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***LEADING IN A DISABILITY INCLUSIVE WORKPLACE:
CHALLENGES, OPPORTUNITIES, BEST PRACTICES***

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Session Overview

- Who are people with disabilities
- What is a disability?
- Veterans and aging workers
- Reasonable accommodations
- Interviewing candidates with disabilities
- Best practices for outreach and recruitment
- Workplace scenario analysis



Who Are People with Disabilities?

- 20% or one in five Americans
- Majority of disabilities are non-visible (72%)
- Became disabled after birth (85%)
- 28.6 – 31.5 M have hearing loss; 1 M are deaf
- 10 M have vision impairments; 1.8 M are blind
- 23 M live with depression
- 9.1 M use ambulatory aids; 27 M use wheelchairs
- Represent all ages, races, ethnic backgrounds, and educational and socio-economic levels



People with Disabilities As Employees

- 30.6 million are of working age (21-64)
- Have low turnover and absentee rates
- Are highly motivated, loyal, and reliable
- Have creative problem solving skills
- Demonstrate excellent attendance and productivity
- Bring diversity of thought and experiences



What Is a Disability: Legal Definition

According to ADA an individual is disabled if:

- Has a mental or physical impairment that limits a major life activity
- Has a record of a disability
- Is regarded as having a disability

ADAAA expands the definition to include:

- Bodily functions as a major life activity
- Health conditions that are episodic or in remission
- Focus shift from reliance on definition to non-discrimination and reasonable accommodations



Definitional and Perception Differences

- The disability community is very diverse and include:
- Veterans who sustained disabling conditions in combat and view themselves as wounded warriors
- Individuals with ADA covered impairments who are often unaware that their medical conditions may rise to the level of ADA defined disability
- Those with non-visible disabilities that are reluctant to disclose their impairments for privacy reasons, concerns about not getting hired, or due to possible stigma
- Older workers who age into a disability and do not identify with the term or unaware of rights and protections beyond the Age Discrimination in Employment Act (ADEA)



Veterans with Disabilities

- Since 2001, about 1.64 M have been deployed
- 52,430 were wounded as of 4/13/2016 (DoD)
- Signature disabilities: PTS(D) estimated at 400,00; TBI estimated at 320,000, and depression (*Wounded Warrior Project*)
- 90% separating from service are below age 35
- 26% of those 25 + have at least a Bachelor's degree
- Have limited support when returning to communities
- Concerns about disclosing veteran and disability status due to negative stigma to signature disabilities



Aging Workforce Demographics

- 76 million baby boomers
- 30.8 million in the workforce
- 85% plan to continue working after retirement
- 70% prefer to work full time
- 7 in 10 plan on working at 65
- Nearly half plan on working into their 70s and 80s
- According to NOD (2001) those 55-64 have a 21.9% chance of developing a disability
- 42% of 65+ reported functional limitations (2005)



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Advantages of Hiring Veterans

- Strong work ethic and reliability
- Ability to learn new skills and concepts
- Proven leadership skills
- Flexibility to work in teams or independently
- Used to performing under pressure
- Proficient in latest technology
- Have respect for procedures and accountability
- Excel in and value teamwork
- Self-discipline and strong personal integrity



Advantages of Hiring Older Workers

- Low turnover and absentee rates
- Few on-the-job accidents
- High motivation and engagement
- Strong work ethic and experience
- Loyalty and reliability
- Available for various schedules
- 52% of the market share
- Bring diversity of thought and experiences



Who Is a Qualified Applicant?

The ADA provides protection against discrimination only to “otherwise” qualified applicants and employees with disabilities who:

- Can perform **essential functions** of the job, as determined by the employer, with or without a **reasonable accommodation**
- Able to maintain same performance and conduct standards as other employees



Considerations for Job Descriptions

- Current and accurate job descriptions determine who is a qualified applicant
- Describe essential functions and expected outcomes rather than ways to perform them
- Include information on working conditions
- Make certain descriptions are based on job-related standards and pre-requisites



What is a Reasonable Accommodation?

- Any change or alteration in the work environment or in the way things are customarily done that enables an individual with a disability to perform tasks and meet productivity standards
- Accommodations must be provided during the entire employment life cycle from application to advancement unless they impose undue hardship.



Undue Hardship

- Significant difficulty or expense incurred by an employer that results from an accommodation

Factors to consider:

- ✓ Nature and cost
- ✓ The overall financial resources of the entity
- ✓ The overall financial resources of facility or facilities
- ✓ Type of operation
- ✓ Impact of the accommodation



Understanding the Interactive Process

- The ADA requires an informal, interactive process for assessing and providing needed accommodations. This includes:
 - ✓ Identifying the specific limitations that may result from the employee's disability
 - ✓ Reviewing potential accommodation options with input from employee
- The process begins when an applicant or employee informs the employer that an accommodation may be needed. Specific language is not required.



