

Diversity

READY, WILLING AND DISABLED

Twenty-five years after the Americans with Disabilities Act became law, unemployment remains high among people with disabilities. What can employers do?

By Mike Ramsey


When aeronautical engineer John MacGuire broke his back in a plane crash more than 20 years ago, he never doubted that he would go back to work—and neither did his bosses.

“What I’ll say about the Lockheed Martin culture is that we’re problem-solvers here,” says MacGuire, 59, who works for the defense contractor in Fort Worth, Texas. “When I got back to work, my desk was already raised up high enough for the wheelchair to get under,” he recalls. An electronic door opener had been installed so he could enter the area where he worked.

MacGuire’s experience is a wonderful story about inclusion in the U.S. workplace. Unfortunately, it’s still fairly unique.

The annual unemployment rate for people with disabilities has been in the double digits since 2009, when the U.S. Bureau of Labor Statistics first began tracking the statistic. The monthly jobless rate among this group was 10.4 percent as recently as July 2015, significantly higher than the 5.4 percent unemployment rate for people without disabilities. Perhaps more telling is the labor force participation rate—the percentage of individuals who are either working or looking for work—among individuals with disabilities: It was 20 percent in July, compared with 69 percent for people without disabilities.

“We’re talking about a lot of people who want to work but who aren’t employed. That’s huge,” says Arlene Kanter, an expert

 **QUIZ** yourself on the Americans with Disabilities Act: www.shrm.org/1015-disability-employment



A raised desk and an electronic door opener enabled John MacGuire to get back to work as an aeronautical engineer at Lockheed Martin.

on disability law and a professor at Syracuse University.

The disparities between those with disabilities and the general workforce suggest that many companies are falling short of meeting the ideals set forth in the Americans with Disabilities Act (ADA), which marked its 25th anniversary earlier this year. The sweeping legislation prohibits discrimination against people with disabilities in employment, public accommodations, commercial facilities, telecommunications, and state and local government services.

While the ADA has certainly ushered in great progress—before its enactment, many people using wheelchairs, for example, couldn't even access sidewalks or public restrooms—there is still much work to be done to bring more people with disabilities into the workplace. "Employment remains the unfinished business of the ADA," Labor Secretary Thomas E. Perez said earlier this year. "People with disabilities work and want to work, just

like everyone else. As a matter of basic fairness, but also to keep our economy strong, we need more of them on the job."

Not a Bank-Breaker

Although societal attitudes have changed for the better over the past two and a half decades, many people inherently fear the unfamiliar—which could explain some of the lack of progress in bolstering hiring rates of people with disabilities. In addition, the definition of disability has expanded to include a wide range of physical and mental challenges, including those for which medication can address the symptoms and allow employees to have a productive work life.

Arguably, the biggest myth about employing people with disabilities is that the ADA requirement to provide reasonable accommodations is prohibitively expensive. In nearly 60 percent

of cases, however, there is no cost to the employer, according to the Job Accommodation Network (JAN), a federally funded service based at West Virginia University that provides 45,000 free and confidential consultations each year.

Antavon Robinson, a 39-year-old cashier for the Landover, Md.-based Giant Food supermarket chain, has cerebral palsy but needs no accommodation to do his job at the Washington, D.C., store where he scans and bags groceries, according to the JAN website. He was unemployed before landing a job with the company nine years ago. "I like the atmosphere and the people and how they treat me," Robinson says.

If an employee does require an accommodation, the cost is usually about \$500, according to JAN. Accommodations may include modifying computer accessories or making a physical adjustment to a parking lot. Sometimes the solution can be surprisingly simple and inexpensive, says JAN principal consultant Linda Carter Batiste.

For example, she recalls one situation in which a children's therapist needed to wear a surgical mask because cancer treatments had compromised her immune system. Unfortunately, the mask frightened youngsters—so some creative thinking was needed.

"We found masks with cartoon characters on them," Batiste says. "The kids loved it," and each package cost a mere \$25.

Thanks to rapid technological advances over the past decade, computers and mobile devices can now be easily adapted at little or no cost for people with a wide range of disabilities. Such progress has been a boon to Kathy Peery, who joined the U.S. Department of Energy in 1977. The legislative specialist, blind since high school, uses audible cues to navigate the touch screen of her iPhone. To go through her e-mail, she uses a program that reads her messages aloud in a synthetic voice.

