

ADA RESEARCH BRIEF

WORKPLACE CULTURE AND THE ADA

WHAT IS THE ADA?

The Americans with Disability Act (ADA) was passed July 26, 1990. It provides a legal framework for people with disabilities to challenge discrimination. The ADA's importance extends well beyond the court system; it is also a broader symbol of bipartisan support for disability inclusion into all aspects of public life. Under the ADA, disability is formally recognized as a source of discrimination similar to how "race, color, religion, sex, or national origin" is in the Civil Rights Act of 1964. The ADA provides a legal framework for individuals with disabilities to challenge discriminatory practices in employment settings, state and local government, and places of public accommodation. The larger goal of the law is to assure equality of opportunity, full participation, independent living, and economic self-sufficiency for all individuals with disabilities.

THE ADA AND ORGANIZATIONAL CULTURE

Organizational culture- or the values, practices, written and unwritten rules of how a group functions- is an important part of work life that relates to all four goals of the ADA. The ADA directly and indirectly shapes the ways in which people work together, and how disability is included with organizational practices, policies, and procedures. In the area of employment, the law describes how to prevent employment practices that discriminate against people with disabilities. Discrimination occurs either: (1) when someone is denied a position they are qualified for because of their disability (Section 101-8), or (2) when a qualified person with a disability is not given reasonable accommodation (Section 101-9). A reasonable accommodation is a modification or adjustment that allows a person with a disability to enjoy equal opportunities for employment.

Changing attitudes or values that lead to discriminatory practices, however, is a complex task that requires us to look beyond the law itself. The broader intent of the ADA in organizational settings is to create inclusive environments that welcome equal opportunities for people with disabilities in the workplace. Making sure that people with disabilities are seen as full and equal employees often requires a change in the cultural values of organizations – from top level leadership, to hiring managers, to employees and coworkers. There has been a wide range of research on how the ADA evolved since it was first signed into law. Research on the ADA plays an important role in understanding how such values and attitudes are changed. Research can also identify evidence-based strategies to advance the goals of the ADA in practice.

WHAT IS IN THIS BRIEF?

This research brief summarizes results from a systematic review of research on employment, organizational culture, and the ADA. The purpose of the research was to consolidate, analyze, and identify pertinent evidence-based findings across the different areas affected by the the ADA. The review involved:

- (1) Reviewing existing research specific to the ADA, attitudes and employment
- (2) Organizing the research across key themes
- (3) Synthesizing the research and pulling out key commonalities and differences
- (4) Confirming the results and gathering examples from ADA experts

Full details of the research study can be found here:

<https://adata.org/national-ada-systematic-review>.

HIGHLIGHTS OF FINDINGS

- Training and education about the ADA must include information about the spirit of the law. Information about basic compliance is not enough to advance disability inclusion in the workplace.
- There is a misperception that certain disabilities are more deserving of civil rights protections. All individuals that are covered under the law are all equally protected, regardless of disability type.
- Reasonable accommodations are not 'special' accommodations. Often, with low costs and flexible practices employees and employers can work together to facilitate access without formal complaints.

MAIN FINDINGS OF THE STUDY

The systematic review project team found evidence in the existing ADA research about three key areas that impact organizational cultures. Below, we describe the takeaway findings from the research alongside suggestions from practitioners that work closely with the ADA and people with disabilities.

1 EMPLOYERS' UNDERSTANDING OF RIGHTS

Understanding both the rights and responsibilities of the ADA is an essential part of putting this law into practice. However, the research shows that some sources of information are better than others for developing a broader workplace culture that is conducive to disability inclusion. For example, there is evidence that hiring managers and other key entities involved in the employment process are more likely to want to hire people with disabilities if they understand both the legal requirements and the broader civil rights goal of the ADA and disability inclusion.¹ Individuals who are familiar with the legal requirements of the ADA, but are less familiar with the benefits of disability inclusion and civil rights, have not been shown to have a greater desire to hire people with disabilities.² This finding demonstrates that providing basic compliance information may be useful to avoid lawsuits, but is less useful to advancing disability inclusion in the workplace.

2 DISABILITY STIGMA

Stigma, or misguided beliefs about disability, can shape workplace culture and the inclusion of people with disabilities in a number of ways. Addressing stigma and negative attitudes is an important part of creating a more inclusive workplace culture because attitudes and values play a large role in hiring and accommodations decisions, and advancing the overall ADA compliance efforts of organizations. Research shows that stigma can detrimentally impact coworker relationships, and dissuade individuals with disabilities from obtaining needed accommodations. For example, if an employer believes a person is to 'blame' for their disability they may not consider an accommodation request reasonable or fair.³ This blame is more common for certain disability types, including hidden disabilities and those related to mental health, which are often highly stigmatized in workplace settings. Building exposure to disability issues and integrating disability into existing diversity trainings and policies are effective strategies to reduce stigma.

How do we convince businesses to hire people with disabilities?

Here is one suggestion, based on the feedback of a national disability advocacy organization that often works to bridge disability and business communities: "There are many reasons to hire people with disabilities, but one that resonates with them is that inclusive and diverse workplaces are better for them and their bottom line. There are some national data on the benefits of hiring people with disabilities, and that may be interesting to include in materials geared toward businesses."