Additional Considerations

- The provision of accommodation is an ongoing process rather than a one-time obligation and it needs to be assessed:
 - ✓ Is the accommodation working?
 - ✓ Does it need to be tweaked?
 - ✓ Is more training needed?
 - ✓ Has the disability or the work changed over time requiring adjustments?



Best Practices for Reasonable Accommodations

- Establish a centralized accommodations budget and source of expertise for assessment/implementation
- Develop guidelines for addressing the interactive process and documenting accommodation requests
- Create an online tracking system to monitor costs and types of accommodations provided
- Create a culture where accommodations are perceived as productivity tools



Interview Essentials

- Ensure that your application process and interview location are accessible to persons with a variety of disabilities
- Focus on the candidate not the disability and ask only job-related questions
- Relax and treat the person with the same respect you would any other candidate
- Do not assume that an accommodation may be needed even if disability is visible



Interview Essentials

- If disability is visible and may possibly affect essential functions, ask how the candidate would perform specific tasks with or without a reasonable accommodation
- Inform applicants if they will be required to take pre-employment tests
- Keep in mind that disability disclosure is a personal choice and candidates may choose not to self-identify
- Asking all candidates if they will need any type of accommodation is a good practice



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What Do Employees with Disabilities Look For?

- Viable work options
- Respect for abilities and experience
- Inclusion rather than tokenism
- Equal access to skill acquisition
- Equity in upward mobility and promotions
- Reasonable accommodations
- Empathy, not sympathy



Best Practices for Outreach and Recruitment

- Approach it as a business decision
- Gain buy-in from hiring managers
- Review current recruitment initiatives to identify barriers to hiring people with disabilities and veterans
- Consider a position devoted to disability and veteran recruitment and hiring
- Identify sources of recruitment for all levels of employment
- Visit potential recruitment sources to share your needs, assess operations and potential candidates
- Create community and college-based linkages to access graduates and reach out to the Office of Disability Services



Best Practices for Veteran Recruitment

- Train recruiters to recognize the applicability of military service and skills to civilian positions in your organizations
- Identify organizations that train or serve persons with disabilities and veterans for occupations you typically hire
- Designate a go-to person who learns about veterans' resources, benefits, and programs
- Develop cultural competence on veteran issues
- Consider new types of workplace supports
 - ✓ Veteran-focused Employee Resource Groups
 - ✓ Mentoring programs
 - ✓ EAP with expertise on veterans issues



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Veteran Recruitment Resources

<https://www.jofdav.com>

www.H2H.jobs/employers

www.VetSuccess.gov

www.hirevetsfirst.org

www.Hireheroesusa.org

www.woundedwarriorproject.org

www.tipofthearrow.net

www.nationalresourcedirectory.gov

www.RealWarriors.net

www.recruitmilitary.com



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Disability Recruitment Resources

www.Abilityjobs.com

www.Disabledperson.com

www.disaboomjobs.com/

<http://www.gettinghired.com>

www.hireds.com - Hire Disability Solutions

<http://onemoreway.org>

www.rehabnetwork.org



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Federal Employment of Individuals with Disabilities

- Executive Order 13548
- Management Directive MD715
- Employing Individuals with Targeted Disabilities
- Schedule A Hiring Authority
- Work Force Recruitment Program



EXECUTIVE ORDER 13548

Increasing Federal Employment of Individuals with Disabilities

- Signed July 26, 2010
- Reaffirmed Executive Order 13163
 - Federal government to hire 100,000 IWD over five years
- Requires agencies:
 - to develop hiring, retention, and training plans
 - establish goals for IWD and sub-goals individuals with targeted disabilities (IWTD)
 - training - emphasis on supervisors and HR professionals
 - to increase use of Schedule A appointing authority
 - to improve return to work outcomes / retention
 - to ensure accessibility of virtual and physical workspaces
 - to evaluate their reasonable accommodation procedures
 - to designate a senior level official responsible for implementation (accountability)
- Agency performance to be made available (transparency)





MD715

EEOC Management Directive 715

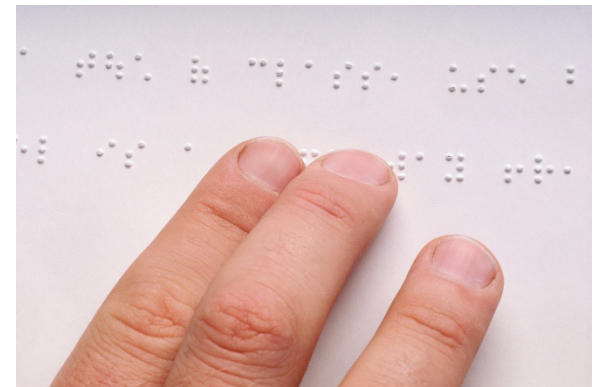
- The Federal government, as a matter of policy, has identified persons with targeted disabilities for special emphasis in recruitment and hiring
- Data on the employment of individuals with disabilities, including *targeted* disabilities, are collected by the EEOC and reported to the President and Congress annually.
- Targeted disabilities are the most severe disabilities
- People with targeted disabilities have the lowest participation rate in Federal service.



