

A VALUES ROUTE TO BUSINESS SUCCESS

THE WHY AND HOW OF EMPLOYING PERSONS WITH DISABILITY

**DVD enclosed*



Confederation of Indian Industry



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Karnataka State Office
1086, 12th Main, HAL 2nd Stage,
Indiranagar, Bangalore 560 008
Tel: +91-80-25276544 Fax: +91-80- 25276709
Email: ciiblore@cii.in
Website: www.cii.in*

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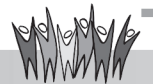
THE WHY AND HOW OF EMPLOYING PERSONS WITH DISABILITY

EDITED AND COMPILED BY


DEOC

Creating an "inclusive" world

**DIVERSITY AND EQUAL
OPPORTUNITY CENTRE**



Confederation of Indian Industry

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Foreword

The Corporate Social Responsibility Forum of CII Karnataka organised a conference on disability in August, 2006 in Bangalore. This conference brought together the corporate organisations, NGOs and the government on a common platform and deliberated on the key issues of employability of people with disability and how the corporate sector can play a proactive role in being disabled friendly.

After the conference, it was decided to form a separate forum to deal with the issue of disability. The Disability Forum was thus born in Karnataka. The forum was constituted with representatives from companies, NGOs and the government and the first meeting took place in November, 2006. We have come a long way since then towards making Indian industry an inclusive one.

The CII Disability Forum has been actively promoting the employment of people with disability amongst its members. This initiative stems from the fact that CII subscribes to informed opinion worldwide that people with disability can make highly productive employees and have much to contribute to the organisation in which they work as also to the economic and social development of the country.

While exploring opportunities for employment of disabled persons, it was thought that we needed to sensitise the corporate sector to employ disabled persons.

With an estimated population of 70 million disabled persons in India, the task of empowering the disabled may appear uphill. But as one looks around and finds several NGOs very successful in doing this, one's confidence is raised. As one talks to companies that have employed disabled persons and as one hears the good stories they have to share, one begins to wonder why this practice has not caught on.

We, at CII, thought that a manual on this subject would greatly help not only companies who wish to employ disabled persons and do not know how to start, but also those companies who have employed disabled persons.

I would like to congratulate Diversity and Equal Opportunity Centre (DEOC) for having prepared this informative manual on behalf of CII. I am sure that you will find this manual a handy guide, which will help you to take your company in a truly inclusive direction. This manual deserves to be read and used as a workbook. This being the first effort of its kind, feedback of the corporate world would be extremely useful in making future editions meet the industry requirements better.

S Viswanathan

Chairman

Confederation of Indian Industry, Karnataka

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- Moserbaer India Limited

CII Karnataka would also like to acknowledge the valuable guidance and mentorship of the CII Karnataka Disability Networking Forum's Convenor, Mr. Rohit Mallick, Regional Manager (South)-Learning Services, ITC Windsor Hotel, advisor, Mr. Xerxes Desai, former Managing Director, Titan Industries and Mr. S. Viswanathan, Chairman, CII Karnataka & Managing Director, John Fowler India Pvt. Ltd. who have contributed immensely towards the activities of the Disability Forum.

Our sincere thanks and congratulations to Diversity and Equal Opportunity Centre's (DEOC) team for putting together this important document. We look forward to a meaningful partnership with DEOC on CII's disability initiatives in Karnataka.

Preface

A Word of Encouragement

This manual will be hugely useful to all those who, quite rightly, believe that employing people with disability is not just an important aspect of corporate social responsibility nor just a measured response to the urgings of private conscience, but that it also makes sound business sense. For, it has been proven time and again and in many countries of the world that this category harbours an enormous wealth of talent combined with a commitment to perform, a willingness to work hard, and a significantly muted desire for job mobility.

Each one of us differs from all others. We are different in terms of intellectual ability, emotional strength, moral fibre, physical fitness, socio-economic background, religious beliefs, gender, and so on and on. Sadly, some of these differences have led to certain wrongly stereotyped images and consequential denial of opportunities that then require affirmative action by employers – as, for instance, in matters of gender or caste-based discrimination. Physical disability is in this category. This Manual is aimed primarily at bringing this category into the mainstream where they rightly belong.

Those who participated in writing this Manual are to be greatly commended for undertaking a very important social mission. But they deserve more than commendation. They deserve the reward of being read and having their recommendations put to work. They have worked with commitment and passion. Now it is our turn, those of us who are potential employers, and especially those who are members of the CII fraternity.

This Manual sets very high standards for all of us. It may appear, at times, to set a rather formidable agenda. It may also appear to have a white-collar orientation – which is just as well since it helps to dispel the belief that people with disabilities are best suited for repetitive blue-collar jobs. . But let not its sophistication weaken your resolve! While the manual describes an ideal state, CII fully realises that it is only by small and carefully crafted moves that the ultimate goal can eventually be reached.

So, set out on this journey with the confidence that, with the passage of time, the end-goal of your endeavours will be well within your grasp. And, in doing so, help to change lives.

Xerxes Desai

Introduction

People with disabilities represent the single largest minority group seeking employment in today's market. Employers are beginning to recognise the need to tap into this vast resource pool. Some companies that started proactively hiring persons with disabilities have acknowledged that they have benefited in business in many ways by being inclusive. While some employers are beginning to recognise the abilities of disabled people, there are several others who continue to have concerns and doubts in their mind, which prevent them from hiring people with disabilities. Their concerns are: Why should I hire people with disability? What jobs can they do? Can visually impaired people use computers? Can people with mental disabilities work? Wouldn't hearing impaired people be left out of the team? Would it affect productivity? Is it expensive to employ people with disability? and so forth. Many of these questions arise due to lack of knowledge and experience in working with people with disabilities. These concerns can only be addressed with information dissemination; information that will help remove initial hesitation that employers may have in employing people with disabilities.

Once employers decide to hire people with disabilities, they have other questions - How do I begin? From where can I source disabled people? Are there qualified disabled people? How do I assess them? How do I provide the necessary assistance to them? Where can I buy assistive devices? What is the appropriate terminology to refer to persons with disability? How do I sensitise my staff? How do I ensure safety? and so on. These are important questions and need to be addressed to help employers develop a strategy or an action plan for providing equal opportunities for people with disabilities in companies. Many interested employers have not been able to move ahead after the first stage or have not been able to sustain their initiative because they could not find answers to these questions.

With India's recent ratification of the United Nations Convention on the Rights of Persons with Disabilities (CRPD), employers are legally obliged to "prohibit discrimination in the workplace" and to "ensure reasonable accommodation for people with disabilities". Since this is a new development, there are bound to be several questions related to the law, which employers would want to know - What are the provisions of CRPD? What is discrimination? What is reasonable accommodation? Can a company be sued for discrimination? and so on.

There is not much information available in India with regard to employment of disabled people. However, in the last three or four years, some disability organisations have started working closely with employers, as a result of increased demand for people with disabilities from the corporate sector. In any case, our knowledge is quite limited and there is hardly any reference material available to guide a company about employing disabled persons. The potential offered by the boom in the job market remains mostly unutilised. Most people and organisations have been adopting trial and error techniques to promote employment of persons with disability.

For example, identifying certain “kinds of jobs for certain kinds of disabilities” have resulted in stereotyping people with disabilities and restricting the use of their potential to certain stereotypical areas. Today, with advancement of technology, several reasonable and cost-effective solutions are available in the market, which could enhance employability of persons with disabilities. It is therefore important for organisations working in the field of disability employment to have relevant information related to disability; to learn from the past experiences of the Government and non-government organisations and to have a sense of the global and local practices that have been effective in promoting equality in the workplace.

Thus, the Diversity and Equal Opportunity Centre (DEOC) and the Disability Forum of the Confederation of Indian Industry (CII), Karnataka, felt an urgent need to not only explore and study the issue but also to bring out a manual on Disability Employment, which would aim at answering some questions, if not all, in the area of disability employment.

We also hope that this manual will encourage the corporate sector and disability organisations to take up disability employment in a more comprehensive manner.

Preparation of the Manual

We initiated the project after researching the subject considerably. We contacted employers, NGOs, disability consultants and people with disabilities from all over the country to hear about their experiences. We undertook extensive literature reading and internet search to understand and gather information about global practices in employing disabled persons.

What you see before you is the result of a collective effort. The core team, which worked on this manual, comprised of five members – Rama, Sakshi, Meenu, Vijay and Ankit. We have personal and professional experience in the field of disability and disability employment. We have spent countless hours discussing and debating the subject, in an attempt to define the scope of the manual and the topics that we would need to include. Our discussions were conducted over MSN chat, which is an inclusive medium for discussion. Some of us used Yahoo chat at first and later moved to MSN chat because we found that it was more compatible with the screen reader which Ankit, one of the group members, uses to access his computer with. Internet chat also made it easier for Vijay, who has hearing impairment, to participate fully in the discussions. It allowed Sakshi, who is in Delhi, to participate in the discussions. We could have meetings every night without having to travel or to worry about the venue. Xerxes Desai, who is the chief advisor for this manual, provided inputs on the various aspects, which he wanted the manual to address, and some employers gave us their lists of common concerns. It was decided that we would follow the FAQs (Frequently Asked Questions) format for writing the manual, which would enable easy reference for employers. We then discussed each topic at length and listed the FAQs. We involved a highly experienced and professional team to develop the content of the manual, as we did not want to depend merely on our experience. We invited professionals from across India to be part of the team to work on the manual. Apart from us, the team included Vandana Bedi - Former Executive Director of Action on Ability Development & Inclusion (AADI); Vidhya Kalyani

Ramasubban - Development Consultant; Muthamma Devaya - Former Assistant National Director, Disability Initiatives Human Rights Law Network; Thilakam Rajendran – Disability Employment Consultant; Priya Varadan - independent researcher and writer; Sarabjeet Narula - Special Educator; Shilpaa Anand - Doctoral Candidate, Disability Studies Program; Arman Ali - HR Specialist (Equal Opportunity Initiative), Infosys BPO and Shivani Gupta - Access Consultant, AccessAbility. Each of them was assigned a topic and a corresponding list of FAQs to guide them. Based on these inputs the authors conducted extensive research and wrote the chapters assigned to them.

After receiving the draft write-up from the writers, the Core Team met in Bangalore and discussed each chapter at length to ensure that all topics were covered. We have supplied as many examples and case studies as possible to ensure that the manual does not work like a theoretical book.

Limitations

As mentioned before, the issue of disability employment in the private sector is relatively new in India. There are good practices in some companies vis-à-vis disability inclusion, however, they have not been documented well and it has been a challenge to reference a source for suggesting a practice.

With the ratification of CRPD by India, policy measures regarding ‘non discrimination’, ‘reasonable accommodation’ would need to be put in place. At places where information was lacking, we referred to methods practiced globally, which we felt were relevant and potentially useful. However, it would be important to put these methods in practice in India to authenticate their effectiveness.

The readers may feel that disability employment is a complex issue, looking at the size of the manual. It is not true. However, it is important to understand that disability is a development and a social issue. It requires a change in mindset, flexibility and innovation to truly integrate and internalise disability into systems and processes. Therefore, this manual may not have quick fix solutions for all disability issues. It is a gradual learning process. This manual provides guidelines for employers to create an inclusive workplace.

We must also mention here that this manual may appear to the readers as having a bias towards white-collared jobs. Persons with disabilities have, in general, been employed in lower level, repetitive jobs, where little use of intellect is required. This manual attempts to move away from that approach of stereotyping persons with disabilities in low-paid assembly line kinds of jobs. Also, given the limitation of time and resources, it was beyond the scope of this manual to look into mainstreaming of persons with disabilities in the unorganised sector. Chapter 16 briefly documents some case studies of companies that promote indirect employment of persons with disabilities. They outsource manufacturing and production work to NGOs, which train persons with disabilities in certain manual and vocational skills like tailoring, stitching, weaving, and so forth.

There are many options for employment for disabled people - self-employment, collectives, sheltered employment, etc. These have not been addressed at the moment, because this manual is meant primarily for private employers, HR

organisations and disability organisations working in the area of placement of disabled people. Also, during the preparation of this manual, we felt it would be important to address the concerns of present and potential employees with disability. This was again out of the scope of this manual. Possibly, another publication in the future could aim at this purpose.

Since it is the very first attempt to prepare a comprehensive document for disability employment in the country, it is possible that some relevant information may have been left out. The aim was to undertake extensive exploration and research in order to ensure that people with disabilities are employed successfully and competitively without discrimination in the job market. This is just a start in that direction. We at DEOC will continue our research on this topic. We would also be happy to receive feedback from various stakeholders with the aim of making future editions of this manual as comprehensive as possible.

If there are any inadvertent errors or omissions, readers can send in their feedback to us (info@deoc.in) and we will rectify them in future editions.

Acknowledgments

We offer our deepest appreciation and thanks to Xerxes Desai for providing the vision and for asking us to write this manual.

Our heartfelt thanks are extended to Vandana Bedi, Vidhya Kalyani Ramasubban, Thilakam Rajendran, Priya Varadan, Muthamma Devaya, Sarabjit Narula, Shilpaa Anand, Arman Ali and Shivani Gupta, who readily agreed to be part of the team that wrote the manual.

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Rama Chari, Sakshi Broota, Meenu Bhambhani, Vijay Krishnamani, Ankit Rajiv Jindal

Contributors to the Manual

This manual has been developed by Diversity and Equal Opportunity Centre (www.deoc.in)

DEOC is an inclusive organisation formed by people with and without disability with the vision to promote equal opportunity and inclusion in all spheres of life. DEOC offers services to corporate offices, institutions, national and international non-profit organisations and Government to support them in developing and implementing their development, equal opportunity and affirmative action programmes, in a sustainable and cost effective manner.

CORE TEAM

Rama Chari

Rama has a Masters degree in Economics and a Diploma in Education of People with Disabilities. She has 17 years of experience in the field of disability. She had worked in the rural community based project of Spastics Society of Northern India for seven years. Then she joined National Centre for Promotion of Employment for Disabled People (NCPEDP), where she was heading the Legislation, Networking & Communication Units. She then worked for two years in Infosys BPO as a Consultant for setting up their Equal Opportunity Initiative.

Rama has written the chapters on ‘Equal Opportunity Policy and Disability Management Strategy’, ‘Job Analysis’ and co-authored the chapters ‘Reasonable Accommodation & Assistive Technology’ and ‘Promoting Indirect Employment for Disabled People’.

Sakshi Broota

Sakshi has a Masters degree in Disability Studies from the University of Leeds, UK, a Diploma in Basic Developmental Therapy and has done Psychology Honours. She has 15 years of work experience in the area of disability. She has undertaken several research assignments related to disability. Sakshi also worked at the National Centre for Promotion of Employment for Disabled People (NCPEDP), Deepalaya and Action for Ability Development and Inclusion (AADI). She works as a consultant for training, research and evaluation in the field of disability.

Sakshi has contributed the chapter, ‘Persons with Disabilities – the large untapped human resource pool’ and co-authored the chapter ‘Accessibility’.

Meenu Bhambhani

Meenu has an M.S. Degree in Disability and Human Development from the University of Illinois at Chicago. She has held important positions in the Government (as Assistant Commissioner, Disabilities, Government of Rajasthan), worked as a consultant with the World Bank, where she worked on the India Disability Issues Report. She has also worked as Programme Officer, National Centre for Promotion of Employment for Disabled People (NCPEDP). She has been working in the field of disability policy, advocacy and research for over 11

years now. She has several publications to her credit and continues to contribute actively to the literature on disability. She, presently, heads Corporate Social Responsibility at MphasiS, an EDS Company. She has orthopedic impairment.

Meenu has written the chapter ‘Case for Disability Inclusion in Workforce’

Vijay Krishnamani

Vijay has a Masters in Computer Application (MCA) and over seven years experience working with diverse technologies and domains ranging from banking to business process outsourcing. He has been associated with the disability movement in India, since his college days. He is currently working as an Assistant Manager in a reputed Information Technology (IT) firm. He is a member of Suniye, an NGO that works towards mainstreaming children with hearing disabilities in regular schools. He strongly believes that IT is a great enabler, whether a person is disabled or not. Vijay has hearing impairment.

Vijay has co-authored the chapter ‘Reasonable Accommodation & Assistive Technology’ and ‘Accessibility’.

Ankit Rajiv Jindal

Ankit has a Bachelors degree in Business Management. He works in the field of HR Operations in a reputed ITES company. He has been actively involved in the disability sector for the last two years. He combines his personal experience in the field of disability and the knowledge in HR and Business Management to promote disability employment. He has low vision.

Ankit wrote the chapters ‘Sourcing People with Disabilities’, ‘Recruitment Process’, ‘Induction Training, Growth & Retention’, and ‘Data on Disability’.

DEOC also engaged senior professionals in the field to research and to write on particular topics for this manual.

Vandana Bedi

Vandana Bedi, ex-director, Action for Ability Development and Inclusion (formerly known as The Spastics Society for Northern India), is currently a trainer cum consultant in the field of disability and development, and Board member of three national level NGOs/Forums focused on disability work. She has over 25 years of professional training and clinical experience in Paediatric Occupational Therapy. She has also been actively involved in advocacy issues for the rights of people with disabilities.

Vandana compiled the chapter ‘Emergency Preparedness for People with Disabilities in Work Environs’

Thilakam Rajendran

Thilakam has a Masters degree in Human Resource Management and a Diploma in Special Education. She has been associated with Action for Ability Development and Inclusion (AADI) for over 18 years, which was formerly known as The Spastics Society for Northern India. She was the Director (Adult Training Programme) in AADI, where she did pioneering work in the area of placement and

partnership with industry associations, conducted job fairs and other events to promote employment of disabled people. Currently, she is the Managing Director of ARUNIM (Association for Rehabilitation under National Trust Initiative of Marketing), a National Trust initiative, for marketing products made by persons with disabilities at sheltered workshops.

Thilakam co-authored the chapter ‘Promoting Indirect Employment for Disabled People’ and developed the Resource List.

Vidhya Kalyani Ramasubban

Vidhya has a Bachelors degree in Psychology and a Masters degree in Social Work from the Tata Institute of Social Sciences. She has about 17 years of work experience. Her career started at Action on Ability & Inclusion (AADI) in the Rural Services Programme (Haryana) where she worked as a Social Worker and then moved on to becoming a member of the Management Committee. She set up the disability wing of Namgyal Institute for People with Disabilities (NIPWD) in Leh-Ladakh, Jammu and Kashmir. She completed an assignment in Sri Lanka where she developed a district strategy plan for an organisation called Child Vision.

Vidhya contributed the chapter, ‘Understanding Disability’.

Priya Varadan

Priya has a Masters degree in Public Administration. She has been part of the social sector including the disability sector for over a decade now. She has conducted research for many organisations like Concerned Action Now, National Centre for Promotion of Employment for Disabled People (NCPEDP), Butterflies, etc. Priya has published articles on gender issues, community health, disability etc. for the Financial Express, Indian Express group. She has also contributed to various other publications on the issue of disability and development. Priya has Cerebral Palsy.

Priya wrote all the case studies supplied in the manual.

Muthamma Devaya

Muthamma has a Bachelors degree in Science. She has over 15 years of experience in the field of disability. She has worked as the Executive Secretary of Raksha, Society for the Care of Children with Multiple Disabilities. During her stay in Kerala, she successfully built a disability network of NGOs, which played an important role in spreading awareness and promoting the rights of persons with disability in the State. She also served as Assistant, National Director for the Disability Rights Initiative at Human Rights Law Network (HRLN).

Muthamma wrote the chapter ‘Legislation & Employment’.

Sarabjit Narula

Sarabjit started her career as a Developmental Therapist, working with Action for Ability Development and Inclusion (AADI). She then did her B.Ed. in Special Education from SNDT Mumbai. She has worked as a Special Educator in Udaan, Vasant Valley School and has served as the Head of Orkids Learning Centre (A multidisciplinary clinic for children with learning disabilities).

Sarabjit wrote the chapter ‘Etiquette and Terminologies’.

Shilpaa Anand

Shilpaa is a doctoral candidate in the Disability Studies Program at the University of Illinois at Chicago. Her subjects of interest are - emergence of disability as a concept in India, theories of cultural difference and studies of colonial history. She works as a documentation officer with a women's organisation in Hyderabad. Shilpaa has a diploma in Special Education and a Masters in English. She has worked as a special educator in schools in Hyderabad and Bangalore and has taught English at the Junior College level.

Shilpaa wrote the chapter, ‘Communication and Awareness Raising’.

Arman Ali

Arman's work experience ranges from managing a hotel, to working in an American Event Management company. Arman is also responsible for setting up the North–East Disability Law Unit in the North East. He has served on many Committees of the Government. He has also received the National Award for Best Employee in the year 1998. He has orthopedic disability.

Arman co-authored the chapter, ‘Accessibility’.

Shivani Gupta

Shivani is a double graduate in Hotel Management and Architecture, and has a Masters degree in Inclusive Environments from the UK. She presently works as an Access Consultant. She has been a recipient of several awards including the National (Role Model) Award given by the President of India (2004). She is a wheelchair user.

Shivani co-authored the chapter, ‘Accessibility’.

Case for Disability Inclusion in Workforce

Overview

World of Work and Disability: These two areas have traditionally been viewed as diametrically opposite to each other. People with disabilities in India have remained outside the world of work, especially in the private sector. As such, employment of people with disabilities has remained, if at all, an ad hoc issue dealt with more from a charity perspective, rather than a business imperative.

This chapter discusses some questions that employers debate about when they hire persons with disabilities and it argues how it makes business sense to make disability a part of not only the company's diversity strategy but also corporate social responsibility and human resource management.

1. Reason for Hiring Persons with Disabilities

1.1. Why should one hire persons with disabilities?

This is the first question that comes to the mind of any employer. Disability, as a category, is an overlooked and untapped segment. Hardly any human resource professional, in India, is taught in her/his study programmes to look at diversity from the point of view of disability. One should hire persons with disabilities not because of their disability but primarily because:

- They are human beings first and foremost
- They are part of a diverse workforce
- They are educated, skilled and talented
- They add to the diversity of the organisation
- Diversity and inclusion makes good business sense
- Persons with disability can impact the company's bottom line in a very positive manner
- It is now mandated by law to prohibit discrimination in the workplace

2. Positive Impact on Business

2.1. How does it make business sense to hire persons with disabilities?

According to a resource guide on disability for employers developed by International Labour Organisation:¹

- People with disabilities make good, dependable employees. Employers of disabled workers consistently report that, as a group, people with disabilities perform on par or better than their non-disabled peers on measures such as productivity, safety, and attendance.
- People with disabilities are more likely to stay on the job. The costs of job turnover, such as lost productivity and expenses related to recruitment and training, are well known to most employers.
- Hiring people with disabilities increases workforce morale. Many employers report that teamwork and morale improves when disabled workers become part of the staff.
- People with disabilities are an untapped resource of skill and talent. People with disabilities have skills that businesses need i.e. both technical job skills and transferable problem-solving skills developed in daily life.
- People with disabilities represent an overlooked multibillion-dollar market segment. That market consists of disabled persons and their families and friends.
- People with disabilities represent an overlooked multibillion-dollar market segment. That market consists of disabled persons and their families and friends.

In the Indian context, if one looks at the market size of the disabled population, it includes not only the 70 million people with disabilities but their families who impact the consumer market in a significant way.

Ignoring this market may mean losing not only the disabled consumer but his or her family and friends too. It makes sense to have employees who know first-hand about the product and service needs of this consumer segment.

¹ Perry, Debra A. EmployAbility: A Resource Guide on Disability for Employers in Asia and the Pacific. ILO: Bangkok, 2007.

2.2. Is there any data that compares the productivity and work ethics of people with and without disabilities across the world and more importantly in India?

Yes. In fact, there are several research studies that compare disabled and non-disabled employees on several scales such as punctuality, work quality, proficiency and all studies indicate that employees with disabilities are either comparable or better than non-disabled employees.

Virginia and Commonwealth University had undertaken research, which looked at the issue of productivity: 255 supervisors of individuals with disabilities were surveyed within 43 large businesses across a wide spread of industries.

Disabled people were rated the same as or better than non-disabled co-workers on punctuality, attendance, work quality, task consistency and overall proficiency, with slightly lower scores only on work speed.

Deakin University surveyed 643 Australian employers. The "average" employee was rated significantly better on productivity variables, and employees with a disability were rated somewhat, but not significantly, better on reliability variables and employee maintenance variables. Employers identified more organisation benefits than costs. A study conducted on behalf of Telstra Australia in 1999 found that:

- People with disabilities worked on an average for **4.1 years in a call centre, compared to 3.2 years for people without disabilities.**
- Over a 15-month period, **people with disabilities were 11.8 days absent, compared to people without disabilities who were 19.24 days absent.**
- There were no significant differences when comparing people with disabilities to people without disabilities in the areas of performance, productivity and sales. ("Employers Forum on Disability")².

There are hardly any research studies or case studies available for India that compare employees with and without disabilities. Infosys BPO, which started hiring persons with disabilities in the year 2005 and as of today, has approximately 250 employees with disabilities; recently conducted an employee satisfaction survey. The scores gathered were further divided into that of employees with and without disabilities. "Overall Satisfaction score for the disabled employees was reported at 92% in comparison to 85% with the general group". Their attrition was also reported much lower than employees without disabilities.

² Employers Forum on Disability. "What Does the Research Say are the Commercial Benefits". 24 June 2009. <<http://www.realising-potential.org/six-building-blocks/commercial/what-researchers-say.html>>

2.3. But Infosys is a big company! Are there any smaller companies that have taken such an initiative?

Yes, there are. (Case Study in a box)

Case Study- Hungry Zone - A Start up company with a clear disability focus

Hungry Zone is the first and the largest online food service provider in India that enables visitors to place orders online for home deliveries, take away, booking tables, planning parties, and so on. The company was founded about 2 years back by Ritesh and Priyanka who are alumni of IIT Kharagpur.

They started recruiting disabled people since the very beginning. Both have always believed that disabled people are as capable as anyone else if given opportunities. They have also ensured that their web-based service is accessible to people with disabilities, thus tapping effectively customers with disability.

The office is on the ground floor and so people with disability do not have difficulties in reaching and moving around in the office. They have installed simpler versions of the company website for visually impaired employees. This ensures that they do not have to look at ads and pictures while browsing and it becomes very fast for them. They have invested in training and other support.

2.4. What is the cost or financial impact of hiring persons with disabilities?

The additional cost incurred on hiring persons with disability is, in fact, marginal. There is sometimes some cost involved in hiring and retaining persons with disabilities. However, if one compares that with losing a talented employee, hiring, and rehiring, the cost in terms of time and financial resources is much higher. According to Watkins³, “the cost of losing a newly hired executive can be more than 20 times the base salary.”

Studies show that 80 per cent of employers found it easy or very easy to make adjustments enabling disabled people to join or stay with their business, with 65 per cent stating that there were no financial costs at all. Where adjustments were necessary, the average cost was below £200 (“Bert Massie”)⁴

³ Ferry, Korn. International’s Toolkit on Retaining Diverse Talent: Lessons from the Field. 2008.

⁴ “Bert Massie ACAS Diversity Symposium Tower of London New Armouries Meeting Suite”, Disability Rights Commission. 24 August 2008.

Case Study- MphasiS

While talking about cost, Elango R, Chief Human Resources Officer at MphasiS, an EDS company, which proactively recruits persons with disability, said: “every employee with disability is provided accommodation as per his or her individual needs. Cost also varies – it cannot be one size fits all. We have incurred some costs while providing accommodations for some employees while there have been no costs whatsoever while accommodating some others. However, the main driving factor was the belief that talent and competency exists in all populations. Being an equal opportunity employer that respects diversity, MphasiS believes that qualified disabled individuals add to our diverse workforce. It makes not only business sense but also common sense to recruit disabled people because we benefit from diversity. Our systems become accessible not only for the employees but also for our clients, we become creative in our solutions.”⁵

2.5. Does one have to pay higher salaries to employees with disabilities or can the employer save some money by hiring them? Is there any support available from the Government to meet the cost of hiring and retaining persons with disabilities?

One does not have to pay a higher salary to employees with disabilities. However, it is important to set aside some budget for providing accommodation to employees with disabilities to retain and support them so that they perform on par with employees without disabilities.

In fact, it makes business sense to hire people with disabilities as one can, indeed, save some money by claiming financial incentives provided by the Government (see the box below).

Incentives for Employers for Hiring Persons with Disabilities

Starting from April 2008, the Government of India has announced a scheme of incentives for the private sector to promote employment of persons with disabilities. Employees with disabilities with monthly wages of up to Rs.25000/- per month working in the private sector would be covered under this scheme. Government shall pay the employer's contribution to the Employees Provident Fund and Employees State Insurance for the first three years. The scheme has already come into force.⁶

The details are available with the Directorate of Welfare of Disabled and Senior Citizens.

⁵ MphasiS “Let’s Talk Employment”.Disability and Access Services Newsletter. Issue 1, Nov 2007.

⁶ Directorate of Welfare of Disabled and Senior Citizens. “Incentives to private sector employers for providing employment to persons with disability”. 17 January 2009.
<http://welfareofdisabled.kar.nic.in/goi_schemes.html#private>

2.6. Do the returns start coming in immediately after recruiting a disabled person or is there some gestation period?

There are immediate, short-term and long-term returns of hiring a person with a disability. The immediate return comes in the form of having recruited a talented person. The immediate financial return comes from saving money on the Provident Fund and Employee State Insurance (ESI) contribution for three years. The short-term return is seen in the form of diversity that the person brings to the team. The long-term return is that the employees and teams become creative, the infrastructure improves, attitudes change and persons with disabilities are likely to become ambassadors for the company, bring goodwill and a better brand name to the company.

3. Persons with Disabilities as Consumers and Impact on Business

3.1. How about disabled customers? Should one make products and services accessible for them?

Making businesses accessible makes perfect business sense. If the products and services are disabled friendly, a company sells more products and taps into a bigger market for its services, which means direct returns and profits in the business. To quote an example, according to a research report in BBC News Magazine, in UK, “TV subtitles, which were primarily meant for deaf people or those who are hard of hearing, are used by six million people who have no hearing impairment. And this has helped increase viewership and ratings of TV channels”. (Duffy)⁷

One can say this about ZEE Studio channel as well, which has become the most popular English movie channel in India, owing to the subtitles provided for the movies screened. It was reported that “Zee Studio is also the first English movie channel in India to bring English movies with subtitles, a move that has proved to be highly popular across all segments of viewers.” (“Zee Studio Partners with Palador Pictures”)⁸

3.2. Does one have a market?

According to several research studies, it is a growing market with huge spending power. This customer pool comprises of millions of senior citizens who have acquired disabilities related to age. In terms of

⁷ Duffy, Jonathan. “The joy of subtitles”. BBC News Magazine. 10 July 2008.
http://news.bbc.co.uk/2/hi/uk_news/magazine/4862652.stm

⁸ “Zee Studios Partners with Palador Pictures”. 14 June 2008.
<<http://www.tvnext.in/news/140/ARTICLE/1273/2008-02-23.html>>

numbers, at least 5-7% of India's population has some or the other disability. In all, persons with disabilities provide a huge market of 70 million people.

The recent World Bank study highlights that “the number of people with disabilities in India is substantial and likely to grow – disability does not “go away” as countries become richer”. (“World Bank Study”)⁹ It is estimated that the percentage is likely to increase as India's economy grows. The Organisation for Economic Cooperation and Development (OECD) countries (richest countries) have also a high rate of disability - close to 10%.

As such, there is a huge market out there for products and services that are friendly to this diverse population.

Conclusion

This chapter addressed the debate that persons with disabilities be hired because they have talent and skill like any other group. Hiring disabled persons improves the image and brand value of a company and makes business sense. It also provides opportunities to talented individuals with disabilities without prejudice or discrimination. Such a strategy leads to social and economic empowerment of the entire family. Most people with disabilities are without a job not because they lack skills or talent, but because disability continues to remain enshrined in medical terminology or mystified as a burden. There is also the mistaken perception that disabled persons are expensive to hire and retain. The next chapter addresses these perceptions and attempts to untangle the mysteries surrounding certain stereotypes of disability.

⁹ World Bank Study. Persons with Disabilities in India: From Commitments to Outcomes. South Asia Human Development Network. 2007.

Understanding Disability

Overview

For most people, disability means something that is wrong with someone. They see a disabled person as the problem and view disability as suffering. However, with the growing rate of disability in the country, and with disabled people voicing their opinion, this thinking is beginning to change.

This chapter attempts to demystify disability. It explains disability in the context of a society and provides details of social barriers that prevent disabled people from getting equal opportunities. It also defines what a disability is or who can be considered as ‘having a disability’. The chapter aims at providing employers with a perspective of disability that will enable them to provide opportunities to people with disabilities without prejudice, and ensure that workplaces become diverse and inclusive.

