Emerging Issues in Disability and the Workplace: Implications for Employers and Safety Professionals

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Presentation Overview

• Continuing economic disparities for people with disabilities (nationally in and Oregon)  
  – employment, household income, poverty rates
• Workplace disability discrimination (from U.S. EEOC Charge data)
• Emerging issues (aging workforce, technology access, returning veterans, workplace culture)
• Implications for needed areas for attention and intervention by employers and safety professionals
Demand-Side
- Economic development
- Impact of technology
- Impact of globalization
- Enhanced emphasis on productivity
- Rising health care costs
- Workplace culture, inclusion, diversity

Supply-Side
- Education/skills training
- Workforce development
- Transition to work
- Securing and retaining employment
- Access to related supports (health care, transportation, housing)
- Inclusion (employment disability nondiscrimination)

Government, Legal & Regulatory
- Trade agreements, acquisitions & mergers
- Economic & workforce development initiatives
- Health care policy and related health insurance state regulations
- Employment nondiscrimination legislation
- Workplace safety and state workers' compensation legislation
- Income maintenance
Economic Disparities

In 2008, 39.5 percent people with a disability were employed, compared to 79.9 percent for those without disabilities.

The median annual household income of households that include any working age people with a disability in 2008 was $39,600, compared to $61,200 for households that do not have any person with disability.

In 2008, 25.3 percent of U.S. persons with a disability in the United States were living below the poverty line, compared to 9.6 of those without disabilities.

(Erickson, Lee, & Von Schrader, 2010)
In comparison, in Oregon in 2008 the employment rate of working-age people with disabilities was 41.2%, and the rate for people without disabilities was 79.0%. The gap between the employment rates of working-age people with and without disabilities in OR was 37.8 percentage points (Erickson, Lee, & Von Schrader, 2010).
Prevalence of Disability by Type among Working-Age (21-64) People

(Erickson, Lee, & Von Schrader, 2010)
U.S. Employment Rates by Disability Type (Ages 21-64)

(Erickson, Lee, & Von Schrader, 2010)
In comparison, the median income of OR households that include any working-age people with disabilities was $37,200, compared to $59,100 for households without disabilities, for a gap of $21,900. (Erickson, Lee, & Von Schrader, 2010)
In comparison, in OR in 2008, the poverty rate of working-age people with disabilities in OR was 27.6 percent, the poverty rate of working-age people without disabilities 10.6 percent, and the difference in the poverty rates was 17 percentage points.

(Erickson, Lee, & Von Schrader, 2010)
Workplace Disability Discrimination

• Based on research using U.S. EEOC Discrimination Charge Data
• Intergovernmental Personnel Act Agreement with the U.S. EEOC to access the data
• All employment discrimination charges from 1993 – 2007 with a focus on the ADA/disability charges
• 462,956 charges filed under ADA alone or jointly
• Includes the basis (trait upon which discrimination is based) and issue (discriminatory behaviour)
• Includes characteristics of the charging party (age, sex, and race), employer (Standard Industry Code and size of the firm), case-specific details
Charges by Statute per 10,000 People in the Labor Force with Protected Class Characteristics, 1993-2007

(Von Schrader, Cornell University, 2010)
ADA Charges Over time By Age Group

(Von Schrader, Cornell University, 2010)
Impairments Most Often Cited in Charges

(Von Schrader, Cornell University, 2010)
Employment Processes Most Often Cited

(Von Schrader, Cornell University, 2010)
<table>
<thead>
<tr>
<th>Impairments Crossed w/ Employment Processes</th>
<th>Number of charges</th>
<th>Percent of charges citing termination</th>
<th>Percent of charges citing reasonable accommodation</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Charges</td>
<td>462,956</td>
<td>62.7</td>
<td>24.7</td>
</tr>
<tr>
<td>Impairment: Behavioral</td>
<td>74,849</td>
<td>67.1</td>
<td>24.4</td>
</tr>
<tr>
<td>Impairment: Medical</td>
<td>81,552</td>
<td>66.0</td>
<td>27.5</td>
</tr>
<tr>
<td>Impairment: Neurological</td>
<td>24,911</td>
<td>64.1</td>
<td>29.4</td>
</tr>
<tr>
<td>Impairment: Non-specific</td>
<td>142,540</td>
<td>60.8</td>
<td>23.3</td>
</tr>
<tr>
<td>Impairment: Orthopedic</td>
<td>93,254</td>
<td>63.4</td>
<td>36.9</td>
</tr>
<tr>
<td>Impairment: Sensory</td>
<td>26,530</td>
<td>52.7</td>
<td>25.1</td>
</tr>
<tr>
<td>Retaliation</td>
<td>60,707</td>
<td>56.5</td>
<td>29.4</td>
</tr>
<tr>
<td>Regarded as Disabled</td>
<td>45,501</td>
<td>65.5</td>
<td>15.2</td>
</tr>
</tbody>
</table>