Targeted Disabilities

There are nine categories including:

- Deafness
- Blindness
- Missing extremities
- Complete paralysis
- Partial paralysis
- Epilepsy
- Psychiatric disabilities
- Intellectual disabilities
- Dwarfism





Schedule A

Hiring authority to appoint persons with disabilities:

- “... intellectual disabilities, severe physical disabilities, or psychiatric disabilities.” 5 CFR § 213.3102 (u)
- Non-competitively appoint and convert
- Two-year trial/probationary period mandatory
- Permanent, temporary or time-limited appointments
- No posting required – if posted, applicants are referred



Schedule A

- Certificate of eligibles not required
- Can be utilized at grade levels 1-15
- Qualification standards remain
- Performance standards remain
- Candidates must submit proof of disability prior to appointment



Schedule A “Certification”

Documentation can be provided by any of the following:

- Licensed medical professional
- Licensed vocational rehabilitation specialist
- Any Federal, state / DC, or U.S. territory agencies that provide disability benefits



Schedule A

Flexibility and ease of use:

- Cut hiring process from 2 - 12 months down to weeks
 - *Hiring Reform*
- Use in conjunction with other programs/services:
 - *Workforce Recruitment Program (WRP)*
 - *Employer Assistance and Recruiting Network (EARN)*
- When encouraging managers to hire via Schedule A, it will go along way to have a pool of talented, pre-qualified candidates available for referral.



Workforce Recruitment Program (WRP)

- Established by Department of Defense (DoD)
- Coordinated jointly by DOD and Department of Labor
- Recruitment and referral program
- Over 6000 candidates have secured internships and/or jobs
- Connects federal and private sector employers with highly qualified postsecondary students with disabilities



How the WRP Works

To participate in the program, an applicant must:

- be a United States citizen
- have a disability*
- be enrolled in an accredited institution of higher learning on a substantially full-time basis seeking a degree, OR
- have graduated from such an institution within the past year



How the WRP Works

- Students and recent graduates apply to WRP online
- College Disability Services Office/Career Center confirms and helps recruit and prepare candidates
- Trained recruiters visit campus and interview candidates in October and November
- Candidate information is entered into database
- Database is launched in December



How the WRP Works

- October/November: 100+ federal recruiters visit over 270 college campuses and conduct interviews
- Recruiters rate applicants on a scale of 1-5 in four areas:
 - Communication
 - Direction
 - Maturity
 - Experience
- In addition to ratings, the WRP database contains contact info, degree, major, GPA, location preference, interview notes, resume, transcripts, and potential accommodation needs



- Website is opened to all registered employers nationwide in early December and is active for one year at www.wrp.gov
- Employers may contact the candidates directly to discuss potential employment opportunities
- If the intent is to utilize central funds, it's recommended that you first contact your Component WRP POC to receive approval/authorization
- Although central funding is not provided to support placement of WRP participants into permanent positions, the program is a great place to start your search



Benefits to Your Agency

- Access to a “pipeline” of diverse new talent
- Opportunities for interns or new staff to take on special projects postponed for lack of time or resources
- Assistance to permanent staff with key projects in mission critical fields
- Sharing of specialized knowledge and innovative technical skills
- Assume responsibilities of staff on vacation or leave of absence
- Proof that qualified candidates with disabilities make excellent employees
- Investment in your agency’s future by developing future WRP hires



What Does WRP Offer Employers?

- Access to a database of professionally screened college students and recent graduates with disabilities
- Includes veterans with disabilities
- Pre-screened candidates by professional recruiters
- Nationwide program with representation in all 50 States
- 104 majors and career disciplines
- Year round database that is updated annually in December
- Reduction in recruitment costs for participating employers



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Taking Theory to Practice

Scenario analysis

- Read the scenario
- What are the main issues?
- Select options; can choose more than one
- Jot it down





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Scenario 1: Joe and Interview Surprise

Joe is an IT professional applying for a data analyst position. He is a recent college graduate from a large university and was selected as a finalist after the initial interview process. When he arrived for the interview the hiring manager, Alan, was shocked to see that Joe was blind. The interview included a simulation task where candidates were required to analyze and respond to a problem which involved reading documents which are currently given in a paper format. Joe came to the interview carrying his own laptop.