1. Defining Disability

1.1. What is disability?

A bodily impairment (e.g., loss of a leg) may restrict a person from performing certain activities (e.g., climbing stairs). This restriction posed by the environment (staircase) makes the person disabled.

In other words, "Disability is the functional consequence of an impairment or change in body or human functioning. The extent to which disability affects a person's life depends very much upon the environment in which a person lives — social, cultural, psychological and physical."

According to the UN Convention on the Rights of Persons with Disabilities (CRPD), ratified by India in 2007, “Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which, in interaction with various barriers, may hinder their full and effective participation in society on an equal basis with others”. (“Convention on the Rights of Persons with Disabilities”)¹⁰

This means disability is caused by physical and attitudinal barriers that exist in the society, which prevents people with impairments from participating fully in the community. For instance, a person in a

¹⁰ “Convention on the Rights of Persons with Disabilities”, UN Enable. 12 May 2008.
<<http://www.un.org/disabilities/convention/conventionfull.shtml>>

wheelchair is unable to buy a shirt, not because he uses a wheelchair but because there is no ramp or elevator to reach the shop.

Some commonly recognised impairments¹¹

- Visual impairment is an impairment of vision, which, even with correction, affects a person's functional performance. Visual impairment includes both partial sight and blindness.
- Hearing impairment is a condition that impairs a person's ability to process information through hearing, with or without amplification.
- Intellectual impairment refers to significant sub-average general intellectual functioning, existing along with deficits in adaptive behaviour and manifested during an individual's developmental period, which adversely affects a person's functional performance. It is commonly referred to as mental retardation.
- Orthopaedic impairment refers to the limitations of the movements of any part of our body, caused by diseases, injury, any deformity in the bones and muscles or any injury caused to the nerves, the spinal cord or the brain.
- The term multiple impairment is used to describe the existence of more than one impairment such as intellectual impairment combined with orthopaedic impairment, deaf-blindness, cerebral palsy and other syndromes caused due to developmental delays.
- Mental illness is a term that describes a broad range of mental and emotional conditions. It is different from mental disabilities such as mental retardation and learning disabilities. The term 'psychiatric disability' is used when a mental illness significantly interferes with the performance of major life activities, such as learning, thinking, communicating, and sleeping, among others.
- Autism is a disability significantly affecting verbal and nonverbal communication and social interaction. The person with autism often engages in repetitive activities and stereotyped movements, resists environmental change or changes in daily routines, and has unusual responses to sensory experiences.
- Specific Learning Problems is a condition that affects the way an individual takes in, retains, processes and expresses information. It may affect only certain learning processes. Dyslexia is a commonly talked about specific learning disability in India.

Different communities/countries list different conditions under the gamut of disability. Various health conditions too are covered if they restrict functioning,

¹¹ The list mentioned in the box is not exhaustive.

alertness and strength and if the person with any of these conditions faces discrimination due to the condition. Some examples include:

- Haemophilia
- Thalassaemia
- HIV AIDS
- Epilepsy
- Cancer
- Short Stature or Dwarfism
- Asthma
- Attention deficit disorder
- Diabetes
- A heart or kidney condition.

1.2. What are the barriers to the inclusion of people with disabilities in society?

A person is 'disabled' because of infrastructural, administrative, technological, social, and attitudinal barriers, which constitute a 'disabling environment'. The following examples show how environments can be handicapping:

- A wheelchair user is greatly restrained in a society that has staircases and narrow doors. She may have virtually no handicap in a building with swing doors, ramps and elevators.
- A visually impaired person will be very dysfunctional as a computer operator in most offices in our country. However, if the office is equipped with computer applications using speech recognition software and all the accessible tools are voice enabled, the same person can be as competent as his or her sighted colleague.
- A person with mental illness feels excluded in an office where his or her colleagues are insensitive. For example, if he smacks his lips every few minutes as the medicine he takes makes his mouth dry; other employees do not interact with him as they think he is a 'weirdo'. This hostile work environment prevents him from working efficiently. (Interview with Dr. Achal Bhagat).¹²

1.3. Has disability always been viewed as an individual problem?

Unfortunately, yes! All over the world and in all religious beliefs, disability has traditionally been viewed as a problem of the individual focussing only on impairments and therefore needing medical treatment

¹² Interview. Achal Bhagat by Priya Varadan, Diversity & Equal Opportunity Centre (DEOC).

and cure. This forms the basis of the ‘medical model’ of disability, which ignores the social aspects completely. It is only in recent years that disabled peoples’ movements have brought a change in the scenario. Today, the understanding of the ‘social model’ has brought about a more respectable view of disabled people. This offers a more inclusive definition as below:

Medical model	Social model
Difficulties in standing for long periods	Have more seats in public places
Painful hands, unable to open doors	Have automatic doors
Too slow in comprehending difficult tasks	Finding jobs that are less complicated; extended training; breaking up of tasks etc.
Cannot hear and has communication difficulties	Use sign language, gestures, written language like sms on mobiles and e-mails

In other words, the shift in focus is to look at disabled people’s knowledge and skills rather than looking for problems. Thus, the **social model of disability** has helped bring about a positive change in the way disability is viewed and understood.

2. People with Disability

2.1. Who exactly are disabled people?

Before we start, let us keep in mind that people with disabilities are people first. They are members of families and communities and citizens of the country and of the world. Different terms are now used in describing disabled people: Wheelchair user, deaf person, blind person, differently abled, people with special needs, handicapped person, and so on. While people with disabilities themselves differ on what or how they should be addressed, the important point here is that there is a human being behind the disability. This understanding is crucial in developing a positive attitude and appreciating their needs better.

As an employer, what does this mean for you?

Disabled candidates are as eligible as anyone else. They are people like any other and they have core competencies as well as weaknesses. They have the same needs to rise up in a career and earn a decent living.

Look for the person behind the disability, the skills behind their

impairments and you will find a huge resource that your company can benefit immensely from.

2.2. Sometimes, I feel I have a disability, like when I travel all over India and cannot understand the languages spoken. In fact, all of us are disabled!

There is a difference between not possessing a skill (language, driving, mountaineering etc.) and having a disability. We all have strengths, aptitudes and weaknesses, and it is not necessary that these are disabilities. Lack of skills does not lead to discrimination and denial of rights (like education, employment), but possessing a disability has led to such a denial.

2.3. Are disabled people different?

Imagine you lose a leg in an accident. Will you become different? Will your desire for friends, your ambitions, your interests, change overnight? Every human being is different from the other and yet, the larger human needs are similar. So also for disabled people. All the core human needs are the same. People with disabilities go to school, get married, work, have families, laugh, cry, and dream like everyone else. Here again, it is a myth that persons with disabilities are different or react to situations differently.

2.4. Talking of myths, there are many generalisations about disabled people that one commonly accepts. Maybe those could be clarified.

Blind people are great musicians

Look at this the other way, how many musicians in this world are blind? Aptitude and interest are determining factors for a musician, not their disability. Such stereotypes often limit opportunities for disabled people.

They always need help and cannot take decisions

We all need help. Taking and receiving help is part of being a social creature and living in an interdependent society. All of us have the right to take decisions, though our decisions may vary widely.

Mad people are always violent and should be kept isolated

First of all, the word 'mad' promotes a very damaging image – call them people with mental illness. Secondly, people with mental illnesses are all not violent and many conditions are treatable. Treatment, an understanding family, community and colleagues can help them go a long way. For example, provide a conducive work environment by respecting

your colleague, understanding his/her stress thresholds and make accommodations where and when necessary. A good idea would be to discuss these issues with your colleague, with the assistance of her psychiatrist or social worker, if necessary.

All disabled people should only go to rehabilitation institutions

Traditional rehabilitation is conceived in such a way that it unfortunately addresses only a limited number of needs of disabled people.

Rehabilitation usually equips disabled persons with mobility aids, communication skills and skills for daily living. It often fails to address the full range of disabled people's needs and rights, which are far more diverse. Rehabilitation techniques that do not focus on integrating disabled people into mainstream society isolate them further.

Rehabilitation services are often limiting rather than liberating because persons with disabilities remain recipients of medical services and do not participate in the design and delivery of services that they require for themselves. Unless rehabilitation aims at integration of persons with disabilities in the mainstream, it serves limited purpose.

We should help disabled people overcome their disability

Do we help women 'overcome' their condition of being a woman? Just like there is a need for social change so that women are not discriminated against, we need the same for people with disabilities. Disability, to a great extent, is a social construct like that of gender, caste. Just as changes in the workplaces and socio-economic changes have been put in place to facilitate mainstreaming of women in the workplace, similar intervention is required for persons with disabilities as well.

2.5. If a blind person is employed, is it okay to call him blind?

Ideally call him by his name! Well, the issue of labelling has varying viewpoints. Some people feel that they should not be identified by their disability. Some others feel that they should be identified only by their disability and are proud of the fact. Whatever the case, it is important to not use language that demeans a person. For example, using the word 'dumb' can be demeaning as it also means 'stupid'.

2.6. One feels pity when one sees a disabled person. .

Have you heard of the phrase, 'pity oppresses, opportunity liberates'? Well, most disabled people will tell you that what is pitiful is not the fact that they cannot see or hear, but the fact that society discriminates against them because they cannot do so. That is why the current emphasis is more on addressing quality of life issues, and less on changing

the condition itself. Hopefully, over the years, with more visibility, they will be seen as more ‘capable’ and less ‘pitiful’.

Points to ponder

Isn't it ridiculous to 'pity' a woman because she is a woman?

Do you realise that by pitying, you are judging the entire lot of disabled people? Pity conveys the idea that you think the person you are pitying is worse off than you.

Conclusion

The greatest obstacle people with disability face in life can be the negative attitude of others. Having a positive attitude towards disability is the very first step towards creating equal opportunities. It is important to create a win-win situation to help your employees succeed while meeting your business objectives.

Persons with Disabilities – A Large Untapped Human Resource Pool

Overview

Employers often wonder if there are enough disabled people who can be employed. Their frequently asked questions (FAQs) revolve around “Why don’t ‘we’ see ‘them’ in schools, markets, colleges, cinema halls? Do disabled people acquire relevant qualifications and skills in schools and training centres? What are the facts and figures regarding disabled people in India? Is the population of employable disabled youth growing in the country? Are all disabled people employable?” These are some of the questions discussed in this chapter.

Facts and Figures

- As per the estimates of the World Health Organisation, about 10% of the world’s population experience some form of disability, forming approximately 650 million people (WHO, 2008) ¹³.
- Out of these, approximately 470 million are of working age (“Facts on disability in the world of work”) ¹⁴.
- In the Asia and Pacific region itself, there are approximately 400 million disabled people, of which 250 million are of working age.
- The majority of disabled people live in rural areas (70 to 80 per cent).
- People with disabilities account for 20 per cent of the world’s poor.
- The number of people with disabilities is growing as a result of factors such as population growth, ageing and medical advances that preserve and prolong life (WHO, 2008) ¹³.

¹³ “Concept note World Report on Disability and Rehabilitation”, WHO 2008. 16 May 2008.
<www.who.int/disabilities/publications/dar_world_report_concept_note.pdf>

¹⁴ “Facts on disability in the world of work”, ILO report 2007. 18 May 2008.

<http://www.ilo.org/global/About_the_ILO/Media_and_public_information/Factsheets/lang--en/docName--WCMS_087707/index.htm>

- Estimates of the number of disabled people vary a great deal, depending on the definitions, the source, the agency doing the data collection and the methodology. It also depends on the extent of use of scientific instruments in identifying and measuring the degree of disability in various countries, often even within a country. In fact, collection and maintenance of disability data is not prioritised in most countries, including India.
- According to the World Bank Report, 2007, disability does not ‘go away’ as countries become richer¹⁵.
- We all have the potential to acquire a disability at any time. Statistics used in a UK employment policy show that only 17% of disabled persons are born with disabilities (Institute of Public Policy Research, UK.)¹⁶.

1. Population of Disabled People in India

1.1. How large is the disabled population in India?

In India, the disability sector in general estimates that 4-5% of the country's population is disabled. The Planning Commission recognises the figure as 5% (Planning Commission, Vision 2020)¹⁷. The country therefore has a large population of persons with disabilities, estimated between 40 and 80 million people (The World Bank, 2007)¹⁸

Lower than the estimates of the disability sector, the Census (Census of India, 2001)¹⁹ revealed that approximately 21 million people in India have at least one kind of disability. This is equivalent to 2.1% of the population. Even though the numbers vary between agencies, even the

¹⁵ Mitra and Sambamoorthi. People with Disabilities in India: From Commitments to Outcomes, Human Development Unit South Asia Region, The World Bank, May 2007. 18 May 2008. <<http://www.worldbank.org.in/WBSITE/EXTERNAL/COUNTRIES/SOUTHASIAEXT/INDIAEXTN/0,,contentMDK:21557057~menuPK:3968122~pagePK:64027988~piPK:64027986~theSitePK:295584,00.html>>.

¹⁶ Great Britain. Institute of Public Policy Research. Work for disabled people. 15 July 2008. <<http://www.northamptonshire.gov.uk/adults/disabilities/EADS/facts.htm>>.

¹⁷ Government of India. Planning Commission. Vision2020. 15 July 2008. <<http://www.planningcommission.nic.in/reports/genrep/bkpap2020/30 bg2020.doc>>.

¹⁸ Mitra and Sambamoorthi. People with Disabilities in India: From Commitments to Outcomes, Human Development Unit South Asia Region, The World Bank, May 2007. 18 May 2008. <<http://www.worldbank.org.in/WBSITE/EXTERNAL/COUNTRIES/SOUTHASIAEXT/INDIAEXTN/0,,contentMDK:21557057~menuPK:3968122~pagePK:64027988~piPK:64027986~theSitePK:295584,00.html>>.

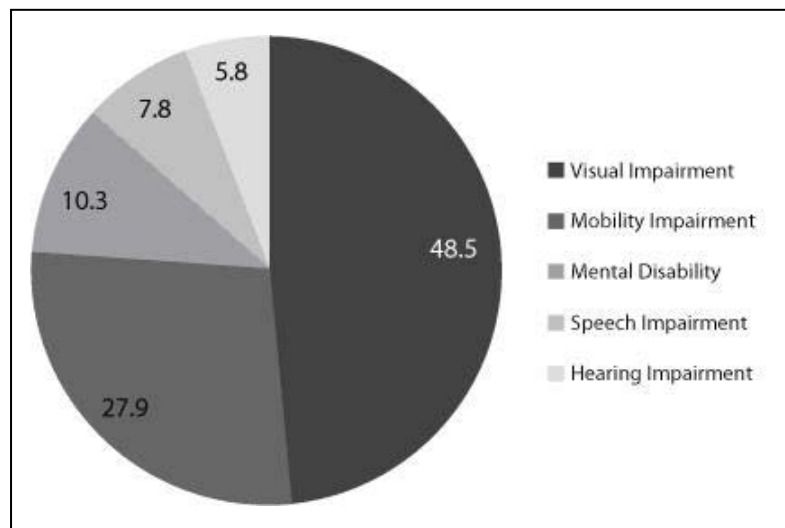
¹⁹ “Census of India” 2001. 13 May 2008. <http://www.censusindia.gov.in/Census_And_You/disabled_population.aspx>.

lowest estimate is equal to the population of a few European countries put together. It amounts to a huge number because of the size of India's population.

As per the census figures, among the total disabled people in the country, 12.6 million are males and 9.3 million are females. The disability rate (number of disabled persons per 100,000 population) for the country as a whole works out to 2130.

Among the five types of disabilities on which data had been collected in the 2001 Census:

- Visual Impairment constitute 48.5% (Persons with this disability emerge as the largest sub-group)
- Mobility Impairment (27.9%)
- Mental Disability (10.3%)
- Speech Impairment (7.5%)
- Hearing Impairment (5.8%)



1.2. If the incidence of disability is so high, how come disabled people are not seen in public places?

People with disabilities are often excluded from education, training, tourism, entertainment, and even health services. The reasons for this are varied.

- There are various myths surrounding disability. There are stereotypes regarding what disabled people can and cannot do as a group. Media, especially cinema, often ridicules disability and reinforces stereotypes.
- The inaccessibility of market places, cinema halls, restaurants, schools, colleges, training institutions, work places and the transport system is ubiquitous.

- Appropriate aids and assistive devices are either of very poor quality or prohibitively expensive.
- Lack of information is pervasive, and disability related information is inaccessible.
- People with disabilities are ignored not just as persons, but also as a vote bank. This results in not having a voice that can be heard as well as indifference from decision makers. Their rights are not taken into consideration.
- There are also various disabilities that are not evident when you meet a person, that is, they are invisible to the eye.
- With many barriers and an unfriendly environment, most disabled people remain either confined inside their homes or associated only with disability institutions/ organisations.

2. Employment Status of Persons with Disabilities in India

2.1. How many disabled people are waiting for jobs in India?

According to the Fact Sheet on the UN Website, 80 – 90% of persons with disability in the working age are unemployed (UN enable website)²⁰

According to the 2005 figures featuring in the Annual Report of the Ministry of Labour and Employment²¹ (2007-2008), there are more than 687,632 disabled people on the live register of 81 Employment Exchanges and Special Cells of the country, waiting to avail government jobs.

Apart from these there are thousands others, who are either underemployed, or do not have information about these employment exchanges, or find them unapproachable in terms of access, language, attitudes, and so on. Many others are registered with private placement agencies. However, information about their placement rates, their role and so on remains largely unavailable.

2.2. Is underemployment of employable persons with disabilities rampant in India?

It is widespread knowledge that disabled employees are often paid lesser than their colleagues. When given, jobs seldom fit their qualifications. They get jobs lower than their qualification, experience and skill. Many times, they are given lesser responsibility and denied promotions.

²⁰ United Nations. “Factsheet on People with Disabilities”. UN Enable. 17 January 2009

²¹ Government of India. Ministry of Labour and Employment. Annual Report (2007-2008). Government of India, 2008.

Just to give an example, the India Centre for Human Rights and Law (ICHRL) conducted a survey of 315 blind hawkers and 49 blind beggars at railway stations in Greater Mumbai in 2003. Approximately 85% of the blind hawkers admitted that their employment prospects appeared grim after having tried (for several years in some instances) to find a job in the Government or private sector. About 60% of the respondents had tried availing Government facilities, especially the allotment of telephone booth or job reservation, and failed. A significant number were not even aware of the facilities and schemes offered by the Central and State Governments. As many as 90% of the respondents had been subjected to harassment in the form of confiscation of their goods, physical and sexual abuse, demanding of *hafta* (extortion money) and imprisonment by railway police or ticket checkers. Due to increased harassment, more and more blind hawkers were turning to begging. In fact, 80% of the blind beggars were hawking earlier. What is notable here is that 40% of these hawkers had education up to secondary level and about 3% had graduate and postgraduate degrees! About 33% of the blind hawkers had undergone vocational training from NGOs, which they said was not useful, since it did not help in getting them employment (ICHRL, 2003)²².

3. Status of Education of Disabled People in India

3.1. What is the percentage of educated people with disability?

The literacy rates are low among children of all categories of disability, and more so for children with visual, multiple and intellectual disabilities. Across all persons with disability, illiteracy is 52 percent, versus only 35 percent in the general population (The World Bank, 2007)²³. As with the general population, there are strong gender differences in educational attainment among people with disabilities, with disabled female illiteracy rate pegged at 64 percent against disabled male illiteracy of 43 percent.

On the brighter side, a large number of disabled children, especially from the rural areas, go to 'regular' schools for their education. Many children are able to complete Class X and XII from the Open School System, which provides an option to study and appear for examinations at one's own pace. From primary education to higher education, children and young adults with disabilities are getting more opportunities for education, creating a huge pool of human resource waiting to be tapped in the job market.

²² ICHRL and NCPEDP. Disability and Right to Employment: Survey Report of the Problems of Blind Hawkers at Railway Stations in Mumbai. New Delhi and Mumbai: ICHRL, 2003.

²³ The World Bank, 2007, Study 'Persons with disabilities in India: From Commitments to Outcomes.' South Asia Human Development Network.

3.2. Is the number of educated disabled people likely to grow?

Yes. The number of educated children and youth with various disabilities is growing. Various laws, policies and schemes in India are geared towards ensuring that all children get basic education.

- The Persons with Disabilities Act, 1995, makes it mandatory for all schools and colleges aided by the Government to have 3% reservation for disabled students.
- The Sarva Shiksha Abhiyan provides for good quality education to children between the ages of 6-14 years. A specific feature of the scheme is a zero-rejection policy.
- The National Action Plan for Inclusion in Education of Children and Youth with Disabilities initiated by the Ministry of Human Resource Development in the year 2005, provides the most comprehensive policy push in this regard. (The World Bank, 2007)²³.
- The University Grants Commission gives grants to Universities to make the universities disabled friendly.
- Ministry of Social Justice & Empowerment runs scholarship schemes for meritorious students.

In addition, effort is being made to increase employability with the involvement of various industries. Thousands of jobs have been created in the country culminating in a 50% growth in jobs in the software sector in the 1990's (ILO, 2001)²⁴. Companies are beginning to get involved in job oriented training, on-the-job training and training in soft skills like communication in English, grooming, facing interviews, etc., which would help disabled people compete with others in the job market.

One example is the Project Communicate Programme of MphasiS (an EDS company), developed by Diversity & Equal Opportunity Centre (DEOC) (www.deoc.in) and Association of People with Disability (APD) to train people in skills required for the BPO industry. Similarly, Tata Consultancy Services (www.tcs.com), Mumbai, conducted pilot training for people with visual impairment in BPO and Infrastructure Services for better employability in IT and IT-related industries.

²⁴ “World Employment Report 2001: Despite Improved Employment Outlook, Digital Divide Looms Large”, International Labour Organisation (2001), Geneva. 18 May 2008.
<<http://www.ilo.org/public/english/bureau/inf/pr/2001/03.htm> >.

4. Employability of Disabled People

4.1. Are all people with disabilities employable?

People with different disabilities have different abilities, skills and qualifications. The assumption that only certain people with disabilities can work, or that people with certain disabilities can only work in a sheltered workplace are stereotypes. Other stereotypes include the belief that people with a certain disability can only be good singers, or that people with another disability are best suited to be safe at home. However, given the right training, opportunity and accommodation, almost all persons with disabilities can be productive members of the economy in the country. People with Dyslexia, Autism, Cerebral Palsy, various syndromes, deteriorating conditions, dystrophies, atrophies, critical health conditions, intellectual disabilities, mental illness, leprosy cured, Hemophilia, spinal injuries, Thalassemia, and so on are all employable.

Personal motivation, work environment created by colleagues, infrastructure and the accommodations made by the employer can help disabled employees work on an equal footing with others. Though there is a long way to go in accepting disabled people within the workforce, there are many examples across the world that break these stereotypes and has transformed the attitudes of employers and colleagues.

4.2. Can people with visual disabilities use computers?

Yes, they can. The modern day technology and enhancements in the field of computer science has enabled persons with visual impairment including low vision and blindness to work on computers. Activities like writing documents, using spreadsheets, making presentations, browsing internet, composing mails are very conveniently performed by people with visual impairment using assistive technologies²⁵, which are easily available in the market.

Technological products like screen readers, screen magnifiers, OCR readers, and refreshable Braille displays have empowered persons with visual impairment to be as competent and skilled as their non-disabled counterparts in the workforce.

²⁵ Details of Assistive technologies appended in the Appendix 7.

4.3. Are people with mental, intellectual and learning disabilities employable? What about people with multiple disabilities?

Yes. By providing the right opportunity, environment and support, matching the skills of people with different disabilities, everyone can be employed.

Here are some examples

Zamir N Dhale works as Advocacy Officer with Sense International, India office (Delhi). He is a person with deafblindness. He is also the President of UDAAN, a support network for deafblind and multi sensory impaired persons in India.

Krishna Narayanan has done graduation in Electrical Engineering and Mathematics at MIT, US. He uses a computer to communicate. He has authored two best selling books, one on Autism and the other being a romantic novel. He is a person with Autism.

G J Siddharth is an officer with ABN Amro Bank, Chennai. He is MA in Economics and has cleared the Banks Certified Documentary Credit Specialist Examination. He has Cerebral Palsy.

Achyutanal Guha has Diplomas in TV repairing & electrical wiring and Multimedia applications. He looks after Accounts & Administration at Action for Autism. He has Autism.

Sharmila Divatia is Programme Manager Software Quality with Essar Technology Limited. She has Masters Degrees in Mathematics and Business Administration. She has Cerebral Palsy.

Source: National Trust Calendar 2008

Let us look at some more examples.

Shell India Marketing is the Retail arm of Shell in India. The company is into fuel marketing and retailing. The company has employed 72 disabled employees. One of the retailers has started an initiative to employ **people with mental impairment**. The retailers put in a norm of employing about 2 to 4 disabled persons in every Shell Retail outlet.

Success Story of Dhaval

Dhaval works in the housekeeping department of the JW Marriott Hotel. He has Down's Syndrome²⁶. Nutan U Dandelkar's book, "Growing Up With Down's", released recently, chronicles the journey of her son Dhaval who

²⁶ Sultania, Sangita. "Down but not out". Mumbai Mirror 29 June 2008. 30 June 2008.

<<http://www.mumbaimirror.com/net/mmpaper.aspx?page=article§id=9&contentid=200806292008062902172117d6ba3236>>.

has Down's Syndrome.

"My husband and I were shattered when Dhaval was born, our first born afflicted with Down's syndrome," says Nutan, a travel agent by profession. She was only 24 when she conceived him. Dhaval was three-and-a-half months old when his parents learnt of his affliction. "Our doctors didn't reveal Dhaval's condition to us at his birth, so we lost out on the precious months to start his special education," says Nutan.

Children born with Down's have delayed milestones and their gross motor skills (muscular co-ordination) are affected. Even simple tasks like grasping have to be painstakingly taught to them. "Thus, it is very important to identify this condition as soon as possible and start work on them right after birth," says Nutan.

Dhaval was enrolled for an 'early intervention programme' at the Association for the Welfare of Mental Handicap India (AWMH). The programme is tailored to suit individual needs as the degree of affliction varies. "A primary area of focus is to improve the muscle tone as the children have poor muscular strength," says Nutan.

Dhaval's speech was grossly underdeveloped but today he speaks four languages. "Exposure is very important. The more you expose such children, the faster they learn. We were never ashamed of our son's handicap and took him with us everywhere we went," says Nutan.

But she rues the fact that our society is not sensitised towards special children. "I went to the US with Dhaval for sometime, where the regular schools have special integration programmes for such children. They have special day classes where normal kids come to the special classes and interact with them. Since they learn a lot by imitation, such interaction is very important," says Nutan.

Back home, Dhaval's parents took pains to enroll him in a regular school. "He was the first special child at Besant Montessori School in Juhu. He learnt fast at the school and when my younger daughter, a normal child, went to the same school, he baby sat her and even took her to school!" Nutan recalls.

Getting into a regular school was not easy. It was one of the most traumatic experiences of my life," says Nutan.

In retrospect, Nutan feels that all of it evens out eventually, after all Dhaval today works in the housekeeping department of the JW Marriott Hotel. Economic independence takes the afflicted a long way.

A Success Story in Garment Industry

A garment export house employs people with Cerebral Palsy and other multiple disabilities²⁷

A small revolution has been brewing in the National Capital Region's garment export industry. Ask Nitasha Tickoo, Programme Coordinator for the Disabilities Division of Saburi (formerly Balloons), a garment export house run by entrepreneur Rashmi Paliwal.

"One day in 1987, a disabled beggar came to Rashmi," begins Nitasha. "She said, 'I won't give you alms, but if you come to my factory I will give you a job'. She used to say it to all beggars, but no one ever turned up. This one did."

He was both mentally and physically challenged, and Rashmi, to figure out what he could do, gave him buttons to sort and thread bundles to untangle. She also made sure her managers would treat him with respect. Later, The Spastics Society of India approached Rashmi to train their members. When she had 16 disabled employees in a workforce of 350 and the Spastics Society recommended her for the Helen Keller Award, Rashmi felt so "embarrassed" at the state of affairs that made her small contribution stand out, that she decided she had to do more. Thus she began networking with institutes for the disabled as well as with fellow garment exporters. Today, she has a circle of over 30 exporters. She has introduced systemised training and has a full-fledged Disabilities Division in her company.

Currently working on a project with Lady Irwin College to train visually impaired girls in using the button and buttonhole machines, adapted with help from IIT and NIFT, Rashmi says, "If it is successful, think how many people will get jobs."

People with Schizophrenia are people first ²⁸

"I got a letter yesterday. It was a small white envelope. I opened it and was shocked. One of my patients had died. His father had written thanking me for having helped him.

His father said that the reason that he was writing was that his son was happy when he died. He was happy because, after years of not working

²⁷ Rajan, Anjana. "Dismantling the Barriers". The Hindu, 23 September 2006. 15 July 2008.
<<http://www.hinduonnet.com/thehindu/mp/2006/09/23/stories/2006092302920100.htm>>.

²⁸ Interview. Achal Bhagat by Priya Varadan, Diversity & Equal Opportunity Centre (DEOC).

after he was diagnosed with schizophrenia, he had finished the first month of his work the day he died. He had brought home his salary, given it to his father and got dressed to go to a gurudwara when he suddenly had a cardiac event and died. He was in his thirties. The father, who had spent a decade of his life outside psychiatrists' chambers looking for solutions, had only one question in his mind all these years.

"Long after his hearing voices has died out, long after he has stopped believing that people are sending him signals through television to hurt him why can not he get into a job?" He asked me too. I mumbled something about how lack of initiative and motivation could be symptoms of schizophrenia and to get in to a mainstream job was difficult. I recommended to both the father and son that he would do well in a day care center where amongst other things he will learn work ethics. That was four years ago.

After having spent a long time in the center he came up to me one day and said, "Dr. Bhagat, I need work to motivate me, not the pseudo-work we do at the center but real work." He added, "How would making candles, painting pots make me happy. I am a young person, I have a life to live, you cannot expect me to paint pots the rest of my life." I was educated.

I agreed with him and questioned myself. "Why can people with schizophrenia not be employed in real jobs?" I asked. Why should all companies who ask you your health histories immediately reject you if they see the word schizophrenia on it? Why should such discrimination continue? Like many times in the past I let my indignation overcome my helplessness and set out to ask another one of my "HR friends" for a favour and started finding a job for my patient.

Now jobs are difficult to come by. Try being a person with psychiatric disability and then applying for a job. First you fight your lack of motivation and fear. Then you fight the helplessness of all the people helping you, follow it up by creating a story to explain the years lost on your CV. Then you struggle through an interview. Your illness comes across either through a slip that you make or the slight tremor in your hand. The frown and then the smile after you leave the room. You know you are rejected.

You could always lie and somehow get through the interview. But when you join the job, you realise that you need help. You want someone to understand you, you want the information to come to you in small bits. You want your space not to be intruded upon. If you are in an open plan office you do not want someone peeping over your wall. You want someone who will not think that you are a weirdo because you smack your lips every few minutes. If only you could tell someone that your mouth is dry because you have to take a medicine that makes it dry. If only you could be allowed to settle in. Gosh! Sometimes you would think that you were happier in your world of delusions. Reality at times is more

hurtful than schizophrenia.

So my patient did get a job as a teacher in a Hotel Management Institute and that too without any favours from my friends. He rang me told me he was happy. I helped him think through the difficulties that he was facing, and against odds, he completed a month. But it was a stressful month. It was stressful because of the stigma. People knew that he was taking medicines, they started sniggering in corridors and that was difficult. Getting up in the morning was difficult. Standing in front of so many people was difficult. But he survived. And then I heard from his father that he died happy that he had survived that month”.

People with psychiatric disability are able to resume a mainstream job if given an opportunity and support.

A Danish Company Employs People with Autism²⁹

‘If you find it difficult to handle traditional social demands on adaptability, flexibility, being a good team player and avoid stress – then maybe SPECIALISTERNE is the right choice for you.’ This isn’t just a job advertisement. It is a reflection of SPECIALISTERNE’s approach and belief. The Danish company employs people with Autism.

SPECIALISTERNE has managed the perfect mélange of business sensibilities, market mantra and social responsibility. Founded in the year 2004, by Thorkil Sonne, the I.T. Company utilises the characteristics of Autism, which would be considered a disability or a problem by many, to suit the requirements of the job.

Autism is a developmental disorder that impacts one’s social interaction and behavioural skills. People with Autism have a keen sense to detailing and attention, an obvious quality required in a specialist job. In the words of Sonne, “Our employees are very good at specialised work where the requirements for being systematic, paying strong attention to details and being persistent are important.”

SPECIALISTERNE carries out jobs like software testing, data registration and quality checking for global IT companies like CSC and some of Denmark’s leading companies. 74% of its employees are people with Autism.

The employees are provided with optimal working environment so that they can deliver their best, leading to high productivity and profitability. People with Autism are carefully chosen and made to undergo Labour

²⁹ Thorkil Sonne, CEO, SPECIALISTERNE, e-mail dated 4th May 2008, and www.specialisterne.com. 5th May, 2008.

