

**DisABILITY:
Integration vs. Accommodation**



Funded in part through a grant of the Virginia Board for People with Disabilities



VIRGINIA BOARD FOR
PEOPLE WITH DISABILITIES

**On behalf of the Hampton Roads Chamber of Commerce,
thank you to the following organizations who made this work possible:**

**Virginia Board for People with Disabilities
Commonwealth of Virginia Department of Rehabilitative Services
Virginia Employment Commission
Eggleston Services
Goodwill Industries**

**A message from the
Virginia Board for People with Disabilities:**

The Virginia Board for People with Disabilities serves the Commonwealth of Virginia as the state's Developmental Disabilities Planning Council and as the Governor's Advisory Council on issues affecting people with disabilities. Through its grant making processes, the Board seeks to impact the independence, productivity, inclusion and integration of people with disabilities in community integration, community living/transportation, education and employment. The overall goals of the Board's employment initiatives are to strengthen Virginia's employment opportunity infrastructure for people with disabilities and to expand knowledge and awareness throughout the state of employment possibilities for people with developmental and other disabilities.

As businesses in a variety of industries and geographic locations throughout the state look out on the horizon at increasing worker shortages, its connection to entities that promote employment resources are critical in filling the gaps. For people with disabilities, the rate of unemployment remains static and the potential benefits of a strengthened relationship to the business community are immense.

The Virginia Board for People with Disabilities has made previous commitments to fostering positive attitudes among employers of the abilities of people with disabilities through the provision of funding for targeted marketing materials and public awareness activities across the state. The Board is pleased to support Hampton Roads Chamber of Commerce on this outreach project that will focus on local communities through work with Chambers of Commerce and small businesses. We look forward to hearing of the project's successes in creating a systems change initiative that will increase opportunities for employment of people with disabilities through increased education and awareness.

Heidi Lawyer
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Learning Pre-Test

1. On average, making accommodations for persons with disabilities costs:
 - a. \$1500
 - b. Nothing
 - c. \$500
 - d. \$100.00

2. Of the persons with disabilities who desire full-time employment, _____% are unemployed:
 - a. 60%
 - b. 25%
 - c. 80%
 - d. 40%

3. Persons with disabilities often seek legal action against employers.
 - a. TRUE
 - b. FALSE

4. Workers with disabilities have higher rates of absenteeism.
 - a. TRUE
 - b. FALSE

5. The greatest barrier to employing persons with disabilities is:
 - a. ability
 - b. skills
 - c. community culture
 - d. work culture

6. Most employers have a person with a disability on payroll and don't know it.
 - a. TRUE
 - b. FALSE

7. Workers with disabilities are a profitable recruitment pool for employers.
 - a. TRUE
 - b. FALSE

8. In the next 25 years the number of workers with disabilities will increase by more than 100%.
 - a. TRUE
 - b. FALSE

Introduction

During the Twentieth Century the advancement of medical treatments, coupled with progressive social inclusion policies worked to change the status of persons with disabilities. In the Western world, all citizens are valued and efforts to include as many people in the work of our communities are not only good social policy, but good economic practice. This guide was developed to aid businesses in the Commonwealth of Virginia to discover how this valuable workforce can improve business performance and help alleviate some of the labor market pressures that currently exist and are expected to intensify over the next decade.

Labor Market Snapshot and How Hiring and Retaining Persons with Disabilities Provides Solutions

- Issue:** In the current economic environment more than 85% of new jobs require skill sets beyond post-secondary education levels. (DOL, 2005)
- Solution:** The signature services of agencies that work with persons with disabilities provide specialized training and education to ensure these employees meet the needs of business and are positive, productive additions to the workforce.
- Issue:** The advancing age of the baby boomer population will constrict the workforce pipeline making qualified workers a scarce commodity. (Judy, 2000)
- Solution:** Of the workers with disabilities seeking work, more than 32% are unemployed and available to work. This is an untapped resource for companies seeking to hire. (Census, 2002)
- Issue:** Baby Boomers will more than triple the population of persons with disabilities and require various accommodations or work supports. (Census, 2002)
- Solution:** Public and private agencies are prepared to help employers keep these workers employed as long as possible - this is especially valuable since their experience and familiarity with the working environment will be needed during this generational shift.

Objectives

1. Participants will be exposed to some of the myths about workers with disabilities, and be surprised by how valuable this workforce can be to their business.
2. Participants will develop an awareness of how to attract and hire workers with disabilities.
3. Participants will be given the resources they need to recruit, hire and retain workers with disabilities.

Removing MYTHS and Establishing FACTS

Myth: Workers with disabilities are a potential liability.

Fact: All workers present liabilities, whether to safety, production or legal standing. The fact is, workers with disabilities litigate LESS than any other worker population. They favor solutions that will keep them working.

Myth: Judicial rulings favor workers with disabilities.

Fact: The Department of Justice (2004) reports that rulings favor employers who have good disability policies and who proactively seek solutions to retain workers within the limits of undue hardship.

Myth: Accommodations are expensive, and difficult to implement.

Fact: A 1998 study by Cornell University and SHRM revealed that 15% of accommodations cost nothing and 51% cost \$1 to \$500 and 12% cost under \$1000. In addition, businesses are often eligible for assistance to offset these costs.

Myth: Workers with disabilities cannot perform physical work.

Fact: They are just as likely to perform physical work as the general population.
(Cornell/SHRM)

Myth: Workers with disabilities lose more time from work for illness or medical needs.

Fact: They are no more likely to be out of work than the average worker (Cornell/SHRM) AND they more often have BETTER safety and attendance records than the norm! (DuPont, 1998).

Myth: The primary reason workers with disabilities are unemployed is because they are unemployable.

Fact: The greatest barrier to the employment of persons with disabilities is cultural due to unsubstantiated myths, attitudes and lack of knowledge among employers.
(Cornell/SHRM)

Myth: Workers with disabilities work less than other workers.

Fact: Full-time workers with disabilities average 45 hours of work per week, rivaling that of the general population.

Myth: Workers with disabilities are less stable than other workers.

Fact: Several studies have shown these workers to have HIGHER rates of retention (often exceeding 90%) and are more loyal to their employer than the general population.

Defining Disability and Accommodations

Disability: A limitation, in any way, in any major life activities; because of a long-term physical, mental or medical condition which has lasted 3 months, or is expected to last at least 3 months. (Monthly Labor Review, 1998)

Accommodations: Any activity, equipment or initiative that enables work to be performed at expected production levels.

The MOST Common Accommodations (U. S. Department of Justice, 2005):

- Flexible work schedules (the number one requested accommodation. Interestingly, according to a 2003 AARP study this is also the number one benefit baby boomers are looking for in maintaining employment after retirement age)
- Accessible communications (interpreters, computer readers, Braille etc.)
- Reduction in environmental distractions (noise abatement, organized work spaces)
- Physical space changes (wider aisles, accessible doors, height adjusted work spaces etc.)

Accommodations that are NOT covered or expected by the Americans with Disabilities Act:

- Eliminating primary job responsibilities
- Lowering production standards
- Providing personal items that do not affect work (i.e. prosthetics, hearing aids etc.)

- Activities that would cause undue hardship (i.e. unbearable cost, loss of business/production)
- Excusing uniform conduct violations (behaviors expected by all workers are also expected by workers with disabilities such as no-tolerance for sexual harassment, violence, etc.)

BRANDING and PROFITABILITY TIP:

A 2003 study by Solutions Marketing Group found that customers are more likely to buy products when they see companies sponsor disability focused activities, serve the needs of persons with disabilities or hire workers with disabilities.

