Better Business Workshop Hiring & Retaining Individuals with Disabilities



Framework for Today:

- Definition, Types, and Incidence of Disability
- Inclusive Workplace- what is it?
- Common Misconceptions & The Facts
- Disability Etiquette
- Discussing Disability in Interviews and Inclusive Hiring Practices
- Reasonable Accommodations
- Assistive Technology
- Q & A



Disability Definition

A person who has a physical, mental, emotional or intellectual impairment that substantially limits one or more major life activities such as:

Walking Hearing

Standing Breathing

Seeing Self Care

Speaking Learning

...and WORKING



Disability Impacts of

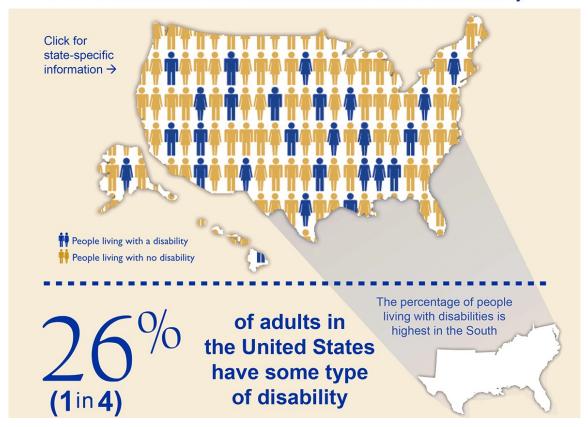






View infographic and references at: https://www.cdc.gov/disability

61 million adults in the United States live with a disability







What is an Inclusive Workplace?

An inclusive workplace is that working environment that values the individual and group differences within its work force. It enables a company to embrace the diversity of backgrounds and perspectives of the employees, which in turn increases their talent, innovation, creativity and contributions.



Why is Inclusion Important?



- Working is essential to quality-of-life factors including self-sufficiency, meaning, and a sense of purpose
- Bring a unique set of skills, abilities, and talents
- In general, do not require "help" to work; they need barriers removed
- However, when asked, approximately 70% of businesses report they do not hire individuals with disabilities.

Common Misconception

- Employees with disabilities cannot perform the job.
- Providing accommodations for people with disabilities is expensive.
- •Hiring people with disabilities will scare my customers away.



Data Supporting Inclusivity

- Performance
- Accommodations
- Perceptions



Disability Etiquette-Person First Language

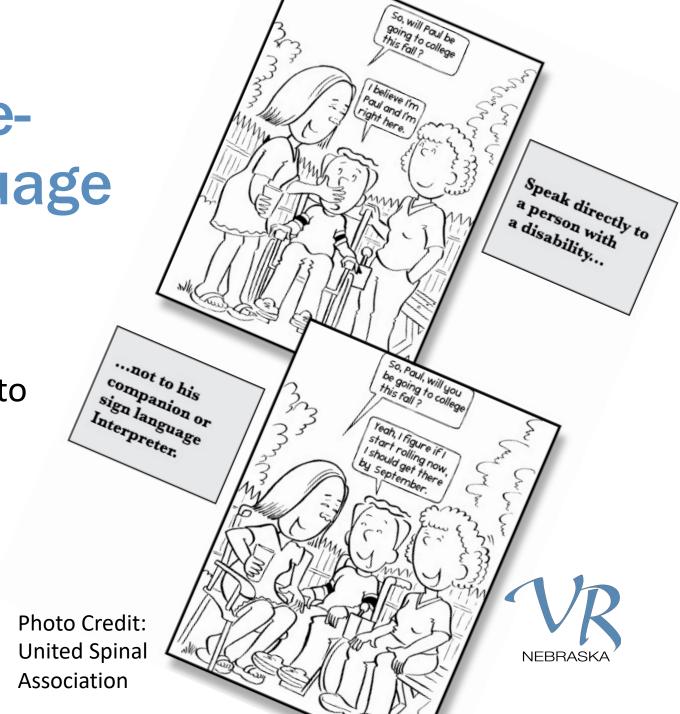
• Why "person first"?

 Avoid outdated termssuch as "handicapped"

 And phrases such as "confined to wheelchair"

 Say person with a disability VS. the "disabled"

If you don't know, just ask



Discussing Disability in Interviews and Inclusive Hiring Practices



What Can an Employer Ask During an Interview?

May ask

- "Can you perform these functions with or without reasonable accommodation?"
 ☐ Yes ☐ No (check one)
- About ability to perform job duties (e.g., ability to lift a certain amount of weight, if job-related)
- About non-medical qualifications and skills, education, experience, certifications, etc.
- About ability to meet attendance requirements

May NOT ask

- "Can you perform these functions with without reasonable accommodation?
 □ With □ Without (check one)
- About disability, medical impairment...
 unless accommodation is requested for
 hiring and disability is not known or obvious
- About workers' compensation history
- Previous employers or other sources about candidate's disability, limitations, accommodation, etc.

Disability Disclosure

- Are applicants required to disclose disability-related information at a particular time? No, with limited exceptions
- Generally, employers may not require applicants to disclose information about disability or medical impairment prior to an offer of employment
- However, an applicant will need to disclose during hiring to receive accommodation:
- To complete an on-line application
- To participate in a job interview
- To take an employment test

May employers ask applicants
to voluntarily disclose disability status?
Yes, for affirmative action purposes
under federal laws, policies, etc. Rehabilitation Act, Section
503, Voluntary Self-Identification of
Disability Form

Please check one of the boxes below:

- Yes, I have a disability (or previously had a disability)
- No, I don't have a disability
- I don't wish to answer



Marshmallow Challenge

The challenge is simple:

In 18 minutes, build the tallest free-standing structure out of 20 sticks of spaghetti, 3 feet of tape, 3 feet of string, and one marshmallow. The marshmallow must be on top.