Market Preparation, a training programme that assesses his/her motivation, vocational skills and work. Throughout the programme the candidate is supported by an enabling manager and a knowledge manager and is given hands-on experience of working in a business environment. The idea is not just to train and employ people with Autism but also to sensitise non- autism people about autism. It is a continuous process for the organisation.

It all started for Sonne when his son was diagnosed with “infantile autism” with normal intelligence at the age of three. That introduced him to the world of disability, particularly autism. His interactions enabled him to understand their special talents and the need to tap it. This led to the setting up of SPECIALISTERNE’, a self funded initiative.

One of the toughest challenges for Sonne was to convince the authorities and business sector about the useful role that people with Autism have in society. Going by the accolades and awards that he has won, one can conclude that the corporate sector in Denmark and in Europe have accepted and recognised his perspective. Recently, he and his organisation won ‘The IT Prize 2008’ awarded by the Danish IT Industry Association.

He feels since autism is not a visible disability, governments lack the experience and understanding required to address their needs. Eventually Sonne aims to create more than a thousand jobs for people with Autism across the world. A step in this direction is his intention to start SPECIALISTERNE India operations sometime in the near future.

SPECIALISTERNE is proof enough that under the right circumstances people with Autism can perform valuable tasks as good as – and often better than – people without Autism. That puts to rest all scepticism that people and organisations have about Autism

Conclusion

The statistics reveal that there is a large talent pool of disabled people in the country (40 – 80 million people). The number of employable disabled people in the country is large and with increasing access to education, this number is constantly growing. Moreover, with availability of global and national assistive technologies, this human resource pool is getting more skilled, qualified and experienced. People from different disability groups can now contribute to India’s vibrant economy.

However, most of them are still waiting for appropriate jobs. They face numerous barriers to get employment. Employers can surely gain from this untapped resource pool by taking proactive measures to employ persons with disabilities.

Legislation and Employment

Overview

India has enacted four disability related laws³⁰. The very recent development has been the ratification of UN Convention on the Rights of Persons with Disabilities (CRPD)³¹ by India on 1st October 2007. India was among the first 20 countries to ratify it. By ratifying the Convention, India is obliged to implement the provisions of the Convention with full effect. The CRPD mentions private enterprise repeatedly, thus making it mandatory for the private sector to eliminate discrimination in the workplace.

This chapter provides information about all the relevant Indian laws including the CRPD, which will help employers to understand their legal obligations. Knowledge of these laws will help employers protect the rights of people with disabilities.

1. The Constitution of India

1.1. What are rights of disabled persons in India as per the Indian Constitution?

Prior to the enactment of the laws for disabled people, persons with disabilities could access the constitutional guarantees provided by the Constitution of India, though it did not directly address persons with disability as a category. It is important to remember that the provisions of the **Constitution of India apply uniformly to persons with disability as well as to persons without disability.**

³⁰ The four laws enacted in India include The Persons with Disability Act, The National Trust Act, The Mental Health Act and the Rehabilitation Council of India Act. These laws are discussed later in the chapter.

³¹ United Nations. Convention on the Rights of Persons with Disabilities. Enacted. 14 May 2008. <<http://www.un.org/disabilities/default.asp?navid=18&pid=257>>

Relevant Provisions in the Constitution of India

ARTICLE	SECTION
Article 14	Right to Equality
Article 15	Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth
Article 16	Equality of opportunity in matters of public employment
Article 17	Abolition of Untouchability
Article 19	Right to Freedom – Protection of certain rights regarding freedom of speech
Article 20	Protection in respect of conviction for offences
Article 21	Protection of life and personal liberty
Article 21A	Right to Education
Article 22	Protection against arrest and detention in certain cases
Article 23	Right against exploitation
Article 24	Prohibition of employment of children in factories
Article 29	Cultural and Educational Rights – Protection of Interests of minorities
Article 30	Right of minority to establish and administer educational institutions
Article 39A	Equal justice and free legal aid
Article 41	Right to work, to education, and to public assistance in certain cases
Article 42	Provision for just and humane conditions of work and maternity relief
Article 43	Living wage, etc. for workers
Article 43A	Participation of workers in management of industries
Article 44	Uniform civil code for the citizens
Article 51A	Fundamental Duties

2. Disability Laws

2.1. What are the laws that protect the rights of persons with disabilities in India?

India has passed four laws that specifically address persons with disabilities.

- The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995
- The National Trust for the Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999
- The Mental Health Act, 1987
- The Rehabilitation Council of India Act, 1992

The Persons with Disabilities Act, 1995, specifically mentions employment of disabled people in its chapter on Employment, Sections 32 to 41. Section 41 mentions the incentives to employers in public and private sectors. Section 47 speaks of non-discrimination in Government employment.

Employment Provisions in The Persons with Disabilities Act, 1995

Chapter VI, Sections 32 to 41 of the Persons with Disabilities Act 1995 covers the provisions for employment of disabled people under the law. It provides details about facilitating employment of persons with disabilities in the Government sector.

Section 33 mandates three percent reservation of jobs for people with disabilities (1% each for persons with visual impairment, hearing impairment and locomotor disability) in Government and Public Sector Undertakings.

Section 41 provides incentives to employers in both public and private sectors to ensure that at least five per cent of their workforce is composed of persons with disabilities.

Additionally, **Section 47 in Chapter VIII** speaks of non-discrimination in Government employment and provides for security of tenure to an employee who acquires a disability during his service.

The most recent development has been the ratification of the United Nations Convention for the Rights of Persons with Disabilities, which has come into force as an international law. The above-mentioned national laws would have to be amended in accordance with the proclamation.

3. Convention on the Rights of Persons with Disabilities (CRPD)

3.1. What Implication does the CRPD have for India?

India has ratified the CRPD³², and is now obligated to implement the provisions of the Convention with full effect.

Article 1(f) of the CRPD calls for measures at the domestic level to be taken to *equalise* opportunities for persons with disabilities. The Government of each country is required to implement policies, plans of action and programmes for the ratification to take full effect. Therefore, changes in statutes like the Persons with Disabilities Act, the Mental Health Act and other statutes have to be forward looking and implemented forcefully. Ratification has made such a course of action mandatory. India, having ratified the Convention, cannot now dilute its standards [this would be going against the provisions of the Convention and is not allowed by International Law.]

In fact, India is **bound to mainstream disabled people**. In this context, a prospective employer should bear in mind that future laws or existing laws that are being amended, will have *disabled friendly* provisions. These laws will cover a broad spectrum of persons with disabilities and will necessarily cover the opening of avenues to disabled people, starting from accessibility to other core issues of who can be employed, where and how. Persons with disabilities would be able to demand the opening of hitherto closed avenues as a matter of an enforceable right and the employers have to discharge this as their statutory duty.

3.2. What does the CRPD state about employment of persons with disability?

The CRPD is based on the following principles of:

- Respect for dignity
- Non discrimination
- Full and effective participation
- Inclusion in society
- Respect for difference
- Acceptance of persons with disabilities as part of human diversity and humanity

³² United Nations Convention on the Rights of Persons with Disabilities (CRPD) governs the rights of disabled people. It entered into force on May 3rd, 2008. India signed the Convention on March 30th, 2007 and ratified it on October 1st, 2007.

- Equality of opportunity and accessibility

These principles are directly applicable to employment and employability of disabled persons.

One of the main provisions of the CRPD is the elimination of discrimination of disabled people by any person, organisation or private enterprise.

The articles that address employment in the CRPD are:

ARTICLE	SECTION
Article 2	Definitions
Article 3	General Principles
Article 4	General Obligation
Article 8	Awareness Raising
Article 9	Accessibility
Article 5	Equality and Non Discrimination
Article 6	Women with Disabilities
Article 10	Right to Life
Article 11	Situations of risk and humanitarian emergencies
Article 12	Equal recognition before the law
Article 13	Access to Justice
Article 16	Freedom from exploitation, violence and abuse
Article 21	Freedom of expression and opinion, and access to information
Article 24	Education
Article 25	Health
Article 27	Work & Employment
Article 28	Adequate standard of living and social protection
Article 30	Participation in cultural life, recreation, leisure and sport
Article 31	Statistics and data collection

Note: The details of each Article are available in the Appendix 1

Article 27 directly deals with Work & Employment

Article 27 - Work and employment

1. States Parties recognise the right of persons with disabilities to work, on an equal basis with others; this includes the right to the opportunity to gain a living by work freely chosen or accepted in a labour market and also the work environment that is open, inclusive and accessible to persons with disabilities. States Parties shall safeguard and promote the realisation of the right to work, including for those who acquire a disability during the course of employment, by taking appropriate steps, including through legislation, to, inter alia:
 - a. Prohibit discrimination on the basis of disability with regard to all matters concerning all forms of employment, including conditions of recruitment, hiring and employment, continuance of employment, career advancement and safe and healthy working conditions.
 - b. Protect the rights of persons with disabilities, on an equal basis with others, to just and favourable conditions of work, including equal opportunities and equal remuneration for work of equal value, safe and healthy working conditions, including protection from harassment, and the redress of grievances.
 - c. Ensure that persons with disabilities are able to exercise their labour and trade union rights on an equal basis with others.
 - d. Enable persons with disabilities to have effective access to general technical and vocational guidance programmes, placement services and vocational and continuing training.
 - e. Promote employment opportunities and career advancement for persons with disabilities in the labour market, as well as assistance in finding, obtaining, maintaining and returning to employment.
 - f. Promote opportunities for self-employment, entrepreneurship, the development of cooperatives and starting one's own business.
 - g. Employ persons with disabilities in the public sector.
 - h. Promote the employment of persons with disabilities in the private sector through appropriate policies and measures, which may include affirmative action programmes, incentives and other measures.
 - i. Ensure that reasonable accommodation is provided to persons with disabilities in the workplace.
 - j. Promote the acquisition by persons with disabilities of work experience in the open labour market.
 - k. Promote vocational and professional rehabilitation, job retention and return-to-work programmes for persons with disabilities.
2. States Parties shall ensure that persons with disabilities are not held in

slavery or in servitude, and are protected, on an equal basis with others, from forced or compulsory labour.

(“Article 27- Work and employment”) ³³

3.3. Are multinational companies covered under the law?

Multinational companies in India come under the purview of Indian laws³⁴. The CRPD has universal applicability, irrespective of location. In certain cases, employees may be granted benefits as per the laws of both countries.

3.4. What is unlawful discrimination on the basis of disability?

Unlawful discrimination is broadly defined as treating one person unfairly over another, according to factors unrelated to their ability or potential.

According to the CRPD, "discrimination on the basis of disability" means any distinction, exclusion or restriction on the basis of disability which has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise, on an equal basis with others, of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. It includes all forms of discrimination, including denial of reasonable accommodation. (“Appendix I - Convention on the Rights of Persons with Disabilities”) ³⁵.

Direct discrimination

Direct discrimination occurs when someone receives less favourable treatment. Such unfavourable treatment is identified as discriminatory because it is made on the basis of characteristics or stereotyped assumptions which are not related to the job. An example of direct discrimination is a job advertisement, which says "disabled people need not apply."

Indirect Discrimination

Indirect discrimination has two aspects:

- Where there is a condition or requirement imposed (e.g. in the format of assessment) which may be the same for everyone but which unfairly excludes or disadvantages people with disabilities in a manner that is unreasonable.
- When a person treats another unfavourably on the basis of a characteristic that appertains generally to people who have such an impairment, or on

³³ “Article 27- Work and employment”. 20 January 2009.
<<http://www.un.org/disabilities/default.asp?id=287>>.

³⁴ As long as MNCs employ persons within the Indian Territory, Indian laws will apply to them.

³⁵ United Nations. Convention on the Rights of Persons with Disabilities. Enable. 14 May 2008.
<<http://www.un.org/disabilities/default.asp?navid=18&pid=257>>.

the basis of a presumed characteristic that is generally imputed to people who have such an impairment.

Examples of indirect discrimination: A job description which states that a driver's licence is necessary when it is not; inaccessible public buildings; failure to provide reasonable accommodation. ("For Diversity, Against Discrimination")³⁶

More examples related to discrimination on the basis of disability

- When persons with disabilities are employed for and are performing a job that is on par with others in the nature of work, duty and time, then paying them less will amount to discrimination.
- If there is a job vacancy and the employer feels that a visually impaired person cannot do the job, the advertisement calling for applications should not explicitly prohibit visually impaired persons from applying. This would be treated as discriminatory but mentioning the vision requirement would be in order. However good the intention, no advertisement or statement should carry matter that would amount to tacit or implied discrimination. This applies to suggestions of inaccessibility in built environments as well.
- An employer can insist on a disabled person having a health examination as long as every other employee is also required to undergo a similar test; there would be no legal objection in this case. However, if this is restricted only to persons with disability then it would be discriminatory.
- There could be instances where persons with disabilities are given extra facilities (transport etc.). This does not amount to discrimination against non disabled people, as it is a measure intended to achieve a level playing field. Providing transport to disabled persons may also be classified as an accommodation. Creating ways of ensuring that disabled people are able to participate as other people do, does not amount to discrimination against others.
- If an employee with disability is not performing well, terminating her/his services would first and foremost depend on the terms on which this person was first employed. As long as the reason for asking the person to leave is not due to his or her disability, he or she can be asked to leave. However, clear and specific reasons as well as enough notice must be given.

3.5. What is reasonable accommodation?

According to the CRPD, "reasonable accommodation" means ensuring, for persons with disabilities, "necessary and appropriate modification and

³⁶ "For Diversity, Against Discrimination." European Commission's website on Anti-discrimination. 6 June 2008. < <http://www.stop-discrimination.info/99.0.html> > .

adjustments”, wherever and whenever needed. (“Appendix 1- Convention on the Rights of Persons with Disabilities”)³⁷

Reasonable accommodation would refer to such steps, facilities, or measures that are required to establish a level playing field so that persons with disability can be treated equally and on par with those who do not have disabilities.

In very, very special cases alone the employer can justify not making an accommodation. Usually justifications are not permissible, as doing so would run counter to the equality clause.

Reasonable accommodations on the basis of disability would include:

Making modifications to a building to make it accessible for persons with disability is a reasonable accommodation.

If a person needs to go for dialysis / psychiatric treatment twice a week for half a day, the company could grant her/him the leave required for treatment, as a reasonable accommodation.

Reasonable accommodation has been covered in detail in **Chapter 14** of this manual.

3.6. What is Affirmative Action?

The term affirmative action describes policies aimed at a historically and socio-politically non-dominant group (typically, minority men or women of all racial groups and people with disabilities) intended to promote access to education or employment. Motivation for affirmative action is a desire to redress the effects of past and current discrimination that is are regarded as unfair. Affirmative action is sometimes achieved through targeted training and recruitment programmes aimed at applicants from socio-politically disadvantaged groups. (“Affirmative Action Legislation”)³⁸.

3.7. Can private companies be sued for violating or not complying with the CRPD?

According to Jayna Kothari³⁹:

Treaties must first be incorporated into domestic law before they may be invoked directly before the Courts. However, Courts in India have often

³⁷ United Nations. Convention on the Rights of Persons with Disabilities. Enable. 14 May 2008. <<http://www.un.org/disabilities/default.asp?navid=18&pid=257>>.

³⁸ “Affirmative Action Legislation”. Wikipedia. 2008. 14 May 2008. <http://en.wikipedia.org/wiki/Affirmative_actionLegislation>.

³⁹ Kothari, Jayna. “Re: Can private companies be sued for violating or not complying with the UNCRPD?” Email to Rama Chari. 28 August 2008

relied upon unincorporated treaties to inform their decision-making, even when those have not been directly incorporated into domestic law.

Despite the fact that several international conventions and treaties have not been enacted as municipal law, Indian courts have been very open to relying on the principles of international treaties, especially human rights treaties, to interpret domestic law. When there is a vacuum in domestic law, the Supreme Court of India has relied upon international law. For example, the Supreme Court of India relied on the Convention for Elimination of all forms of Discrimination Against Women (CEDAW) and gave effect to it in a most direct manner in *Vishaka vs State of Rajasthan* case and framed guidelines for the prevention of sexual harassment and abuse of women. In this case, the Court directed that even the private sector would be mandatorily required to comply with these guidelines and take steps to prevent sexual harassment at the workplace. It would therefore be strongly recommended that private companies should also follow the CRPD provisions relating to rights of persons with disability.

Conclusion

The CRPD ratified by India prohibits discrimination of people with disabilities in the workplace. Therefore, employers would have to be proactive in putting in place the policies, systems and procedures to ensure that qualified individuals with disabilities are not discriminated against.

Equal Opportunity Policy and Disability Management Strategy

Overview

Employers are increasingly becoming aware of the diversity issues and are also realising the benefits of making their workplace inclusive. However, many of them are not sure how to go about creating an inclusive workplace.

This chapter provides information on how a company can plan a Disability Management Strategy in order to create an environment that ensures safety to everyone. Such an environment is likely to make all employees feel valued and utilise their skills fully. The chapter provides guidelines and spells out measures that an employer can take to ensure that people with disability who are suitably qualified for a job can enjoy equal opportunities and are equitably represented in the workforce.

1. Diversity and Equal Opportunity

1.1. What is Diversity?

Diversity means variety of differences.

Diversity, where a company is concerned, is a commitment to recognising and appreciating the variety of characteristics that make individuals unique in an atmosphere that promotes and celebrates individual and collective achievement.

Diversity means difference, and people's differences can be many and varied, based on their race, colour, culture, national origin, region, gender, sexual orientation or gender reassignment, age, marital status, religion, ethnicity, disability, socio-economic background, and so on (“Diversity Committee – University of Tennessee”) ⁴⁰.

1.2. Is disability a diversity issue?

Yes! Disability is a diversity issue. People with disabilities are one of the nation's largest minority groups. It is also the only group that any person

⁴⁰ “Diversity Committee”, University of Tennessee Libraries Diversity Committee. 6 June 2008.
<<http://www.lib.utk.edu/diversity/index.html>>.

can become a member of, at any time. It cuts across ethnic, gender-based, religious, educational and socioeconomic borders.

Earlier, disability was viewed only as a medical issue requiring a diagnosis-cure approach. It was also considered the object of charity and pity. However, in the recent times, as a result of increased awareness, disability is increasingly being viewed as a civil rights minority group that requires the same policies, strategies and remedies for inclusion as other minority groups. It, therefore, requires protection of rights, non-discrimination and fair policies.

It is a view that demands representation of persons with disabilities in a context of dignity and equality, not pity and patronisation. These are the basic tenets of disability as a diversity issue and must form the basis for accepting people with disabilities in the workplace. (“Embracing Cultural Diversity in the Rehabilitation System”; “Diversity Includes Disability”)^{41 42}

1.3. What is Equal Opportunity / Inclusive Workplace?

An equal opportunity / inclusive workplace is one where:

- Everyone is treated with dignity and respect
- Everyone has equal access to jobs, opportunities and careers based on their knowledge, skills and abilities
- Selection is based on merit, i.e. the best person for the job
- Reasonable accommodation is provided
- Diversity is valued

Equal opportunity is not:

- Preferential treatment for one group over another
- Just ‘tolerating’ people
- Treating everyone the same

(“What is Equal Opportunity”)⁴³

⁴¹ Tainter, Bill. “Embracing Cultural Diversity in the Rehabilitation System”. 6 June 2008.

<http://www.dinf.ne.jp/doc/english/Us_Eu/ada_e/pres_com/pres-dd/tainter.htm>.

⁴² McInnes, Rob. Diversity World. Workforce Diversity- Disability Excluded. Diversity World. November 2004. 15 July 2008.

<<http://www.diversityworld.com/Disability/DN04/DN0411.htm>>.

⁴³ University of Technology Sydney. “What is Equal Opportunity. ”19 January 2009.

<<http://www.equity.uts.edu.au/about/equal/index.html>>

1.4. Our organisation has diversity policy but we focus on culture and gender. We are not yet comfortable to include disability as part of our diversity goals.

Workforce diversity is not about exclusion, it is about inclusion. It is not about what group someone is most comfortable with. In fact, true diversity, is not about groups at all – it is about individuals. It is about creating a world where all individuals, no matter their difference or uniqueness, have the opportunity to be welcomed for their talents and unrestricted by discrimination as they build futures for themselves and their loved ones. (“Workforce Diversity – Disability Excluded”)⁴⁴

2. Setting up a Disability Management Strategy / Programme

2.1. How can a company support Diversity, including Employees with Disabilities?

It would be important to begin it right. Disability Employment is not just about recruitment. It is about creating an inclusive environment, where diversity is respected and valued.

Disability Management Principles (“diversity@work”)⁴⁵

Disability Management Principles, which should form the basis of an employer’s Diversity / Equal Opportunity Programme, are listed below.

Proactive approach

Taking a proactive approach enables an employer to identify and realise the potential of the diverse knowledge, skills and background of the workforce.

Integrated approach

Many organisations have projects that relate to disability as part of Corporate Social Responsibility, Affirmative action, and so on. Over time, this piecemeal approach to diversity issues may not make an organisation inclusive. Organisations should adopt an integrated approach to dealing with a diverse workforce. This approach ensures that diversity is managed in an efficient way and that maximum benefit can be obtained both for the organisation and the individuals concerned.

⁴⁴ McInnes, Rob. Diversity World. Workforce Diversity- Disability Excluded. Diversity World. November 2004. 15 July 2008.

<<http://www.diversityworld.com/Disability/DN04/DN0411.htm>>

⁴⁵ “Diversity@work”. 6 June 2008. <http://www.diversityatwork.net/EN/en_index.html>

Equity approach

Inclusive approach recognises that employees coming from diverse backgrounds are entitled to equal rights and that organisations, as a part of society, have the responsibility to support social justice for all.

‘Nothing about us without us’

‘Nothing about us without us’ is the philosophy of the disability movement in many parts of the world. It would be important to keep this in mind while working out disability initiatives and programmes. Disabled people should be involved and consulted before making any decisions that concern them.

Guidelines to make your company Disability Friendly

Here are some ways in which you can make your company disability friendly:

- Educate yourself
- Get your top management to make a commitment
- Adopt an Equal Opportunity Policy. Include Disability in your Diversity and Equal Opportunity Policy
- Designate or hire an Equal Opportunity Officer or Consultant
- Review and audit the existing policies, systems and facilities
- Develop a Disability Strategy or Plan
- Establish a Disability Committee, Council or Employee Resource Group.
- Educate all staff about disability
- Make your recruitment, training and succession plan inclusive
- Ensure accommodation to people with disabilities
- Create accessible facilities and services
- Provide opportunities for Work Trial and Supported Employment Placement
- Project a disability friendly image to attract candidates and customers with disabilities
- Develop a Supplier Diversity Programme
- Evaluate effectiveness

“Diversity includes Disability⁴⁶”; “Code of Good Practice on key aspects of Disability in the Workplace”⁴⁷; ILO Code of Practice- Managing Disability in the Workplace⁴⁸)

⁴⁶ McInnes, Rob. Diversity World. Workforce Diversity- Disability Excluded. Diversity World. November 2004. 15 July 2008.
<<http://www.diversityworld.com/Disability/DN04/DN0411.htm>>

Educate yourself

- Before moving ahead, *study* the issue.
- Learn more about people with disabilities. A good way to start is to contact disability-related organisations or Disability and Diversity Consultants for information.
- Talk to people with disabilities in your company and ask for their ideas and inputs.

Make a commitment

- Make sure the CEO and top management of the company recognise that people with disabilities are stakeholders and that management of disability issues in the workplace contributes to business success.
- *Designate a board member* to be part of an equal opportunity initiative.
- Include ‘diversity’ in the *mission statement and values* of the organization.
- Ensure that your diversity plan is a part of the company’s *overall strategic vision*.

Adopt an equal opportunity policy. Include disability in your diversity and equal opportunity policy

- Many companies have policies or formal statements that state their principles on diversity and/or non-discrimination in the workplace. *If you have a Diversity Policy, include disability as a diversity issue.*
- You can also *formulate a specific policy for hiring employees with disabilities*. Special projects or partnerships can be initiated to encourage the training, employment and/or workplace integration of disabled persons.
- The company’s disability strategy should be formulated *in accordance with Convention on the Rights of Persons with Disability (CRPD)*, which mandates non discrimination and reasonable accommodation in the workplace for persons with disability. It is important to have a focused and an informed approach to make the company inclusive. You could hire a consultant or specialist agency, or appoint an Equal Opportunity Officer to develop the Disability Strategy/Plan.

⁴⁷ “Code of Good Practice on Key Aspects of Disability in the Workplace” (Draft for public comments). South Africa Department of Labour. 6 June 2008.
<http://www.labour.gov.za/legislation/code_display.jsp?id=8529>

⁴⁸ “Managing Disability in the Workplace: ILO Code of Practice.” Geneva: International Labour Office, 2002. 6 June 2008. <www.ilo.org/public/libdoc/ilo/2002/102B09_340_engl.pdf>

Equal Opportunity Policy and Disability Management Strategy

Review and audit the existing policies, systems and facilities

The consultant and/or officer could review all the policies, procedures, systems and facilities to include disability. They could also conduct a detailed Job Analysis to ensure that job descriptions are non-discriminatory and inclusive.

Develop a disability strategy or plan

- Based on the analysis and audit, the consultant/officer can develop a Disability Plan with clear measurable goals for the company.
- The disability strategy *should be an integral part of the human resource development strategy*. The strategy should include talent planning to ensure that people are hired for skills and are provided the right support and equal opportunities in all aspects of employment.
- Equal opportunity goals must be measurable and there must be accountability. *A scorecard could be developed to track the progress*. The goals should not only cover the number of people with disability recruited, but also take into account employee satisfaction, training, accessibility and creating an inclusive workplace.
- Make sure to set appropriate goals for the various Managers that focus on diversity. *The Manager's key 'Responsibility Area' should include disability recruitment & management*. Correspondingly, the manager should be evaluated on the basis of his efforts to promote diversity in their teams. There should be a system to recognise Diversity Champions. One measure of success is the number of individuals who have integrated the goals of the diversity plan into their work plan for their departments or divisions.
- The length of the plan is also critical. Although it is important to develop a plan that will provide long term sustainable change, it is also important to have some short-term wins to create momentum.
- The plan has to be *reviewed quarterly* for consistent follow-up.

Establish a disability committee, council or employee resource group

- While formulating a strategy for managing disability issues in the workplace, you should *collaborate with employees with disability* in your company. It would also be important to have *key people from different departments*, including senior management persons, as part of the Disability Council or Committee.
- If there is a Diversity Council or Committee in place, include a disability representative, preferable a person with disability, to serve on it.

Educate all staff members about disability

- All employees should be aware of the disability management strategy in the workplace. Include this in your general induction training as part of the awareness session.
- Establish a system for educating and sensitising all levels of your workforce on the value of hiring people with disabilities.
- If you have a diversity-training programme, make sure that employees with disabilities are included as facilitators, if possible, in this effort.
- Employee Hand Books/Websites (external and internal) should have information on disability policy or strategy.
- Employers should inform their suppliers and sources of procurement of their disability management strategies, with a view to encouraging good practice.
- Participate or organise programmes for exchange of information on the subject with other employers, expert bodies and other competent agencies.
- Encourage employees to volunteer in the community.
- Observe or celebrate Disability Awareness Month (December), Disability Awareness Week (1st – 7th December) and World Disability Day (3rd December) in order to organise a focused programme for creating awareness among all employees⁴⁹.

Make your recruitment, training, retention and succession plan inclusive

- Conduct Job Analysis to identify Essential Functions and to write inclusive job descriptions for all jobs in the company
- Include a statement about commitment to equal opportunity in your advertisements and proactively reach out to people with disability, not only from disability organisations but also from all mainstream sources of hiring.
- Review the application and recruitment process to ensure that barriers to persons with disability are removed.
- Ensure accommodations to people with disabilities to enable candidates with disabilities to participate and perform at interviews on an equal basis with other candidates.
- Members of interview panels should be provided with guidance about interviewing and the selection processes put in place by your company for persons with disabilities.

⁴⁹ For more information, please visit www.wdd.co.in

- The testing must be consistent with measuring if the applicant is able to perform the essential functions of the job, with or without reasonable accommodation.
- An employer should not employ people with disabilities on less favourable terms and conditions for reasons connected with the disability.
- Ensure induction and training programmes are accessible to people with disabilities (accessible venue, inclusive training methodology and materials).
- Employees with disabilities should be afforded equal opportunities at the workplace to acquire skills and experience necessary to advance in their careers.
- Where existing employees acquire a disability while in employment, take necessary steps to enable them to retain their employment.
- With the consent of the person, any relevant information relating to an employee's disability status should be collated and maintained by the employer, as confidentially as possible.

Ensure accommodation to people with disabilities

- While considering a candidate with a disability for a specific job, you should be open to making accommodations and adjustments in the workplace, workstation and revise work conditions in order to maximise the potential of the candidate to perform the job. Adjustments, where required, should be planned in consultation with the employee with disability.
- Advice and guidance on appropriate adjustments may be obtained from specialist agencies, including organisations of or for persons with disabilities. Create accessible facilities and services.
- To facilitate recruitment of persons with disabilities and enable job retention, take steps to improve the accessibility of the work premises to people with different types of disability. This should include consideration of parking, entrance to and movement around the premises, workstation, washroom facilities and other common areas.
- Accessibility should also include access to communication and information.
- Websites and other applications should be made accessible for people with different disabilities.
- Consult disabled employees and consult specialist agencies as you prepare a plan to improve accessibility.
- Emergency plans should include a plan that ensures that persons with disabilities are able to safely and effectively evacuate the workplace to an area of safety.

Equal Opportunity Policy and Disability Management Strategy

Provide opportunities for work trial and supported employment placement

As an alternative to immediate recruitment, you could consider providing a disabled candidate a work trial period or a supported employment placement (in cases where a long training period is required or when accommodations required are not immediately obvious). As with work experience, these strategies will provide you the opportunity to assess ability and capacity. In some cases, recruitment may follow. Even where this is not the result, a work trial or a supported employment placement provides disabled jobseekers with valuable work experience which increases their subsequent employability.

Project a disability friendly image to attract candidates and customers with disabilities.

Newsletters, job announcements and advertisements make efficient carriers of information. Use these forums to talk about your Equal Opportunity (EO) Policy. Incorporate a logo that signifies that you are an EO employer in all public communication, mailers and preferably on all company stationery.

Develop a supplier diversity programme

You can create a Supplier Diversity Policy to promote businesses owned by disabled people, disability cooperatives and NGOs. You could influence existing or potential suppliers to adopt an Equal Opportunity Policy.

Evaluate effectiveness

- You should evaluate the effectiveness of your disability management strategy at regular intervals and make improvements as and when required.
- These reviews should be carried out in consultation with employees with disability.
- Employee representatives at the workplace should have access to the evaluation and participate in it.

“Diversity includes Disability⁵⁰”; “Code of Good Practice on key aspects of Disability in the Workplace”⁵¹; ILO Code of Practice- Managing Disability in the Workplace⁵²)

⁵⁰ McInnes, Rob. Diversity World. Workforce Diversity- Disability Excluded. Diversity World. November 2004. 15 July 2008.
<<http://www.diversityworld.com/Disability/DN04/DN0411.htm>>

⁵¹ “Code of Good Practice on Key Aspects of Disability in the Workplace” (Draft for public comments). South Africa Department of Labour. 6 June 2008.
<http://www.labour.gov.za/legislation/code_display.jsp?id=8529>

2.2. What Department should drive the Equal Opportunity Initiative?

In many companies, it is the HR department that drives the initiative. In some large companies there is a separate team for Diversity and Equal Opportunity. Corporate Social Responsibility units take the lead in some companies to promote disability employment.

Whichever department leads, it is important to approach disability in an appropriate manner, keeping disability management principles in mind. This could be done by hiring an informed person as part of the team or hiring a consultant for setting up the initiative and training a person within the company. Employing a person(s) within the company to lead the initiative will ensure that the focus is not lost and will lead to achieving greater results.

For Equal Opportunity to succeed, it is important that it be recognised as an organisational mission with the relevant departments playing their role and assuming responsibility where needed. Line managers should provide leadership and drive the initiative in their department.

2.3. Is there a reservation policy with regard to the percentage of disabled people in the company?

In the private sector, there is no quota. However, many companies have a long-term aim to ensure that the composition of their workforce reflects that of the community. They have targets to increase the representation of underrepresented groups and communities in their workforce. As a result some companies have voluntarily taken up a target of 5% reservation of jobs for people with disabilities in the workforce (this reflects the approximate percentage of people with disabilities in the country).

2.4. Is there any symbol/logo that is awarded to companies that are disabled friendly?

Yes, there is one logo in India, which has been designed by National Centre for Promotion of Employment for Disabled People (NCPEDP) called “Disabled Friendly Corporate Logo”.