90% of workers with disabilities have average or above average performance ratings and meet or exceed production standards. (DuPont, 1998)

CASE STUDIES: Successful Hiring and Retention Strategies

In nearly every case study you read on hiring workers with disabilities, you can find one common outcome: once they hire two or more employees from this worker pipeline, they begin to hire more. The benefits are real, and the initial efforts to make these workers an accepted and valued part of a company’s workforce are worth the pay offs in production and stability. Case in point, Carolina Fine Snacks began with two workers and within six months 50% of their workforce was comprised of persons with disabilities. They reduced turnover from 80% to less than 25%, increased production from 60% to 100% of capacity and were able to grow their business. Carolina Fine Snacks experienced something else that other companies, such as SunTrust Bank, Manpower and Farm Fresh have experienced: workers with disabilities have a positive effect on morale for ALL workers. This increase in morale might be due to the fact that the general workforce population is inspired by the success of workers with disabilities. It may also be that when these workers are integrated into the working team, the team is strengthened by the need to work together to accomplish tasks. Research has shown, workers with disabilities achieve higher rates of production than the general workforce population - perhaps by setting the bar higher they challenge all team members to meet new standards, and behavioral research shows that being challenged is a contributor to motivation.

How Successful Companies Make it WORK!

A basic model for creating a successful program for hiring workers with disabilities is based in the **INTEGRATION** of these workers into the company culture - NOT accommodating them so they can benefit from a job.

What’s the Difference?

Accommodation	Integration
Identify essential job functions as needed to determine accommodation feasibility.	Ensure all job descriptions are broken down into essential and non-essential functions to aid strategic planning activities.
Work with employees to identify potential accommodations after they claim a disability issue.	Develop a culture where the talents and skills of all employees are identified and every employee is given the tools necessary to be successful and work towards advancement.
Workers with disabilities are given separate consideration and in general diversity is approached from a differences perspective.	All workers are valued for the contributions they make that add to a rich and innovative culture.

A Model for Success

1. Lay the Groundwork:

- Prepare a disability friendly workplace policy with top management commitment
- Put a disability awareness and etiquette training tool in your resource library.
- Ensure all job descriptions are reflective of the work that needs to be accomplished and separate essential from non-essential tasks (this should be done ANYWAY – it helps with work flow and growth planning!)
- Identify local agencies that can help with recruiting.
- Prepare a list of company expectations for new workers to CLEARLY communicate these standards to local agencies and recruiters.
- Be prepared to have a rocky start – ALL new initiatives have challenges and provide opportunity for learning. Use the experience to INNOVATE not deteriorate!

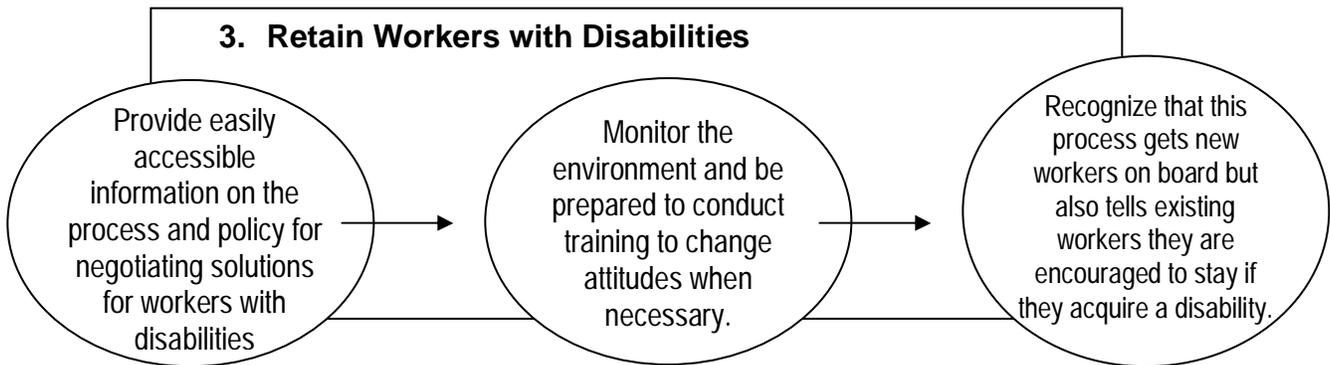
4. Recruit Workers with Disabilities



2. Hire Workers with Disabilities



3. Retain Workers with Disabilities



Frequently Asked Questions

- 1. If I don't have jobs available right now, but will in the future, how can I create a ready pipeline?**

A: All of the agencies that train and assist workers in finding employment have roles employers can play to keep a link to their own hiring needs. Some of these are: serving on an advisory board, being a guest speaker at a training class, and conducting mock interviews for workers who are seeking employment. The Virginia Board for People with Developmental Disabilities has an advocacy leader program and youth leader program - a GREAT way for businesses to support future leaders!

Case Study

Raytheon in Jacksonville, MS conducts mock interviews and participates in worker training classes. They have found several workers through this hands-on interaction. They have also been able to communicate with workforce coordinators who then refer workers to them when they fit Raytheon's needs.

- 2. I am not unwilling to hire workers with disabilities, but I am not confident I would know how to meet their needs. What do I do?**

A: First of all, workers with disabilities will most often be able to identify what they need, but employers sometimes need help in making those solutions work for everyone. There are several free technical resources available to design and implement solutions: Jobs Accommodation Network (JAN), Department of Rehabilitative Services (DRS) and the Disability and Business Technical Assistance Centers (DBTAC) are a few of these resources.

Case Study

Sprint was hiring a blind worker for its customer service division. They knew they needed to integrate screen reader software into their system, but needed technical assistance. The DBTAC was able to help them identify the right software, and they found it was also valuable for other employees as well.

- 3. I'm not sure I have jobs that workers with disabilities can do, how do I find out?**

A: Again, the resource agencies can help you look at job descriptions and find workers who fit your needs. However, this is primarily an attitude issue. Most employers already have workers with disabilities but they are unaware of it because the worker has not needed an accommodation.

Case Study

Since localities have core industries that create their economy, the best way to find case studies on how your local market is working with resource agencies is to call and ask for examples. They have great stories - and measurable results!

- 4. I have a worker with a disability that has requested many accommodations, we have tried to come to a solution but it doesn't seem to be working. Who can help?**

A: In addition to the local resource agencies, the EEOC and Department of Justice can guide you to a mediator who is familiar with disability issues and can provide a neutral sounding board to find a solution. Sometimes these issues can be emotional for both the employer who truly wants to help, and the worker who wants to stay on the job but is experiencing difficulty. If the employer can work it out then other workers will know that the employer is working in good faith and will be more loyal.

Hands-On Activity

This activity is being used in the VBPDD DisABILITY awareness seminars being conducted in the Commonwealth of Virginia. However, employers, agency staff and others may use it or adapt it to fit their needs. Enjoy!

1. Break into small groups of 5 or 6 people.
2. Assign people with the following roles:

HR Manager
Worker with a Disability
Supervisor
Co-Worker 1
Co-Worker 2 (optional)
Observer: Please note the dialogue and decisions made by the group during this exercise.

3. Introduction:

Cache is a small group of retail stores that serve a very discerning tourist clientele. Recently, a worker named Ann with a developmental disability was hired to help in one of the shops. Ann's training coordinator spent the first few days helping her become oriented to the environment and learn the cash register. Several issues since then have come up and you are unsure of how to deal with them. You have meetings with your staff, either individually or as a group to come to a solution.

Issues

Ann is very neat, but she gets upset sometimes if customers mess up a display. Her coworkers are also a little embarrassed at some of the ways she greets customers. To her co-workers, Ann can be loud and does not seem to portray the sophisticated atmosphere of the store. However, customers have not complained and some even have begun to ask her to help them find something because she always knows where everything is. Ann also has trouble reading the shipment labels. She does fine with numbers, and in fact has a knack for math, but the labels can confuse her and she sometimes assigns the wrong cartons to the inventory sheets.