Creating an Inclusive Work Environment

- Educate your leaders
- Form an Inclusion Council
- Celebrate employee differences
- Listen to employees
- Hold more-effective meetings

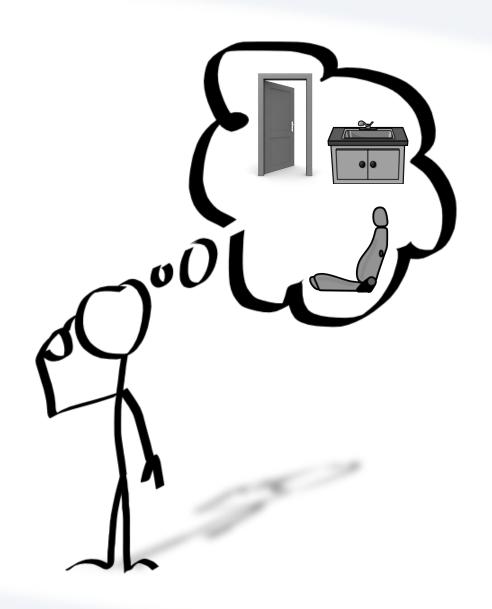






Reasonable Accommodations







Americans with Disabilities Act

- 1. Employment (Title I)
- 2. Public Services (Title II)
- 3. Public Accommodations (Title III)
- 4. Telecommunications (Title IV)
- 5. Miscellaneous (Title V)





Employment (Title I)

- Meet the definition and be qualified
- Perform essential functions
 - With or without accommodations
- Purchases outside workplace



Reasonable Accommodations

- Definition
- Disclosure
- Effectiveness
- Undue Hardship

https://askjan.org



Reasonable Accommodations

- Modifying written materials
- Accessible meeting locations.
- Adjusting or modifying work schedules
- Providing or modifying equipment or devices.
- Adjusting or modifying policies and procedures
- Printing paycheck stubs for direct deposit
- Changing work environment that improve accessibility



Items Not Considered Accommodations



- Exemption from conduct standards.
- Lowered performance standards.
- Eliminate essential job functions.
- Change in supervisors.



When May a Reasonable Accommodation be Denied?

An employer does not have to provide a reasonable accommodation where they can show an <u>undue hardship</u>.

- Is unduly costly or administratively burdensome
- •Interferes with others' rights or safety
- Fundamentally changes the way business is conducted



Can You Over Accommodate?

When someone is given an accommodation that doesn't match their disability needs.

Common Over Accommodations:

- Leniency on dress codes
- Free foods/excessive food rewards
- Excessive breaks decreasing productivity
- Lack of critical and specific feedback
- Exemption from accountability and rules
- Allowing insubordination

These are not reasonable accommodations.

Work Opportunity Tax Credit (WOTC)

Disabled Access Credit (for small businesses)

Barrier Removal Tax Deduction







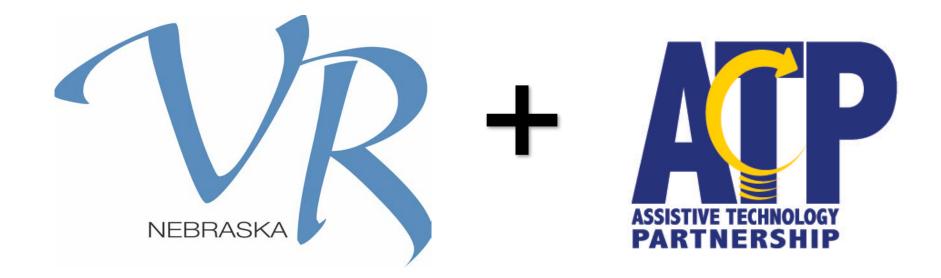
Toll-Free ADA Information Line

800-514-0301 (voice)

800-514-0383 (TTY)



Assistive Technology Partnership



http://www.vr.nebraska.gov/

https://atp.nebraska.gov/



Nebraska VR Partnership

- Provide workplace evaluation, design, adaptation, or technical training
- Recommends possible worksite modifications
- Demonstration and trial use of equipment









AT4ALL Website

- Demonstrations are conducted in our demonstration centers, homes, classrooms, and work settings.
- Short term loans to try before you buy or borrow during repair or replacement. Borrowing equipment can also fill gaps while you are waiting for a repair or shipment of your own equipment and on a temporary basis while you recuperate from an injury of illness.

https://www.at4all.com/



HIRINGCHAIN

STING



Rich McFall

Business Account Manager

Nebraska VR

Nebraska Department of Education

rich.mcfall@nebraska.gov

402.417.3913

http://www.vr.nebraska.gov/business



More Resources

- http://www.vr.nebraska.gov/business/
- https://askjan.org
- https://askjan.org/Eeguide/EeGuide.pdf
- https://www.whatcanyoudocampaign.org
- https://www.dol.gov/sites/dolgov/files/odep/pubs/20100727.pdf
- https://www.unitedspinal.org/pdf/WheelchairFireSafety.pdf
- https://www.unitedspinal.org/pdf/DisabilityEtiquette.pdf
- https://www.eeoc.gov/laws/guidance/job-applicants-and-ada
- https://www.eeoc.gov/policy/docs/preemp.html
- https://www.dol.gov/odep/pubs/fact/opening.htm
- https://atp.nebraska.gov