⁵² “Managing Disability in the Workplace: ILO Code of Practice.” Geneva: International Labour Office, 2002. 6 June 2008. <www.ilo.org/public/libdoc/ilo/2002/102B09_340_engl.pdf>



This logo, conceived in 1999, symbolises partnerships between responsible corporate citizens and talented people with disabilities. It is awarded by NCPEDP to disabled friendly companies for their use.

The handshake represents equality. Corporate citizens, on their part, need to develop hiring policies that are not discriminatory towards disabled people, providing a work environment that is accessible, and recognising the abilities of persons who have a disability. On the other hand, persons with disabilities bring to the partnership talent, high work ethics and inner strength. Blue and yellow are the international colours representing disability.

The corporate bearing this logo would be easily identifiable as having evolved an established degree of accessibility, inclusion or employment (direct and indirect) in any sphere of its activities. More information can be gathered from NCPEDP website⁵³.

2.5. Are there any Awards or recognition for a company that is doing exemplary work in the area of disability employment?

Yes, there are⁵⁴. The following are some of the prestigious awards given to companies to recognise their contribution in promoting employment of disabled people:

- **NCPEDP-Shell Helen Keller Awards:**

Instituted in 1999, the NCPEDP-Shell Helen Keller awards symbolise an equal playing field for people with disabilities. Every year, 10 awards are given away, in three Categories, to those who have been doing exemplary work to promote equality and dignity in the workplace.

Category A: Disabled persons from within and outside the disability sector, who have been active as ambassadors of the cause of employment for disabled people and are a positive role model for others (3 Awards).

⁵³ National Centre for Promotion of Employment for Disabled People. 15 July 2008.
<<http://www.ncpedp.org/employ/df-logo.htm>>

⁵⁴ National Centre for Promotion of Employment for Disabled People. 15 July 2008.
<<http://www.ncpedp.org/employ/em-home.htm>>

Category B: Role Model Supporter of Increased Employment Opportunities for Disabled People: Individuals from within the disability sector and outside who have contributed substantially to the cause of promoting employment opportunities for disabled people over an extended period of time (3 Awards).

Category C: Companies/organisations/institutions, who, through their policies and practices, demonstrate their belief in equal rights and gainful employment for persons with disabilities (4 Awards)⁵⁵.

- **National Awards**

In 1969, the Government of India approved a Scheme for giving National Awards to outstanding employers of disabled people as well as the most outstanding employees.

Awards are given to the government sector including municipalities, local bodies, public sector undertakings and private enterprises for creating barrier free environments for disabled people.

Following awards are presented on December 3, the World Disability Day:

- Best Employees (Including Self-employed) with Disabilities
- Best Employers and Placement Officer/Agency for Placement of Persons with Disabilities (Government Sector, Public Sector Undertakings and Private Sector)
- Best Individual and Institution for the Cause of Persons with Disabilities
- Best Technological Innovation for the Cause of Disabled and Adaptability of Innovation to provide Cost-Effective Technology
- Outstanding Creative Individual with Disabilities
- Outstanding Work in the Creation of Barrier-Free Environment for the People with Disabilities
- Role Model Award
- Best District in Providing Rehabilitation Services
- Best Local Level Committee of National Trust
- Best Creative Child with Disabilities

For more details about the awards log on to
<http://www.socialjustice.nic.in/disabled/award.htm#cr1>

⁵⁵ For more details about the award, please log on to <<http://www.ncpedp.org/employ/aw-hklr.htm>>.

- **FICCI Awards:**

The FICCI Awards were instituted in 1967, to promote individual, corporate and institutional initiative in economic, social and scientific areas.

Companies and organisations that are recognised are those that work voluntarily towards the development of society (scope of work could be in areas like environmental preservation, education, literacy, family welfare, promotion of arts, crafts and culture, rural development, community development, empowerment of vulnerable groups including women, children and disabled persons).

The award for empowerment of physically disabled people is given in recognition of their services in following areas:

- Providing training and rehabilitation for disabled people
- Suggesting workable schemes which assist disabled people
- Placement/employment of disabled people
- Providing technical and vocational training/education for disabled people

For more information about the awards, log on to:

<http://www.ficci.com/ficci/general/ficci-awards/ficci-awards.pdf>

- **CavinKare Ability Awards**

The award aims to recognise disabled people who have achieved excellence in any field or have rendered exemplary service.

- **CavinKare Ability Award for Eminence**

This is a single award comprising a citation, a trophy and a cash prize of Rs. 1,00,000/-. It is awarded to a pathfinder, a person who has been of service to others. The category recognises exemplary achievement and service of disabled people.

- **CavinKare Ability Mastery Awards**

There are two awards in this category, comprising a citation, a memento and a cash prize of Rs. 50,000/-. These awards recognise disabled persons who have set a high standard and gone on to achieve it. They have been a source of inspiration to others, although they have not necessarily been directly involved in service to others.

For more information on these awards, log on to:

<http://www.abilityfoundation.org/awards.htm>

Best Practice Case Study: Infosys BPO – Process Driven EO initiative

1. Recognising Disability as a Business Case

Infosys BPO recognised the need for taking a proactive approach towards tapping different talent pools that also made perfect business sense. One such pool was people with disability, who have the necessary skill sets to work, but were constrained because of limited or no opportunities.

2. Involving Senior Management

Infosys BPO started proactive work in the field of Disability Employment in August 2005 under the able guidance of their Chairman M.D.Pai, CEO Amitabh Chaudhry and Head of HR Nandita Gurjar.

3. Linking Up with NGOs to Understand the Issue

They initiated discussions with the National Centre for Promotion of Employment for Disabled People (NCPEDP), a national level disability organisation and a few Bangalore based NGOs to understand and get an insight into the disability sector and how Infosys can make a difference to people with disabilities.

4. Appointing Subject Matter Specialist

They hired a specialist in this area not only to facilitate the initiative but also to review the policies, procedures, etc. to make them more inclusive. Today, Infosys BPO has an Equal Opportunities Team whose responsibility is to look into the Diversity and Affirmative Action initiatives of the company. Employees with disabilities are actively involved in the various initiatives.

5. Recruiting People with Disability Proactively

Infosys encourages people with disabilities to apply for positions. Infosys has introduced the following statement in their recruitment advertisements: “Persons with disability are encouraged to apply.” They also organise special recruitment drives solely targeted at increasing the representation of persons with disability in the workforce.

6. Making Recruitment Process Disabled Friendly

They have ensured that the recruitment assessment processes are disabled friendly as well. Their Campus Placement initiative has been made inclusive to encourage students with disabilities to apply for job in Infosys BPO.

7. Making Induction Process Disabled Friendly

Specific standardised induction processes have been put in place. This includes sensitisation of team members and other employees, teaching sign language to team members of a team consisting of hearing impaired employees, and other similar special training, as required.

8. Creating Process for Collecting Data on Disability

Their regular Induction Process includes a ‘Self-Identification Form for Persons with Disability’, which is filled by all employees. The Form not only explains their Equal Opportunity Policy but also provides a chance for people with disability to self-identify and to seek any required assistance⁵⁶. This form acts well as an awareness tool to inform new employees about our Equal Opportunity Policy.

9. Conducting Employee Satisfaction Surveys

Apart from being in touch with employees with disability on a regular basis, Infosys BPO also conducts quarterly Employee Satisfaction Surveys - a structured process for eliciting periodic feedback on employee satisfaction levels. This periodic survey helps Infosys BPO understand the need for interventions.

10. Providing Accessibility

Disability Access Audits were conducted for all the buildings in Bangalore and Pune offices. As a result of the findings, the company has built ramps and accessible washrooms in their newly constructed buildings. They are also consciously making an effort to ensure that their existing buildings cater to the needs of people with disabilities. They have purchased JAWS Screen Reading Software to enable people with visual disabilities. They have now made it a practice to have a sign language interpreter at all large events as an accommodation for hearing impaired employees.

11. Emergency Preparedness Plan

The company has an Emergency Preparedness Plan to ensure that disabled people are evacuated properly and systematically in emergency situations. The company conducts a ‘Basic Fire Safety’ Workshop for employees with disability, their colleagues and security personnel. Mock Fire Drills are also conducted every quarter. One such drill, which was recently conducted, successfully evacuated all employees including employees with disability in 5 minutes.

12. Raising Awareness

Every year, December is celebrated as the Diversity Month and 3rd December is celebrated as World Disability day with great enthusiasm in Infosys BPO. In Dec 2006 and 2007, the Equal Opportunities team carried out various projects and activities that helped increase awareness among employees and the society at large.

Another significant step was the creation of Infyability. Infyability evolved from the need for an information portal, which would serve to educate all business enabler functions, employers and employees on the best approaches to be used for ‘enabling the work environment’. Infyability is a comprehensive portal where information is available in great detail touching every aspect of disability.

⁵⁶ A conscious effort to include this process, after the job offer, is made in order to ensure that persons with disabilities do not hesitate to disclose their disability

13. Sharing Experiences with other Corporates

Infosys BPO is seen as a pioneer in the field of diversity hiring across the BPO industry and is invited by various national and international committees to talk about its experience, share best practices and guide other organisations in taking up such an initiative.

14. Result

In just 2 years time, there are 239 people with disabilities in the company.

The break up of the type of disabilities that are employed is as follows:

Nature of Disability	No. Of Current Employees
Orthopaedic Disability	160
Hearing Impairment	49
Others	6
Cerebral Palsy	7
Visual Impairment	17
Grand Total	239

This constitutes 1.7% of the total workforce. The Equal Opportunities team has set itself a moving target of increasing the disabled population to 2.2% of the workforce by the end of the current financial year. The long-term target is to ensure that 5-7% of the workforce comprises people with disability.

The Equal Opportunity initiative has positively impacted various stakeholders. These include:

- People with disability. The company has provided them an opportunity to live their life with respect and work with dignity.
- The teams that they work with. The teams have become more sensitive to different needs of people.
- The organisation, by providing a workforce that is more stable, loyal and as productive as the rest.
- The society at large, by opening up new vistas for employment.

(Interview with Nandita Gurjar)⁵⁷

⁵⁷ Gurjar, Nandita. Email interview to Priya Varadan. 25 May 2008.

Conclusion

Disability employment is not only about recruitment. It requires a proactive, focussed and an integrated approach to tap into and realise the potential of people with disabilities. The focus should be on creating an environment and culture that promotes and respects diversity.

Communication and Raising Awareness

Overview

After adopting the Equal Opportunity Policy, your company needs to ensure that it is communicated well to all employees. Misinformation and negative attitudes can otherwise hinder your best efforts. Therefore, you should include communication and raising awareness as part of your Disability Strategy in order to educate and inform the workforce.

This Chapter answers questions about concerns regarding communicating information about the company's Equal Opportunity Policy and diversity interests. It also addresses the issue of conducting disability awareness and sensitisation programmes to employees of the company.

1. Communicating Equal Opportunity Policy

1.1. Our company has recently adopted the Equal Opportunity Policy (EO). How do we communicate internally to ensure maximum support from all our employees?

- As you have adopted the EO Policy recently, it would be a good idea to organise an Awareness Campaign to inform all employees about the policy.
- You could circulate emails or circulars, detailing the policy and the company's faith in the EO Policy. Senior leaders of the company can do town halls on this and launch this policy. This would also project the commitment of the company to the Policy.
- Your communication could include different kinds of information about disabled people or the disability policy in India in general. In addition, definitions used in the EO Policy and the importance of this policy for the company can be shared.
- You could design a poster and other communication materials, which could be displayed on the notice boards.
- Disability sensitisation programmes are good strategies to inform as well as train employees about different aspects of your Equal Opportunity policy.
- Disability Awareness Days are good platforms for informing all employees about your company's Equal Opportunity Policy.

- The intranet is a useful tool to communicate information about the Equal Opportunity Policy that your company has adopted.
- Employee handbooks/induction kits would also work as good resources for employees who want to know more about the company's disability policy.
- The company's website could carry information about the Equal Opportunity Policy with a link to the same on the home page.
- Involve people with disabilities in strategising for communication. As key beneficiaries of the Equal Opportunity Policy, persons with disabilities will be good advisors about communicating the policy internally.
- Make the communication accessible to persons with different kinds of disabilities by making it available in different formats i.e. large print, soft copies on CD's, in Braille and other formats that can be read by reading software.
- Company newsletters could carry information about the Equal Opportunity Policy and information about Disability Awareness.
- Communication should be an ongoing process and companies should include information on EO Policy in their regular induction process. It should also be part of various training / certification programmes.
- Use appropriate terminologies and language for all communication regarding employees with disabilities. Use words that primarily focus on the person and not on his or her disability. These have been discussed in the chapter on 'Appropriate Etiquette and Terminologies'.

2. Sensitisation /Awareness Programmes

2.1. Why should a company conduct sensitisation programmes?

To dispel negative attitudes

The objective of a sensitisation/awareness programme is to dispel negative stereotypes from our thoughts and actions when addressing or working with persons with disability.

There may be a tendency in our society to think of disabled persons as objects of pity or charity; or they may be thought of as people with illnesses or diseases who need to be cured medically. There could be anxiety that they are not productive, they are aggressive or they would get hurt in a work environment. All these attitudes come in the way of disabled people's access to employment opportunities. A sensitisation programme will dispel the fears, misconceptions and myths about the abilities of co-workers with disabilities.

To adhere to basic tenets and spirit of EO Policy

Increasingly, at a global level, government and corporate policies have changed their framework to recognise and respect diversity of gender, race, religion, caste, creed, colour, language, ethnicity, political orientation, sexual preference, class, social status and disability. The aim of an Equal Opportunity Policy is to provide equal access to employment without discrimination based on any of the identity factors listed above. In keeping with the policy, all employees will have to adhere to the basic tenets and spirit of the policy. Sensitisation programmes will help in the fruitful implementation of the terms of an Equal Opportunity Policy.

To learn Disability Etiquettes

Sensitisation programmes are not intended at making employees feel like they are insensitive and require training to be sensitive persons. The programme focuses on some intrinsic aspects of employees' attitudes that may be insensitive particularly to disabled persons. For instance, it would be inappropriate to hold the hand of a person with visual disability because you are assuming that they need assistance. This may feel like a charitable gesture to the person with the disability if they have not asked for any assistance. Your gesture shows that you are taking it for granted that the visually disabled person requires your help to manage everyday situations.

To create awareness about Disability Barriers

Sensitisation programmes also make employers and employees aware that inaccessible building architecture can be very restricting for persons with disabilities. Those who use the stairs may not think of it as a barrier, but for employees with mobility disabilities the stairs can be a definite barrier.

2.2. Are we not drawing undue attention to disability by conducting such programmes?

The aim of sensitisation programmes is to **draw positive attention** to disability as a diversity issue. Disabled persons' inclusion in the company, according to its Equal Opportunity Policy, requires to be recognised as a significant aspect of the company's efforts to provide equal opportunity without discrimination. Sensitisation programmes are a good platform to inform all the employees about the company's policy. Disability has often been ignored and it is important to recognise it as part of the diversity initiative by way of according disabled employees equal status in the company.

Caution: Drawing positive attention to disability does not mean glorifying a person's disability or making a person seem heroic. Such attitude once again draws charitable reactions.

A sensitisation programme will draw attention to the unhealthy disability stereotypes in conversation, attitude and actions that are commonly used, and then move towards seeing disability in the right perspective. This process will inform programme participants to not think of disability as an abnormality.

2.3. Does law mandate that companies should organise sensitisation trainings?

The United Nations Convention on the Rights of Persons with Disabilities (CRPD) lists ‘Awareness-raising’ as an important undertaking in a section on ‘Rights and Dignity of Persons with Disabilities’. Promotion of awareness training programmes is prescribed by the Convention as a measure:

- To raise awareness throughout society, including at the family level, regarding persons with disabilities, and to foster respect for the rights and dignity of persons with disabilities.
- To combat stereotypes, prejudices and harmful practices relating to persons with disabilities, including those based on sex and age, in all areas of life.
- To promote awareness on the capabilities and contributions of persons with disabilities (“Convention on the Rights of Persons with Disabilities”)⁵⁸

The International Labour Office extends a Code of Practice⁵⁹ that can be applied in accordance with national law and practice though not legally enforceable on its own. Communication and awareness-raising are identified by the Code as useful modalities to make a company’s disability management strategy known to all the employees (“Managing Disability in the Workplace: ILO Code of Practice.”)⁶⁰

2.4. What are the various ways of sensitising employees?

Training Programmes & Sensitisation Activities

Sensitisation training programmes could be of different kinds. The programme could consist of short Power Point Presentations (PPT) or extended workshops consisting of presentations and exercises.

⁵⁸ “Convention on the Rights of Persons with Disabilities.” 25 May 2008
<<http://www.un.org/disabilities/>>.

⁵⁹ “Managing Disability in the Workplace: ILO Code of Practice.” Geneva: International Labour Office, 2002. 24 May 2008. <www.ilo.org/public/libdoc/ilo/2002/102B09_340_engl.pdf>.

⁶⁰ “Managing Disability in the Workplace: ILO Code of Practice.” Geneva: International Labour Office, 2002. 24 May 2008. <www.ilo.org/public/libdoc/ilo/2002/102B09_340_engl.pdf>.

For instance here is an outline of a short training module:

Fifteen-minute PPT modules could consist of:

- A list of instances that portray negative attitudes.
- Potential scenarios with inappropriate and appropriate attitudes portrayed in them.
- Information about the EO Policy and the country's laws that mandate provision of equal opportunity to people of diverse backgrounds.
- An outline of discriminatory language followed by a brief overview of preferred language.

The module could also include activities as long as we are careful not to give the wrong message by using simulations.

Demonstrate how to relate and communicate with people with disabilities.

Listing stereotypical instances to identify negative or inappropriate attitudes is a powerful exercise and makes lasting impressions on people. Disabled persons' reactions to some of these popular but discouraging attitudes could also be presented to strengthen the impact of the exercise. Facilitate discussion around the benefits of proper disability etiquette and appropriate terminology.

You can add activities for participants that make them realise that environmental barriers make people disabled.

For instance, the facilitator of the training programme could begin the programme by speaking very softly, almost inaudible to people beyond the first row of participants or those seated closest to the facilitator. Participants seated farther will undoubtedly ask the facilitator to speak louder and probably say "we can't hear you". The facilitator can make use of this artificially created moment to say that the problem is not with the hearers but with how softly the words were spoken. In case of a large hall or room, the facilitator could begin speaking in his or her ordinary voice and then use a microphone. In this way attention can be drawn to workspace conditions that are disabling factors.

Half-day workshops during the weekend either at the workplace or at a resort may work well.

Such a workshop will provide an informal environment that will help employees focus on disability without the stress of work. Disability sensitisation could also be a segment of a longer workshop conducted by the HR department of the company or an outside consultant or consultant group as part of diversity initiatives.

Screening Movies

Movies work well as motivators for attitudinal change. An introductory session could precede the film screening where the facilitator could present a brief overview of the company's EO policy and talk about global change towards identifying diversity as a key factor to any establishment's success. A discussion after the film has been screened would be useful to talk about concerns that employees raise about the film as well as contextualising these concerns and questions to workplace scenarios.

Some Films / Videos on Disability Employment Awareness

There is a web resource that catalogues disability-related films, "Films involving Disabilities" at: (<http://www.disabilityfilms.co.uk/index.html>).

There are also short animation clips that aim **to challenge and change attitudes towards disability** called Creature Discomforts, produced by Leonard Cheshire Disability (<http://www.lcdisability.org/>).

A 2-minute video, "Look at my Ability" addresses the work ethic and skills represented by this labour pool. The video was produced by Oregon Business Leadership Network. You can view the video at (<http://www.obln.org/LAMA.htm>).

Confederation of Indian industry (CII) has produced a short video to create awareness on disability. It is available at (<http://www.youtube.com/watch?v=IMoyseLQlrA>).

'The Ten Commandments of Communicating with People with Disabilities' is an awareness and training video on disability etiquettes. The video can be purchased online from (<http://www.diversityshop.com/store/10comvid.html>).

Sensitisation Activities

Disability awareness campaigns

Disability awareness campaigns (either by observing Disability Awareness Days at regular intervals, or a Disability Awareness Week or Disability Awareness Month in the working year) would be useful ways of sensitising employees. These campaigns are best undertaken with disabled employees playing the roles of key decision makers in designing the campaign. It is also advisable to have theme-related disability awareness campaigns. For instance, a disability-awareness week, during one working year, could only focus on access issues - display of posters, discussion sessions, drop-boxes, expert panels in half-day seminars that discuss advancement in accessible technology, workshops and stalls that provide information on low-cost accessibility options for the home and workplace.

Face to Face interaction with people with disabilities

Direct, face-to-face interaction is the most powerful way to break down attitudinal barriers. This contact will do a lot to overcome any uncertainty, discomfort and misinformation that your employees are harbouring.

Ideas for face to face interactions

You can invite a guest speaker with disability. You can also invite eminent people with disabilities for your various other programmes. Example, Infosys BPO invited an eminent sportsperson with disability as the Chief Guest for their Annual Sports Day.

You could partner with a local NGO and your staff could be involved in various ways. They can share information about the industry to job seekers. They can all be part of mock interviews and other activities set up to hone the skills of disabled people. Such a relationship with an NGO would be a win-win situation, as on the one hand you are enabling people with disabilities to gain marketable skills and on the other, you are providing opportunity for your employees to directly interact with people with disabilities thereby increasing their disability acumen.

You could use occasions like Job Fairs and Recruitment Drives for job seekers with disabilities as a great opportunity for staff development. Instead of staffing your booth with two or three employees for the whole day, you can have shifts every hour – giving over a dozen employees the opportunity to interact with job seekers, and to see the related exhibits on accommodations and access technologies.

2.5. Should we do simulation exercises (making people sit on wheelchair, blindfold them) for non-disabled employees to experience disability?

Not necessarily since, it might induce charity-oriented reactions. It is likely that while participating in such simulation activities, non-disabled persons may become sympathetic rather than empathetic. However, simulation exercises might be used to identify barriers and related accessibility issues. For instance, if persons without visual impairment have to distinguish the difference between accessible websites with screen-reading software and inaccessible websites, it would then be useful to have non-disabled persons blindfolded while they sit at a computer and visit these websites. Another instance of an effective simulation exercise would be to ask them to do an access audit, thereby directing their focus on the audit rather than the experience of being disabled.

2.6. Should we conduct sensitisation programmes before we start hiring disabled people?

A company should ideally begin conducting sensitisation programmes from the time it adopts an Equal Opportunity Policy. The programmes should be mandatory and conducted at regular intervals so that all employees are trained.

Even though the company has been employing disabled persons long before adopting an Equal Opportunity Policy officially or conducting sensitisation programmes, it is never late to conduct sensitisation programmes.

It is important to sensitise the HR staff and management about disability before the company hires disabled persons. The sensitisation programme will be useful to company personnel in the processes of recruiting and hiring.

2.7. Who should attend the trainings/sensitisation programmes? Is it only the non-disabled employees or should even the disabled employees attend the programmes?

Diversity is of different kinds. Discrimination is or has been an experience common to persons belonging to different diversity groups, for instance, women, persons coming from minority religious background or race and so on. Sensitisation programmes can be designed to address the downside of all kinds of discrimination and so become an imperative learning situation for all employees.

All employees should attend the programmes. The sensitisation programmes are conducted with the aim of facilitating better communication and interaction between disabled employees and non-disabled employees. Whether your company has been hiring disabled persons long before it started conducting sensitisation programmes or not, the programmes are important platforms where concerns of both disabled and non-disabled persons can be raised and discussed. When activities are conducted in the course of the programme, disabled employees' participation provides insights that are more valuable than mere simulation exercises.

One cannot assume that all disabled persons are sensitive about disability issues. There are times when a person with one kind of disability does not realise or is ignorant of the concerns of a person with another kind of disability. A person with a visual impairment may have learnt the same negative stereotypes of physically disabled persons as other non-disabled persons may have learnt. Information imparted at these programmes is important for everyone to be sensitive to diversity.

2.8. Are there different trainings for different levels of employees (like Senior Management/Managers etc.)

Yes, it might be necessary. Some people in the company, by virtue of the positions they hold, may require protracted sessions that deal with more aspects of communicating with disabled persons or sensitising employees about disability.

Employers have to be equipped with knowledge about the different aspects that constitute hiring disabled persons as company employees.

For instance, employers must be trained to be aware of enabling candidates with disabilities to participate and perform in interviews on an equal basis with non-disabled candidates. They should keep in mind that disability accommodations (sign-language interpretation, large-fonts, accessible physical environments, etc.) have to be made available to candidates who so require them in order to participate equally in pre-recruitment tests, interviews and group discussions.

Senior Management's involvement is very crucial for driving diversity initiatives because of the magnitude of the effort. Disability Strategy has succeeded where senior leadership have articulated the importance of equal opportunity on various occasions and been supportive in creating a system and culture that is inclusive. Many times, it is the HR Head who drives the initiative. However, training of all the senior managers would be important to make it an organisational mission.

Recruiters require in-depth training programmes as many of them go to campuses of colleges and universities to recruit candidates. They might be faced with situations where they are not equipped to distinguish between the 'essential functions' of a job and its marginal requirement.

Interviewers have to be specifically trained to identify candidates who are qualified to perform the job according to its 'essential functions'. They should also know disability etiquettes, questions that can be asked and those, which should be avoided, and the accommodations entitled to be provided to people with certain disabilities.

Managers and Supervisors require intensive training programmes in disability sensitisation, as they will engage with those aspects of an employee that other co-staff will not. They will need to be informed about popular myths about employees with disabilities and be trained so that they do not engage with disabled persons with prejudice and negative stereotypes in mind. If, for example, employees with disabilities have lower job performance or employees with disabilities have a higher absentee rate than non-disabled employees.

HR personnel must be aware of all aspects of employing and retaining persons with different kinds of disabilities including reasonable accommodations in the work place and accessibility options. They must

also be trained to enquire into the specific needs and accommodations required by a person with disability and keep in mind their requirements while adapting the work environment to suit employees with disabilities.

All employees should ideally undergo sensitisation training, to ensure an inclusive environment that respects and values diversity.

2.9. Should support staff be sensitised?

It is very important to sensitise support staff to the needs of disabled persons as it is in spaces like elevators, cafeterias and restrooms that disabled people may experience difficulties, as the environments may not be completely disabled friendly. There is the likelihood of some staff providing assistance without being asked for. A training session could equip support staff with appropriate etiquette while assisting persons with disabilities in everyday activities.

2.10. Are there NGOs and Consultants who conduct these trainings?

There are disability employment and accessibility organisations, a few of which are mentioned below, who conduct disability awareness programmes:

- Diversity and Equal Opportunity Centre (www.deoc.in)
- AccessAbility (<http://www.accessability.co.in/Services>)
- Enable India (http://www.enable-india.org/employers_central.html)

You could also enquire from a local organisation working in the area of disability regarding these trainings. Details are in the Annexure 9.

2.11. Should a disabled person conduct these trainings?

A disabled person or a non disabled person could conduct the training programme. It is not necessary that the trainer fits a particular profile. However, it is important to make sure that the programme, if conducted by the company, be designed with inputs from disabled persons employed in the company.

If the programme is intended to initiate the process of recruiting disabled persons into the company, then it is highly recommended that the company's management or HR department consult with experts in the area of disability employment while designing the programme.

The point of the training programme should be to enable fair communication and interaction among employees who are disabled and not disabled. Some companies experienced that, when conducted by disabled persons who are experts in the area of employment and disability awareness, the impact of the programme on the employees has been greater.

2.12. What is the general duration of such trainings? How do we ensure good participation for such trainings?

The duration could vary from a tight 20-minute training module to a weekend workshop. There is no prescribed duration for sensitisation training programmes. Activity-oriented trainings are intrinsically motivating as they get employees to get out of their work routines and move around!

However, web-courses are also efficient ways of conducting training programmes. They could be made mandatory and include a test at the end. Employees can thereby be evaluated on their learning and a record maintained of their progress in subsequent disability sensitivity web-courses. Web-courses are also convenient as they are in accessible format and can be taken at a time convenient to each employee.

Here are a few web resources:

- “Awareness/Etiquette. Stereotypes/Attitudes. Basic Etiquette⁶¹.”
- “National Learning Network Limited⁶².”

2.13. Do we have to make it mandatory for all employees to attend the training?

Equal Opportunity Policy is a policy that the company as a unit has chosen to comply with. It is therefore necessary that all employees of the company are informed about and trained to comply with the requirements of the policy. Consider making the training mandatory and part of the employee’s induction training programme. It can subsequently be done at regular intervals.

3. World Disability Day

3.1. What is World Disability Day? Why should companies observe the day?

According to the ILO, “3rd December is observed annually as the United Nations International Day of Disabled Persons (IDDP) since 1992. It provides opportunities for Governments, organisations of disabled persons and society as a whole to focus upon and take stock of the gains to be

⁶¹ “Awareness/Etiquette. Stereotypes/Attitudes. Basic Etiquette.” Job Corps disABILITY Website. 24 May 2008 <http://jcdisability.jobcorps.gov/html/awareness_stereo.htm>.

⁶² “National Learning Network Limited.” Corporate Training Website. 24 May 2008. <<http://www.corporatetraining.ie/profiles/nationallearningnetworklimited/>>

made from the inclusion of persons with disabilities in every aspect of political, social, economic and cultural life.” (“Campaigns”)⁶³.

When we celebrate women’s day, father’s day, etc. we do so in order to recognise and respect a category of people or an event. The day reminds us to pay attention to one identity. Similarly by celebrating World Disability Day we have the chance to recognise disability as an identity characteristic of some people. We celebrate diversity by doing so.

Remember that you are celebrating World Disability Day with the following aims, keeping in mind your Equal Opportunity Policy:

- To celebrate diversity and nourish it
- To dispel negative stereotypes about disability.
- To discuss concerns and questions about disability rights, employment of disabled persons, accessibility, and so on.

Diversity and Equal Opportunity Centre (DEOC) had announced the first week of December as the Disability Awareness Week last year. Many corporates observed the week based on the common theme. Infosys BPO, MphasiS, Reuters, ITC are some companies that have made Disability Week a part of their annual calendar. (For more information on Disability Awareness Week visit www.wdd.co.in)

3.2. We celebrate Disability Awareness Month and Week and conduct programmes. Is this enough or should we have programmes through the year?

It is advisable to have programmes at different points in the year. A predetermined Disability Awareness Month or Week might cause inertia in those who are indifferent, thus defeating the purpose of inclusion. Disability sensitisation must be adopted by the company as a continuous process. However, a month long or week long schedule offers a consolidated period of time to think about disability and clarify questions that come up about disability for employees.

Weeklong programmes organised two times in a year would allow the company to focus on different aspects during each week. Let’s say the theme for one such is ‘Access’. During this week you could focus on different aspects of access. This could include a small fair that showcases accessible software and new research that is developing advances in accessible technology. The second awareness week could focus on diversity in general with theatre productions that include stage plays, street plays and skits; movie screenings; dance performances that concern socio-

⁶³ “Campaigns.” ILO Website. April 2008. 27 May 2008

<http://www.ilo.org/global/What_we_do/Events/Campaigns/lang--en/index.htm>

cultural features of different kinds of diversity. Consider silent plays and wheelchair dances as part of the week.

3.3. Isn't it better to include disability sensitisation as part of other programmes rather than having separate initiatives?

It would be a good idea to incorporate disability sensitisation programmes into other events and programmes. One of the ways of doing that is by encouraging people with disabilities to participate in various events of the company. Any barriers preventing their participation in these activities should be removed.

It is also recommended that you conduct very specific programmes about disability.

Disability has been overlooked or sidelined the world over for a long time now. The present moment requires that we re-focus on disability as an empowering diversity identity. Having separate training modules and awareness campaigns for disability sensitisation will positively reinforce the company's equal opportunity mission. Disability has not been recognised as a positive identity characteristic till recently. Therefore, it is important to have specific training modules with the express purpose of making employees sensitive to disability issues.

4. Measurement

4.1. How can we measure our employees' level of sensitivity after programmes have been conducted?

The goals you have set for your management team, recruiters and HR personnel work are efficient tools of appraisal. Depending on the extent to which each team meets its goals, you can decide the success of your sensitisation programmes and gauge the sensitivity levels of your employees.

- Follow up the sensitisation programmes with feedback routines i.e. provide feedback forms at the end of sensitisation training sessions.
- Email feedback forms to employees and invite anonymous questions via a multi-user email address.
- Create an email group chiefly for company employees where disability awareness concerns are voiced and responded to by subscribers.

These kinds of follow-up platforms allow you to measure employees' learning curves when it comes to disability sensitivity and disability awareness.

4.2. How do I handle a complaint about an insensitive remark made by a colleague to a disabled employee?

Companies may prefer to hire experts in the area of disability rights, disability employment and on disability awareness as part of their HR personnel. This will allow them to respond appropriately in cases of discrimination that might occur.