1. How can you improve the environment so everyone accepts Ann and values her contributions? Can you identify cultural issues or attitudes as barriers?
2. How can you help Ann understand her job is to serve customers?
3. Since you need all staff to do inventory, especially in busy seasons, how can you make the job easier for Ann? How would you find out if there is technology that might help?

Learning Post-Test

1. On average, making accommodations for persons with disabilities costs:

- a. \$1500 b. Nothing c. \$500 d. **\$100.00**

(most accommodations are free and the majority of those that do have a cost are under \$500.00)

2. Of the persons with disabilities who desire full-time employment, _____% are unemployed:

- a. 60% b. 25% c. **80%** d. 40%

(More than 8 million workers with disabilities who are able and willing to work do not have full-time employment)

3. Persons with disabilities often seek legal action against employers.

- a. TRUE b. **FALSE**

(Most workers with disabilities seek compromises and negotiate for accommodations; they litigate less than the general population)

4. Workers with disabilities have higher rates of absenteeism.

- a. TRUE b. **FALSE**

(Workers with disabilities actually have better attendance rates AND higher retention rates than the general population)

5. The greatest barrier to employing persons with disabilities is:

- a. ability b. skills c. community culture d. **work culture**

(Work culture and lack of awareness among employees causes the greatest obstacle to employment of persons with disabilities)

6. Most employers have a person with a disability on payroll and don't know it.

- a. **TRUE** b. FALSE

(Workers with disabilities often work without seeking accommodations, so their employers do not know of their disability)

7. Workers with disabilities are a profitable recruitment pool for employers.

- a. **TRUE** b. FALSE

(Higher retention rates and positive performance data have shown that employers benefit financially from recruiting and hiring workers with disabilities.)

8. In the next 25 years the number of workers with disabilities will increase by more than 100%.

- a. **TRUE** b. FALSE

(Persons aged 45+ acquire disabilities at a rate of 45% over younger people, the aging baby boomer population is projected to double the number of workers with disabilities.)

Training and Equipment CREDITS

***NOTE! The credits and supports listed below are subject to change and are meant to provide employers with an idea of the resources they can use to offset training and equipment costs of hiring new workers from certain populations.

SWAM Small Woman and Minority Owned Business Assistance program:

www.dmbv.virginia.gov/services.html

This program is designed to assist in the start-up, growth or improvement of small businesses, including those owned by persons with disabilities. The Commonwealth of Virginia has an on-line registration process for those businesses wishing to compete for state service and resource contracts. Assistance may also be found at local Small Business Development Centers, a listing of local offices can be found at <http://www.sba.gov/va/> or by calling (804) 771-2400.

Your Ticket to Work

Found at www.yourtickettowork.gov, this program helps employers and workers get support for training and/or equipment workers with disabilities may need to perform their jobs.

The Architectural/Transportation Tax Deduction - Section 190 IRS Credit: www.irs.gov

Credit for small businesses with less than \$1 million in revenue and under 30 employees. Employers can receive up to 50% of expenses associated with accommodations for minimum expenses of \$250.00 and a maximum of \$10,250.00.

Work Opportunity Tax Credit: www.irs.gov

Credit for hiring workers who receive social security benefits, are veterans or have a disability. Up to 40% of first \$6,000 in wages for the first year of employment at a minimum of 400 hours of work. 25% credit for 120 to 399 hours of work. Submit form 8850 to local State Employment Security Agency for confirmation of employee status upon hire and mail in within 21 days of the first day of work.

Section 44: www.irs.gov

Another IRS tax credit for up to \$15,000 in structural changes for disability access. (Not applicable to new construction after 1990).

The Welfare-to-Work Tax Credit: www.irs.gov

This is a tax credit for businesses that hire individuals who have been certified by the “designated local agency” as a member of a family that received Temporary Assistance to Needy Families (TANF) or Aid to Families with Dependent Children (AFDC).

The Veterans Job Training Act: www.vec.state.va.us

This provides training costs for employers of long-term unemployed veterans of the Korean conflict or the Vietnam era. Contact your local One-stop Service Center or Virginia Employment Commission office for assistance.

The Mentor-Protégé Program, P.L. 102-172, Section 8064A:

<http://www.sba.gov/8abd/mentoroverview.html>

Community Rehabilitation Programs (CRPs) which employ people with disabilities and subcontract work from a prime contractor to the U.S. Department of Defense may receive technical assistance in areas such as production, management, financing, etc. The prime contractor (the mentor) is reimbursed by the federal agency for the costs of the technical assistance provided to the protégé.

The Social Security Administration Employment Network Cash Provision:

<http://www.ssa.gov/work>

The formula-based cash incentives are contingent upon favorable employment outcomes for people with disabilities, who are then able to forego their income maintenance (SSI and/or SSDI) benefits.

General Assistance with all Tax Credits and Training:

Virginia Employment Commission

www.vec.state.va.us

Department of Rehabilitative Assistance

<http://www.vadrs.org/>

Too much to absorb? Confused? There is an EASY SOLUTION!

Contact your local Disability Services Agency for help! Their business services staff are experts! Go to <http://www.vadrs.org/offices.htm> to find an expert near you!

Hiring and Retention Resources

What about local resources?

All of the local agencies have state or federal “parent” organizations or associations.

To find your local center:

- Visit one of the state or national websites below to obtain a local listing, or call the toll-free numbers provided.
- Call your local Chamber of Commerce, they often have the listing
- Call your city or county municipal center for assistance in locating resources

Check for a center near you at:

<http://www.vadrs.org/offices.htm>

<http://www.disabilityresources.org/VIRGINIA.html>

National Resources

Disability Info: general referral and information hub www.disabilityinfo.gov

Disability & Business Technical Assistance Centers (DBTAC) advisement on technical accommodations www.adata.org/dbtac.html

Employer Assistance Recruitment Network (EARN): free on-line referrals and job postings

Your Ticket to Work: employer support for training workers with disabilities

www.yourtickettowork.gov

Internal Revenue Service: very helpful information on credits available for hiring and training workers www.irs.gov

Commonwealth of Virginia

Advocacy and Public Policy Resources:

Virginia Board for People with Disabilities at: www.vaboard.org or by calling Voice: (804) 786-0016

Fax: (804) 786-1118

Toll Free Voice/TTY: 800-846-4464

Find Interpreters, Technical Advisors and other resources:

www.worksupport.org

SMALL BUSINESS AND SELF EMPLOYMENT FOR PEOPLE WITH DISABILITIES

SMALL BUSINESS IN AMERICA

With more than one million new businesses each year, America's economy depends on small businesses for its vitality and growth. According to the 1997 report of the U.S. Census Bureau, the nation's 17 million small, non-farm businesses constituted 99.7 percent of all employers, employed 52 percent of private workforce and accounted for 51 percent of the nation's sales. Small business-dominated industries provided 11.1 million new jobs between 1994 and 1998, virtually all of the new jobs created during that time period. Small businesses are most likely to generate jobs for young workers, older workers and women, provide 67 percent of first jobs and produce 55 percent of innovations.

Thousands of people with disabilities have been successful as small business owners. The 1990 national census revealed that people with disabilities have a higher rate of self-employment and small business experience (12.2 percent) than people without disabilities (7.8 percent). The Disabled Businessman's Association estimates that 40 percent of home-based businesses are operated by people with disabilities.