(Von Schrader, Cornell University, 2010)
Areas for Attention and Intervention

• Public Policy -- increased emphasis on inclusion of people with disabilities in economic and workforce development strategies
• Increased efforts to make employers full partners in the maximization of recruitment, hiring, retention and advancement of people with disabilities
• Educate more proactively among employers about the impact of workplace culture, the supervisor’s role, and inclusion strategies for people with disabilities
Emerging Issues

• Aging workforce
• Technology Access
• Returning Veterans
• Workplace Culture
The Aging Population

• The 45 to 54 and 55 to 64 year old U.S. population is projected to grow by nearly 44.2 million (17%) and 35 million (39%) in the next ten years*

• This group will account for nearly half (44%) of the working age population (20-64) by the year 2010*

• The prevalence of disability grows with age (Figure 1)

• By 2010 the number of people with disabilities between the ages of 50 and 65 will almost double, and will be significantly larger than at any other age**


The Aging Workforce

• Between 1977 and 2007, employment of workers 65+ increased by 101%*

• Number of older workers on FT schedules doubled between 1995 and 2007*

• This trend is likely to continue (2006-2016)*
  – workers aged 55-64 are expected to increase by 36.5%
  – Workers aged 65-74 and 75+ are expected to increase by 80%

Why is the workforce aging?

- Increased longevity and function
- Declining pool of younger workers lead employers to ask older workers to stay on the job
- Enjoy working and being productive
- Delayed retirement due to financial need
  - Insufficient retirement savings
  - Health care costs
- Lack of confidence in finances
Graying of the Workforce

Projected percentage change in labor force by age, 2006-2016

- 75 and older: 84.3%
- 65 to 74: 83.4%
- 55 to 64: 36.5%
- 25 to 54: 2.4%
- 16 to 24: -6.9%

Source: U.S. Bureau of Labor Statistics
Figure 1. Growth in Disability Prevalence by Age

Prevalence = 4.5715e^{0.0383\times Age}

R^2 = 0.9881

Source: NIDRR Demographics and Statistics RRTC at Cornell University’s Employment and Disability Institute, calculations from 2003 ACS PUMS file performed by Robert Weathers, 2005.
Caution and Proactive Strategies

• Remember that although statistically the incidence of disability does increase with age, this process is very individualistic and we should not make assumptions about the health, well-being, productivity of older workers and employees with disabilities; and

• Proactive workforce, workplace, and accommodation strategies can heighten the likelihood of productivity, job satisfaction and successful long-term retention of older workers and employees with disabilities.
Accommodations

• As the average age of the workforce increases, the incidence, severity, and duration of disability is also likely to increase; even more important to identify proven strategies to return employees to productive roles
• Older workers often experience a loss of visual acuity, hearing loss, decreased coordination and balance, and medical conditions that put them at greater risk of suffering workplace injuries
• A specific impairment can often be accommodated with ergonomic redesign or new training.
• Workers accommodated following the onset of a disability were significantly less likely to leave the workforce
Workplace Technology Accessibility

- E-HR and people with disabilities
- Computer use in the workplace
- Organizations’ use of online technology
- HR familiarity with assistive technology
E-HR and People with Disabilities

- As Internet access becomes more common, businesses are becoming network intensive
- Web applications can pose barriers for those with vision, hearing, or dexterity-related disabilities
- Most Web sites are not designed to be accessible to people with disabilities
Percentage of Respondents Organizations' Workforce Using Computers More than Half the Workday, by Industry

- Transportation/Utilities (n=24): 40%
- Manufacturing (n=93): 42%
- Retail/Wholesale Trade (n=23): 47%
- Public Administration (n=26): 60%
- Service (n=171): 60%
- Insurance (n=17): 80%
- High Tech/Computers/Telecomm (n=29): 80%
- Finance (n=37): 87%

Note: Percent of all respondents (n=433) excluding "don't know/refused" responses.
Organizations’ Use of Online Technology