How do organizations address stigma?

Inclusive practices not only involve managerial decisions, but also reflect the goals of the larger organization. One individual, who is involved with the disability inclusion efforts of large businesses, stressed the importance of addressing stigma by: "increasing awareness, addressing stereotypes head on, and working to improve the workplace culture throughout the organizations. It is important to identify key decision makers within the organization and get them on-board."

3 BUILDING INCLUSIVE ENVIRONMENTS

The ADA as a civil rights law can guide cultural practices to reduce discrimination in the workplace. However, law itself is not enough to change broader attitudes, value, and culture. Organizations are encouraged to take additional measure to build a culture of disability inclusion. Individuals often have to exercise their rights under the law, but are less likely to do so in rigid workplace environments that do not allow for evolving work duties, flexible scheduling, or shared responsibilities of work tasks. Research shows that accommodations are often misunderstood as special or preferential treatment when they are treated as rare exceptions rather than everyday practices.⁴ Fear of disrupting rigid work practices can create a culture that does not welcome employees with disabilities. Research shows more flexible workplace practices may encourage *universal design*, or settings that are designed to be most accessible for everyone, which can improve access without the distractions of formal complaints or debates about the reasonableness of accommodations.

Why create flexible workplaces?

Creating flexible workplace environments where workplace roles are easily adaptable can prevent misunderstandings about special treatment or debates about the fairness of accommodations. Representatives of a disability advocacy organization stress that there are numerous accommodations that are often free or low-cost to make a workplace more inclusive, and they often benefit all employees- not just employees with disabilities.

CONCLUSIONS

This systematic review project identified barriers to achieving the goals of the ADA in workplace settings and identified some key findings that may be useful to advance disability inclusion efforts. Continued exposure to disability issues through the growing workforce of people with disabilities will help address some of these issues. Research shows that experience working with people with disabilities leads to more positive attitudes about hiring and accommodating workers with disabilities, as well as designing more inclusive work environments. However, experience with disability alone does not always lead to a better understanding of the law, or improvements in its implementation. Having trusted sources of information, such as regional ADA centers, is helpful to improve understanding of the law and its bigger spirit goal.

Educational opportunities about the ADA for employers are limited, and they often focus on compliance instead of the ADA's social goals. This leaves out an equally important part of the law. Without including information about the goals of the ADA, the law can be misunderstood. The research project outlined in this brief identifies three key issues that are important for education, research, and advocacy about including disability into organizational culture—employers' understanding of rights, stigma, and building inclusive environments.

Experts on the ADA suggest that building inclusive workplace cultures should include:

Inclusive practices: When talking with businesses or policymakers, it can be helpful to paint a picture of what an inclusive workplace looks like in practice. People outside of the disability community may be familiar with the concept of accommodations, for example, but likely know very little about what true inclusion means.

Collaboration: The value of reaching out and collaborating with community organizations that are doing work around disability employment cannot be overstated. This includes Centers for Independent Living (CILs), but also other local organizations. Similarly, including people with disabilities in all phases of disability-related research is also critical. Disability-led efforts and interactions are often more effective and impactful than meetings with only non-disabled organizational representatives. Talking directly with disabled people can help shatter stereotypes and make disability more relatable.

Sharing Success Stories: Sharing personal experiences and specific examples helps people gain a clearer understanding of how laws impact our lives. For example, helping a business learn more about how someone who is disabled works (what accommodations they use, how employment benefits them, how it benefits the company, etc.) helps businesses think about disabled employees beyond ADA compliance or being "the right thing to do". Businesses are useful resources to each other. Also, within organizations, peer-to-peer communications might help employers to become more knowledgeable about ADA mandates and resources available to them to better comply.

EXAMPLES FROM THE ADA NATIONAL NETWORK

Below are a few examples of how the ADA National Network is addressing the issues raised in this brief. For further information on how the ADA Centers can help with issues related to the ADA, please see the: [ADA National Network](#).

- We worked with a large financial institution to address disability etiquette and awareness with their staff. There were concerns about confidentiality issues in the use of a tele relay system to receive or make a call to a customer who is deaf/hard of hearing or unable to speak using traditional telecommunications. Further training intervention led to additional options for customer service communication. The overall training on etiquette and disability awareness is now incorporated into their yearly training schedule and the ADA center staff are invited back each year to conduct training. We also introduce the “At Your Service” web course, which the institution has incorporated into their new employee training curriculum.
- Through our toll free technical assistance hotline, we help employers understand the process for determining the appropriate accommodations for their employees. In one call, we provided technical assistance to an employer on a breach related to supervisor confidentiality around an accommodation request. We explained that the breach was a serious issue. The business was responsive in addressing issues around privacy related to disclosure and accommodation.
- We provide training on Disability Sensitivity and Etiquette to State and Local Government as well as Private Businesses on how they can accommodate individuals with disabilities and provide superior customer service. We focus on how complying with the ADA is both the right thing to do and a way to attract a growing group of customers. We have seen great success in how trainees have taking these ideas back to their organizations not only in customer service, but also with their employees with disabilities.



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