The University of Montana Research and Training Center on Rural Issues for People with Disabilities has documented that entrepreneurs with disabilities have successfully operated a wide variety of businesses: Accounting Services, Air Conditioner Repair Service, Auction Service, Auto Body Repair Shop, Boat Making Shop, Child Care Service, Chiropractic Practice, Contract Services, Counseling Service, Real Estate Office, Restaurant, Free-lance Writing, Used Clothing Store, Weed Abatement Service and Welding Shop. The type of business that a person with a disability can operate is limited only by imagination.

SMALL BUSINESS CHARACTERISTICS

Although the U.S. Small Business Administration (SBA) establishes industry-specific definitions, it generally considers any business with fewer than 500 employees, including self-employed individuals, to be a small business. The Federal Reserve Board's report, "National Survey of Small Business Finances (1995)," found that small businesses were home-based 53 percent of the time. Twenty-four percent of all new businesses in 1993 began with no outside financing. The remaining 76 percent received funding from traditional sources, such as banks, credit unions, and finance companies, or from family members or credit card advances.

Although many people believe that 80 percent of all small businesses fail within five years statistics from the U.S. Census Bureau reveal a different story. The Census Bureau reports that 76 percent of all small businesses operating in 1992 were still operating in 1996. In fact, only 17 percent of all small businesses that closed in 1997

were reported as bankruptcies or other failures. The other terminations occurred because the business was sold or incorporated or when the owner retired.

IMPORTANT CONSIDERATIONS FOR ALL SMALL BUSINESS ENTREPRENEURS

The SBA advises anyone thinking about starting a business to ask themselves several questions before going forward:

- Am I a self starter?
- How well do I get along with a variety of personalities?
- How good am I at making decisions?
- Do I have the physical and emotional stamina to run a business?
- How well do I plan and organize?
- Are my attitudes and drive strong enough to maintain motivation?
- How will my business affect my family?

IMPORTANT CONSIDERATIONS FOR POTENTIAL ENTREPRENEURS WITH DISABILITIES

Self-employment offers many benefits for people with disabilities:

- The freedom, flexibility and independence that come from working for oneself
- The opportunity to work in a disability-friendly environment
- The ability to reduce the need for transportation
- The ability to accommodate changing functional levels
- The ability to create an accessible work environment
- Individuals with disabilities who receive income support, such as Social Security Disability Insurance (SSDI) or Supplemental Security Income (SSI) disability payments, can increase their income while staying within the income and asset requirements of those programs.

But anyone considering entrepreneurship must also be aware of the challenges involved in starting a business. There remains an array of obstacles ranging from attitudinal barriers to lack of coordination among Federal programs:

- The possible loss of cash benefits from SSDI or SSI disability programs
- The possible loss of health care benefits such as Medicare or Medicaid
- The inability to get credit because of poor credit ratings
- The lack of assets to use as collateral
- The lack of access to programs promoting self-employment and small business development
- Government disability programs that overlook entrepreneurship as an avenue from the public rolls to self-sufficiency

The 1999 passage of the Ticket to Work and Work Incentives Improvement Act address some, but not all, of these issues.

RESOURCES FOR ENTREPRENEURS WITH DISABILITIES

- If you have a disability and are considering starting your own business, contact the President's Committee's new Small Business Self-Employment Service (SBSES) for information. The SBSES World Wide Web site, janweb.icdi.wvu.edu/sbSES, includes links to other entrepreneurship sites, including the SBA and state vocational rehabilitation programs. It also provides information on a variety of other technical assistance resources for writing business plans, financing, and other issues specific to developing a small business. Individual assistance is available at 800-526-7234 or 800-232-9675 (V/TDD).
- Whether you are starting a new business or expanding an established business, the SBA has a variety of programs to assist you. Free one-on-one counseling is available locally to help entrepreneurs and potential entrepreneurs in the areas of planning, financing, management, technology, government procurement, and other business related areas.

The SBA's Answer Desk is a national toll-free telephone service which provides information to the public on small business problems and concerns. This service provides general information about SBA programs and other programs available to assist the small business community.

Business Information Assistants are available to speak directly with callers between the hours of 9:00 a.m. and 5:00 p.m. (East Coast Time) by calling the Answer Desk at 800-UASK-SBA (800-827-5722). Outside of these hours, callers may hear a recording of the information 24 hours a day, seven days a week. Write to this service at: 200 North College Street, Suite A-2015, Charlotte, North Carolina, 28202 or send your questions via email at answerdesk@sba.gov.

- WorkSupport.com has a wonderful overview of what it takes to start a small business and some solutions to challenges that are specific to persons with disabilities. <http://www.worksupport.com/resources/listContent.cfm/5/2/0>
- The President's Committee has initiated a range of activities with other Federal agencies to ensure that Federal employment programs for people with disabilities will promote small business ownership as a career option, and that potential entrepreneurs with disabilities know about the process and resources for starting a business. Information on these programs can be obtained from the President's Committee's web site at www.pcepd.gov.

This publication is available in alternate formats.

President's Committee on Employment of People with Disabilities
1331 F Street NW, Washington, D.C. 20004-1107 www.pcepd.gov

DIVERSITY & SAMENESS

The Ten Commandments of Communicating with People with Disabilities has been developed as both a “diversity” and “sameness” training tool. Its goal is to make us more sensitive and respectful of people with varying disabilities, while recognizing that all of us (no matter how different we may appear to each other at first) share many of the same values, interests, hopes, and dreams.

In the workplace, it is these commonalities that often serve as the first bridges between employees with disabilities and their co-workers. Building on this inherent “sameness” results in stronger working relationships and contributes to the kind of teamwork organizations need to achieve their larger goals.

Sameness training is about instilling principles of conduct that are the same for everyone, regardless of race, gender, ethnicity or disability. And it’s about building strategies of support that help people overcome barriers arising from perceived differences.

With the passage of the Americans with Disabilities Act (ADA), this kind of training has become more important than ever, as thousands of employers have made the commitment to hire people with disabilities. Though many companies have discovered this decision has been a good one for their bottom line, thousands of others are yet to learn the valuable lessons of diversifying their workforce and tapping into the great stores of skills and talents held by persons with disabilities.

Many employers have unfounded fears about the efficiency of workers with disabilities. Studies show, that workers with disabilities rate just as high, and in some cases higher, in job performance and on-the-job safety, as those without disabilities. Other employers fear the cost of workplace accommodations, but in reality many can be made for free, and research has confirmed the majority cost less than \$500.

Still, the 49 million Americans with disabilities remain among the most overlooked of all minorities now guaranteed equal employment opportunities by federal law. They are the single largest untapped pool of employable persons in the nation, with the highest unemployment rate of any major demographic group of working-age Americans. Although two-thirds seek jobs, only one-third have been able to find even part-time employment.

Today, America **needs** diversity in the workplace. First, because it is right and just, and second, because it is economically sound. In an era of predicted labor shortages and increasing global competition, this country cannot afford to ignore the skills and talents of any segment of qualified workers.

Sameness training is about instilling principles of conduct that are the same for everyone, regardless of race, gender, ethnicity or disability.

Now is the time to renew our commitment to include people with disabilities into the diverse mix that is the American workforce, and to affirm once and for all their right to the same opportunities as all other Americans.

