCLUSION.....	5
REFERENCES.....	5



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Successful employment remains a critical issue for people with disabilities, although legislative mandates and a gradual change in attitudes across our culture have brought

about some improvement. The Americans with Disabilities Act of 1990 has clarified the legal rights of both individuals with disabilities and employers; at the same time, however, both groups still face important issues in employment, such as the disclosure of disabilities and the provision of reasonable workplace accommodations. Likewise, successful employment experiences require a match between the skills of individuals with disabilities and the skills needed for jobs.

THE AMERICANS WITH DISABILITIES ACT

Federal legislation addressing people with disabilities began with the National Civilian Vocational Rehabilitation Act of 1920. The Americans with Disabilities Act (ADA) of 1990 prohibited discrimination and mandated accommodations in multiple dimensions of the lives of people with disabilities (Hotchkiss 2003). ADA holds all companies with 15 or more employees to a single standard in the employment and accommodation of workers with disabilities (Schall 1998). A "triple standard" of qualification under ADA is intended to balance the interests of both individuals and employers: whether the individual can perform (1) the ESSENTIAL FUNCTIONS of the job with (2) a REASONABLE ACCOMMODATION and without causing (3) UNDUE HARDSHIP to the employer. The ADA defines terms as follows (Latham and Latham 1997):

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* Disability: physical or mental impairment that substantially limits one or more major life activities of the individual

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* Qualified Individual with a Disability: person who meets legitimate skill, experience, education, or other requirements of an employment position held or sought and who can perform the position's essential functions with or without reasonable accommodation

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* Reasonable Accommodation: any modification or adjustment to the work environment or job that will enable a qualified job seeker or job holder with a disability to apply or to perform essential functions; includes adjustments to ensure a qualified individual has equal rights and privileges

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* Essential Function: a function that is necessary for the performance of the job

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* Nonessential Function: a function that may be marginal, modified, eliminated,

transferred, or reassigned

Under ADA, individuals are considered disabled if they have a disability, have a record of impairment, or are regarded as having an impairment. Major life activities are things an average person can do with little or no problem (e.g., walking, speaking, working, learning). Covered employment practices include recruitment, hiring, training, pay, benefits, promotions, leave, job layoffs, and firing.

WORKERS WITH DISABILITIES AND THE LABOR MARKET

Hotchkiss (2003) analyzed Current Population Survey data to investigate the status of disabled workers (i.e., workers with a disability as defined in ADA) in the labor market 10 years after the passage of ADA. She found that workers with disabilities, taken as a group, were about 6 years older than other workers, worked about 4 fewer hours per week, and were more likely to be single and less likely to have a college degree. Before ADA, persons with disabilities were less likely to participate in the labor force or to be employed. After ADA, the discrepancy increased; however, controlling for labor force participation, the relative employment rates of persons with and without disabilities remained constant. Workers with disabilities were more likely than other workers to be employed in large firms. Although wages among all workers with disabilities, as a group, declined in comparison to those of other workers, the wages of ADA-covered workers with disabilities did not experience such a decline. Part-time employment increased for workers with disabilities, primarily due to an increase in voluntary part-time employment, especially among workers with mental disorders. Workers with disabilities continued to be disproportionately represented in low-growth, low-wage occupations, although somewhat less so than before the passage of ADA. Compared to other workers, workers with disabilities were more likely to experience voluntary job separation and less likely to experience involuntary separation and, on average, spent 3 weeks longer in job searches.

Rojewski (1999) analyzed 1996 data from the National Education Longitudinal Study:1988 on 11,178 participants 2 years after high school completion, including 441 young adults with learning disabilities (LD) and 10,737 without. LD participants had lower graduation rates, aspired to less prestigious occupations, were less likely to be enrolled in postsecondary education, and were more likely to be employed. Disabilities were associated with lower rates of working or being in the labor force but not with lower postsecondary participation--high educational aspirations in grade 12 and completion of an academic or college prep high school program were both predictors of 2-year postsecondary status for all students; disabilities were not. Similarly, Goldstein, Murray, and Edgar (1998) conducted annual telephone interviews over 5 consecutive years to gather post-high-school status information on earnings and hours worked per week of graduates with and without LD from three large midwestern U.S. school districts. In the first 5 years following graduation, graduates with LD had higher annual earnings and

worked more hours per week, whereas the reverse was true in the second 5 years after graduation--presumably reflecting the higher likelihood that those without disabilities were more likely to participate in postsecondary education immediately or soon after high school. In addition, students with LD were less likely to participate in any form of postsecondary education or to have graduated from any postsecondary program 10 years after graduation (Murray et al. 2000). However, that lesser likelihood did not seem to matter much: there was little relationship between the postsecondary education status of students with LD and either their employment or their earnings.