In any case, it is important to take complaints about a colleague's insensitivity to disability very seriously. An insensitive remark about disability is a grave offence. It qualifies as harassment under several international disability employment policies. It is your prerogative to protect all your employees from harassment and discrimination. As an employer, you have to be conscious that an employee who faces discrimination has the right to revert to the employer to enforce a harassment-free environment.

Upon receiving such a complaint, take action immediately. Analyse the factors involved. For instance, find out what was said or done, how the complainant feels and the context in which it occurred. Talk to the person who made such a remark. Let him or her know that their remark goes against company policy and qualifies as harassment of a co-worker. It is important to let the person know that their action is objectionable, unacceptable and punishable under certain laws. His or her actions not only affect their reputation but also the company's reputation. Further action can be taken as per the company's policy.

Insensitivity or harassment, as described in Disability Discrimination Act in UK⁶⁴ and equally applicable to a company promoting safe and equal opportunity at workplace, can be in the following forms:

- Physical harassment
- Verbal abuse, whether face to face or written, including notes, e-mail or graffiti
- Threats
- Intentionally demeaning comments or behaviour
- intentional exclusion from work related activities

(“Employment and the Disability Discrimination Act”)⁶⁵

⁶⁴ “Employment and the Disability Discrimination Act.” 25 May 2008.<http://www.hreoc.gov.au/disability_rights/faq/Employment/employment_faq_1.html>.

⁶⁵ “Employment and the Disability Discrimination Act.” Human Rights and Equal Opportunity Commission Website. 25 May 2008.
<http://www.hreoc.gov.au/disability_rights/faq/Employment/employment_faq_1.html>.

5. Communicating Externally

5.1. How do we communicate our EO Policy externally?

The company website could carry a statement about its Equal Opportunity Policy. Alternatively, place a link in the website detailing the company's policy regarding equalising employment opportunities.

The company's main building and reception area could have boards saying that it is an Equal Opportunity Employer and probably carry a definition in bold of what EOP entails. Posters are a great idea for signposting your faith in equalising employment opportunities.

Newsletters, job announcements and advertisements make efficient carriers of information. Use these forums to talk about your Equal Opportunity policy. Incorporate a logo that signifies that you are an EO employer in your advertisements, job announcements, newsletters, pamphlets, other public communication, mailers and preferably on all company stationery.

5.2. How do we sensitise our other stakeholders (clients/customers/vendors etc)?

Send your clients, customers and vendors updates about the company's EO policy via paper mailers or e-mails. This will highlight your support for other companies and organisations that adopt EO policies. Also update them about

the goals that were set and achieved in terms of recruitment of disabled persons and other goals related to the EO policy. Make your support of diversity visible!

Caution: Do not report your EO policy by showcasing the work of disabled employees. Instead talk about your respect for diversity.

Disability awareness posters that inform people about disability rights, national disability policy, disability-related acts are very effective tools of conveying the company's stand on equal employment opportunity. For instance, look up the 'Disability Is Natural' web page for great poster ideas that are fun and effective.

("Posters")⁶⁶

⁶⁶ "Posters," Disability is Natural Website. 27 May 2008.

<<http://www.disabilityisnatural.com/store/WallArt.html>>.

5.3. How can we contribute to sensitising other companies?

You could collaborate with other companies to universalise EO policy. This is a good way of motivating other companies to become EO employers. Invite other companies to participate in your awareness-day or awareness-week programmes. Invite them to panels and group-discussions that focus on EO policies; organise resources-sharing sessions to enhance EO policy compliance. You could form a consortium of companies on EO Policy.

Conclusion

Equal Opportunity employers believe that disability is an integral part of their diversity initiative. Use sensitive language to convey this belief. Pay attention to appropriate language because your thoughts are best reflected in what you say and how you say it.

Conduct mandatory disability sensitisation workshops or training programmes for all employees. The sensitisation programmes can be a mix of components that include theoretical inputs and well-advised activities.

Remember attitudinal barriers are most common. Guard against objectifying disability in the work place. A disabled person is not a hero just because he or she has a disability and is fulfilling a position they are employed in. So also, disabled persons are not objects of pity and charity. They can be identified as different or diverse but not pitied for it. Negative stereotypes are learnt; they can be unlearned just as easily.

Share your disability management strategies and equal opportunity policies with your clients, vendors, customers and other stakeholders to ensure compliance in all areas.

Accessibility

Overview

Inaccessibility is one of the biggest barriers to employment of persons with disabilities. Historically, disability was seen as a ‘problem’ residing within an individual who has impairment, rather than with the environment and society. For example, it was considered that a person with disability is unable to reach the first floor because she/he uses a wheelchair. However, with the acknowledgment of rights of people with disabilities as equal citizens, this perspective is changing. With this perspective, one would say that a person is unable to reach the first floor because a ramp or elevator is not available. The problem lies in the disabling environment, rather than in the person with disability. Therefore, an important aspect of Equal Opportunity Policy in companies should concern accessibility.

Ensuring comprehensive accessibility is beyond just structural changes, as it also requires modifications of policies, procedures and practices, which would be more successful if there is participation by all members of your company. This chapter covers frequently asked questions on the issue of accessibility that confront the employers.

1. Understanding Accessibility

1.1. What is accessibility?

Accessibility is generally understood today as an approach to creating environments that people of all ages and abilities are able to use to the largest extent possible. The approach could be applicable to health services, food, clothing, shelter, education, justice, employment, and to social, cultural and political spheres of life through transportation, buildings, modes of communication, information, products of daily use, machines and tools and so on. All people should be able to reach it, get it and use it. An accessible environment benefits everyone to some degree, for example, pregnant women, people with obesity, children, senior citizens and people with disabilities. To a large extent, accessibility can be achieved through inclusive design and assistive devices and technologies.

1.2. Is constructing a ramp at the building entrance enough to make the workplace accessible?

Access is not restricted to the built environment. To make an area truly accessible, it is important that there are inclusive building management policies in place, keeping in mind accommodations required by people with different kinds of disabilities. For example, information should be accessible to people with hearing impairment and with visual disabilities. This would require that material be adapted to different formats i.e. signs in Braille, audio signs, etc.

It is also important that building administrators and facilities support staff are sensitive to and trained to assist people with different disabilities. It is also important to remember that people with different disabilities will have different needs. For example, not all people with hearing disability will have speech disability. Visual disabilities are also varied. People with blindness would have very different needs than people with low vision.

By and large, access issues are related to:

- a. Equal Opportunity Policy and Management
- b. Physical Environment
- c. Information and Communication
- d. Safety and Emergency Evacuation

a Equal Opportunity Policy and Management

An accessible workplace is a place where the environment and culture are inclusive. A company may have an accessible building, but if policies and systems are discriminating, it might prevent people with disabilities from entering the workforce or from being able to contribute effectively.

Hence, it is important for your company to be inclusive; it has to take a proactive approach. It should have a policy in place and a team that can drive the initiative with specific goals in sight and involve different departments. These aspects form the foundation for a successful and sustainable initiative.

b Physical Environment (buildings, work area, products and services)

The workplace needs to be accessible for different categories of disabled employees. Minor changes and often inexpensive means can go a long way in making the workplace more safe, convenient and comfortable for all employees. Adaptations may be needed for people with mobility, visual, hearing, speech and intellectual disabilities in the following areas:

- Parking
- Entrance to the building

- Reception area
- Elevators or Lifts
- Staircase
- Wash rooms and toilets
- Drinking water facility. Coffee/Tea Vending Machine
- Cafeteria and Canteen
- Work station/area/space for work

While looking into these areas, check to see if office furniture and building infrastructure such as office equipment, furniture, door handles, taps, signages, counter heights, switches, etc. require adaptations. You may have to make sure that the office floor is not slippery and that there is good lighting, ventilation and low noise levels. The employer can ensure that services in the workplace are accessible to all employees.

Accessible transport to reach the workplace and to move within the workplace is crucial for disabled employees. Moreover, steps can be taken to make certain services and facilities more user-friendly. For example, make sure that coffee vending machines, health care clinics, telephone services, cafeteria, intercom and messaging services, recreation programs/picnics, insurance schemes, family welfare schemes, etc. are designed so as to ensure employee participation and inclusion.

Products used by employees like tables, chairs, pens, notepads, plates and cups and so on can be adapted to provide maximum comfort and safety. Assistive devices, technologies, aids and human assistance, too contribute tremendously to the productivity of the employee. In most cases, these adaptations are inexpensive and also constitute part of reasonable accommodation to an employee with a disability. (Reasonable Accommodation is discussed in detail in **Chapter 14**).

c Information and Communication

Access to information creates equal opportunities for everyone in the workplace. The company cannot take it for granted that all communications reach everyone and are accessible to everyone.

Communication in the workplace takes various forms. For example, a notice on the board, a pamphlet, meetings and conferences, audio-visual aids used in meetings and presentations, a note from a supervisor and emails with attachments such as JPEGs and web pages.

Inaccessible formats can come in the way of obtaining and utilising information in the office. It will also restrict an employee's ability to communicate information to colleagues and supervisors. Therefore, your office needs to develop a system to ensure that all communications happen in accessible formats (e.g. e-formats, audio formats, sign language, sub-titling films, transcription, etc.) and to make websites accessible. This will also include providing information on emergency services.

Communication material must also be simple and easy to understand. The material could be made available in pictorial format for certain people with intellectual and learning disabilities, based on individual need. Sign language interpreters could be hired for seminars, conferences, meetings, and training programmes.

According to the CRPD, "Communication" includes languages, display of text, Braille, tactile communication, large print, accessible multimedia as well as written, audio, plain-language, human-reader and augmentative and alternative modes, means and formats of communication, including accessible information and communication technology.

d Safety and Emergency Evacuation

Inclusion of disabled employees should be top priority when the company is designing its safety and emergency plans. Obstructions such as stairs, cluttered floors and tables, insufficient light and ventilation, slippery floors, etc. make the workplace unsafe for all employees. Machines and tools require regular maintenance and checks. Training all employees about safety issues and emergency evacuation is crucial. The issue is discussed in detail in the chapter on emergency evacuation.

2. Need for Accessibility

2.1. Why should we make our workplace accessible?

Making the office or shop area accessible is important not only because it will help comply with the law and building regulations but will also help the employer tap the pool of candidates with disabilities whom the company may be able to employ. Also, as a service provider, it enables the company to get a larger and recurring clientele. Accessibility will also benefit the aging workforce, pregnant women and people with health issues. Apart from this it is important to remember that an accessible environment is a safer environment and that accessibility benefits all employees and not just employees with disabilities.

2.2. What does the law say about accessibility in the workplace?

What are the various policies and regulations related to accessibility?

The law mandates accessibility in the workplace.

The **UN Convention on the Rights of Persons with Disabilities (CRPD)** as well as the **Persons with Disabilities Act, 1995** cover issues of accessibility in great detail. Access is covered in Articles 9 and 21 of the CRPD.

Many Indian States have adopted accessibility as a component in their *Building By-Laws*. This means that all new construction is now required

to provide accessibility on their premises to get a building permission from the Municipal Corporation.

The Energy and Resources Institute (TERI), India developed a rating system for rating 'greenness of the building' or its environmental performance. It includes 'Accessibility of Persons with Disability' as criteria. The rating system for buildings developed by TERI has been recognised by the Government of India and is now referred as 'The National Rating System for Green Buildings ("The Energy and Resources Institute")'⁶⁷.

Access to information is also an important part of laws and policies.

Access Related Provisions in CRPD (Convention on the Rights of Persons with Disabilities) are given in **Appendix 1**.

2.3. Are there guidelines available for making our buildings accessible and disabled friendly?

India has guidelines that were developed by the Central Public Works Department (CPWD), Ministry of Urban Affairs and Employment, entitled, "CPWD Guidelines and Space Standards for Barrier Free Built Environment for Disabled and Elderly Persons"⁶⁸.

Apart from this, the National Building Codes have annexed the issue of accessibility or disabled friendly design in the National Building Code.

There are also international standards for designing barrier free buildings which are more comprehensive. It is called "Design Manual for Barrier Free Environment by Asia Pacific Regional Council"⁶⁹.

⁶⁷ E-mail to DEOC from Mili Majumdar, The Energy and Resources Institute (TERI) dated 14 July 2008.

⁶⁸ "CPWD Guidelines and Space Standards for Barrier Free Built Environment for Disabled and Elderly Persons, Available on Website of National Centre for Promotion of Employment for Disabled People". June 15 2008. <<http://www.ncpedp.org/access/guide-cpwd.htm>>

⁶⁹ "Design Manual for Barrier Free Environment by Asia Pacific Regional Council". 20 May 2008. <<http://www.un.org/esa/socdev/enable/designm/>>.

3. Access Audit

3.1. We have been told that we need to get an access audit done for our existing office space. What is an access audit? Who conducts Access Audits?

An Access Audit of your work area will help you to identify access issues that can restrict full participation of employees with disabilities. An access audit will help identify barriers in physical environment, communication, transportation and other services and provide concrete suggestions for removing them.

Access Audits today are conducted by several NGOs or disabled persons' groups. They are able to give a good user perspective. While it is good to take into account user perspectives, you could also engage with a professional organisation which provides access audit services. Such organisations usually hire experts with appropriate qualifications in accessibility to do the job.

The audit will consist of a team of persons with disabilities and/or experts, who would survey the premises, understand the services and systems, take photographs and then prepare a report identifying areas needing attention and providing suggestions for removing these. An access audit provides a good assessment of your preparedness for hiring disabled employees. It provides guidelines for what needs to be done.

A sample checklist for an access audit is provided in **Appendix 3**. It provides, at a glance, basic requirements for making the work environment in a company accessible for all and especially those with different disabilities.

3.2. We have employed the best architects in the city to design our buildings. Can we assume that they will construct a building that is disabled friendly?

Hiring the best architect, civil engineer, contractor and designer for designing your building will not ensure that a building is accessible. It is important that you emphasise the need for accessibility in the design brief which you give to the architect. Additionally, it will be worthwhile to engage an access consultant to undertake an access appraisal of all the final drawings to ensure that accessibility has been incorporated. An access appraisal will also ensure that no added expenditure needs to be made at a later date for making modifications to make it accessible.

3.3. Are there certain aspects which are a Must Have? What are these? How expensive are they?

Making your building accessible at the design stage may not bring additional costs to the project. Retrofitting based on an access audit can have variable cost implications based on the extent of work involved. At the bare minimum, it is important to ensure access to:

- Car parks
- Footpaths and ramps
- Kerb ramps
- Stairs (including handrails)
- Corridors, doorways and doors (including the main entrance)
- Lifts
- Toilet facilities
- All public facilities and outlets
- Public (reception) counters and desks
- Surface finishes, e.g. non-slippery surfaces
- Controls, e.g. door handles, light switches
- Alerting devices, e.g. fire alarms
- Visibility factors, e.g. lighting, information boards, signage
- Places of assembly

If the space does not allow for construction of a ramp due to unavailability of space, elevators or platform lifts could be installed. As a last option, a temporary removable ramp backed up by an efficient staff assistance policy to ensure that the ramp is placed as soon as a disabled person arrives, can be arranged.

3.4. What are the access issues related to employees with intellectual disabilities?

Following accessibility standards would generally ensure cross compatibility and usability by persons with various kinds of disabilities. However, additional considerations may be given towards incorporating simplicity and consistency of building design and internal layout. Signage supported by pictograms is preferable. Internal and external landmarks such as fountains, statues, atriums etc. can be provided to employees with intellectual disabilities that can be used as location clues to memorise a route.

3.5. How is accessibility related to Universal Design?

Universal design, which is related to "inclusive design" and "design for all," is an approach to design products, services and environments so that they are usable by as many people as possible regardless of age, ability or circumstance. It ensures diversity of function to the largest extent possible. Universal design is a relatively new concept, which emerged from ideas such as "barrier-free" or "accessible design" and "assistive technology." Barrier-free design and assistive technology provide a level of accessibility for people with disabilities but they also often result in separate and stigmatising solutions, for example, a ramp that leads to a different entry to a building than a main stairway.

The main principles of universal design are:

- Equitable use
- Flexibility in use
- Simple and intuitive
- Perceptible information
- Tolerance for error
- Low physical effort
- Size and space for approach and use

Universal Design is important because it guarantees equity of use for all by ensuring that facilities and products do not discriminate towards any specific disability. The internet may be a good source for beginners to collect more details about Universal Design.

According to the Convention on the Rights of Persons with Disabilities (CRPD), Universal Design means the design of products, environments, programmes and services to be usable by all people, to the greatest extent possible, without the need for adaptation or specialised design. Universal design shall not exclude assistive devices for particular groups of persons with disabilities where this is needed.

4. Web Accessibility

4.1. What is Web Accessibility?

Web accessibility means access to the Web for everyone, regardless of their disability.

Web accessibility includes:

- Websites and applications
 - That people with disabilities can perceive, understand, navigate, and interact with
- Web browsers and media players
 - That can be used effectively by people with disabilities
 - That work well with assistive technologies which some people with disabilities use to access the Web
- Web authoring tools, and evolving Web technologies ,
 - That support production of accessible Web content and Web sites
 - That can be used effectively by people with disabilities

4.2. Why is web accessibility an issue?

There are several reasons why Web accessibility is important:

- Use of the Web has spread into all areas of society
- There are barriers on the Web for many types of disabilities
- Web accessibility also has carry-over benefits for other users

4.3. What kind of barriers do people with disabilities face while accessing websites?

Poorly designed websites can create unnecessary barriers for people with disabilities, just as poorly designed buildings prevent some from entering. Designers may not realise how simple features built into a web page will assist someone who, for instance, cannot see a computer monitor or use a mouse.

One example of a barrier would be a photograph of a Minister on a website with no text identifying it. Because screen readers cannot interpret images unless there is text associated with it, a blind person would have no way of knowing whether the image is an unidentified photo or logo, artwork, a link to another page, or something else. Simply adding a line of hidden computer code to label the photograph “Photograph of Prime Minister Dr. Manmohan Singh” will allow the blind user to make sense of the image.

People with different disabilities use “assistive technology” to enable them to use computers and access the Internet. Blind people who cannot see computer monitors may use screen readers – devices that speak the text that would normally appear on a monitor. People who have difficulty using a computer mouse can use voice recognition software to control their computers with verbal commands. People with other types of disabilities may use still other kinds of assistive technology. New and

innovative assistive technologies are being introduced every day. (“Accessibility of State and Local Government Websites to People with Disabilities”)⁷⁰

4.4. Why is Web Accessibility important?

The Web is an increasingly important resource in many aspects of life: education, employment, government, commerce, health care, recreation, and more. The Web is used for receiving information as well as providing information and interacting with society. Therefore, it is essential that the Web be accessible in order to provide equal access and equal opportunity to people with disabilities. An accessible Web also benefits others, including older people with changing abilities due to aging.

1. Web Accessibility provides great benefits (including financial benefits)

According to W3, following are the benefits of Web Accessibility:

- A major benefit of Web accessibility is the potential for direct and indirect financial gains from increased Web site use. Web accessibility can make it easier for people to find a Web site, access it, and use it successfully, thus resulting in increased audience (more users) and increased effectiveness (more use).
- Accessible sites can be used by more people — including people with disabilities, older people, people with low literacy, people who are not fluent in the language of the site, people with low bandwidth connections to the Internet, people with older technologies and new and infrequent Web users.
- Accessibility techniques increase the findability of Web pages by exposing content to search engines, both internally (within a Web site) and externally (across the World Wide Web).
- Accessible sites can be used in more situations. Web sites that can be used by people with disabilities can also be used more easily by people without disabilities who are limited by their situation, such as in a noisy environment and when using a small black-and-white display.
- An organisation's efforts in Web accessibility are a public relations opportunity to increase its positive image, which can increase Web site use.
- Accessible sites expand the potential market share.

(“Financial Benefits”)⁷¹

⁷⁰ “Accessibility of State and Local Government Websites to People with Disabilities”. 13 June 2008. <<http://www.ada.gov/websites2.htm>>.

At least 10% of the population in most countries has disabilities⁷²
 Average age of population in many countries is increasing
 Few organisations can afford to deliberately miss this market sector

2. Accessible web contributes to better design for all users:

- Multi-modality (support for visual, auditory, tactile access) benefits users of:
 - Mobile phones with small display screens, Web-TV and kiosks.
- Multi-modality increases usability of Web sites in different situations:
 - Low bandwidth (images are slow to download)
 - Noisy environments (difficult to hear the audio)
 - Screen-glare (difficult to see the screen)
 - Driving (eyes and hands are "busy")
- Redundant text/audio/video can support:
 - Different learning styles, low literacy levels and second-language access.
- Style sheets can support:
 - More efficient page transmission and site maintenance.
- Captioning of audio files supports:
 - Better machine indexing of content; faster searching of content.

3. Web accessibility is mandated by the Law:

As per CRPD, Information, communication and other services, including electronic services and emergency services should be made accessible to the general public.

⁷¹ "Financial Benefits". 12 June 2008. <<http://www.w3.org/WAI/bcase/fin.html#increase-use>>.

⁷² WHO, 2008 'Concept Note: World Report on Disability and Rehabilitation.' 16 May 2008.

4.5. How can a website be made accessible for persons with different disabilities?

Examples of design requirements for people with different kinds of disabilities include:

Visual

- described graphics or video
- well marked-up tables or frames
- keyboard support, screen reader compatibility

Hearing

- captioning for audio, supplemental illustration

Physical, Speech

- keyboard or single-switch support
- alternatives for speech input on voice portals

Cognitive, Neurological

- consistent navigation, appropriate language level
- illustration; no flickering designs

(“Overview of the Web Accessibility Initiative”)⁷³

Basic Tips for making Websites Accessible

At least 20% of users are affected by conformance of web accessibility initiatives. Many more are affected by poor design.

Some of the common barriers faced on the internet are as follows:

- Inaccessible images
- Misuse of structure elements
- Audio and Video issues
- Table issue
- Sites with poor colour contrast

Some of the essential components that help in ensuring web accessibility are:

- W3C (World Wide Web Consortium) recommended standards
 - Web Content Accessibility Guidelines
 - Authoring Tools Accessibility Guidelines

⁷³ “Overview of Web Accessibility Initiative”. 12 June 2008. <<http://www.w3.org/Talks/WAI-Intro/all.htm>>.

- User Agent Accessibility Guidelines
- XML Accessibility Guidelines (in work)

Following are some important steps in web accessibility design:

- **Images and Animation:** Use an “alt” attribute to describe an image or animation.
 - **Image Maps:** Use an “alt” attribute on an image element and a “title” attribute on a link element.
 - **Multimedia:** Caption the audio portion of your multimedia presentation. Synchronise the captioning with the video. Include an audio description of the visual information. Make sure the audio has text transcripts available.
 - **Hypertext Links:** Create links so that the words make sense when they are read out loud.
 - **Page Organisation:** Use headings, bullet lists, and consistent structure – separate presentation with content using Cascading Style Sheets (CSS).
 - **Graphs and Charts:** Summarise these by using the “longdesc” attribute. Longdesc creates a link to another html document with descriptive text.
 - **Scripts, Applets and Plug-ins:** Provide alternative content in case features are inaccessible or unsupported.
 - **Frames:** Don’t use frames. Add meaningful titles to the frame elements to help with frame identification and navigation until you can convert.
 - **Tables:** Don’t use tables for layout purposes. Make headings and data flow.
 - **Color:** Make sure any information that uses color can be conveyed without the use of color.
 - **Style Sheets:** Don’t override client created style sheets. You may make your content unavailable to some users.
 - **Screen Flickers:** Don’t create animated gifs, java applets, or third-party plug-in applications which cause the screen to flicker at a high frequency. It could cause seizures.
 - **Electronic Forms:** Set tab order. Keep labels with form elements. Don’t separate them by using table data cells.

Write Clearly and Concisely: Include accurate headings. Avoid complex structures.

Check your Work: Use online validators such as those found on the W3C web site. (“Web Accessibility”)⁷⁴

4.6. How can we evaluate the accessibility of our website? Are there any experts who can help design an accessible website?

There are a few organisations in India which assist companies in developing accessible websites like:

- DEOC – Diversity and Equal Opportunity Centre - www.deoc.in
- Barrierbreak – www.barrierbreak.com
- Gonsalves Design - <http://rahulgonsalves.com/>

Organisations can refer to global standards set by the World Wide Web Consortium (www.w3c.org). The Web Content Accessibility Guidelines (WCAG) documents explain how to make Web content accessible to people with disabilities. Web "content" generally refers to the information in a Web page or Web application, including text, images, forms, sounds, etc. (More specific definitions are available in the WCAG documents.). WCAG is part of a series of accessibility guidelines, including the Authoring Tool Accessibility Guidelines (ATAG) and the User Agent Accessibility Guidelines (UAAG). For more information and scenarios of people with disabilities using the web refer to the website: <http://www.w3.org/WAI/intro/wcag.php>⁷⁵

Conclusion

The work environment and work systems need to be accessible and user-friendly for all the company's employees. Only then it is possible for everyone to contribute to the best of their ability and on an equal footing. A team of persons consisting of persons with disabilities and professionals can conduct an access audit to identify the range of access issues a company has. The recommendations can then be acted upon so that your workplace becomes a welcoming place for people with disabilities. Mobility and transport facilities, services and facilities for employees, clients and customers, safety measures, physical access to the building, toilets and workspace, disabled-friendly two-way communication, all contribute to making a company truly inclusive for a diverse workforce.

However, there is nothing like complete and perfect accessibility. A combination of factors makes a place/service/product accessible. The requirements of different disability groups may vary. The next few chapters discuss the various other issues that can help the company employ persons with disabilities.

⁷⁴ “Web Accessibility”. 18 June 2008.

<<http://matcmadison.edu/technologyservices/web/accessibility/>>

⁷⁵ “Overview of Web Accessibility Initiative”. 12 June 2008. <<http://www.w3.org/Talks/WAI-Intro/all.htm>>.

Etiquette and Terminology

Overview

Any kind of communication - verbal or nonverbal - is integral to bridging the gaps between people. It forms the basis of developing attitudes and perception towards people. Certain sections of the society face negative means of communication which has led to discrimination and negative attitudes. It leads to stereotyping a section of people in the society. People with disabilities are mostly faced with negative stereotyping.

Appropriate communication will bring positive changes, which will shift the focus from stereotyping to individualising, from being sympathetic to empathetic. Often people without disability feel ill equipped while interacting with people with disabilities. This chapter provides basic guidelines on acceptable terminology and etiquette used by the disability sector in the workplace.

1. Appropriate Disability Terminology

1.1. Why is it important to use appropriate terminology? How does it make a difference?

Language is critical in shaping and reflecting our thoughts, beliefs, feelings and ideas. The kind of words we choose to label someone with disability can demoralise and degrade the individual. Most people with disabilities are faced with labels that are judgmental and condemning. Perhaps the most dangerous misuse of language in describing people with disability has been to dehumanise the individual by labeling as cripple, dumb, *langda*, *loola*, spastic, leper, insane, *pagal*, etc. At times words have represented disabled people as being helpless, useless and pitiable.

The appropriate use of terminology puts the individual first, providing a positive portrayal. A positive portrayal of people with disabilities consists of representing them as individuals with different qualities.

1.2. Isn't one labeling people by using certain words?

Appropriate terminology helps to use words related to disabilities in the right perspective. With the growing disability rights movement and with disabled people voicing their views, there is a sense that disability is part of one's identity. Appropriate terminology should be used with respect and in context. For instance, such terminology could be used in context to communicate with professionals while determining services for persons with disability.

1.3. What is appropriate terminology and what is inappropriate? Is there a global standard for appropriate terminology?

The most widely accepted terms are ‘disabled person’ and ‘person with disability’.

- **Disabled Person - Social model terminology** - Disability is seen as the result of the interaction between a person and her or his environment. Hence the term ‘disabled person’ is considered appropriate, as it signifies that the person is disabled by the barriers created by the environment, and not by the impairment.
- **Person with disability - Person first terminology** - People with Disabilities are people first: mothers and fathers; sons and daughters; employees and employers; friends and neighbours; students and teachers; scientists, reporters, doctors, actors, presidents, and more. (“Disability is Natural”) ⁷⁶

Here are some appropriate and inappropriate terms for referring disabled persons ⁷⁷:

Outdated or Offensive	Reason(s)	Currently Accepted/ Preferred terms
<ul style="list-style-type: none"> – The blind – The disabled – The autistic etc. 	<ul style="list-style-type: none"> – Views people in terms of their disability. – Groups people into one undifferentiated category. – Condescending. – Does not reflect the individuality, equality, or dignity of people with disabilities 	<ul style="list-style-type: none"> – People with disabilities – Disabled People – Deaf people – People who are blind – People who are visually impaired – People with autism

⁷⁶ Snow, Kathie. “People First Language” Commentary. Disability is Natural Website. 27 May 2008. <<http://www.disabilityisnatural.com/peoplefirstlanguage.htm>>.

⁷⁷ Adapted from Institute for Community Inclusion, ‘Access for All: A Resource Manual for Meeting the Needs of One-Stop Customers with Disabilities’, Children’s Hospital Boston and the University of Massachusetts, Boston.

Handicapped	Outdated; implies that people with disabilities need charity Disabilities don't handicap a person. Attitudes and architecture are handicapping.	<ul style="list-style-type: none"> – People with disabilities – Disabled People
Admits she/he has a disability	Disability is not something people "admit" or have to admit.	Says she/he has a disability
Normal, healthy, whole, able-bodied (terms used to refer to people without disabilities when they are being compared with people with disabilities)	<ul style="list-style-type: none"> – People with disabilities may also be normal, healthy, and whole. – Implies that the person with a disability is not normal 	<ul style="list-style-type: none"> – Non-disabled people – Person without a disability
Courageous, brave	Implies person has courage because of having a disability	Successful, productive

Specific Disabilities and Conditions

Outdated or Offensive	Reason(s)	Currently Accepted/ Preferred terms
<ul style="list-style-type: none"> – Deaf and dumb – Dumb – Deaf-mute 	<ul style="list-style-type: none"> – Implies mental incapacitation – Simply because someone is deaf does not mean that they cannot speak 	<ul style="list-style-type: none"> – Non-verbal – Person who is hard of hearing – Hearing impaired person – Person with hearing impairment – Person who does not speak – Person with speech impairment – Uses synthetic speech

Suffers a hearing loss	Negative connotation of "suffers"	<ul style="list-style-type: none"> – Deaf Person – Person with hearing Impairment
<ul style="list-style-type: none"> – Slurred speech – Unintelligible speech 	Stigmatising	<ul style="list-style-type: none"> – Person/people with a communication disability – Person/people with slow speech
<ul style="list-style-type: none"> – Confined to a wheelchair – Wheelchair-bound 	Wheelchairs don't confine; they make people mobile	<ul style="list-style-type: none"> – Uses a wheelchair – Wheelchair user – Person who uses a wheelchair
<ul style="list-style-type: none"> – Cripple – Crippled 	<ul style="list-style-type: none"> – From Old English, meaning "to creep"; was also used to mean "inferior" – Dehumanising 	<ul style="list-style-type: none"> – Has a disability – Physical disability
<ul style="list-style-type: none"> – Deformed – Freak – Vegetable 	<ul style="list-style-type: none"> – Connotes repulsiveness, oddness – Dehumanising 	Severe disabilities
<ul style="list-style-type: none"> – Crazy – Insane – Psycho – Maniac – Nut Case – Mad 	<ul style="list-style-type: none"> – Stigmatising – Considered offensive – Reinforces negative stereotypes 	<ul style="list-style-type: none"> – Behaviour disability – Emotional disability – Person with mental illness – Person with a psychiatric disability
<ul style="list-style-type: none"> – Retarded – Retardate – Mentally defective – Slow – Moron – Idiot 	<ul style="list-style-type: none"> – Stigmatising – Implies that a person cannot learn 	<ul style="list-style-type: none"> – Developmentally delayed – Developmental disability (the term "mental retardation" is no longer acceptable)

Mongoloid	Considered offensive	Person with Down's syndrome
Stricken/Afflicted by MS	Negative connotation of "afflicted," "stricken"	Person who has multiple sclerosis
<ul style="list-style-type: none"> – Victim of or suffering from cerebral palsy – Spastic 	Cerebral palsy does not make a person a "victim"	Person with Cerebral Palsy
Epileptic	<ul style="list-style-type: none"> – Not "person-first" language – Stigmatising 	<ul style="list-style-type: none"> – Person with epilepsy – Person with seizure disorder
Fits	Reinforces negative stereotypes	Seizure
Birth defect	Implies there was something wrong with the birth	Congenital disability

This terminology can be used for official records and data maintenance.

1.4. In India there is a trend of using terms like differently abled, differently enabled, special people, physically challenged. They seem positive. Are they appropriate?

Yes, In India there is a trend for using terms like differently abled, special people, people with special needs, differently enabled, physically challenged, etc. These may be a sign of transition of thinking from negative to positive but some of the terms are **patronising**. They reinforce the stereotype and focus on the impairment of the person and not on society where the real problems and the barriers are. Some of the terms just mentioned are inappropriate. Throughout the world though, the terms 'persons with disabilities' or 'disabled people' are preferred and more widely accepted.