The Ten Commandments of Communication with People with Disabilities

- I. Speak directly to the worker rather than through a companion or sign language interpreter who may be present.
- II. Offer to shake hands when introduced. People with limited hand use or an artificial limb can usually shake hands and offering the left hand is an acceptable greeting.
- III. Always identify yourself and others who may be with you when meeting someone with a visual disability. When conversing in a group, remember to identify the person to whom you are speaking.
When dining with a friend who has a visual disability, ask if you can describe what is on his or her plate. When navigating, describe surrounding obstacles or features in terms of a clock (i.e. "The door is at 1:00 and there is a chair to your left at 9:00)
- IV. If you offer assistance, wait until the offer is accepted. Then listen or ask for instructions.
- V. Treat adults as adults. Address people with disabilities by their first names only when extending the same familiarity to all others. Never patronize people in wheelchairs by patting them on the head or shoulder.
- VI. Do not lean against or hang on someone's wheelchair. Bear in mind that people with disabilities treat their chairs as extensions of their bodies.
-- And so do people with guide dogs or help dogs. Never distract a work animal from their job without their owner's permission.
- VII. Listen attentively when talking with people who have difficulty speaking and wait for them to finish. If necessary, ask short questions that require short answers, or a nod of the head. Never pretend to understand; instead repeat what you have understood and allow the person to respond.
- VIII. Place yourself at eye level when speaking with someone in a wheelchair or on crutches.
- IX. Tap a person who has a hearing disability on the shoulder or wave your hand to get his or her attention. Look directly at the person and speak clearly, slowly, and expressively to establish if the person can read your lips. If so, try to face the right source and keep hands, cigarettes and food away from your mouth when speaking.
-- If a person is wearing a hearing aid, don't assume that they have the ability to discriminate your speaking voice.
-- Never shout at a person. Just speak in a normal tone of voice.

- X. Relax. Don't be embarrassed if you happen to use common expressions such as "See you later" or "Did you hear about this?" that seem to relate to a person's disability.

The Ten Commandments were adapted from many sources as a public service by United Cerebral Policy Association, Inc, (UCPA). UCPA's version of the The Ten Commandments was updated by Irene M. Ward & Associates (Columbus, Ohio), also as a public service, and to provide the most current language possible for its video entitled, *The Ten Commandments of Communicating with People with Disabilities*.

The Power of Words

The power of words lies in their ability to build bridges, enabling people of widely differing characteristics to share what they know and what they feel. Words are powerful tools that can bring people together, or keep them apart. And nowhere is this more obvious than when we use words associated with a person's disability.

Blatantly derogatory terms, such as “retard,” “spaz,” “gimp” and the like, obviously keep people apart, conveying an image of those with disabilities as not fully deserving of the level of respect we ordinarily give people. But other words and phrases work on a much subtler level. Many have gained widespread usage without people giving much thought to whether they are truly accurate descriptions of a disability, let alone if they imply a generalized judgment about those with that disability.

No one likes to be stereotyped based on just one aspect of their life. This is especially true for a person who happens to have a disability. Like anyone else, they want to be seen as a person with unique abilities, not automatically pigeonholed as a tragic or courageous object of pity.

But it's that “tragic martyr” stereotype we inadvertently foster every time we use phrases like “victim of cerebral palsy,” “bravely battling epilepsy,” or “confined to a wheelchair.” Even the word “handicapped” itself implies one is forever hindered by one's condition, incapable of ever overcoming the effects of one's disability.

The power of words, however, enables us to shift the emphasis away from a person's assumed limitations, and instead focus on simply describing their differences in accurate, non-judgmental ways that convey respect for the individual.

That's why the best (and usually most appreciated) course of action is to simply ask the person what terms they prefer.

This has led to the advent of “People First” language, which puts the person first, followed by (only when relevant) a simple description of their disability. For instance, “a person who is blind,” or “a man with Down syndrome,” or “a woman who uses a wheelchair.” It doesn't assume they feel victimized by their disability. Nor does it make a judgment about whether they are “brave” or if they feel “handicapped” by their disability at all.

As far as accuracy is concerned, terms for disabilities have changed over the years as we have progressed medically, socially, and ethically. Some of the most outmoded words are listed on the reverse side.

But as Tim Harrington says in *The Ten Commandments*, “If people are worried about every word they say, they end up not communicating at all.” Even people with disabilities differ on some terms. They would never want to discourage anyone from speaking to them out of a fear of using the wrong term. That's why the best (and

usually most appreciated) course of action is to simply ask the person what terms they prefer.

People with disabilities aren't asking you to use a special vocabulary just for them. In fact, just the opposite. Speak to them with the same words you'd use with anyone else. Because nothing can better express your respect for them as individuals than that.

Old Terms

Handicap
Midget/Dwarf
Deaf and dumb
Mongoloid
Cripple/gimp
Psycho/crazy/maniac
Suffers from, or afflicted with, or
a victim of (a disability)
Wheelchair-bound, or confined
to a wheelchair

The blind, the deaf, the disabled, etc.

Better Terms

Disability
Little person, person of short stature
Deaf
Person with Down syndrome
Person with physical disability
Person with mental illness
With (a disability)
Uses a wheelchair
People who are blind, people who are
deaf, people with disabilities, etc.

Condescending Euphemisms (when used in relation to a person's disability)

Special
Challenged
Courageous
Inspiring

Etiquette Guide for Working and Living with People with Disabilities

Created by the City of San Antonio

People With Disabilities

People with disabilities are not conditions or diseases. They are individual human beings.

For example, a person is **not** an *epileptic* but rather a *person who has epilepsy*.

First and foremost they are people. Only secondarily do they have one or more disabling conditions. Hence, they prefer to be referred to in print or broadcast media as **People with Disabilities**.

In any story, article, announcement or advertisement, "people with disabilities" should be used either exclusively or, at a minimum, as the initial reference. Subsequent references can use the terms "person with a disability" or "individuals with disabilities" for grammatical or narrative reasons. In conclusion, the appropriate and preferred initial reference is "people with disabilities."

Please refer to the [Glossary of Acceptable Terms](#) for a complete listing of acceptable terms and appropriate applications.

Distinction between Disability and Handicap

A Disability is a condition caused by an accident, trauma, genetics or disease which may limit a person's mobility, hearing, vision, speech or mental function. Some people with disabilities have one or more disabilities.

A Handicap is a physical or attitudinal constraint that is imposed upon a person, regardless of whether that person has a disability. Webster's Ninth New Collegiate Dictionary defines handicap as to put at a disadvantage.

Example:

Some people with disabilities use wheelchairs. Stairs, narrow doorways and curbs are handicaps imposed upon people with disabilities who use wheelchairs.

People with disabilities have all manner of disabling conditions:

mobility impairments
deafness and hearing impairments
mental and learning disabilities.

blindness and vision impairments
speech and language impairments

Reception Etiquette

Know where accessible restrooms, drinking fountains and telephones are located. If such facilities are not available, be ready to offer alternatives, such as the private or employee restroom, a glass of water or your desk phone.

Use a normal tone of voice when extending a verbal welcome. Do not raise your voice unless requested.

When introduced to a person with a disability, it is appropriate to offer to shake hands. People with limited hand use or who wear an artificial limb can usually shake hands.

- Shaking hands with the left hand is acceptable.
- For those who cannot shake hands, touch the person on the shoulder or arm to welcome and acknowledge their presence.

Treat adults in a manner befitting adults:

- Call a person by his or her first name only when extending that familiarity to all others present.
- Never patronize people using wheelchairs by patting them on the head or shoulder.

When addressing a person who uses a wheelchair, never lean on the person's wheelchair. The chair is part of the space that belongs to the person who uses it.

When talking with a person with a disability, look at and speak directly to that person rather than through a companion who may be along.

If an interpreter is present, speak to the person who has scheduled the appointment, not to the interpreter. Always maintain eye contact with the applicant, not the interpreter. Offer assistance in a dignified manner with sensitivity and respect. Be prepared to have the offer declined. Do not proceed to assist if your offer to assist is declined. If the offer is accepted, listen to or accept instructions.