A great deal (1) | Some (2,3,4) | Not at all (5)
--- | --- | ---
Online employee training | 4% | 59% | 37%
Online benefits self service | 18% | 39% | 43%
Online benefits information dissemination | 25% | 57% | 18%
Online job postings | 44% | 45% | 11%

Note: Percent of all respondents (n=433) excluding “don’t know/refused” responses.
Familiarity with Assistive Technologies

- Guidelines for Web design: 13% Familiar, 14% Neither, 73% Unfamiliar
- Screen readers: 16% Familiar, 14% Neither, 70% Unfamiliar
- Braille readers: 21% Familiar, 19% Neither, 60% Unfamiliar
- Video captioning: 25% Familiar, 20% Neither, 55% Unfamiliar
- Speech recognition software: 32% Familiar, 23% Neither, 45% Unfamiliar
- Screen magnifiers: 46% Familiar, 22% Neither, 32% Unfamiliar

Note: Percent of all respondents (n=433) excluding "don’t know/refused" responses.
Accommodating Returning Veterans with Disabilities

- Number of Veterans
- Veteran population in Oregon
- Typical Accommodations
Number of Veterans

- As of August 2009, 2.8 million veterans reported service-connected disabilities (13% of total veterans of all wars)
- Almost 2 million troops have been deployed to Iraq and Afghanistan since October 2001
- One in five returning from these conflicts report major depression or PTSD

(Erickson, Lee, & Von Schrader, 2010)
Veteran Population in Oregon

- In 2008, there were 203,600 working-age civilian veterans in Oregon
- 16.3 percent of working age veterans had a service-connected disability
- 8,700 working-age veterans had the most severe service-connected disability rating (26.4% of all disabled veterans)

(Erickson, Lee, & Von Schrader, 2010)
Depression, Post-Traumatic Stress Disorder, Traumatic Brain Injuries

• Depression, PTSD and TBI are common disabilities among veterans.
• All three conditions can result in issues with memory, concentration, time management, disorganization, sleep disturbances, and difficulty coping with stress

http://askjan.org/media/ptsd.html
http://www.americasheroesatwork.gov/forEmployers/factsheets/accommodatingPTSD/
Accommodating Depression, PTSD, TBI

- Schedules which incorporate flex-time, part-time positions or job sharing, time off for scheduled medical appointments or support groups
- Allowing workers to phone supportive friends, family members, or professionals during the work day
- Joint meetings between the employee, supervisor, and job coach or other employment service provider
- Providing a coworker or retiree as mentor
- The use of break time according to individual needs rather than a fixed schedule
Accommodating Depression, PTSD, TBI (con’t)

- Memory log books, audiotapes, or electronic/computer reminders
- Job sharing or modified work schedules
- Job checklists and cues, timers
- Tools to assist with visual tracking while reading
- Smaller job steps to improve sequencing
- Large phone or computer keypads
- Changes in lighting or office location to minimize distractions
- Scheduled reviews of progress on assignments
- Established routines during the day and across days
Occupational Health and Safety and Disability Considerations

• OSHA and disability interface
• Implications for HR policy and practice
OSHA and Disability

• ADA requires that employee medical testing be “job related and consistent with business necessity.”

• OSHA requires employers to conduct employee testing to ensure safety.

• ADA requires medical record confidentiality

• OSHA personnel require access to medical records to expose potential hazards.
Implications for Workplace Policy and Practice

- Disability employment nondiscrimination does not override federal health and safety requirements.
- ADA regulations do not prohibit medical tests required by OSHA.
- OSHA regulations may sometimes disallow particular accommodations (e.g.; if OSHA requires a certain type of respirator, an employee who cannot wear it cannot be accommodated by another type).
Workplace Culture
About this Research

• Funded by USDOL Office of Disability and Employment Policy to Syracuse U. (Grant No. #E-9-4-6-0107)
• A consortium of six universities/orgs. (Syracuse, Rutgers, Cornell, Georgia Institute of Technology, West Virginia University, and Human Futures Inc.)
• Each entity conducted a common survey and also conducted focus groups and interviews in one org.
• This presentation focuses on Cornell’s findings

Why Workplace Culture as a Focus?