"You get so that you can read things at a pretty fast pace," she says.

Peery has other accommodations as well, including a guide dog, Bea, who helps her navigate Capitol Hill. "If I go into the Dirksen Senate Office Building, as long as I go to the third floor, my dog will pretty much find the Senate Energy Committee because we've been there so many times," she says.

Strong Work Ethic

Another misconception is that people with disabilities aren't as reliable as other workers. In fact, many experts and advocates will attest to the opposite. Walgreen Co. has found that

THE LONG ROAD



1920

President Woodrow Wilson signs the Smith-Fess Act into law, creating a "vocational rehabilitation" program for the physically disabled. It follows a similar initiative for injured World War I veterans.

1935

The Social Security Act establishes benefits for certain members of the disabled population.

1945

President Harry Truman declares the first week in October "National Employ the Physically Handicapped Week," following waves of World War II soldiers returning with disabilities.

1968

The "barrier-free" movement that began in the 1950s culminates with the Architectural Barriers Act, which mandates that federal funds can be awarded only to building projects that will be accessible to people with disabilities.

1973

The Vocational Rehabilitation Act prohibits federally assisted programs and contractors from discriminating against people with disabilities.

1 IN 5 AMERICANS—MORE THAN 50 MILLION PEOPLE—HAVE A PHYSICAL OR COGNITIVE DISABILITY.

Source: The U.S. Census Bureau.

individuals with disabilities perform their jobs as well as or better than other employees at the company's distribution centers, with an absentee rate that is almost 30 percent lower. Employees with disabilities make up more than 40 percent of the workforce at two of Walgreen's distribution centers, under a model it began developing a decade ago.

"When you strategically do workplace inclusion, you're going to have a return on investment," says James Emmett, a former Walgreen disability program manager who now runs a national consulting firm in Lafayette, Ind.

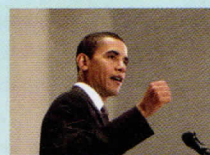
That philosophy holds true at Citizens Energy Group, a utility trust that provides gas and water to 600,000 customers in the Indianapolis area. With help from Emmett and other experts, Citizens Energy recently began recruiting individuals with

disabilities to fill part-time jobs assisting customers in its call center and reading meters out in the field. The two positions traditionally have had high turnover rates.

"We thought it would be a great idea to tap into that market a little more aggressively," says Tamiko Kendrick, the utility's diversity and inclusion manager. "We've been successful with hiring people with disabilities in the past."

Tangram Business Resourcing helped Citizens Energy identify a pool of applicants through the consultancy's Web-based "Workforce Accelerator" tool and evaluated the utility positions in an effort to write clear job descriptions. The meter-reading position, for example, is physically demanding, says Kathy Bernhardt, managing director of Tangram Business Resourcing.

"This is not about charity," she says. "If an individual does



1988

"National Employ the Physically Handicapped Week" becomes "National Disability Employment Awareness Month," which is now recognized each October.

1990

Congress passes, and President George H.W. Bush signs, the Americans with Disabilities Act, which bars workplace discrimination against people with disabilities.