- Allow a person with a visual impairment to take your arm (at or about the elbow.) This will enable you to guide rather than propel or lead the person.
- Offer to hold or carry packages in a welcoming manner.
Example: *May I help you with your packages?*
- When offering to hand a coat or umbrella, do not offer to hand a cane or crutches unless the individual requests otherwise.

Service Animals

Background

Over 12,000 people with disabilities use the aid of service animals. Although the most familiar types of service animals are guide dogs used by people who are blind, service animals are assisting persons who have other disabilities as well. Many disabling conditions are invisible. Therefore, every person who is accompanied by a service animal may or may not "look" disabled. A service animal is NOT required to have any special certification.

What is a Service Animal?

A service animal is NOT a pet!

According to the Americans with Disabilities Act of 1990 (ADA)

A service animal is any animal that has been individually trained to provide assistance or perform tasks for the benefit of a person with a physical or mental disability which substantially limits one or more major life functions.

Service Animal Access

The civil rights of persons with disabilities to be accompanied by their service animals in all places of public and housing accommodations is protected by the following Federal laws:

- Americans with Disabilities Act, ADA (1990)
- Air Carrier Access Act (1986)
- Fair Housing Amendments Act (1988)
- Rehabilitation Act (1973)

Service Dog Etiquette

- Do not touch the Service Animal, or the person it assists, without permission.
- Do not make noises at the Service Animal, it may distract the animal from doing its job.
- Do not feed the Service Animal, it may disrupt his/her schedule.
- Do not be offended if the person does not feel like discussing his/her disability or the assistance the Service Animal provides. Not everyone wants to be a walking-talking "show and tell" exhibit.

PREPARING FOR SIGN LANGUAGE INTERPRETERS

The professional interpreter is always considered as an extension of and part of the event. Interpreters are part of the team meant to deliver accurate and intended messages given by the presenters or performers.

The further in advance notice is provided to the interpreter, the more prepared they will be. This process will allow the interpreter to have the proper time needed for an event and prevent "cold" interpreting. Time for preparation is essential to allow accurate dissemination of the intended messages to the audience.

For instance, an interpreter needs to spend an average of 15-20 hours of practice for a 2 hour musical concert. With this in mind, the following information given to the interpreter will enhance the quality of the interpreted performance/event. Name and type of event.

Name of event contact person with a phone number.

- Correct billing address.
- Clear address and directions to the event and the location where the interpreter is to check-in.
- Parking passes or information on any kind of special arrangements for parking.
- Correct spellings of all names of those speaking or performing.

- A summary of subjects that will be presented by each speaker.
- A list of any musical lyrics in advance, ideally at the time of request.
- Communication and shared information to all persons directly involved with the event regarding the arrangements for the interpreter.

If any information to be presented is other than English, a written interpretation in English will be needed in advance. "OR" an advance notice of at least 3 weeks will be needed to allow adequate time to secure an appropriate interpreter.

Staging:

Ideally, the interpreter should be on stage, to the side of the presenter to enhance visibility for the deaf audience. If the interpreter cannot be on stage, they should be placed off the side of the stage, on an elevated surface at chest level above the heads of the audience with a speaker placed in front of and facing the interpreter. "OR" the host may choose to provide at least 2 direct in-line headsets to microphone.

Lighting:

Any time you have lights on the presenter's you will also need to plan on lights for the interpreters especially if the event is inside of an auditorium or in any area of darkness. A soft light staged to encompass the interpreter is essential for the deaf viewer. Effective colors seem to be soft blue, light purple or any other soft color except BOLD white.

Security:

When security is present for the event, it is advisable to remember to include securing the safety of the interpreter or to have security placed close by the interpreter performing.

Thanks to Deb Andersen, Interpreter for her valuable advice.

Conversation Etiquette

When talking to a person with a disability, look at and speak directly to that person, rather than through a companion who may be along.

Relax. Don't be embarrassed if you happen to use accepted common expressions such as "See you later" or "Got to be running along" that seem to relate to the person's disability.

To get the attention of a person with a hearing impairment, tap the person on the shoulder or wave your hand. Look directly at the person and speak clearly, naturally and slowly to establish if the person can read lips. Not all persons with hearing impairments can lip-read. Those who can will rely on facial expression and other body language to help in understanding. Show consideration by placing yourself facing the light source and keeping your hands, cigarettes and food away from your mouth when speaking. Keep mustaches well-trimmed. Shouting won't help. Written notes may.

When talking with a person in a wheel chair for more than a few minutes, use a chair, whenever possible, in order to place yourself at the person's eye level to facilitate conversation.

When greeting a person with a severe loss of vision, always identify yourself and others who may be with you.

EXAMPLE: *On my right is Penelope Potts.*

When conversing in a group, give a vocal cue by announcing the name of the person to whom you are speaking. Speak in a normal tone of voice, indicate in advance when you will be moving from one place to another and let it be known when the conversation is at an end.

Listen attentively when you're talking to a person who has a speech impairment. Keep your manner encouraging rather than correcting. Exercise patience rather than attempting to speak for a person with speech difficulty. When necessary, ask short questions that require short answers or a nod or a shake of the head. Never pretend to understand if you are having difficulty doing so. Repeat what you understand, or incorporate the interviewee's statements into each of the following questions. The person's reactions will clue you in and guide you to understanding.

If you have difficulty communicating, be willing to repeat or rephrase a question. Open-ended questions are more appropriate than closed-ended questions.

EXAMPLE:

Closed-Ended Question: *You were a tax accountant in XYZ Company in the corporate ada department for seven years. What did you do there?*

Open-Ended Question: *Tell me about your recent position as a tax accountant.*

Do not shout at a hearing impaired person. Shouting distorts sounds accepted through hearing aids and inhibits lip reading. Do not shout at a person who is blind or visually impaired -- he or she can hear you!

To facilitate conversation, be prepared to offer a visual cue to a hearing impaired person or an audible cue to a vision impaired person, especially when more than one person is speaking.

Interviewing Scheduling Etiquette

Some interviewees with visual or mobility impairments will phone in prior to the appointment date, specifically for travel information. The scheduler should be very familiar with the travel path in order to provide interviewees with detailed information.

Make sure the place where you plan to conduct the interview is accessible by checking the following:

- Are there handicap parking spaces available and nearby?
- Is there a ramp or step-free entrance?
- Are there accessible restrooms?
- If the interview is not on the first floor, does the building have an elevator?

- Are there any water fountains and telephones at the proper height for a person in a wheelchair to use?
- If an interview site is inaccessible (e.g., steps without a ramp or a building without an elevator), inform the person about the barrier prior to the interview and offer to make arrangements for an alternative interview site.

When scheduling interviews for persons with disabilities, consider their needs ahead of time:

- When giving directions to a person in a wheelchair, consider distance, weather conditions and physical obstacles such as stairs, curbs and steep hills.
- Use specifics such as left a hundred feet or right two yards when directing a person with a visual impairment.
- Be considerate of the additional travel time that may be required by a person with a disability.

Familiarize the interviewee in advance with the names of all persons he or she will be meeting during the visit. This courtesy allows persons with disabilities to be aware of the names and faces that will be met.

People with disabilities use a variety of transportation services when traveling to and from work. When scheduling an interview, be aware that the person may be required to make a reservation 24 hours in advance, plus travel time. Provide the interviewee with an estimated time to schedule the return trip when arranging the interview appointment.

Expect the same measure of punctuality and performance from people with disabilities that is required of every potential or actual employee.

People with disabilities expect **equal** treatment, not special treatment.