• Studies conducted to date have focused on:
  – Accommodation policies and practices
  – Areas where disability employment discrimination occurs
  – Attitudes toward people with disabilities
• Little research has focused to date on culture/context in the work environment that creates an experience of real inclusion for people with disabilities
• Need research is on how a company’s “culture”—values, norms, policies, and practices—facilitate or hinder the inclusion and engagement of people with disabilities?
Workplace Environment/Culture
Attitudinal and Behavioral Indicators of Inclusive Environments

• **Perceptions of Human Resource (HR) Practices**
  – Perceived fairness of work arrangements and HR practices for employees
  – Procedural and interactional justice during the accommodation process

• **Perceptions of organizational climate**
  – Climate for inclusion – fairness, openness, decision-making
  – Discrimination against employees with disabilities

• **Perceptions of Managers**
  – Managerial diversity behaviors
  – Quality of relationship with manager

• **Perceptions of one’s relationship with the organization & job**
  – Perceived organizational support
  – Perceived fit between one’s skills and demands of the job
  – Psychological empowerment enjoyed on the job
  – Conflict with/among coworkers
Key Findings

Experiences of the workplace environment

• **Significant differences** in the perceptions of people with and without disabilities
  – Fairness of work arrangements and HR practices
  – Procedural and interactional justice during the accommodation process
  – Climate for inclusion
  – Managerial diversity behaviors
  – Quality of relationship with manager
  – Perceived organizational support
  – Perceived fit between one’s skills and demands of the job
  – Psychological empowerment on the job

• **No significant differences**
  – Existence of discrimination against employees with disabilities
Key Findings

Implications of Differential Experiences of the Work Environment

Perceptions of the work environment predict:

- Commitment
- Job satisfaction
- Turnover intentions
- Willingness to engage in citizenship behaviors
Key Findings

Perceptions of HR Practices

• Perceived fairness of work arrangements and HR practices for employee
  – Perceived fairness is significantly lower for employees with disabilities, compared to employees without disabilities
  – Biggest differences for perceived fairness of job responsibilities and access to valuable mentors
  – Among people with disabilities, perceptions of fairness of HR practices were higher when their supervisor(s) had friends with disabilities

• Procedural and interactional justice experienced during accommodation process
  – Significantly lower for employees with disabilities
  – Perceptions of interactional justice are more important than procedural justice (for predicting commitment and satisfaction)
Key Findings

Perceptions of Organizational Climate

• Climate for Inclusion
  – **Fairness of employment practices**
    • When employees perceive the organization is effective at hiring people with disabilities, supporting disability networks, and including disability in diversity policy, they perceive employment practices to be fairer overall
  – **Openness of the work environment**
    • Managers’ perceptions of the openness of the work environment predict discrimination experienced by employees with disabilities
  – **Inclusion in decision-making**
    • The more inclusive the decision-making environment, the more psychological empowered employees feel, the more they feel supported and valued by the organization, and the less conflict they experience in their group
Key Findings

Accommodation Policies and Practices

21.4% of all respondents had asked for an accommodation, of whom only 25% did so for a health condition

<table>
<thead>
<tr>
<th></th>
<th>Health condition</th>
<th>Not for health</th>
</tr>
</thead>
<tbody>
<tr>
<td>% who asked their immediate supervisor for accommodation</td>
<td>75%</td>
<td>85%</td>
</tr>
<tr>
<td>% who had their requests granted in full (in part)</td>
<td>76% (5.5%)</td>
<td>69% (6.3%)</td>
</tr>
<tr>
<td>% who thought the outcome was largely or completely fair</td>
<td>76%</td>
<td>69%</td>
</tr>
<tr>
<td>% who said most or all coworkers were supportive of the accommodation</td>
<td>53%</td>
<td>51%</td>
</tr>
<tr>
<td>% who said most or all coworkers were aware of accommodation</td>
<td>41%</td>
<td>50%</td>
</tr>
</tbody>
</table>
Implications for Employers

- Need for a clearly articulated message that there is a commitment to the hiring and equitable treatment of people with disabilities
- Clearly articulate the value of accommodation and its return on investment for the organization
- Include disability in the diversity and inclusion agenda of the organization
- Build cultural factors into performance management at the organizational and individual levels
For Further Information

• 2008 Disability Status Report (US & OR) - www.disabilitystatistics.org
• USEEOC Charge Data Statistics - http://www.eeoc.gov/eeoc/statistics/enforcement/ada.cfm
• Employment and Disability Institute at Cornell University - www.ilr.cornell.edu/edi/
• Cornell employment and disability policy publications online - http://digitalcommons.ilr.cornell.edu/
• Susanne Bruyère – smb23@cornell.edu