What Should Alan do?

- A. Tell Joe he's exempted from the simulation task and make a note of Joe's blindness in the record.
- B. Make sure all materials used for interviews are available electronically in an accessible format.
- C. Offer to re-schedule the interview until Braille copies of the simulation activity can be created.
- D. Tell Joe about the simulation task and see if he has any suggestions for alternatives.
- E. Tell Joe he is "out of the running" for the job because he should have provided advance notice of his accommodation need.



What Should Alan do?

- A. Tell Joe he's exempted from the simulation task and make a note of Joe's blindness in the record.
- B. Make sure all materials used for interviews are available electronically in an accessible format.**
- C. Offer to re-schedule the interview until Braille copies of the simulation activity can be created.
- D. Tell Joe about the simulation task and see if he has any suggestions for alternatives.
- E. Tell Joe he is "out of the running" for the job because he should have provided advance notice of his accommodation need.**



Scenario 2: Tracy and the Ten Minutes

Tracy was recently hired as an administrative assistant in a busy office. One week after she was on the job, Tracy told her supervisor, Joan, that she had diabetes and would need one extra 10 minute break during the day to monitor her condition. Joan calls HR because she now wants to terminate Tracy's employment claiming that Tracy did not disclose during the interview that she had a disability and needed special treatment.



What should Joan do?



- A. Terminate Tracy, but only after checking with HR first.
- B. Don't fire Tracy, but deny the accommodation because the extra breaks would disrupt work flow and create tension with co-workers.
- C. Discuss accommodation need with Tracy.
- D. Make a note in Tracy's personnel record that she was not truthful about her diabetes.



What should Joan do?



- A. Terminate Tracy, but only after checking with HR first.
- B. Don't fire Tracy, but deny the accommodation because the extra breaks would disrupt work flow and create tension with co-workers.
- C. Discuss accommodation need with Tracy.**
- D. Make a note in Tracy's personnel record that she was not truthful about her diabetes.



Scenario 3: Dales' Return from Duty

Three months ago, Dale returned from active duty in Afghanistan. He has now completed his military service and is in the process of returning to civilian life. He was called up for two tours of duty and has been away from his job at a financial institution for one year. Recently, Dale began to experience symptoms of sleeplessness, flashbacks, unexplained sadness and obsessive fears. After a doctor's visit, he received a diagnosis of PTS. Dale now fears he will be fired if the bank finds out. He is doing everything he can to hold things together, but his performance has started to suffer.



What should this manager do?

- A. Do nothing until Dale brings it up to his manager or contacts Human Resources.
- B. Provide Dale reassurance that the bank supports him and ask if there is anything you can do as an employer to assist him and welcome him back to the job.**
- C. After acknowledging there is something wrong, have a discussion with Dale to let him know there may effective workplace accommodations to make him more productive.**
- D. Feeling that this is situation is too complicated, you move forward with terminating Dale.



Scenario 4: Greg's Performance in IT

You are a Manager in the Information Technology Department at a medium-sized manufacturing company. Greg, a Masters-level computer science engineer was hired three years ago and until recently has been a very solid performer. Greg not only works hard, he is also creative and has valuable technical ideas. Two months ago, Greg began missing work. When his manager confronted him about his unexplained absences, Greg disclosed he had just been diagnosed with a seizure disorder and was undergoing tests to determine a medication plan.



What should this manager do?

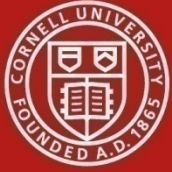
- A. Initiate the interactive process; explore with Greg potential accommodations that could be provided to ensure productivity.**
- B. Determine Greg's disability is a direct threat and terminate his employment.
- C. Sit down with Greg and discuss his work performance to determine what job related issues need to be addressed.**
- D. Do nothing at all since Greg just self-identified his disability.



Performance and Conduct Dialogues

What Managers Should Do

- Focus only on job-related expectations and outcomes to discuss:
 - ✓ How the employee's performance or conduct is interfering with work and productivity
 - ✓ What the employee needs to do to improve
 - ✓ Explore potential accommodations that may aid in performance
- Discussion of a disability should be left to the employee to initiate



What Managers Should Not Do

- Diagnose conditions or speculate about a disability
- Think that all employees with same type of disability are alike and need same accommodation
- Excuse or ignore performance issues until they become too big to manage
- Expect that once an accommodation is in place, nothing more needs to happen; conditions and jobs may change over time
- Assume the employee uses the disability as an excuse or advantage