2001

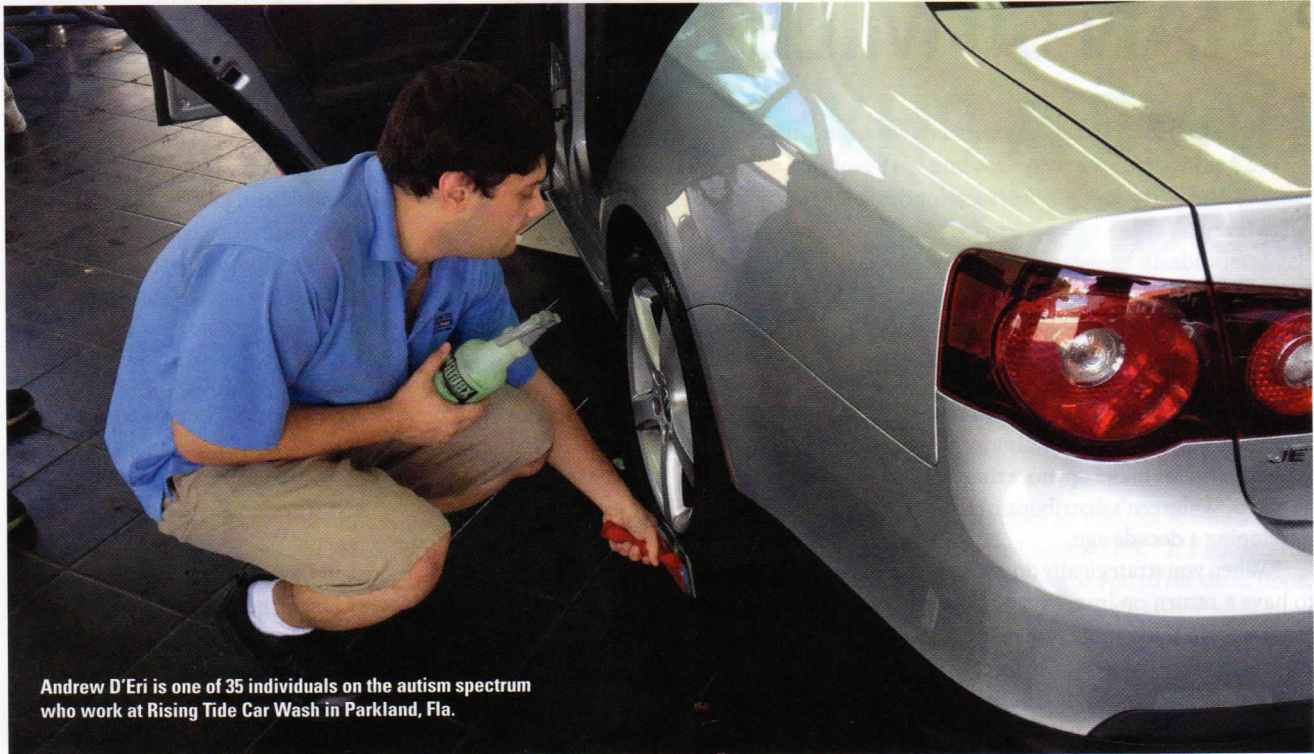
The Office of Disability Employment Policy is created within the U.S. Department of Labor.

2010

President Barack Obama signs Executive Order 13548, which makes hiring people with disabilities a priority for the federal government.

2014

The Section 503 rule for government contractors under the Vocational Rehabilitation Act requires companies to measure their efforts to reach a hiring goal of having 7 percent of their workforce be individuals with disabilities.



Andrew D'Eri is one of 35 individuals on the autism spectrum who work at Rising Tide Car Wash in Parkland, Fla.

apply and they don't meet those essential functions of the job, then they don't get hired."

There are other pragmatic reasons for hiring people with disabilities, who make up 20 percent of the U.S. population, advocates say. For one, they tend to be creative thinkers who have experience overcoming obstacles. They also can help fill critical skills gaps and voids left by retiring Baby Boomers. In addition, inclusive businesses tend to generate good will and customer loyalty.

"When [customers] know there are companies out there that are actively looking at and recruiting and hiring people with disabilities, then they tend to be loyal to that company," Bernhardt says.

John D'Eri, who has a 24-year-old son with autism named Andrew, decided to help create the work world he would like to see. Andrew was not having any luck finding a job after the support structures from school fell away at the age of 22.

"We call it 'falling off a cliff,'" D'Eri says. "There was no way Andrew was going to be gainfully employed."

That's why, in 2013, D'Eri opened Rising Tide Car Wash, which employs 35 individuals across the autism spectrum to perform structured tasks as they provide full-service car washes. The for-profit venture in Parkland, Fla., has been so successful in generating repeat business that there are plans for a second location.

"People will not give up value for the support of the business. They come back because they get a good product," D'Eri says.

On the Vanguard

The Disability Equality Index, a new rating tool developed by the U.S. Business Leadership Network and the American Association of People with Disabilities (AAPD), has recognized several

large employers for being inclusive of individuals with disabilities. Of the 80 companies that voluntarily underwent evaluation last year for the inaugural survey, 19 got a top score of 100 points, earning them accolades as "Best Places to Work" for individuals with disabilities. Big names in this group included AT&T, Starbucks, Lockheed Martin, Ernst & Young and Comcast NBCUniversal.

Forty-three companies earned 80 points or above, which is considered "top scoring." Microsoft, Wal-Mart, Walgreen Co., United and American airlines, and Dow Chemical were included in this group.