DISCLOSURE OF DISABILITIES

Under ADA, it is the individual's right to choose when or even whether to disclose his or her disability or any related information; however, employers cannot be expected to provide reasonable accommodation for a disability that has not been disclosed (Payne 1997). Kerner and Kucinski (1998) advised disclosure of disability before an interview only when the disability required accommodation for the interview itself and disclosure only after a job offer was received when accommodation is required for performance of essential job functions. ADA prohibits employers from asking about disabilities before employment, although they may ask for medical information and information on qualifications (Colorado Career Web 2001). Employers can request a preemployment medical examination after making a conditional job offer to the applicant--if all applicants are subject to the same examination. Job seekers were advised to script and rehearse disclosure of disability, minimizing medical terms, omitting their history of medical treatment, and describing the disability briefly with stress on strengths and willingness to improve and ability to perform with or without accommodations.

WORKPLACE ACCOMMODATIONS

Reasonable accommodations for workers with disabilities can range from simple to complex and cheap to expensive (Colorado Career Web 2001; Kramer 2001; Latham and Latham 1997; Payne 1997); accommodations allow the worker with disabilities to perform the essential functions of the job and hence depend on the worker's disability and its effect on performance of essential job functions. Accommodations may include providing written, step-by-step instructions for job tasks; flexible work and leave schedules; rearrangement of work stations for accessibility; alternative keyboards, voice recognition software, and mobility or ergonomic assistive devices. A wealth of information on reasonable accommodations is available at three websites, among other sources:



* The Job Accommodation Network <http://www.jan.wvu.edu> is a free service offered by the Office of Disability Employment Policy of the U.S. Department of Labor that provides information and consulting on job accommodations, self-employment and small business opportunities, and related subjects to employers, people with disabilities, and

others.



* The Office of Disability Employment Policy of the U.S. Department of Labor provides fact sheets and other publications <<http://www.dol.gov/odep/pubs/publicat.htm>> on a range of employment issues for people with disabilities, including job accommodations.



* DisabilityInfo.Gov <http://www.disabilityinfo.gov/employment> is a comprehensive federal website of disability-related government resources; it provides information on job accommodations and identifies resources for technical assistance.

JOB MATCHING

A recurring theme in employment of people with disabilities is the need to match the individual's skills with employer needs. Describing the Marriott Foundation's "Bridges...from School to Work" program, Donovan and Tilson (1998) reported that successful employment outcomes depended on the synergy of matching needs with capabilities, with the employer's needs coming first. Hotchkiss (2003) theorized that workers with disabilities and employers may both put greater effort into matching worker skills with job requirements; Hotchkiss called for strengthened mechanisms to help both groups find appropriate matches between jobs and skills. Similar matching of individuals' skills and interests with appropriate jobs was a feature of an exemplary school-to-work program (PROJECT FORWARD 1997), and Rademacher and Taymans (1998) described how environmental supports can increase the match between the skills of adults with LD and jobs. Hughes and Kingsford (1997) advocated work sampling, a form of occupational exploration in which individuals with disabilities receive brief exposure to different jobs, both to identify individuals' skills and to help them identify appropriate jobs.

CONCLUSION

With its definitions of individuals' and employers' rights and obligations, ADA is not only a mandate but also a statement of our moral and ethical values as a culture (Hotchkiss 2003). However, individuals with disabilities continue to enjoy less positive employment experiences overall than their peers. Persons with disabilities and employers must apply ADA's "triple standard" of reasonable accommodations for performing essential job functions without undue hardship in practice to find individuals that match jobs and jobs that match individuals.

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