Interviewing Technique Etiquette

1. Conduct interviews in a manner that emphasizes abilities, achievements and individual qualities.
2. Conduct your interview as you would with anyone. Be considerate without being patronizing.
3. When interviewing a person with a speech impediment, stifle any urge to complete a sentence of an interviewee.
4. If it appears that a person's ability inhibits performance of a job, ask: How would you perform this job?

Examples:

Inappropriate: *I notice that you are in a wheelchair, and I wonder how you get around. Tell me about your disability.*

Appropriate: *This position requires digging and using a wheelbarrow, as you can see from the job description. Do you foresee any difficulty in performing the required tasks? If so, do you have any suggestions how these tasks can be performed?*

Interviewing Courtesies for Effective Communication

Interviewers need to know whether or not the job site is accessible and should be prepared to answer accessibility-related questions.

Interviewing a person using Mobility Aids

Interviewing a person with Vision Impairments

Interviewing a person with Speech Impairments

Interviewing a person who is Deaf or Hearing Impaired

Interviewing a person using Mobility Aids

Enable people who use crutches, canes or wheelchairs to keep them within reach.

Be aware that some wheelchair users may choose to transfer themselves out of their wheelchairs (into an office chair, for example) for the duration of the interview.

Here again, when speaking to a person in a wheelchair or on crutches for more than a few minutes, sit in a chair. Place yourself at that person's eye level to facilitate conversation.

Interviewing a person with Vision Impairments

When greeting a person with a vision impairment always identify yourself and introduce anyone else who might be present.

If the person does not extend their hand to shake hands, verbally extend a welcome.

EXAMPLE: Welcome to the City of San Antonio, Disability Access Office.

When offering seating, place the person's hand on the back or arm of the seat. A verbal cue is helpful as well.

Let the person know if you move or need to end the conversation.

Allow people who use crutches, canes or wheelchairs to keep them within reach.

Interviewing a person with Speech Impairments

Give your whole attention with interest when talking to a person who has a speech impairment.

Ask short questions that require short answers or a nod of the head.

Do not pretend to understand if you do not. Try rephrasing what you wish to communicate, or ask the person to repeat what you do not understand.

Do not raise your voice. Most speech impaired persons can hear and understand.

Interview a person who is Deaf or Hearing Impaired

If you need to attract the attention of a person who is deaf or hearing impaired, touch him or her lightly on the shoulder.

If the interviewee lip-reads, look directly at him or her. Speak clearly at a normal pace. Do not exaggerate your lip movements or shout. Speak expressively because the person will rely on your facial expressions, gestures and eye contact. (Note: It is estimated that only four out of ten spoken words are visible on the lips.)

Place yourself placing the light source and keep your hands, cigarettes and food away from your mouth when speaking.

Shouting does not help and can be detrimental. Only raise your voice when requested. Brief, concise written notes may be helpful.

In the United States most deaf people use American Sign Language (ASL.) ASL is not a universal language. ASL is a language with its own syntax and grammatical structure. When scheduling an interpreter for a non-English speaking person, be certain to retain an interpreter that speaks and interprets in the language of the person.

If an interpreter is present, it is commonplace for the interpreter to be seated beside the interviewer, across from the interviewee.

Interpreters facilitate communication. They should not be consulted or regarded as a reference for the interview.

Do & Don'ts

Do learn where to find and recruit people with disabilities.	Don't assume that persons with disabilities do not want to work. Don't assume that alcoholism and drug abuse are not real disabilities, or that recovering drug abusers are not covered by the ADA.
Do learn how to communicate with people who have disabilities.	Don't ask if a person has a disability during an employment interview. Don't assume that certain jobs are more suited to persons with disabilities.
Do ensure that your applications and other company forms do not ask disability-related questions and that they are in formats that are accessible to all persons with disabilities.	Don't hire a person with a disability if that person is at significant risk of substantial harm to the health and safety of the public and there is no reasonable accommodation to reduce the risk or harm. Don't hire a person with a disability who is not qualified to perform the essential functions of the job even with a reasonable accommodation. Don't assume that you have to retain an unqualified employee with a disability.
Do consider having written job	Don't assume that your current management will need

descriptions that identify the essential functions of each job.

special training to learn how to work with people with disabilities.

Do ensure that requirements for medical examinations comply with the Americans with Disabilities Act

Don't assume that the cost of accident insurance will increase as a result of hiring a person with a disability.

Do relax and make the applicant feel comfortable.

Don't assume that the work environment will be unsafe if an employee has a disability.

Do provide reasonable accommodations that the qualified applicant will need to compete for the job.

Don't assume that reasonable accommodations are expensive.

Do treat an individual with a disability the same way you would treat any applicant or employee -- with dignity and respect.

Don't speculate or try to imagine how you would perform a specific job if you had the applicant's disability.

Do know that among those protected by the ADA are qualified individuals who have AIDS, cancer, who are mentally retarded, traumatically brain-injured, deaf, blind and learning disabled.

Don't assume that you don't have any jobs that a person with a disability can do.

Do understand that access includes not only environmental access but also making forms accessible to people with visual or cognitive disabilities and making alarms and signals accessible to people with hearing disabilities.

Don't assume that your work place is accessible.

Do develop procedures for maintaining and protecting confidential medical records.

Don't make medical judgments.

Do train supervisors on making reasonable accommodations.

Don't assume that a person with a disability can't do a job due to apparent or non-apparent disabilities.

Glossary of Acceptable Terms

Acceptable Terms

Person with a disability.

Disability, a general term used for functional limitation that interferes with a person's ability, for example, to walk, hear or lift. It may refer to a physical, mental or sensory condition.

People with cerebral palsy, people with spinal cord injuries.

Person who had a spinal cord injury, polio, a stroke, etc. or a person who has multiple sclerosis, muscular dystrophy, arthritis, etc.

Has a disability, has a condition of (spina bifida, etc.), or born without legs, etc.

Deafness/hearing impairment. Deafness refers to a person who has a total loss of hearing. Hearing impairment refers to a person who has a partial loss of hearing within a range from slight to severe.

Hard of hearing describes a hearing-impaired person who communicates through speaking and speech-reading, and who usually has listening and hearing abilities adequate for ordinary telephone communication. Many hard of hearing individuals use a hearing aid.

Person who has a mental or developmental disability.

Use a wheelchair or crutches; a wheelchair user; walks with crutches.

Unacceptable Terms

Cripple, cripples - the image conveyed is of a twisted, deformed, useless body.

Handicap, handicapped person or handicapped.

Cerebral palsied, spinal cord injured, etc. Never identify people solely by their disability.

Victim. People with disabilities do not like to be perceived as victims for the rest of their lives, long after any victimization has occurred.

Defective, defect, deformed, vegetable. These words are offensive, dehumanizing, degrading and stigmatizing.

Deaf and Dumb is as bad as it sounds. The inability to hear or speak does not indicate intelligence.

Retarded, moron, imbecile, idiot. These are offensive to people who bear the label.

Confined/restricted to a wheelchair; wheelchair bound. Most people who use a wheelchair or mobility devices do not regard them as confining. They are viewed as liberating; a means of getting around.

Able-bodied; able to walk, see, hear, etc.;
people who are not disabled.

Healthy, when used to contrast with
"disabled." Healthy implies that the
person with a disability is unhealthy.
Many people with disabilities have
excellent health.

People who do not have a disability.

Normal. When used as the opposite of
disabled, this implies that the person is
abnormal. No one wants to be labeled as
abnormal.

A person who has (name of disability.)
Example: A person who has multiple sclerosis.

Afflicted with, suffers from. Most people
with disabilities do not regard
themselves as afflicted or suffering
continually.

Afflicted: a disability is not an affliction.

Job Analysis: An Important Employment Tool

All hiring decisions and supervisory evaluations should be made on objective criteria. A supervisor needs to know each job under his or her supervision, and the qualifications needed to perform it, to develop objective interview questions and objectively evaluate an employee's performance.