"It has to come from the top, in terms of commitment to hire and provide the right environment," says AAPD Interim President and CEO Helena Berger.

Fred Maahs, Comcast's senior director of community investment and vice president of its foundation, believes the workplace experience for those with disabilities has changed dramatically in recent decades—for the better. At least it has for him.

In his first corporate job working at a Delaware bank in the early 1980s, Maahs was carried, along with his wheelchair, to his second-floor office because there were no elevators. Today, he has a premium parking space underneath Comcast's Philadelphia headquarters and uses office equipment that has been adapted to meet his needs, including low shelves.

"There's nothing that's been overlooked here," Maahs, 53, says. "Now that we have a lot more folks with some type of disability working here—people who are blind or other folks who use some type of wheelchair or scooter, little people—the company has done a phenomenal job adapting their workspaces." »

10 WAYS TO FIND AND HIRE PEOPLE WITH DISABILITIES

- 1 Hold an awareness event at which senior leaders discuss their commitment to hiring and promoting people with disabilities.
- 2 Enlist local advocacy groups or nonprofit organizations to help recruit qualified job seekers with disabilities.
- 3 Make sure your online job application process is accessible for people with disabilities.
- 4 Develop paid internships, apprenticeships or on-the-job training that allows for people with disabilities.
- 5 Include people with disabilities in your overall diversity strategy and publicize this on your website.
- 6 Target individuals with disabilities via branded websites offered by SHRM Enterprise Solutions (<http://enterprise.shrm.org>), or websites such as www.RecruitDisability.org and www.EnableAmerica.org.
- 7 Obtain free information and services from the Job Accommodation Network (www.AskJAN.org) and the Employer Assistance and Resource Network (www.AskEARN.org).
- 8 Create a centralized fund for reasonable accommodations, allowing supervisors to approve them without worrying about budgets.
- 9 Develop a specialized onboarding program that includes information on reasonable accommodations, and ensure that orientation materials are accessible.
- 10 Establish or expand an employee resource group for employees with disabilities.

Sources: The White House Summit on Disability and Employment, SHRM.

The nation's largest employer has also blazed a trail in recent years: President Barack Obama has made employing people with disabilities a priority for the U.S. government. An executive order he signed in 2010 set a goal of hiring 100,000 full-time workers with disabilities by 2015. Over the past five years, the feds have hired 115,221, most for full-time jobs, the U.S. Office of Personnel Management says.

New Scrutiny

The U.S. government has also increased pressure on federal contractors by requiring them to begin tracking progress in recruiting people with disabilities to reach a goal of 7 percent of their workforce. (For large employers, the goal is 7 percent of each job group.) The new rule, known as Section 503 and enforced by the Office of Federal Contract Compliance Programs, has proved daunting to some contractors because employers can't directly ask employees or job candidates about disabilities.

"In the short term, it has made a lot of companies nervous," says Emmett, the national disability consultant, who has seen a significant uptick in business as a result. "On the flip side, we're also seeing companies that are very open to the argument that you have to do this anyway, so let's turn lemons into lemonade. Let's make this an awesome initiative where you actually make some money and get some great people," while also meeting federal goals.

Ernst & Young encourages its U.S. employees to offer information voluntarily and anonymously about disabilities, says Lori Golden, abilities strategy leader.

"We took steps well in advance of talking about this regulation to do things like include images of people with apparent disabilities on our website and in our materials, to get our leaders mentioning abilities as one of the areas of inclusiveness that we focus on, and including people with disabilities on panels," Golden says. "I'd say we had a running start."

Suria Nordin, a tax senior manager at Ernst & Young, suffered a spinal cord injury in a pool accident last year and now uses a power wheelchair. The 41-year-old credits her employer with making adjustments to her workspace and helping with other transitions. She was able to return to work on a part-time basis in March, and her co-workers have been welcoming.

"They saw my progress over time, and then, when I started to actually work, they weren't skittish at all," Nordin says.

Comcast's Maahs says these kinds of stories demonstrate why employers should be prepared to accommodate workers.

"You never know. It could be you in an instant," he says. **HR**



Lori Golden



Suria Nordin

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This article relates to one of the nine competencies on which SHRM is basing its new certification. To learn more, visit www.shrmcertification.org.