The United Nations Convention on the Rights of Persons with Disabilities, which was drafted by people with disability, after years of debate and discussion, has used the term 'persons with disabilities' in the Convention document.

1.5. If we use the right terminology, does it mean we are sensitised?

There is a lot more to disability etiquette than using the right terminology. Though it forms the basis for positive communication there

are other aspects that must be emphasised. Identifying and removing physical and social barriers can help persons with disabilities to become an integral part of the workforce.

2. Etiquette for Interaction with Colleagues with Different Disabilities

2.1. Why is it important to know disability etiquette?

Knowing and applying disability etiquette is one way of making people with disabilities feel welcomed. When supervisors and co-workers use disability etiquette, employees with disabilities feel more comfortable and work more productively.

Many questions come to mind. For example, should I offer handshake to a person with a physical disability? Should I ask the person to repeat what he said because I do not understand? How can I involve them without hurting their sentiments? Co-workers might hesitate to take the initiative to communicate with people with disabilities. Tips about etiquette are likely to help ease the hesitation. Using these tips to interact with persons with disability will facilitate a comfortable conversation for both parties.

2.2. Is etiquette different for persons with different kinds of disabilities?

It is important to keep in mind that all people have to be treated respectfully. There are some general considerations while interacting with people with different kinds of disabilities.

Treat each person as an individual with unique needs, talents and abilities. Just because a person has a kind of disability, does not mean her/his needs are the same as anyone else with that same disability.

When talking or writing about a person with disability, emphasise the person, not the disability. People with disabilities are not conditions or diseases. They are individual human beings. For example, a person is not epileptic but rather a person with *epilepsy*.

Do not assume anything. If you do not know, ask. If you have a question about what to do, how to do, what terminology to use, what assistance to offer, ask the person with the disability. That person is your first and best resource.

Be patient and willing to learn. Be prepared to invest a little extra time and extra effort in understanding the needs of a person.

Offer your assistance if it seems to be needed and wait for your offer to be accepted before acting.

Make effective communication a priority. Social acceptance is the most important factor in job success and employee satisfaction.

Remember that the greatest obstacle that people with disabilities face in life is often the negative attitude of others.

Relax. A sincere commitment to including people with disabilities will compensate for most mistakes. A sense of humour should cover the rest.

(“EmployABILITY”)⁷⁸

Here are a few helpful tips for specific circumstances:

- **How to help a wheelchair user?**
 - Do not push, lean on, or hold onto a person's wheelchair unless the person asks you to. The wheelchair is part of his or her personal space.
 - Try to put yourself at eye level when talking with someone in a wheelchair.
 - Rearrange furniture or objects to accommodate a wheelchair before the person arrives.
 - Offer to tell the person where accessible rest rooms, telephones, and water are located.
 - When giving directions to a person in a wheelchair, consider distance, weather conditions, and physical obstacles (curbs, stairs, steep hills, etc.).
 - Do not assume that a person on a wheelchair needs help. They would have been trained to use their wheelchair and know their limits.
- **How to interact with a person who has visual impairment**
 - When greeting the person, identify yourself and introduce others who may be present.
 - Don't leave the person without excusing yourself first.
 - To guide someone with a sight disability, do not push or pull the person. Allow him or her to take your arm, and then walk slightly ahead.
 - Make it a point to inform the person you are assisting regarding stairs, or curbs, as you approach them.
 - As you enter a room with the person, describe the layout and location of furniture, etc.
 - Do not grab or try to steer the cane of a person with visual impairment.

⁷⁸ “EmployABILITY”. 20 May 2008. <<http://www.employ-ability.org>>.

- Guide dogs/service animals are working animals and should not be treated as pets. They have to be allowed entry along with the person with disability. Do not give the dog instructions/play/feed/touch her/him.
 - When you greet someone, identify yourself by name. When a person with visual impairment is meeting many people, introduce each by name.
 - Be specific when describing the location of objects. (Example: "There is a chair three feet from you, on your left.")
 - Speak to them in a normal voice. Speak directly to them and not their companion.
 - If you are reading for a person with visual impairment, first describe the information to be read. Do not skip information unless requested to do so.
 - Do not assume, always ask, which format a person with visual impairment prefers to receive information in (Braille, large font, audiotape or CD).
 - Don't worry about using everyday words and phrases like "look", "see you", etc.
- **How should I interact with a person who has hearing impairment?**
- Let the person take the lead in establishing the communication mode, such as lip-reading, sign language, or writing notes.
 - Talk directly to the person, even when a sign language interpreter is present.
 - If the person lip-reads, face him or her directly, speak clearly, using a normal tone, and at a moderate pace.
 - Do not obscure your face/mouth.
 - Do not position yourself in front of a window or with light behind you as the person who is hard of hearing will have difficulty seeing you.
 - With some people, it may help to simplify your sentences and use more facial expressions and body language.
 - If you do not understand what is being said do not pretend like you understand. Never say, "oh forget it, it is not important" Ask for alternative means of communication, for example, written communication.
 - Be aware of the environment. Large and crowded rooms and hallways can be difficult for hearing impaired person to communicate.
 - To get attention of a person with a hearing impairment from the back, you can lightly touch her/him on the arm or shoulder.

- Arrange for people with hearing impairment to sit in front of the speaker at a lecture or performance.
 - Arrange for sign language interpreters/transcription service at meetings, seminars, conferences and training sessions based on the need.
 - One can also learn basic conversation in sign language. Organise a training session for all the team members if you have a hearing-impaired person in your team.
- **How should we interact with people who have mental health concerns?**
- Always discuss issues related to mental illness in private.
 - Do not attempt to counsel the individual or provide therapy.
 - Treat the individual with respect. Do not assume that they have cognitive disabilities or lower intelligence.
 - Do not assume that all people with psychiatric disabilities take or should take medication.
 - Do not assume that people with psychiatric disabilities are not capable of working in a wide variety of jobs that require a wide range of skills and abilities.
 - Do not assume that people with psychiatric disabilities do not know what is best for them, or have poor judgment.
 - If someone with a psychiatric disability gets upset, ask calmly if there is anything, you can do to help and respect their wishes.
 - Do not assume that a person with a psychiatric disability is unable to cope with stress.
- **How does one interact with people who have a learning disability?**
- A learning disability is not indicative of low intelligence. People with learning disabilities could have average or above average intelligence.
 - Begin with asking how best he or she works.
 - Be ready to communicate with multiple formats, e.g., notes, written instructions, tape recordings and verbal directions.
 - Be aware of the fact that some information processing impairment may affect social skills.
- **How do I interact with people with cognitive and developmental disabilities?**
- Adults who have developmental disabilities are adults. Assume their life experiences are similar to other adults and speak with them from that perspective. Bring up topics that would be approached in general conversation such as weekend activities, vacation plans, the weather or recent events.
 - Do not “talk down” to persons with cognitive disabilities.

- Some people benefit from information presented in a clear, concise, concrete, and simple manner.
- When necessary, repeat information using different words or use a different communication approach. Allow time for the information to be fully understood.
- When possible, avoid clichés and jargon.
- If needed, analyse activities into small steps and present tasks sequentially. Allow the individual to perform each step just after the explanation or instructions have been provided.
- When appropriate, use pictures or simple photographs to identify people, rooms, tasks or directions.
- Think of creative ways to make tasks easier for the individual. For example, non-readers may benefit from colour-coded files, watches with talking timers and alarms, and tape-recorded instructions.
- Remember a person with a cognitive disability has equal legal rights. They can vote, give consent to medical care, sign, etc⁷⁹.

2.3. Who needs to know this etiquette? How can we train people?

Every individual in the work environment needs to know the etiquette, from the doorman to the CEO. You can ask organisations working with people with disabilities to conduct training programmes on Disability Etiquette.

2.4. Do people with disabilities also need to follow the work etiquette?

Yes, they do. They should have the same status as any employee in the organisation. Consequently, the same guidelines for etiquette apply to everyone in the company. They need to be presentable as any other employee in the work place. They should be given all the briefs of the work ethics and what is expected from them.

2.5. How does one introduce people with disability to others? Should their disability be mentioned?

The disability of a person is definitely not her/his weakness. There is a general assumption that people with disability are dissatisfied with their quality of life, thus seeking pity. People with disabilities need to be introduced as one would introduce any colleague. There may be situations where one may need to mention a person's disability. For example, if there is a meeting and a person with visual impairment is expected to

⁷⁹ “Job Corps disability website- Awareness/ Etiquette”; “AFB- American Foundation for the Blind; VSA Arts access and opportunities – A guide to Disability Awareness.

attend it, it would be important to mention to the presenter so that she/he can verbalise the power point presentations and other visuals and also provide information in alternate formats. While mentioning a person's disability, keep the terminology and etiquette in mind.

2.6. Is it appropriate to ask people with disabilities about their disability and experiences?

It is understandable to be curious about someone's disability and they may be willing to talk to you about it. However, it is a personal question and is best asked at an appropriate time, in privacy. It is important to connect with persons with disability, as people first.

2.7. How can one include people with disabilities at a social gathering? Is it rude to invite a person with disability to inaccessible places?

Asking people with disabilities to go out for any social gathering is a good inclusive gesture. One can ask them directly what makes them feel comfortable. Of course, accessibility is an important issue.

Do not assume that people with disabilities do not go to inaccessible places. Tell him/her about the access issues and let them decide. It would be good to keep in mind accessibility while planning social activities, especially, if you have a wheelchair user in your team. It would also be a good idea to involve her/him while deciding on the places you are going to.

2.8. How does one ensure inclusion of people with disabilities at conferences and during presentations?

The key to this is accessibility. To ensure their presence, make sure that they are informed about the meetings. You can circulate information or make an employee responsible for informing everyone. Make sure that the materials required for the meeting are made available in different accessible formats. Using both audio and visual aids is a good way of including everyone, usually. Always have reading material or power point presentations, which will be accessible to people with hearing disability. For people with visual disability, soft copies (electronic format) can be circulated in advance or Braille material or audio material can be made available. The room and furniture should be barrier free for wheelchair users.

Conclusion

As a society, we have miles to go to ensure equal rights and opportunities to people with disabilities. First and foremost negative attitudes must be changed. In the workplace, everyone is equal, regardless of whether they have a disability or not. A disabled-friendly environment will ensure that there is maximum work output from everyone.

Job Analysis

Overview

“What kind of jobs can disabled people do?” “How do we identify jobs for disabled people?” are some of the questions that come up when disability employment is discussed with employers for the first time. It is important that recruitment decisions are objective and non-discriminatory. This chapter not only gives insights into the issue but also provides methods and techniques to place right people in the right jobs.

1. The Myth of ‘Job Identification’

1.1. What jobs can disabled people do?

This question arises from the assumption that capabilities of people with disability are limited. As others, disabled people too come from varied socio-economic and cultural backgrounds. Educational backgrounds can range from those who have not gone to school to those who possess post-graduate education or professional training.

People with disabilities have the same right as others to aim for careers consistent with their goals, interests and abilities. It is not appropriate to deny jobs to disabled people just because some presumptions exist. People with disabilities can be employed at entry level, mid-level and high level management positions as per the skill requirement of the job matched with the skills of the person.

1.2. Are there jobs that are best suited for disabled people, say for a person in a wheelchair?

There are no jobs that are "best suited" for someone in a wheelchair. There are jobs that are located in accessible areas, and/or jobs that can be performed by a person in a seated position. However, that does not mean that wheelchair users are not suited for jobs that involve travelling. Individual differences and choices must be kept in mind. It is better not to approach the situation by thinking what you think that person can do; rather their choice and the skill they possess must play an important role. Jobs should not be matched to impairment but to peoples’ abilities/skills.

Where do the blind people work?

Thought Is the First Step To Beyond

"Where do the blind work?" Jerome asked. He was fairly new with his blindness, a guy recovering from a recent head injury, a result of a gunshot wound.

"So Jerome, what I'm going to try and do here is to make you rethink and restate your question. I can sit here and rattle off dozens of jobs that blind folks are doing. However, I know I'm only going to be able to, as they say, touch the tip of the iceberg. Like for every job I mention, there will be a dozen I miss. And more importantly, I'm sure there are dozens of other dozens of jobs out there that presently do not have blind guys in them, but are just waiting for someone like you or me to step up and be the first."

I took Jerome to meet a few employed blind people. They met a receptionist, computer programmer, auto mechanic and a roofer.

I asked, "Okay, what lead the receptionist to that type of job?"

"She said she likes helping people, likes organising stuff, likes to multi task."

"How about the next guy, the computer programmer?"

"Well, he ah, likes creating stuff, likes to work alone and he talked about how this was his best skill-set."

"Okay, the auto mechanic and how did he get into it?"

"He's always been into cars, did mechanic work before his eyes went bad and still likes it. And ah, people really doubted he could still do it and ah, he was stubborn, wouldn't say quit."

"Okay, how about the Roofer?"

"Woo, that guy blew me away. I used to roof and doing it now..." His voice fell away in thought.

"Stop there. What did he say he had to do for himself in order to get into it?"

"Yeah ah, alternatives and confidence."

"Yeah." I said with a "that's right" tone. "Think about what these people were saying. What were they stressing as the deep-down reasons that lead them to where they are at today?" ("Lynn, Nancy")⁸⁰

⁸⁰ "Overview of Web Accessibility Initiative". 12 June 2008. <<http://www.w3.org/Talks/WAI-Intro/all.htm>>.

Employing Beyond Labels – Dipendra Manocha⁸¹

What kind of a job can a person with disability perform in an office environment? It is not easy to answer this question. Technology changes all the time and takes the lead in finding newer solutions. This makes it possible to make office environments more and more accessible all the time.

A newspaper report recently quoted a specialised career counselor who stated that mathematics is a subject where persons with vision impairment are at a disadvantage and therefore after class eight they should be given a choice to leave Mathematics. The very next day, there was an article about Dr. T.V. Raman who was born blind and completed his M. Tech. in Mathematics from IIT, Mumbai. His teachers are of the opinion that due to the abstract nature of the subject, persons with blindness are actually at an advantage when compared to their seeing counterparts in learning Mathematics.

People with Disabilities (like everyone else) come in Ones by Rob McInnes

“We don’t come in teams,” said my friend Lance Dawson. Lance is a terrific speaker on topics of disability awareness and etiquette. At the time, he was addressing a crowd of about 300 HR professionals. As someone who is blind, Lance knows from personal experience how erroneous it is to lump people with disabilities (even with the same disabilities) together.

Human beings have a tendency to do that. We readily categorise people and things by some common characteristics and make generalisations about what we think we know about them. For the most part, this can actually be a very useful skill. For instance, seeing a plant with thorns on it and lumping it into the category of “plants we don’t touch because they hurt” can be a good thing. Seeing a person who is waving a gun around and lumping them into the group of “people we stay away from because they are potentially dangerous” can likewise be useful.

Unfortunately, most human beings also have a tendency to lump people who are different from themselves into the “people I stay away from because I am unfamiliar with them, uncomfortable, and possibly intimidated by their differences.” Of course, this is the root cause of most of our societal and workforce discrimination. Not only is this kind of thinking not useful, it is wrong, harmful and hurtful. (“Attitudinal Change”)⁸²

⁸¹ Manocha, Dipendra. “Employing Beyond Labels” *Combat Law* 7.1 (2008). 16 July 2008.

http://www.combatlaw.org/information.php?issue_id=38&article_id=1064.

⁸² “Attitudinal Change”. *Diversity World*. 5 June 2008.

<http://www.diversityworld.com/Disability/jobdev.htm#Attitudinal>.

1.3. Isn't "identifying jobs for disabled people" the first step to recruitment of disabled people?

"Identifying jobs" means selecting jobs that are suited to different disabilities. This may seem very logical but unfortunately, this approach is incorrect. The assumption here is that certain jobs cannot be done by people with certain disabilities. Some kinds of disabilities do not even get a mention in such a list. Also, the assumption is that disabled people are a homogenous group. The biggest flaw in that approach is that it matches impairments with jobs and does not match skills and abilities with jobs. It does not give a persons with disabilities the choice to demonstrate their capability to perform a job of their choice for which they might have the requisite skills.

1.4. The Government has a List of Identified Posts. Can employers use that as a reference for identifying jobs in their companies?

Ministry of Social Justice & Empowerment (MSJE) has prepared a List of Identified posts for People with Disabilities in the Government and Public Sector. However, the list has been heavily criticised. Only 10.2% of the posts have been identified for people with disabilities.

Approximately 90% of the jobs have been left out as "not suitable" for people with disabilities. In a policy study, published by the Human Development Unit, South Asia Region of the World Bank (2007), this identification of jobs was severely criticised as "restrictive and arbitrary". It recommends dropping of the whole idea and doing away with such a practice. **It says:**

The most obvious way to expand the scope of the reservation for disabled people would be to drop the requirement of identifying posts and use as a denominator for the quota the number of all posts in the public service. The list of identified jobs is very restrictive and often arbitrary (e.g. in Group A, the job of an agricultural scientist specialised in econometric analysis is identified as being suitable for an individual who is blind or has an orthopaedic disability, but not for someone with a hearing disability). The list of identified jobs is based on the assumption that the characteristics of an impairment are the exclusive determinants of an individual's ability to hold a position at a particular skill level and thus ignores the potential influences of individual characteristics (motivation, age at disability onset), access to employment services, and the characteristics of the workplace and labour market. ("People with Disabilities in India")⁸³

This report was prepared by the World Bank on the request of Government of India in the year 2006-2007.

⁸³ World Bank Study. Persons with Disabilities in India: From Commitments to Outcomes. South Asia Human Development Network. 2007.

2. Job Analysis and Job Description

2.1. What is the alternate method or tool to ensure that suitable people are employed?

Job Analysis is a tool that is used globally to hire people based on criteria which are objective and non discriminating.

It is a logical process to determine (1) purpose - the reason for the job, (2) essential functions - the job duties which are critical or fundamental to the performance of the job, (3) job setting - the work station and conditions where the essential functions are performed, and (4) job qualifications - the minimal skills an individual must possess to perform the essential functions.

Job Analysis is a process of breaking down a job into essential functions or parts. Job Analysis provides an unbiased basis for hiring, evaluating, training, accommodating and supervising all employees, particularly for people with disabilities and for bringing experienced workers back to a job who are recovering from injury or illness. Job Analysis also improves the efficiency of the organisation.

A Job Analysis describes the job, not the person who fills it.

2.2. How do you define a 'job'? What is the difference between a 'job' and an 'occupation'?

There is clear distinction between (1) Occupation; (2) Position and (3) Job.

An **Occupation** is a group of jobs that are reasonably similar with regard to the task performed and the knowledge, skills and abilities required to perform them successfully. For example, primary teacher, computer programmer, nurse, sales person, security guard, etc.

A **position (post)** refers to the level of a job within an organisation or enterprise. This is usually shown by the title of the position. For example, Assistant Manager; Senior Process Executive and so on. These titles say very little about the actual job or work to be performed. Every job has a title but for one position, there may be many jobs. For example, there may be 50 Process Executives in one Grade, doing 5 different jobs.

A **Job** refers to the specific tasks and duties to be performed for a particular position. For example a customer support executive may have specific tasks like receiving phone calls; answering their queries; accessing information from a computer, noting down the details and recording the number of calls attended. Another Customer Support Executive may

have different tasks, such as providing the support through mails and web based tools.

“Heron, Robert”⁸⁴

In doing Job Analysis, our interest is in the ‘job’ and not in ‘occupation’ analysis.

2.3. How is Job Analysis done?

The following questions can help you analyse each job in the organisation:

Purpose

- What is the rationale behind this job?
- What aspect of business operations is supported by this task?
- What internal/external customer is served?
- Are the production and/or delivery of a product dependent on the performance of this task?

Essential functions

- What three or four activities actually constitute the job? Is each really necessary?
- How much time is spent on the job performing each particular function? Are the tasks performed less frequently as important to success, as those done more frequently?
- What is the relationship between each task? Is there a special sequence that the tasks must follow?
- What physical activities are required to do the tasks?
- How much physical exertion is needed?
- How much mental/emotional exertion is required (working under tight deadlines, handling problems, complaints, etc.)
- What methods, techniques or tools (including office gadgets/software application tools) are used?
- How many other employees are available to perform the job function? Can the performance of that job function be distributed among any other employees?
- Would removing a function fundamentally alter the job?
- What are the quality standards?
- Are there production quotas?

⁸⁴ Heron, Robert. "Job & Work Analysis: Guidelines on Identifying Jobs for Persons with Disabilities." Geneva: International Labour Organization, Skills & Employability Department, 2005. 2 May 2008.

- What happens if a task is not completed on time?
- What happens if the task is done wrong?

Job setting

- **Location** — What is the job location? Where are the essential functions of the job carried out? Can the job be done in another location?
- **Organisation** — How is the work organised for maximum safety and efficiency?
- **Movement** — What movement is required of employees to accomplish the essential functions of the job?
- **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, and works under minimal supervision, works under deadlines, etc.)?

Worker qualifications

- What are the general skills needed for the job (ability to read, write, communicate, calculate, computer skills, problem solving skills, etc.)?
- What knowledge is necessary?
- What specific training is necessary? Can it be obtained on the job?
- What previous experience, if any, can replace or be substituted for the specific training requirements?

“Employment: Fact Sheets”⁸⁵ “Confidential Workplace Accommodation Request”⁸⁶

2.4. What is a Job Description?

After the Job Analysis is complete, it is important to record the findings in a systematic manner to write a Job Description.

“A job description is a written statement of all the important elements of a job. It is an outcome of a job analysis processes” (“Heron, Robert”)⁸⁷

⁸⁵ “Employment: Fact Sheets”. 15 May 2008. <http://www.ucp.org/ucp_channel.doc.cfm/1/17/11928/11928-11928/4605>.

⁸⁶ “Confidential Workplace Accommodation Request”. 16 May 2008. <<http://www.employability.org/erc/disabilitiesatwork4.asp>>.

⁸⁷ Heron, Robert. "Job & Work Analysis: Guidelines on Identifying Jobs for Persons with Disabilities." Geneva: International Labour Organization, Skills & Employability Department, 2005. 2 May 2008. <<http://www.ilo.org/public/english/employment/skills/disability/download/jobanalysis.pdf>>

The Job Accommodation Network (“Job Accommodation Network”)⁸⁸ further details the way a job description has to be written:

A job description should contain clear, concise, non-technical language, and avoid unnecessary words. It should consist of words that have a single meaning with detailed explanations for words that may be interpreted differently. Each sentence should begin with an active verb and use the present tense. Examples of job functions should be provided. The desired outcome of the work should be described, rather than one method for accomplishing that outcome. For example, instead of "writes down notes during meetings" put "records notes during weekly meetings."

Writers should avoid using gender-specific language, jargon, technical language, proprietary names (Xerox), and ambiguity.

When detailing qualifications, employers typically require certain knowledge, skills, aptitude, training, and previous experience. Employers should remember that these qualifications might be gained in a number of ways. For example, knowledge may be gained through education, training, or experience. In addition, other requirements, such as the possession of a driver's license could be considered discriminatory. For example, it may be necessary to specify that an individual must be "available to attend evening meetings" and "possess a driver's license" but an employer should distinguish between need and convenience and consider any discriminatory effects. An employee with a disability may be able to attend a meeting via teleconference or access public transportation to attend the meeting on site.

To ensure accuracy, combine the input of many managers and employees.

Within the actual Job Description, an employer should include:

- Title
- Department or section of the Job
- Job Purpose
- Essential and Marginal Functions - A brief summary of job functions, duties and responsibilities, estimated time spent on each (when using percentages, these should be allocated to equal 100%), frequency of activity, i.e., whether these are performed daily, weekly, or periodically;
- The quality and quantity of work expected from an individual holding the position;
- The repercussions of not performing each job function;
- Special working conditions such as shift, overtime, or as-needed work;

⁸⁸ “Job Accommodation Network”. 14 May 2008. <<http://www.jan.wvu.edu/>>.

- Information on the accountability for results;
- A statement that when duties and responsibilities change and develop the job description will be reviewed and subject to changes due to business necessity.
- Note that the term "essential function" should be used in the job description. The job description should explicitly state the manner in which an individual should perform the job.

Job descriptions should be updated periodically to reflect the essential functions of altered positions or any other pertinent change (e.g. fewer employees to perform the duties, mechanisation, job sharing, etc.). All levels of management, from line supervisors to top management, and human resource should review job descriptions.

Sample Job Description is given at **Appendix 4**.

2.5. Who can do a Job Analysis? Are there any formal qualifications required to do a Job Analysis?

Job Analysis can be conducted by placement consultants who place people with disabilities. It can also be done by the line manager or a supervisor who knows each job under supervision and the skills needed to perform it. 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 organisation. They can follow the Job Analysis methodology to write an inclusive job description.

You do not need any formal qualifications to do a Job Analysis. A person should have reasonable understanding of the industry, good awareness of disability issues, the needs of people with disability and knowledge of assistive technologies and adaptations.

To do a Job Analysis, you just need the capacity to:

- Conduct structured interviews
- Ask relevant questions
- Listen attentively
- Observe carefully
- Record information systematically

(“Heron, Robert”)⁸⁹

⁸⁹ Heron, Robert. "Job & Work Analysis: Guidelines on Identifying Jobs for Persons with Disabilities." Geneva: International Labour Organization, Skills & Employability Department, 2005. 2 May 2008.
<<http://www.ilo.org/public/english/employment/skills/disability/download/jobanalysis.pdf>>

2.6. When should Job descriptions be written?

Employers should develop job descriptions before advertising the job or interviewing applicants.

2.7. What are the benefits of Job Analysis and Job Descriptions?

The benefits of doing a Job Analysis and Job Description are:

- Supporting general recruitment and selection process
- Supporting the job matching process
- Appraising staff performance
- Assisting in staff promotion exercises
- Identifying training needs
- Providing Reasonable accommodation to people with disabilities
- Preventing & Resolving individual issues and problems that arise in the enterprise
- Legal requirements
- Organisational needs, particularly in restructuring exercises
- Workplace labour – management issues

(“Managing Disability in the Workplace: ILO Code of Practice.”)⁹⁰

2.8. Are there any online tools available to assist with writing Job Analysis and Job Descriptions?

The Job Description Writer is an online tool to help employers and human resource specialists write job descriptions. Users begin by selecting an occupation and are prompted to include statements about common skills, knowledge, tasks, work activities and work context to include in a job description. Users have the option to customise and save their final job description to their own computer. (“Job Description Writer”)⁹¹

2.9. Is it mandated by law to have Job Descriptions?

It is not mandated by law to have Job Descriptions. However, if and when a dispute arises, a written Job Description that was prepared before the job was advertised or candidates interviewed can be considered as evidence (in determining essential functions] along with other factors.

⁹⁰ “Managing Disability in the Workplace: ILO Code of Practice.” Geneva: International Labour Office, 2002. 15 May 2008. <www.ilo.org/public/libdoc/ilo/2002/102B09_340_engl.pdf>.

⁹¹ “Job Description Writer”. 15 May 2008. <<http://www.acinet.org/acinet/jobwriter/default.aspx>>.

3. Matching a Job with the Skills of a Person with Disability

3.1. How does one fit the right person in the right job?

Once the Job Analysis is completed and a detail Job Description has been written for the position, one needs to assess a person to see if the candidate with disability can perform the ‘essential functions’ for the position. The person should be able to perform the function with accommodation or without accommodation, depending on the circumstances. This question may be answered at least partially through the Job Analysis process.

Many people with disabilities may not require any accommodation. If an accommodation is required, some employees will already have a good idea of the type of accommodation that would enable them to perform each task, because of past work experience and/or based on assessments by rehabilitation professionals. Where the accommodation needs are not clear they can be determined by further discussion between the employees and their employer. At this point, it is important for the employer to understand workplace circumstances that may create barriers to performing job tasks. (Please note individuals who have same disability may have different limitations; it is crucial to understand each person’s unique situation.)

3.2. A common case: “No employer has the time to do a job analysis. Just give me the list of identified jobs for disabled people and their CVs. I do not want to waste any time. I want to employ 50 people with disability by next week. Please do not give me people with difficult disabilities. Let’s start with easier disabilities.”

We see in this instance a well-meaning employer but his approach is not appropriate for the following reasons:

Firstly, we are assuming that certain jobs cannot be done by people with certain disabilities, without giving a chance to the person to make the decision for herself/ himself. If the job is described in detail, the person would herself/ himself decide whether she/he would meet the work requirements either with or without accommodations and accordingly decide whether to apply for the job or not.

When we say people with certain disabilities can do this or that job, we are assuming that people with the same kind of disability have the same abilities. Each individual is unique in terms of interests, skills & abilities. It is crucial to understand each person’s unique situation. The emphasis on numbers at the face of it looks like a ‘quantitative goal’ or ‘business approach’. In reality such an approach does not focus on human resource development or aim at bringing about a qualitative, long-lasting change in society or in the company. When it becomes a race for numbers, many well-qualified and skilled disabled people can get left out in the process for

want of even minor accommodations. You might lose an important talent pool. Aiming at hiring a person with an ‘easier disability’ is focusing on impairment and not on ability.

We would like suggest that you follow the following approach, which will yield qualitative and quantitative results:

- Do a Job Analysis for all the positions/vacant positions. (Give the Job Analysis process a try. It is not as complex as you might think!)
- Share the details with the recruiters and make it available to candidates.

Since it is the first time, you could involve a consultant or a specialised agency to put together a process for recruitment. They could also help you to recruit skilled people with disabilities.

Disability management should be process driven. Systems and environment should be evolved to manage disability. This would help retain your new recruits and those who become disabled in your company. An integrated approach will not only yield quantitative results but also qualitative results. You will gain by increasing employee satisfaction, retention and in making the culture of your organisation more inclusive.

Conclusion

Job Analysis ensures that quality work is delivered by the people selected for a particular job. Organisations benefit from employees who have the skill to do the job effectively and efficiently. For many people having a disability does not impact on their ability to perform the essential requirements of a job. (“Fact Sheet- Hiring Staff”)⁹². The first step in any recruitment process is to be clear about what is required for the job. This can be done by using a systematic approach, which is called the Job Analysis. It also provides basic information to determine the accommodations that can assist a person with disability in performing a job.

⁹² “Fact Sheet- Hiring Staff”. Australian Employers Network on Disability. 5 June 2008.
<http://www.employersnetworkondisability.com.au/index2.php?option=com_content&do_pdf=1&id=36>.

Sourcing People with Disabilities

Overview

In a highly competitive business environment, sourcing techniques that bring in talented candidates are a critical component of the recruitment process. It is now imperative for all employers to explore the untapped resource pool of the market. According to the World Bank's Report⁹³, four to eight percent of India's population consists of disabled people. This segment of population with disability provides an opportunity for corporate houses to actively source candidates for their organisation. This chapter will help us understand various sourcing techniques and formulate strategies to recruit from the untapped segment of the market.

1. Job and Person Specification

1.1. What is the first step of recruitment process?

The very first step to start the recruitment process is to make a job description note. A job description note is a written statement, which defines the duties, relationships, and results expected of anyone in a job. It is an overview of what is to be done in a job. Job descriptions describe the job and not the individual who fills the job. Job descriptions are the result of job analysis conducted within an organisation and are essential in sourcing, selection and evaluation of employees.

Chapter 9 has already discussed in some detail how job descriptions should be written. In addition, it would be useful, especially from a disability perspective, to ensure that job descriptions are inclusive and non-discriminatory. This could be done by following a few simple steps:

- Job and person specifications must be drawn up in such a way that they should clearly indicate the essential skills and the marginal/desirable skills. Do not include unnecessary requirements.

⁹³ World Bank. "People with Disabilities in India: From Commitments to Outcome", World Bank Report- Disability. 20 June 2008.