Human resource specialists who are responsible for initial screening of job applicants and mediating performance appraisal disputes must also understand the key components of the jobs in their organization.

Job analysis provides an objective basis for hiring, evaluating, training, and accommodating and supervising persons with disabilities, as well as improving the efficiency of your organization. It is a logical process to determine:

- **purpose** - the reason for the job,
- **essential functions** - the job duties which are critical or fundamental to the performance of the job,
- **job setting** - the work station and conditions where the essential functions are performed, and
- **job qualifications** - the minimal skills an individual must possess to perform the essential functions. A job analysis describes the job, not the person who fills it.

HOW TO CONDUCT A JOB ANALYSIS

The following questions can help you to analyze each job in your organization.

Purpose

1. What are the particular contributions of the job toward the accomplishment of the overall objective of the unit or organization?

Essential Functions

1. What three or four activities actually constitute the job? Is each really necessary? (For example a secretary types, files, answers the phone, takes dictation.)

2. What is the relationship between each task? Is there a special sequence which the tasks must follow?

3. Do the tasks necessitate sitting, standing, crawling, walking, climbing, running, stooping, kneeling, lifting, carrying, digging, writing, operating, pushing, pulling, fingering, talking, listening, interpreting, analyzing, seeing, coordinating, etc.?

4. How many other employees are available to perform the job function? Can the performance of that job be distributed among any other employees?
5. How much time is spent on the job performing each particular function? Are the tasks performed less frequently as important as those done more frequently?
6. Would removing the function fundamentally alter the job?
7. What happens if a task is not completed on time?

Job Setting

1. **Location** - Where are the essential functions of the job carried out?
2. **Organization** - How is the work organized for maximum safety and efficiency? How do workers obtain necessary equipment and materials?
3. **Movement** - What movement is required of employees to accomplish the essential functions of the job?
4. **Conditions** - What are the physical conditions of the job setting (hot, cold, damp, inside, outside, underground, wet, humid, dry, air-conditioned, dirty, greasy, noisy, sudden temperature changes, etc.)? What are the social conditions of the job (works alone, works around others, works with the public, works under close supervision, works under minimal supervision, works under deadlines, etc.)?

Worker Qualifications:

1. What are the physical requirements (lifting, driving, cleaning, etc.)?
2. What are the general skills needed for the job (ability to read, write, add, etc.)?
3. What specific training is necessary? Can it be obtained on the job?
4. What previous experience, if any, can replace or be substituted for the specific training requirements?

How to Use the Job Analysis

Once the job analysis has been completed you will be in a better position to:

1. Develop objective job-related interview questions.
2. Write current and accurate job descriptions. Position descriptions should be updated on a regular basis and a job analysis done if any factors outlined above have to be altered.

3. Perform objective performance appraisals.
4. Determine if accommodations can assist a person with a disability to perform the job.
5. Conduct personnel functions in a non-discriminatory manner.

Information for this fact sheet was taken in part from *Ready Willing and Available, A Business Guide for Hiring Persons with Disabilities*, President's Committee on Employment of People with Disabilities, Revised August 2003.

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GLOSSARY OF COMMONLY USED TERMS*

Accessible: Easy to approach, enter, operate, participate in, and/or use safely with dignity by a person with a disability (i.e. site, facility, work environment, service, or program).

Affirmative Action: Positive action to accomplish the purposes of a program which is designed to increase the employment opportunities of certain groups, which may involve goals, timetables, or specifically outlined steps to be undertaken to assure that objectives are reached. The Americans with Disabilities Act does not mandate affirmative action, but does require that covered entities ensure non-discrimination. Title 5, Section 503 of the Rehabilitation Act does require that affirmative action be taken in employment considerations of persons with disabilities by federal contractors.

Americans with Disabilities Act (ADA): A comprehensive Civil Rights law which makes it unlawful to discriminate in private sector employment against a qualified individual with a disability. The ADA also outlaws discrimination in state and local government services and employment, public accommodations, transportation, and telecommunication. The law was enacted in July of 1990. The private sector employment provisions (Title I) became effective for employers with 25 or more employees on July 26, 1992, and on July 26, 1994, for employees of 15 or more employees. The public sector employment provisions (Title II) became effective on January 26, 1992.

Auxiliary Aids and Services: Devices or services that accommodate a functional limitation of a person with a communication disability. The term includes qualified interpreters and communication devices for persons who are deaf or persons who are hard of hearing; qualified readers, taped texts, Braille or other devices for persons with visual impairments; adaptive equipment or similar services and actions for persons with other communication disabilities.

Centers for Independent Living (CIL): Organizations run by and with people with disabilities that provide information and referral, self-help skills training, advocacy, peer support, and other services/consultations to people with all types of disabilities, businesses, government entities, and community groups.

Essential Job Functions: The fundamental job duties of the employment position that the individual with a disability holds or desires. The term “essential functions” does not include marginal functions of the position.

Equal Employment Opportunity: Non-discrimination in hiring, firing, compensation, promotion, recruitment, training, and other terms and conditions of employment regardless of race, color, sex, age, religion, national origin or disability.

Individual with a Disability: A person who has a physical or mental impairment that substantially limits one or more of that person's major life activities, has a record of such impairment, or who is regarded as having such an impairment.

Major Life Activity: Basic activities that the average person in the general population can perform with little or no difficulty, including caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

“People First”: A way of accurately yet respectfully describing people by mentioning the person first, **before** any necessary description of their disability. For instance, *the woman who is blind*, instead of *the blind woman*. This emphasizes that the person is **first a person**, and second, a person with a disability. Of course, if the disability is not relevant to the matter at hand, it doesn't need to be mentioned at all.

Qualified Individual with a Disability: An individual with a disability who satisfies the requisite skill, experience, education and other job-related requirements of the employment position such individual holds or desires, and who, with or without reasonable accommodations, can perform the essential functions of such position.

Readily Achievable: Easily accomplishable and able to be carried out without much difficulty or expense. In determining whether an action is readily achievable, factors to be considered include nature and cost of the action, overall financial resources and the effect on expenses and resources, legitimate safety requirements, impact on the operation of a site, and, if applicable, overall financial resources, size, and type of operation of any parent corporation or entity.

Reasonable Accommodation: (1) Modification or adjustment to a job application process that enables a qualified applicant with a disability to be considered for the position such qualified applicant desires; or (2) modifications or adjustments to the work environment, or to the manner or circumstances under which the position held or desired is customarily performed, that enables qualified individuals with disabilities to perform the essential functions of that position; or (3) modifications or adjustments that enable a covered entity's employee with a disability to enjoy equal benefits and privileges of employment as are enjoyed by its other similarly situated employees without disabilities.

Title V of the Rehabilitation Act of 1973: Title of the law which prohibits discrimination on the basis of a disability by the federal government, federal contractors, by recipients of federal financial assistance, and in federally conducted programs and activities.

Undue Hardship: With respect to the provision of an accommodation, significant difficulty or expense incurred by a covered entity, when considered in light of certain factors. These factors include the nature and cost of the accommodation in relationship to the size, resources, nature, and structure of the employer's operation. Where the facility making the accommodation is part of a larger entity, the structure

and overall resources of the larger organization would be considered, as well as the financial and administrative relationship of the facility to the larger organization.

Vocational Rehabilitation: Services designed to assist individuals with disabilities to enter or reenter gainful employment.

*Sources for most of these definitions include the Americans with Disabilities Act and its implementing regulations, Title V of the Rehabilitation Act, the President's Committee on Employment of People with Disabilities, and Irene M. Ward & Associates.