<<http://www.worldbank.org.in/WBSITE/EXTERNAL/COUNTRIES/SOUTHASIAEXT/INDIAEXTN/0,,contentMDK:21557057~menuPK:3968122~pagePK:64027988~piPK:64027986~theSitePK:295584,00.html>>

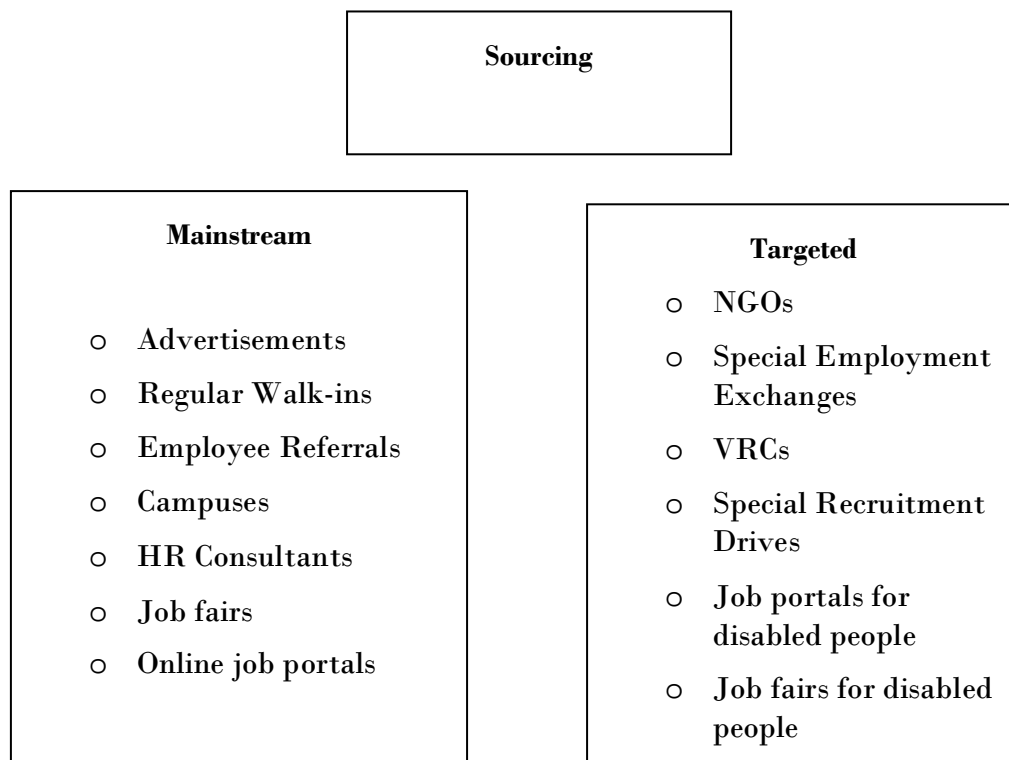
- A particular impairment should not automatically rule out an individual for a job. Do not make assumptions about what someone with a particular impairment can or cannot do.
- Similarly, even though you can stipulate essential health requirements, it may be necessary to justify doing so. In an individual case it may also be necessary to show that it would not be reasonable to waive them, for instance, you cannot waive the need of good vision for a person seeking to work as a driver. Similarly, a call-centre job requires that a person has the capacity to hear well over the phone.
- Essential criteria should be scrutinised to determine that they are necessary requisites for a particular job. For example, a degree might be thought essential because it provides accredited assurance of a level of educational achievement. However, making it an absolute requirement for some positions might be discriminatory towards disabled people who have other qualifications that would allow them to do the same job. Therefore, make it a point to consider, where feasible, non-mainstream educational qualifications.
- Use words that are inclusive of all potential candidates. A Job Profile should be stated in simple and clear language. Avoid jargon where possible.

2. Sourcing Disabled People

2.1. In what ways can, an employer source disabled people?

Disabled people are a part of the same society and should not be viewed in isolation. They are a part of various talent pools that an organisation reaches out to. This means that a disabled person could be sourced from multiple sources, which include - campuses, job-portals, placement consultancies, walk-in interviews, internal and external referrals, NGOs and so on. It is wrong to assume that all disabled people belong to disability organisations. Companies that restrict themselves to hiring people with disabilities only from NGOs are not successful in terms of scale or even quality for the simple reason that their reach is quite limited. In fact, a lot of qualified disabled people have been educated in regular schools and colleges and have never been to an NGO!

Companies could also have a proactive and targeted approach to increase the representation of disabled people in the workforce. Specialised Agencies or Consultants, NGOs and Vocational Rehabilitation Centers (VRCs) can be a vital source from which to hire disabled candidates.



A. Recruitment of Disabled people from the Mainstream

Your general recruitment strategies should include disability. Campus recruitment, regular walk-ins, employee referrals, recruitment through placement agencies and all other initiatives should include proactive measures to source people with disabilities.

- **Advertising / publicising a vacancy**
 - One of the most commonly used ways to source candidates is through posting advertisements in the media -- local and national press and on recruitment or institutional websites. While advertising a job vacancy, every effort must be made to ensure non-discrimination.
 - Advertisements and notices should include sufficient details about the essential functions and duties of a job. This will help potential applicants with disabilities to make informed decisions if they meet the inherent requirements of the job.
 - You should not state any personal, medical, or health related preference unless the same is mandatory to perform a task.
 - Include a standard statement in the advertisement that you are an equal opportunity employer and that you encourage disabled people to apply for the position. (It is likely that disabled people may expect to be discriminated against or may lack the self-confidence to apply. Your statement would reassure them that their application will be considered seriously.)

- Avoid using terms like ‘handicapped’ in an advertisement. The correct term is ‘persons with disabilities’. Please refer to the chapter on disability etiquette for more information with regards to the correct terminology.
- Make sure that information about job vacancies, job profiles and application forms is available in accessible formats for applicants who may be visually impaired or have a learning difficulty. If this information can be made available on your organisation’s website, confirm that it is fully accessible to people with disabilities.
- It is important to provide information about jobs in alternate formats (other than newspapers). As a proactive equal opportunity employer it is very important to publicise job vacancies in alternate formats. Blind and partially-sighted people have preferred ways of receiving information, for example, Braille, large print, on audio tapes or in electronic format so that accessible software like JAWS or Super Nova could be used. As far as possible and as reasonably, you should be able to make job information available in the form an applicant chooses. Provide an email address or a fax number to provide alternate means for people with disabilities to contact the company for details of the job profile. Some people may find it convenient to submit completed application forms and CVs in these modes.

○ **Employee Referrals**

Most organisations have Employee Referral Programmes, which provide incentives to employees who refer other candidates. Employee Referral Programmes could be effectively used to source candidates from diverse backgrounds. There are varieties of steps an employer can take to make employee referrals the top diversity-recruiting source.

Here are some of the many ways to increase the number of diversity referrals and hires your firm makes:

- Make diversity referrals an important focus area for the referral programmes.
- Have the CEO or Head of the organisation make it known to all employees that increasing diversity referrals is the firm's priority.
- Prioritise diversity referrals within the HR/recruiting department. Call every diversity referral within 24 hours. Also, develop a process that guarantees that the best diversity referrals will get an interview within five working days. Thank the employee who made the referral in writing within 24 hours.
- Proactively seek out your disabled employees and ask them to play a major role in referrals.
- For top referrals, where there is no current job opening, develop a system to automatically e-mail information about any relevant job openings to them as soon as they open up.

- Educate employees on how important the seeking out of diversity referrals is to the success of your firm. Develop the business case for diversity hiring and educate managers about the direct significance of diversity hiring to an individual manager's success.
- Assign your top recruiter to handle diversity referrals and increase the pay of referral recruiters.
- Continually track referrals to ensure there is no discriminatory impact.
- Make diversity referrals a theme at different times during the year.
- Provide additional incentives to employees who refer candidates with diverse backgrounds. Target suppliers, visitors, and consultants who visit your site.
- Encourage internal referrals where employees can refer current diverse employees for internal jobs that are open. Provide rewards for internal promotions.
- Include diversity in your referral brochures, communications, and events.

By adding a few features, modifying the rewards and expanding the focus of referral programmes towards diversity candidates, your firm's referral programme can quickly become the number one source of diversity hires.

○ Campus Recruitment

Campus Recruitment is comparatively a new method used by companies to attract fresh talent. In the last few years, universities and other educational institutions have opened up their campuses to students with disabilities. There is 3% reservation for disabled people in educational institutions, including in premiere institutes like the IITs (Indian Institutes of Technology) and IIMs (Indian Institutes of Management). The University Grants Commission (UGC) has adopted measures to promote higher education of people with disabilities. These schemes have resulted in an increased number of people with disabilities joining universities and professional institutions.

When campus placements are conducted, students with disabilities may get left out quite unintentionally, due to lack of knowledge among the campus recruiters or procedures which are not inclusive. Therefore, an inclusive approach in your campus recruitment programmes will help source talented candidates with disability.

Strategies to hire disabled people from Campuses

- Include a statement about being an equal opportunity employer in all your presentations and publicity materials (prepared for the campus programmes). This will make it clear that you encourage candidates with disabilities to apply.
- Call or e-mail professors on campuses and ask them to make referrals of candidates with disabilities.
- Some Universities in India (University of Mumbai, Aligarh Muslim University, Kurukshetra University, Vishwabharti University to name a few) have Disability Units or Centres that support students with disabilities, They could be your point of contact to reach out to students with disabilities.
- Offer disabled students scholarship programmes and consider each applicant as a potential hire.
- All the campus recruiters should be sensitised and trained in hiring people with disabilities.
- Ensure that your campus recruitment process is inclusive. Conduct interviews for people with orthopedic disability in an accessible venue; provide tests in alternate formats; provide scribes to people who have difficulty writing; exempt people with hearing and/or speech impairments from group discussions; provide sign language interpreters at interviews or conduct written interviews for hearing impaired candidates. Make sure you address any other reasonable accommodation requests from students with disabilities for their interview. Follow the Interview etiquette provided in Chapter 11 ‘Recruitment Process’.
- In addition to direct recruiting, don’t neglect internship opportunities. Internships have proven to be an excellent way to prospect talent and to groom future employees. Make every effort to include students with disabilities in your Internship programmes.
- The data you collect at the time of campus recruitment should include the number of people with disabilities that were hired during campus placements.
- Many companies run training programmes on campuses. These sessions should be inclusive. Proactive effort should be made to encourage participation of disabled students in these programmes.

○ **Regular Vendors (HR Consultants, Placement agencies)**

The services of HR consultancies and placement agencies have become very popular and have evolved into a vital resource by which to recruit candidates for an organisation. However, these consultancies and agencies are not effectively tapped to source disabled candidates. Hence, these Placement Consultancies should be encouraged to source disabled candidates.

Strategies to source candidates from Consultants:

- When contracting with a retainer or search firm or placement agency, develop the contract to include qualified people with disabilities in the search. The contract should outline the steps that will be implemented to locate qualified people with disabilities.
- Provide incentives to the agencies who source disabled candidates (This may encourage vendors to proactively reach out to candidates with disabilities)
- Conduct awareness and sensitisation sessions for your vendors to educate them about nuances of interacting with disabled candidates.

○ **Job Fairs**

Job fairs are also referred to as career fairs or career expos. It is a fair for corporate and organisations to meet with prospective job seekers. Expos usually include tables or booths where company officials collect resumes and exchange business cards.

Organisers should ensure that these fairs are organised in an accessible venue. The publicity for the fair should encourage people with disability to attend the event. This will prove to be beneficial for the organisers with increased participation and companies for meeting or recruiting candidates with disabilities.

Companies can emphasise their equal opportunity policy at such fairs. This will not only help them recruit candidates with disabilities but also create awareness among the general public regarding the equal opportunity policy. Such publicity is likely to enhance the company's image as a socially responsible company.

○ **Online Recruiting**

E-Recruitment or on-line recruitment is growing fast.

If you have a career or diversity section on your company's website, make sure that it is disabled-friendly in both format and content. (Refer to Chapter 7 for Web Accessibility Standards). The internet is a great medium to reach out to people with disabilities.

B. Targeted Approach

Apart from the above mainstream sources, an employer may also adopt a targeted approach to source candidates with disabilities. The International Labour Organisation (ILO) recommends that employers develop relationships with organisations or agencies, which represent or train people with disabilities. When a position is approved for external hire, seek out qualified professional organisations that represent and serve people with disabilities.

○ **Disability NGOs/Consultancies**

Many disability NGOs (Non-Governmental Organisations) have customised programmes to provide training, assistive devices and

providing livelihood to people with disabilities. Some have a placement cell in their institutions, which pro-actively coordinates with companies to place candidates with disabilities. A list of NGOs that provide Placement Services is included in the Appendix 9.

You can build relationship with such organisations not only for hiring people with disabilities but also to learn about managing disability in the work place.

- Contact local NGOs and Disability Consultancies in your city and seek more information about hiring persons with disabilities in your organisation.
- Enroll NGOs and Disability Consultancies as vendors for recruiting candidates with disability.
- Build a database of NGOs and Disability Consultants to reach out to a large number of people.
- Have a process in place to verify the credentials of an NGO or Disability Consultancy.
- Appoint a person in the HR as a point of contact for working with the NGO or disability agency you have chosen to collaborate with.
- When a position is approved for external hire, inform the NGOs/Disability Consultancies in your database about the vacancy and provide the necessary details.
- Some NGOs have websites or newsletters. Advertise the vacancies in your company on the websites or relevant newsletters.
- Maintain information about the services that various NGOs/Disability Consultancies offer in Employment. The services they could offer could include Placements, Policy or Access Audits, Sensitisation Trainings, Workplace Solutions and Job Analysis.

○ **Special Recruitment Drive**

A Special Drive is a proactive and focussed initiative a company may undertake in a short period to increase representation of people with disabilities.

This is usually done when there are a few vacancies that fall open and the company is keen to give priority to candidates with disability to fill them. This method may also be adopted by companies, which have recently adopted the Equal Opportunity Policy. Government and Public Sector companies may announce Special Drives for filling up their vacancy backlog.

Special drives could be organised in the following ways:

- Organisations could place special advertisements for recruiting people with disabilities and seek applications.
- Companies could organise a special walk-in to recruit people with disabilities. This helps them employ people in big numbers on a single day.

- Companies may decide to host such drives quarterly, bi-annually, or annually.
- Special Drives should be well publicised through different media: newspaper, radio, personal networking, e-mails, websites, yahoo groups etc. to attract talent from disabled persons. Information should be mailed to NGOs and educational institutions regarding the recruitment drive.

○ **Job Fairs for People with Disabilities**

Some NGOs organise exclusive Job Fairs to provide a convenient location for disabled job seekers to meet employers. NGOs like Ability India, Enable India and Spastics Society of India organise Job Fairs annually. They invite corporate and qualified disabled persons to participate in the event. These events may also have seminars and discussion forums on the issue of disability employment.

At a Job Fair a company could get an opportunity to meet a large number of candidates. Some NGOs also do a pre-screening of candidates and refer only those candidates who qualify with basic criteria to a particular stall. Participating in Job Fairs would not only help hiring candidates with disability but also serve as an opportunity to learn about managing disability in the workplace.

Names of NGOs that organise Job Fairs are listed in **Appendix 9**.

○ **Job Portals and Websites for People with Disabilities**

There are websites and online portals, which employers who want to hire disabled job seekers can access. Such websites are often run by NGOs and provide services free of charge to the employers posting jobs on the website. These websites and portals are relatively new which is why they may not be known yet.

Some Disability Employment Portals

National Centre for Promotion of Employment for Disabled People (NCPEDP): <http://www.ncpedp.org/employ/incentives.htm>

Karnataka Government Job Portal for People with Disabilities: <http://www.karnatakapwdjobs.com/>

Ability Foundation: <http://www.abilityfoundation.com/>

AccessAbility: <http://www.accessability.co.in/>

Enable – India: <http://www.enable-india.org/>

Jobs 4 disabled.com: <http://www.jobs4disabled.com/index.php>

Anubhuti HR Solution for Differently Abled: <http://www.anubhuti.biz/>

Vocational Rehabilitation Centre (VRC)

The Government of India has set up 17 Vocational Rehabilitation Centers (VRC's) across the country. They register candidates with disabilities. They also evaluate and train people with disabilities. The VRCs sponsor candidates to potential employers. Some of the VRCs have comprehensive database and provide good service to private employers. The list of VRCs is given in **Appendix 10**.

2.2. Does our company have to pay the NGOs who source disabled candidates?

There is no mandate for any corporate to pay the NGO for the candidates sourced by them. However, in recent times corporate offices have started believing that if they pay consultancies and placement agencies to recruit candidates sourced by them, then NGOs doing the same work should also be compensated for their efforts.

In fact, NGOs often provide pre-hiring support to the corporate like training, grooming and post-hiring support like ensuring reasonable accommodation to acclimatise the candidates with their environment. In the spirit of Equal Opportunity, a corporate office may decide to pay NGOs what other consultancies and placement agencies are paid to source candidates.

3. Proactive Projects for Building a Talent Pool

One of the most successful approaches for recruiting people with disabilities has been the 'Affirmative Action Project'. Going beyond 'general' recruiting strategies of a company, these are deliberate initiatives to bring people with disabilities into workforces. These projects are typically undertaken in partnership with an NGO or educational institution.

Proactive Projects can assume many forms:

Pre Employment Training

This programme aims to bridge the skill gap that may exist in people with disabilities from lower socio-economic backgrounds and enables them to compete on an equal footing with others.

MphasiS, an EDS company, organises a Pre Employment training Programme with Diversity and Equal Opportunity Centre (DEOC) and Association of People with Disability (APD). They train people with disabilities from semi-urban/rural areas in English communication, computer and soft skills - which are skills usually required for a job in a BPO. Successful trainees are then absorbed by the company.

"Project Communicate creates a future talent pipeline of people with disabilities helping them to be absorbed into corporate India. It is a pilot initiative which aims to address, in a small way, the question of access to

education and employment"- R. Elango, Chief Human Resource Officer, MphasiS, an EDS company.

Job Shadowing

Job shadowing is a career exploration activity in which students/candidates /job seekers observe the workday of a professional, interact with clients or customers and attend meetings. The day gives people with disabilities a glimpse into the working environment. It also works well to break down barriers. For mentors, it helps overcome fears of interacting with people who have disabilities. It gives them a chance to learn to focus on what a person can do, rather than on what they cannot do. ("FlexAbility Manual")⁹⁴

According to Sebi Chako⁹⁵, Head of Human Resources South Asia, Thomson Reuters, "Job Shadowing for people with disabilities is conducted by Reuters Thomson to help them make an informed choice on the company and specific area of work. It removes a lot of concerns and anxieties about the actual role"

Mentoring

A company can set up a Mentoring Programme with many NGOs. Several times in a year, a dozen employees of the company can be paired with job seekers with disabilities. The company's employees can serve as job-search mentors for a three-month period. This way a company can hire several of the best candidates. ("Disability and Employment")⁹⁶

Conclusion

A company has various options to source persons with disabilities. A company may opt for any of the above mentioned sources. However, it is important for the organisations to understand that sourcing profiles of persons with disabilities alone will not help achieve their objective of being an equal opportunity employer. The company will have to ensure that the entire recruitment process is accessible enough to hire a person with disability. Our subsequent chapters will help you understand the same.

⁹⁴ "FlexAbility Manual". Oregon Business Leadership Network. 17 Aug 2008. <<http://www.obln.org/flex.htm>>.

⁹⁵ Chako, Sebi. E-mail to Rama Chari. 9 August 2008.

⁹⁶ "Disability and Employment". Diversity World. 10 June 2008. <<http://www.diversityworld.com/Disability/index.htm>>.

Recruitment Process

Overview

The recruitment process is often the first encounter a future member of staff has with the company and it is important that all stages of the recruitment process demonstrate the company's commitment to promote equality of opportunity for disabled people.

This chapter provides information about how a selection process can be made inclusive and disabled friendly, beginning with the application process to the point when a job offer is made. It may be mentioned here that the literature referred in this chapter is primarily from US, UK, Canada and Australia. However, the methods suggested are adopted in some of the corporate sectors in India to ensure equal opportunity to persons with disabilities in recruitment. Since, there is no systematic documentation of practices that exist in India one had to rely on literature available in the countries mentioned above.

1. Application Process

1.1. How can we make the Application Process accessible and inclusive?

The application process is where the actual recruitment process for any candidate begins. It is important for organisations to understand the various needs of people with different disabilities and provide necessary accommodations. Application processes and forms can act as strategic tools in the process of hiring persons with disabilities.

An employer should ensure that applicants with disabilities are not discriminated against. The purpose of a job application is to gather information on the skills, abilities, training, credentials, and references of the applicant. Any questions related to these areas are permissible.

Asking questions about disability in an Application Form

- A job application should not contain disability-related questions, which are likely to elicit information about a disability, including enquiries about prior or current illnesses, medication, medical treatment, disabilities, injuries, or workers' compensation claims.
- Certain other questions could also be discriminating against people with certain disabilities. A question asking applicants whether they have a driving licence would be discriminatory unless the job necessarily involves the post holder to drive. If, for example, there is

a need for an employee to be able to travel (but not necessarily to drive) then this requirement should be stated in the information sent to potential applicants. It is, therefore, unlikely that a person who cannot travel will apply.

- Questions should be put to all candidates sensitively, for example: Ask candidates to describe what adjustments they need in order to be evaluated fairly (e.g. more time on tests where appropriate, a sign-language interpreter for interviews) and assure them they will not face discrimination as a result. (“Recruitment hints and tips: Non-discriminatory evaluation”)⁹⁷
- Employers should not ask about the nature or severity of a disability. (“A Guide to Application Forms and Interviews for Employers and Job Applicants”)⁹⁸
- The information pack should state why it is helpful to know about the individual needs of an applicant who might be called for interview. Any such statement should be based on an explicit commitment that disability would in no way prejudice the chance of employment and that adaptations to the workplace would be available.

Making the Application Process inclusive

The following points can be considered to make your application process inclusive:

- Application forms can be confusing and are often badly designed. Try to make them as user friendly as possible.
- When designing your application form, you should bear in mind that some disabled people have larger handwriting than average, so you’ll need to allow plenty of space to write in.
- If you consider the needs of people with disabilities when designing an application form, you’ll find that the result will be more useful for everyone!
- The application form should be made available in alternative formats i.e. large print, Braille or computer diskette. Provide telephone numbers and e-mail IDs for any queries.
- When you invite people to apply for a job, make it clear that you particularly welcome applications from people with disabilities and that you are happy to adjust the arrangements for an interview in order to meet any particular needs they may have.

⁹⁷ “Recruitment hints and tips: non-discriminatory evaluation”. 2004. Employers forum on Disability. 08 June 2008. <<http://WWW.barrierfreerecruitment.com/recruit/evaluation.htm>>.

⁹⁸ A guide to application forms and interviews for employers and job applicants”. Saskatchewan Human Rights Commission. 6 June 2008. <<http://www.shrc.gov.sk.ca/pdfs/applicationsinterviewsguide.pdf>>.

- Incorporate statements in your correspondence which invites applicants to state any accommodation needs during interviews.

Below is a sample statement:

Our company is committed to providing access for all people with disabilities and will provide accommodations if notified within... (specify length of time).

- It might also be helpful to offer to show people around the workplace and to talk to them about the job before they submit a formal application.
- Ensure that any adaptations to testing procedures are available **before** the interview.

(“Recruitment Process Guidelines and Checklist”⁹⁹ and “Recruitment and retention of disabled people”¹⁰⁰)

Invitation for Assessment / Interview

When you invite applicants for interviews, send a detailed communication about the interview process and how to prepare for it.

You could add the following statement in your correspondence:

“The company is fully committed to the employment of disabled people and guarantees that all disabled applicants who meet the essential requirements of a post, taking into account reasonable adjustments, will be interviewed. If you need us to make any adjustments for your interview or have any concerns about the interview process, please bring this to our attention. There is provision for the application form in Braille, tape, large print and your response in these formats will be accepted. Please contact the Recruitment Team to obtain the suitable alternative versions. “

1.2. What should an employer do if an applicant arrives without previously requesting an accommodation?

In the circumstances where a disabled applicant arrives for an interview without previously notifying the employer of her/his requirements, it remains the employer’s duty to make a reasonable adjustment when the employer first learns of the disability so as to prevent the applicant from being at a substantial disadvantage. However, if it is not possible to make the required adjustment because there has been no prior notice, then it

99 “Recruitment Process Guidelines and Checklist”. Royal Mail Disability Action Centre (DAC). 11 June 2008. <ftp://ftp.royalmail.com/Downloads/public/ctf/rm/rmg/recruitment_process_guidelines_and_checklist.pdf>.

100 “Recruitment and retention of disabled people: a good practice guide for early years, childcare and play work providers”. 2004. DFES Publications. 10 June 2008 <http://www.surestart.gov.uk/_doc/P0001322.doc>.

may be necessary to reschedule the interview. Some accommodations do not require advance notice but the willingness of the employer.

2. Assessment of People with Disabilities

2.1. How do we assess disabled people?

An employer should apply the same criteria to assess the ability of people with disabilities and those without disabilities. However, it may be necessary to make some accommodations for applicants who have disabilities. Selection tests and interviews should be sensitive, objective and unbiased. *The assessment process for jobs should be oriented towards selection and not filtration!*

While deciding on an evaluation process for a candidate with a disability, consider the following questions:

- Should the assessment conditions be modified? If so, how?
- What modifications are permitted?
- How can the assessment be modified in a way that one candidate is not at a disadvantage when compared to another?

Assessment Guidelines:

Candidates with disabilities must be given an opportunity to demonstrate their skills

Candidates with disabilities must be given the same opportunities to demonstrate their skills as any other candidate. While a candidate with a disability should not be exempted from an assessment, in some cases the process may have to be modified to be fair.

The same skills must be assessed at the same level

When the conditions for assessing a candidate are modified, the nature of the skills being measured and the level at which they are assessed must remain the same. If a disability prevents performance of skill that is crucial to the position and if modifying the assessment method alters the nature of the qualification being assessed, the employer is not obliged to modify the assessment procedure. For example, a test of visual acuity for the position of air traffic controller should not be modified for a candidate with partial vision.

Each situation must be treated individually

Given the wide variation in the nature of disabilities, it is preferable to take a case-by-case approach when assessing certain candidates with disabilities so assessment conditions can be adjusted to suit the individual.

Display a positive attitude and pay careful attention

A general rule for conducting assessments, including those of candidates with disabilities, is to display a positive attitude. This will help create an atmosphere in which candidates will feel confident and give their best performance.

Ask for feedback

Once the assessment is completed, it is useful to get feedback from the candidate. If the candidate indicates that a necessary accommodation has been overlooked, evaluate whether it might have significantly affected her or his performance. In such cases, reassessing the candidate using more appropriate accommodations can be considered.

2.2. What kind of reasonable accommodations could be made during an assessment process?

Assessments of candidates generally comprise of tests and interviews.

A. Testing Accommodations:

Venue: It would be important to provide an accessible venue for conducting tests for people with orthopaedic disabilities.

Scribes: A person with a visual disability or a person who lacks manual dexterity may need assistance in filling out an application form or writing tests. Without such accommodations, these individuals may have no opportunity to be considered for a job.

Format: A change in testing format refers to the use of a different medium or method to present the same information. Therefore, Braille, large print, a reader, audiotape and computer, which may be used with a voice synthesiser or Braille display, are accessible ways of presenting the same information.

Extra Time: The time limit for performing a test can be extended for people with certain disabilities whose speed is affected by their disability. Time limit should not be extended when speed is a determining factor or an essential function (e.g. typing speed for a data entry operator), as that changes the nature of the qualification being assessed.

Content: In the context of competitive testing, changes may be made to the content for people with certain disabilities, if the test score is a priority selection criterion. For instance, a test requiring data interpretation using tables / diagrams / photographs / maps may pose difficulties for some people with visual disabilities. Therefore, alternate questions could be provided. Spelling and written language tests may be difficult for a person with dyslexia. They could be exempted from attempting these questions.

Extra breaks: Short breaks during the assessment may be necessary for candidates who are easily fatigued or who have anxiety-related problems. These breaks should not be counted as part of the test time.

Use of Assistive Devices: Candidates may use technical aids or services to fully or partially compensate for their disabilities. For example, a candidate with a visual impairment may use a magnifying glass or large-print screen and hearing-impaired candidates, sign language or oral interpreters.

Finally, the person responsible for the assessment should look into access to the location (for example, access for candidates in wheelchairs) or whether special facilities are required (for example, lighting, special table/chair, etc.).

Other relevant aspects of the assessment: Other aspects of the assessment should be investigated or clarified as required. For example, special seating arrangements with an unobstructed view of the test administrator might be necessary for a candidate with a slight hearing impairment who lip-reads.

It is recommended that, where possible, selection boards assessing candidates with disabilities have at least one member with a disability or someone who is knowledgeable about the disability concerned.

Where it is not possible to test in an alternative format, the employer may be required, as a reasonable accommodation, to evaluate the skill to be tested in another manner (e.g., through an interview or work experience requirements).

(“The Assessment of Candidates with Disabilities”¹⁰¹ and “Pre-Employment Screening Considerations and the ADA”¹⁰²)

¹⁰¹ “Assessment of Candidates with Disabilities: An Equitable Assessment”. July 2008. Public Service Commission of Canada. 11 June 2008. <http://www.psc-cfp.gc.ca/ppc/assessment_cp9_e.htm>.

¹⁰² “Pre-Employment Screening Considerations and the ADA”. 2008. Cornell University. 17 June 2008. <http://www.ilr.cornell.edu/edi/hr_tips/article_1.cfm?b_id=17&h_id=3&view=true#hid3>.

Testing Accommodation for Specific Disabilities

A brief list of the types of testing accommodations which are appropriate for test-takers with different disabilities:

For **test-takers with visual impairments**, tests may be presented in appropriate formats, such as Braille, large print, and audiotape. Time limits can be extended for all of these media. Speed tests may be inappropriate. Within the context of presenting test material into different formats, certain types of test material may be problematic, as noted earlier. In addition, the test-taker will probably need accommodation or assistance in marking answers.

For **test-takers who have physical impairments** that affect use of hands, the principal test accommodation is the adjustment of test time limits and the avoidance of speed tests. In addition, accessible test sites, assistance of a test administrator in turning pages and marking answers and extra rest breaks may be required.

For some **hearing impaired test-takers** who are nonverbal, verbal tests are not good measures of any ability. For most people with hearing disability, English is a second or third language and their native language is the sign language. (Of course, there are exceptions to this rule; some hearing impaired people have very good English skills.) As a general rule, verbal tests cannot be used effectively with them. Test instructions should be given very carefully, with the use of sign language or demonstration, and time limits should be explained clearly. You may ask if they have understood the instructions clearly or have any queries.

Individuals with specific **learning disabilities** constitute the largest group that requires accommodations. Specific tasks that are affected by learning disabilities vary widely, so it is difficult to generalise when it comes to testing accommodations. Accommodations will need to be arranged on a case-by-case basis for applicants with specific learning disabilities. Most frequently used accommodations are the allowance of additional time for tests and reconsideration of speed tests in areas of specific weakness. For example, a test-taker who has a specific learning disability which affects numerical computation might be screened out by a speed test of computation. It would be inappropriate to use that test unless it tested an essential job function that the test-taker could not perform that function with or without reasonable accommodation. (“Disability & HR: Tips for Human Resource Professionals”)¹⁰³

¹⁰³ “Disability and HR: Tips for Human Resource (HR) Professionals”. 10 June 2008. Cornell University. Employment and Disability Institute. <http://www.ilr.cornell.edu/edi/hr_tips/>.

B. Interview Accommodations and Etiquette

General guidelines:

- Conduct interviews in a manner that emphasises abilities, achievements and individual qualities.
- Conduct the interview as you would with anyone. An individual with a disability should be afforded the same courtesies that are extended to any other interviewee.
- Be considerate without being patronising. Do not assume that just because a person has a disability, she/he will not be able to perform certain job functions.
- Do not stare at a manifestation of a person's disability or call undue attention to it. You may extend a handshake to an individual with quadriplegia, short arms, a prosthesis or blindness.
- Maintain eye contact with an individual who is blind or who uses an interpreter, even when the interpreter is speaking.
- Give the interviewee your undivided attention even when she or he cannot see you. If requested to do so, escort a blind person through an office discreetly and without fanfare.
- Reasonable adjustments may be made to ensure that the procedure is free from discrimination against any candidates.
- All people involved in the interview process should know their responsibility to ensure that disabled people are not substantially disadvantaged in comparison with non-disabled candidates;
- All staff involved in the selection process should be fully aware of the criteria set out by the person specification; and the requirements of the job description.
- Questions should be drawn up that relate strictly to requirements of the above. These questions should be put to all interviewees, with follow-up questions where necessary and appropriate.

Reasonable Accommodations for Interviews

Easter Seals, a Chicago based non-profit organisation that provides multiple services to persons with disabilities across United States, defines reasonable accommodations as “adjustments or modifications which range from making the physical environment accessible, to providing assistive equipment or providing certain types of personal assistants (e.g., a reader for a person who has visual impairment, an interpreter for a person who has hearing impairment). It suggests that all candidates should be asked about the need for accommodations prior to any scheduled interviews. Each request for an accommodation must be addressed individually, and on its own merit. The candidate herself/himself can provide the best information regarding the needed accommodation.

Easter Seal's website has the following guidelines to make interview process accessible and non-discriminatory for persons with disabilities:

Interviewing Suggestions

Interviewing Candidates with Mobility Impairments*

(*Mobility impairments can range from stiffness of joints due to arthritis to complete paralysis below the neck.)

- Some candidates with mobility impairments will phone in prior to the interview date, specifically for travel information. You 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 special parking spaces for disabled people available nearby?
 - Is there a ramp or step-free entrance?
 - Are there accessible restrooms?
 - If the interview is on the first floor, does the building have an elevator?
- 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.
- Enable people who use crutches, canes, or wheelchairs/scooters to keep them within reach. Be aware that some wheelchair users may choose to transfer themselves out of their wheelchair to an office chair for the interview.
- During the interview, sit at that person's eye level to facilitate conversation.

Interviewing Candidates with Visual Impairments*

(*Visual impairments range from difficulty in reading small print to total blindness.)

- When greeting a person who is totally blind, identify yourself and introduce anyone else who is present.
- Upon request, allow a person with a visual impairment to take your arm at or close to the elbow. This will enable you to guide rather than propel or lead the person.
- Use specifics such as "left, a hundred feet" or "right, two yards" when directing a person with a visual impairment.
- If you will be providing written or printed material, find out before the interview if an accommodation will be required.
Accommodations will vary according to the candidate's degree of

visual impairment, from providing information in large print to providing a reader.

Interviewing Candidates with Speech Impairments

- You should first check with the applicants if they prefer a mode of communication. Some people with speech impairments may prefer to supply their answers in writing.
- Allow time for the person to speak, and resist the temptation to speak for the person or complete her/his sentences.

Interviewing Candidates with Hearing Impairments*

(* Hearing impairments range from partial loss of hearing to complete deafness.)

- You should first check with the applicants if they prefer a mode of communication. Some people lip read, some use sign language interpreting and some others prefer communication in writing.
- If the person lip-reads, maintain eye contact. Speak clearly, and at a normal pace.
- Use a normal tone of voice, unless otherwise requested.
- Using a Sign Language Interpreter:
 - If an interpreter is present, the interpreter should be seated beside the person conducting the interview, and across from the person being interviewed.
 - Speak to the candidate, not to the interpreter, and always maintain eye contact with the interviewed candidate, not the interpreter.
 - The interpreter will be a few words behind the speaker, so allow for the extra time it will take for the candidate to respond.
 - Interpreters facilitate communication. However, they should never be consulted or regarded as a reference for the candidate being interviewed.¹⁰⁴

Regardless of physical limitations, it is the fit between an individual's abilities and your position that matters. Don't be afraid to make mistakes, but accept a share of responsibility for making the interaction successful. You can give candidates with disabilities a fair chance to present their qualifications by ensuring that:

- Your application and interview process comply with the accessible guidelines, which prohibits disability-related questions or medical exams before a real job offer is made.

¹⁰⁴ Easter Seals. 18 January 2009.

[<http://www.easterseals.com/site/PageServer?pagename=ntl_top_interview_guidelines>](http://www.easterseals.com/site/PageServer?pagename=ntl_top_interview_guidelines)

- Your office or other interview location is accessible to candidates with mobility, visual, or hearing disabilities. When setting up interviews explain the interview process in detail and provide a vehicle by which any candidate can request a disability-related accommodation.
- All questions asked during an interview are job-related, open ended and focused on the disabled candidate's technical and professional knowledge, skills, experiences, and interest, and *not on the disability itself*.
- Help disabled candidates do better in their interviews by telling them prior to the interview what specific skills you will be assessing and what areas they should be prepared to provide additional information about.
- Be honest with disabled candidates who are rejected. Make it clear to them specifically what they need to do in order to become more qualified. Periodically send them an electronic newsletter about the company in order to demonstrate your continued interest.
- Provide managers with training on how to more accurately assess and better understand disabled candidates during interviews. (“Khubchandani, Anju”)¹⁰⁵.

Need for Flexibility

“Corporate sector needs to be more flexible in their expectations, attitudes and procedures. For instance, employers have to be aware that people with autism may fare poorly in an interview and that does not mean they cannot perform their job. Autism affects social interaction skills, so naturally, interviews which are all about social communication are not something they can do well at”

Merry Barua, Action for Autism, New Delhi

Remember: *Disabled people are unlikely to apply for jobs they know their disability prevents them from doing. Employers can expect that most disabled applicants have thought through any likely problem areas before deciding to apply.*

¹⁰⁵ Khubchandani, Anju. “Interviewing Applicants with Disabilities for Doctoral and Postdoctoral Internship Positions”. American Psychological Association for Graduate Students. 18 June 2008. <<http://www.apa.org/apags/diversity/interview.html>>

Online Interviewing

The increasing use of the Internet in recruiting, “online interviewing,” may have a significant impact on employees with disabilities. If e-recruiting is not accessible, it can prevent people from applying for or even finding open positions.

3. Rejecting a Candidate

3.1. Should rejections be justified?

An employer is justified in giving a disabled candidate no further consideration if, in so far as reasonable adjustments can achieve this, the candidate has been treated equally with other applicants and one of the following applies:

- If a disabled person lacks a qualification or appropriate ability, skills or experience and this is not related to the candidate’s disability;
- She/he has been found to be unsuitable because another candidate has better or more suitable skills and experience and this is not related to the candidate’s disability;
- The candidate’s disability makes her or him substantially less suitable for the post, even if all reasonable adjustments were made by the employer to overcome the impact of the disability.

Unsuccessful candidates should be contacted as soon as possible after a decision has been taken. Where possible it is good practice to provide candidates with feedback as to why they were not chosen for the post.

Feedback can be a useful opportunity to give encouragement and support and possibly advice about the likelihood of any future opportunities within the organisation. It may be particularly important for disabled candidates to be told that the reason for not being selected was related to their level of skills and experience rather than their disability.

4. Job Offer

4.1. What does the law say about terms and conditions of employment?

With the United Nations Convention on Rights of Persons with Disability (CRPD) having come into force in India, private entities have also been brought under the ambit of law and can no longer afford to discriminate

against persons with disabilities at any stage of recruitment, training, retention, etc. Hence, an employer should not employ people with disabilities on less favourable terms and conditions for reasons connected with the disability.

4.2. Can an employer make conditional Job Offers?

An employer may make conditional Job Offers:

- If an applicant with a disability is suitably qualified, the employer may make a job offer conditional on functional testing to determine an applicant's actual or potential ability to perform the essential functions of a specific job.
- The testing must be consistent with measuring if the applicant is able to perform the essential functions of the job, with or without reasonable accommodation.
- If the testing shows that accommodation requirements would create unjustifiable hardship or that there is an objective justification that relates to the inherent requirements of the job or to health and safety, you may withdraw the job offer.

5. Medical Examination

5.1. What are the do's and don'ts for medical examination?

An employer should not ask a disabled employee to undergo medical examination before they are offered a job. After the job offer has been made, an employer may condition the offer on them passing a required medical examination, but only if all entering employees for that job category have to take the examination. Tests must be relevant and appropriate to the kind of work in question. Fitness criteria must be necessary for the job the applicant has applied for. An employer should establish that tests do not unfairly exclude and are not biased in how or when they are applied, assessed or interpreted. However, employers cannot reject a disabled candidate because of the information revealed about disability by the medical examination, unless the reasons for rejection are job-related and necessary for performing the essential functions of the job with / without an accommodation. The results of all medical examinations must be kept confidential, and maintained in separate files containing medical information of the candidate. (“The ADA: Your Employment Rights as an Individual with a Disability”)¹⁰⁶

¹⁰⁶ “The ADA: Your Employment Rights as an Individual With a Disability”. March 2005. EEOC – US Equal Employment Opportunity Commission. 11 June 2008.
<<http://www.eeoc.gov/facts/ada18.html>> .

Conclusion

This chapter discussed in detail the how of recruitment process vis-à-vis persons with disabilities. It addressed some of the concerns of employers as to how to make the process of selection in any company accessible to persons with disabilities. It is important to ensure that recruitment practices maximise the opportunity to not only attract but also to evaluate disabled candidates in a non-discriminatory manner. It would also be important to regularly review and improve the process.

Induction, Training, Growth and Retention

Overview

For many employers, disability employment has to do with disability recruitment. However, experience has shown that it is important to create a corporate culture with processes and systems that are inclusive and supportive. This will enable people with disabilities to work effectively in the company.

This chapter focuses on how to make induction, training, career development and retention policies both inclusive and disabled friendly.

1. Induction

1.1. What is Induction? Why is it important?

It is popularly said, “Well begun is half done.” New employee induction is the process that companies use for welcoming a new employee into their organisation. It is often spearheaded by a meeting with the Human Resources department. It generally consists of information about company culture, history, organisation chart, work environment, new job description, benefits and eligibility, safety and anything else relevant to working in the new company. New employee orientation often includes an introduction to each department in the company and training on-the-job. Hence, it is vital to ensure that the induction and orientation programmes are accessible and inclusive to accommodate persons with disability. Induction that is inclusive will go a long way in making the employee with disability feel comfortable and would make her/him feel welcome.

1.2. What accommodations should we make during induction?

Employer should arrange an induction programme (or an orientation) for an employee with disability in the same way as it is done for non disabled employees.

Some accommodations that may be made for persons with different disabilities are:

- Accessible Venue for a person with orthopaedic disability
- Suitable seating arrangement for a person with hearing impairment
- Sign Language Interpreter/Transcription service for a person with hearing impairment

- Information in Accessible Formats for a person with visual impairment
- Assistance in filling up forms for a person with visual/learning disability
- Any specific request for accommodation requested by employee with disability

The accommodations have to be arranged in consultation with employees with disabilities, based on their individual needs.

All the people conducting Induction should be trained in disability etiquette. They should be equipped to provide appropriate support to people with disabilities.

Disabled friendly companies have information about their Equal Opportunity Policy in the Joining Kit/Employee Handbook. They also have a session on Equal Opportunity for sensitising all employees on diversity issues.

1.3. Should there be a separate induction for persons with disability?

Having a separate orientation programme may not be always taken in the right spirit. It may convey an impression that your organisation is differentiating between employees with disability and employees without disability. As far as possible, employers should try to make their existing orientation programme inclusive and accommodating for all employees irrespective of their gender, disability, age, and other differences.

However, if a person has learning difficulties, as a reasonable accommodation, employers could organise a separate induction for her/him. Further, based on individual requirements, employers could also permit someone to sit during the regular induction to provide support, assistance and encouragement.

1.4. Where should orientation be held?

The orientation programme may be conducted within the company premises or at a location outside the company premises. However, it is important to ensure that the venues are accessible based on the needs of the employees with disability.

1.5. Would visually impaired employees need mobility training within the company?

Yes, a person with a visual impairment may require assistance to become familiar with the company's ambience and workplace design. Visually impaired employees will be able to describe what kind of a support they would want. A guided tour to all important places in the premises would be useful.

1.6. What kind of preparation is required for the coworkers / supervisors to ensure that they do not discriminate and provide the right support?

It is not just the physical environment that requires to be disabled friendly, it is equally important that the team is friendly and supportive towards new employees with disability.

- Sensitisation of the team on disability is important (Details of Sensitisation Programme is given in **Chapter 6, Communication and Awareness Raising**)
- Team should be aware of the Equal Opportunity Policy of the company and disability etiquettes. The manager or supervisor should ensure that the employee feels comfortable in the workplace, and ensure that the employee gets the accommodations that she/he has requested for.
- Co-workers may also be trained on alternative communication techniques to better communicate with colleagues who have difficulty understanding verbal language.
- In many organisations, there are mentoring or buddy programmes for new employees for first few weeks on the job. These programmes help employees to gain knowledge and develop work related skills much more quickly than they would on their own. Such programmes help people with disabilities to integrate well in the workplace.

2. Training

2.1. What accommodations do I have to make for training?

The right employee training, development and education at the right time provides big payoffs for the employer in increased productivity, knowledge, loyalty, and contribution. Employees with disabilities have to undergo the same training as everybody else. Employers should not assume that a disabled person will be either unwilling or unable to undertake demanding training or attend a residential training course.

Some employees with disabilities may need certain accommodations, which have to be provided.

Examples of accommodations for training include:

- A person with a hearing impairment, who lip reads, will need to sit in full view of the presenter in a room that has no excessive background noise. Similarly, a person who knows sign language may require sign language interpreter/transcriber.
- A person who uses screen reading software will need to have the software installed on the computer in which information technology

training is provided. They should also be provided training materials, slides and visual media in accessible format based on individual's preference (soft copies/Braille)

- Accessible infrastructure may be required for person with an orthopaedic impairment.
- A person with learning difficulties may need slower pace of training or assistance in the class.

For on the job training, it is important to be clear about the learning outcomes to be achieved and how, by using many methods of training, the best results could be obtained.

On the job learning needs to accommodate the employee's specific disability. It is important to discuss the need for any modifications or adjustments with your employee as they will be the experts on the adjustments that they will require.

2.2. Sign language interpreters are hard to find. They are expensive. What are the alternatives?

Not all hearing impaired people use sign language. It is therefore important to understand the preferred medium for communication for an employee with a hearing disability.

For people who use sign language, it would be useful to hire an interpreter for classroom training. You could find a sign language interpreter in a local NGO which is involved in the service of hearing impaired people. The professional fees for the interpretation range from Rs. 200/- to Rs. 400/- per hour.

Sign language interpreters may not be required for individualised training. For people with hearing impairment who are good in written communication, employers could provide a written statement of work which explicitly defines the roles and responsibilities involved in a particular task. You could also provide training manuals and other information in writing.

On the Job training methods like coaching, mentoring, shadowing, etc., have also proved to be very effective in training a person with hearing impairment.

Another effective suggestion would be to train your training staff in basic sign language. This would help to improve the communication with your hearing impaired employees on an on-going basis. Experience has shown that regular trainers, who are sensitive and understand the basic requirements for training hearing impaired people can do a better job in training than anyone else, using multiple communication and training methods.

3. Career Development

3.1. How can an employer ensure non discrimination in career development for an employee with disability?

There are a lot of myths and stereotypes obstructing the career development opportunities for people with disability in organisations. Many people with a disability often remain in dead-end jobs because they are passed over for promotion.

Employers therefore would need to take proactive initiatives to ensure equal opportunities and non discrimination in the performance appraisals, training and career growth of employees with disability.

People with disabilities have similar aspirations and career goals as non disabled people. Employers should ensure disabled employees have the same opportunity as other employees to participate in career development programs. This can also include job rotations and job enrichment (i.e., more responsibilities and new assignments) to enhance their skills.

Supervisors should discuss career expectations with each employee, including an evaluation of the employee's interests, talents, and skills in relation to the requirements of available jobs. Employment appraisals should be done in a manner which is fair and non discriminatory.

Equal Opportunities should be given for a person with disability to gain new experiences and skills to prepare them for promotion. Barriers in career development should be discussed and addressed in a timely manner.

3.2. How do we conduct performance appraisals for a disabled employee?

Performance appraisal procedures vary widely among companies. Some companies use formal, written documents; others use less formal, often oral, procedures. Employers must treat employees with disabilities the same as all other employees. If a position has been restructured to accommodate a person's disability, evaluate the employee only on those tasks she or he is expected to perform, but apply the same performance standards to employees with disabilities that are applied to all employees. Supervisors should discuss the evaluation with the employee prior to the final write-up. After the discussion concerning the job performance in the current job is completed, it is important to have a career development discussion with the employee.

3.3. Can an employer give negative feedback to a disabled employee?

Feedback is important as it helps the employees understand the intensity of their mistake and help them to improve on the same. However, employees (irrespective of disability) should be given feedback in a manner that does not offend them. Employers should not refrain from giving negative feedback about the performance of disabled employees, as long as performance is the only criteria for the feedback.

3.4. Should career development use disability as a factor?

Disability should never be a factor influencing, either positively or negatively, the decision on career development for any employee. Career development decisions for any employee should be based on pure performance, skills, qualifications, experience, and other managerial and behavioural competencies.

3.5. The higher one goes up the ladder, the more it becomes about ability to handle different situations. Can disabled people be trusted to handle them?

It is a mistaken belief that “People with disabilities are not capable of taking on greater responsibility”. There have been instances where a person with disability has served on top positions quite effectively. (See box below ‘Some examples of People with Disabilities in Responsible Positions’)

Indeed, employees with disability could be trusted to take higher responsibilities. However, it is important to understand that a decision such as this should be based on an employee’s potential and prior performance. It is important for you to ensure that employees with disabilities are not discriminated against and are groomed and prepared to grow in the company. They should be given leadership opportunities and should be assigned special projects, planning sessions and training programmes. Do not make career development decisions for an employee with a disability based on limiting concepts or stereotypes about that employee’s disability.

Some examples of People with Disabilities in Responsible Positions

Atul Sahay, a person with visual impairment, joined TATA Steel as an Officer in 1992, and began his steady climb upwards. In 1997, he was promoted to the post of a Senior Officer and became an Assistant Manager in 2000. The turning point in his career came in 2001 when the company assessed its employees in a development workshop. He was assessed on the same level as his non disabled colleagues, and his performance was way ahead of most of them. He was found to possess all the 13 managerial competencies that the officers were tested for, with

highest score of 4.5/5 on 'Learning Ability'. Out of turn, Sahay was promoted to the prestigious post of Unit Leader, Information Training and Communication!¹⁰⁷

Vijay Krishnamani, Masters in Computer Application, a Software Programmer, started his career as a Programmer about 5 years ago. He joined as a Team Leader in Infosys BPO in 2006 and has been promoted to the position Assistant Manager, Transformation Solutions Group - Technologies. From the time he joined Infosys BPO, he has been recognised as an out-of-box thinker with a 100% delivery record. He has almost 100% hearing loss¹⁰⁸.

Atul Desai, a successful Architect is the Managing Director, I.A.G.s Consultants Pvt. Ltd., Atul Desai & Associates and Atul Desai Consultants Pvt. Ltd.; Past President, Indian Institute of Architects and Chairperson, Architects Regional Council of Asia. He heads three highly successful architectural firms, employing over 35 professionals. He is a wheelchair user.¹⁰⁹

David Blunkett is a British Labour Party politician. He has been blind since birth. He was the youngest-ever councillor on Sheffield City Council at the age of 22. He became a well-known figure as a left-wing council leader in the 1980s, and was elected to the Labour Party's National Executive Committee. After Labour's landslide victory in the 1997 general election he became the UK 's first blind cabinet minister as Secretary of State for Education and Employment. He became the Home Secretary in 2001¹¹⁰.

3.6. There is a lot of traveling that needs to be done as one moves higher in my company? Would disabled people be able to travel?

Not all disabled persons have trouble travelling. People with orthopaedic and visual impairment, who are traditionally considered to have mobility issues, may be able to travel independently with some or no support. Hence, in case you have a job profile for an employee with disability and are apprehensive about the travelling schedules that the job demands, then it would be advisable to have a discussion with the employee about the same. Explain the type of travelling the job profile will require. Enquire if they are comfortable travelling and seek to understand if they require any support. It is important to express your concerns and hence,

¹⁰⁷ Eyeway. "A life to learn from". Issue 2. January-February 2005. 17th January 2009. <<http://www.eyeway.org/magazine/issue2/profil02.htm>>

¹⁰⁸ Krishnamani, Vijay. "Re: Profile" Email to Rama Chari. 18 January 2009.

¹⁰⁹ National Centre for Promotion of Employment for Disabled People. 17 January 2009. <<http://www.ncpedp.org/employ/aw-hk5a.htm>>.

¹¹⁰ Eyeway. 17 July 2009. <<http://www.eyeway.org/inspire/int-david.htm>>

engage in a healthy dialogue with the employee to be able to arrive at a fair and a rational decision.

3.7. Are there reservations in promotion?

As per Persons with Disabilities Act, 1995 in India, there are no legal obligations on the employer to have any reservations for employees with disability for promotions. However, the employer should ensure that all employees are given a fair and equitable chance to grow and develop in the organisation. Employer's decisions on promotions and growth opportunities should be purely based on merit, performance and capabilities of an employee. Disability should not positively or negatively impact the employer's decision to promote and bestow higher responsibilities to an employee.

4. Retention

4.1. What practical and emotional support do employers need to provide to ensure that employees with disability stick around?

Every organisation needs to retain people with the right skills and talent. This can be enabled by investing in their future growth and showing them the path to fulfil their dreams.

For a firm to employ disabled people does not require extensive and expensive alterations. A little thought and consideration goes a long way. Alex Hardy explains what you as an employer may do to retain disabled employees:

- **Remove barriers.** "Being a barrier-free employer means looking at every aspect of how you operate," says Susan Scott-Parker, the Chief Executive of Employers' Forum on Disability. Think about how all your policies and procedures, from IT to childcare, affect disabled employees.
- **Be flexible.** "Even minor changes can make working life more comfortable for disabled staff," says Beth Caruthers, the director of employment services at Reemploy. Employees with hearing difficulties may need a quiet place to sit. Staff with mobility problems may need to avoid rush-hour. "Being able to arrive half an hour later could be a huge help," she says.
- **Treat people as individuals.** "Equality doesn't mean treating everyone the same – it means making adjustments so employees can show that they can do the job," Scott-Parker says. For example, help an employee with learning difficulties to fill in an application form for a promotion. "This isn't unfair support," she says.

- **Ask those who know.** Expert organisations are useful sources of practical and emotional support for employers and staff, says Lorraine Gradwell, the chief executive of Breakthrough UK, a social enterprise. “Disabled employees are the experts on their own conditions”. Ask employees with disability directly about what they need.
- **Provide support from the start.** “Sometimes new staff gets so caught up in the euphoria of starting a job that nothing around the position or workplace is tailored to ensure that they can stay,” Carruthers says. Make early adjustments to the job design and working environment.
- **Use job coaches.** Employees may need one-to-one support beyond the induction period. Expert job coaches are useful if employers lack the skills or resources. Carruthers says, “Keep support going until the employee is really comfortable to achieve at the necessary level.”
- **Training, training, training.** All staff should have disability awareness and equality training, ideally delivered by disabled people, Scott-Parker says. “The IT department needs training to ensure that technology is accessible. Line managers need training to ensure that disabled people realise their potential.” Gradwell adds, “If colleagues and managers feel comfortable about disability, this strongly influences how comfortable a disabled person feels.”
- **Rethink learning opportunities.** “Many disabled people have a negative experience of education and can especially dislike test conditions,” Carruthers says. “Make development opportunities more accessible by considering such factors.”
- **Review needs regularly.** “Take the initiative. Ensure that employees don’t have to bring things up,” Gradwell says. She suggests employers meet disabled staff every six weeks. They should approach non disabled employees every six months to see if new conditions have developed.
- **Don’t forget hidden disabilities.** Emotional and mental health conditions are often difficult to monitor, Carruthers says. “Look out for indicators of people becoming unwell, such as changes in behaviour and reduced communication. Show concern, encourage people to talk and help them to keep things in perspective.”

(“Making workplaces fit for all willing workers”)¹¹¹

¹¹¹ “Making Workplace fit for all willing workers”. March 4, 2008. Times Online. 27 July 2008.
<http://www.timesonline.co.uk/tol/life_and_style/career_and_jobs/public_sector/article3474569.ece>.

4.2. What should an employer do if an employee acquires a disability?

Not all disabilities are present at birth. Many people acquire disability through an accident, the ageing process or illness.¹¹²

Employers should ensure that the person is not discriminated against because she/he has acquired a disability. An employer can continue to benefit from her/his accumulated expertise and experience by taking steps to enable her/him to retain employment.

First and foremost, there should be a written policy statement on **Return to Work Programme** to protect employees who acquire disability.

Return to Work: Sample Policy Statement

(Company name) is committed to cooperate in returning injured/ill workers to safe and suitable employment.

The company will meet its obligation to injured/ill workers by having an authorised representative contact the worker as soon as possible after the injury to jointly work on developing a Return-to-Work plan. The plan will be based on the individual needs of each worker and will incorporate all relevant information.

If an employee is unable to return to their pre-injury position as a result of a work related injury/illness, the company will consider alternate options.

All workers will be treated fairly and consistently and if injured/ill are expected to participate and cooperate in the Return-to-Work plan developed.

All managers are expected to understand and value the importance of returning injured/ill workers to work, and must provide assistance where appropriate.

Any personal information received or collected that can lead to the identification of an injured/ill worker will be held in the strictest of confidence. Information of a personal nature will be released only if required by law or with the approval of the worker who will specify the nature of the information to be released and to whom it can be released.

This statement reflects the views of both management and employees of this organisation and has been developed in full consultation with

¹¹² Australian Employers Network on Disability “Fact Sheet – Managing Someone Returning to Work”. 17 January 2009.
<http://www.employersnetworkondisability.com.au/index.php?option=com_content&task=view&id=33&Itemid=16>.

employee representatives.

This statement will be reviewed at least annually and may be updated or changed as required.

(“Yukon Workers’ Compensation Health & Safety Board”) ¹¹³

4.3. How can an employer ensure successful return to work for an employee who acquires disability?

A successful return to work for an employee with an acquired disability requires some simple planning on part of the employer and the employee. In developing a strategy for managing disability in the workplace, the employer should include measures for job retention including:

- Early intervention and referral to appropriate services;
- Measures for gradual resumption of work;
- Opportunities for workers with disabilities to test work or obtain experience in an alternative job if they are unable to resume their previous jobs;
- The use of support and technical advice to identify any opportunities and adjustments which might be required.¹¹⁴

It is essential to communicate before the employee returns to work to cover the following questions:

a. Does a clear description exist of the inherent/essential job requirements?

Inherent/essential job requirements are tasks that must be carried out in order to get the job done. This information can be found in a duty statement or job description that is often part of an employee’s employment contract.

The duty statement should be reviewed to check whether any modifications or adjustments are required to assist the employee complete the job requirements. The review should consider the following: postures required, general physical demands, tools or equipment used, time spent on various tasks, daily workflow, and access to the workplace.

b. Is there a clear shared understanding of the employee’s abilities and relevant restrictions?

¹¹³ “Yukon Workers’ Compensation Health & Safety Board”. 2 August 2008.

<<http://www.wcb.yk.ca/Media/documents/CHOICESRTWPolicyStatementF.doc>>

¹¹⁴ “Vocational Rehabilitation and Employment of Persons with Disability; Job Retention;”

International Labour Organisation. 18 January 2009.

<http://wallis.kezenfogyva.iif.hu/eu_konyvtar/projektek/vocational_rehabilitation/instr/ilo_situ.htm#sl5>

The employee with disability will be the best source of information about this. However, it is important to confirm that the employee has received medical approval to return to work. It also has to be determined whether the return-to-work will be gradual or immediate.

c. Is there an agreed plan for the specific details of returning to work?

Communicate prior to the return-to-work date to allow an open discussion about any parts of the role or workplace that may need modification.

Professional assistance may be required if an employee's disability is significant or if their disability requires significant modifications or adjustments. A workplace assessment could be undertaken to evaluate the employee's access to the workplace. It would also assist in determining what adjustments can be made to help the employee return to work.

It is also important to establish a system for monitoring and managing any new issues in the initial return to work period¹¹⁵.

5. Termination

5.1. When can an employer decide to terminate? Would the termination have to be justified?

If the contract of an employee with a disability has to be terminated for any inevitable reasons, then the following guidelines will help you to ensure that the termination process is just:

- Disabled employees must be afforded the same treatment as other employees. A disability therefore will not protect an employee who has been dishonest or who has knowingly engaged in the types of conduct which give rise to dismissal for just cause. An employer who seeks to dismiss a disabled employee for cause bears a very heavy burden of establishing the reasons for the dismissal.
- An employer may also terminate a disabled employee without just cause by providing the employee with reasonable notice or pay in lieu thereof. This can only be done so long as the reason for the dismissal is not the employee's disability.

(“Considerations for Employers with Employees on Disability Leave”)¹¹⁶

¹¹⁵ “Fact Sheet – Managing Someone Returning to Work”. Australian Employers Network on Disability. 17 January 2009.
<http://www.employersnetworkondisability.com.au/index.php?option=com_content&task=view&id=33&Itemid=16>.

¹¹⁶ “Considerations for Employers with Employees on Disability Leave”. Samfiru Tumarkin. 25 July 2008. <http://www.stlawyers.ca/article_2.htm>

Conclusion

Recruiting right people and then retaining them is the key to any HR strategy. The strategies for recruitment, retention, training, etc., are the same as for any other employee. However, it is important that disability concerns are kept in mind while giving them an equal opportunity. Employing and retaining people with disabilities does not require extensive and expensive modifications. However, a little sensitiveness, thought and proactive HR initiatives go a long way in making people with disabilities valuable employees of the company.

Data on Disability

Overview

Maintaining data on disability of an organisation's workforce is important as this helps in knowing how many people with disability work in that organisation. It allows for planning -accommodations for people with disability. This helps employers share data with government agencies and thereby avail the benefits extended by the government to employers who hire persons with disability. The percentage of people with disability in the workforce is one of the quantitative measures for evaluating the disabled friendliness of any company.

This chapter will explain the procedure for collecting information on disability from employees in a manner that is non-discriminatory.

1. Guidelines to Collect Data on Disability

1.1. How do we collect data on disability in our company? Are there any guidelines?

Disability is a sensitive issue and information pertaining to it should be appropriately collected.

The following guidelines explain how to go about collecting data on employees with disabilities:

Use least intrusive means

Care must be taken that data collection is non-intrusive in form. The method should be such that it ensures respect, dignity and privacy of employees. One standard method to identify employees with disability within an organisation is the use of a 'self-identification form'. When using this method, it should be made clear to employees that their participation is voluntary.

Legitimate purpose

A data collection programme should have a legitimate purpose: to monitor and evaluate potential discrimination, identify and remove systemic barriers, improve or prevent disadvantage and/or promote substantive equality for employees identified on detailed grounds.

Inform the employee

The employees on whom data is being collected or the workforce in general, must be informed why such information is being collected regardless of the method of data collection. Clarification about how collection and use of such data will assist to relieve disadvantage or discrimination and achieve equal opportunity should also be forthcoming.

Distinguishing collection, use and disclosure

The methodology should distinguish between the appropriate collection, use and disclosure of information. There should be a rational and objective connection between the nature of the information being collected, as well as its intended use.

Confidentiality

All information regarding the disability management programme should be kept confidential. The data and its analysis should be aggregated so that any identifying information, such as name, is removed from the data.

Data should be separate from and unconnected to any other records that contain personal identifying information, unless it is used to determine a person's eligibility for a specific special programme.

Data collection procedures, storage, access and disclosure must be carefully controlled. Care should be taken that at no point a person's disability is inappropriately disclosed. Confidentiality and dignity should always be respected.

Employer should not disclose any information relating to a person's disability without the written consent of the person concerned.

(“Guidelines for Collecting Data”)¹¹⁷

2. Self Identification Form**2.1. What is Self Identification Form?**

It is a simple form given to employees for disclosing their disability. It is an opportunity for employees with disability to “self identify” but also to seek any accommodations that they may require. A sample **Self Identification Form** is provided in **Appendix 5**.

¹¹⁷ “Guidelines for Collecting Data”, Guidelines for Collecting Data on Enumerated Grounds under the Code, Ontario Human Rights Commission, 24 September 2003. 15 May 2008. <<http://www.ohrc.on.ca/en/resources/Guides/data/pdf>>.

2.2. Should Self Identification Form be given to everybody or only to employees with disability?

Self Identification Form should be given to all employees. A lot of disabled candidates do not disclose their disability in the recruitment rounds. Hence, an employer is seldom aware of a disabled candidate joining the organisation. Also, there are certain hidden disabilities which may require some special accommodations. Giving out Self Identification Form to all puts the onus on the employee to disclose her/his disability and to request for any accommodation that they may require. Hence, it is important for an organisation to request all its employees to fill up the Self-Identification Form.

2.3. At what stage of recruitment should the Self Identification Form be given?

Self Identification Form should be given after the job offer has been made. It should not be given during the application or assessment time. It can be part of the Induction/Joining kit.

2.4. Is this information confidential? Who should maintain this list?

Yes. Any information disclosed in the employee's Self Identification Form is very confidential. An employee may have disclosed her/his medical condition in the form which she/he may not have shared with others. This information is solely intended for the HR personnel who are in-charge of the equal opportunity initiative in the organisation.

2.5. What if a person does not want to disclose her/his disability?

The employee with any disability can decide whether and how much to tell the employer about her/his disability. If an employee does not disclose her/his disability, then the employer is not obliged to provide any accommodation.

Conclusion

Data Collection of people with disability is important. The data is one of the measures to evaluate the company's performance in terms of its diversity goals. However, it has to be collected in a sensitive manner and the confidentiality of the information should be maintained.

Reasonable Accommodations and Assistive Technology

Overview

Infrastructure and employment arrangements in an organisation could cause a substantial disadvantage to a disabled person compared with non disabled people. An employer has to take measures to prevent that disadvantage – in other words, an employer has to make “reasonable accommodations”. For ensuring equality and equal opportunity for people with certain disabilities, reasonable accommodations have to be provided as mandated by the Convention on the Rights of Persons with Disability (CRPD).

This chapter explains the term ‘reasonable accommodations’. It also provides information regarding the various kinds of accommodations that an employer can provide and outlines the policies and procedures that might be useful processes for addressing accommodation requests. It also talks about assistive technologies and how they have made a positive impact on the lives of people with disabilities. This chapter, also, relies heavily on literature developed in the US and UK. The reason for this reliance is that though the concept is mentioned in the Persons with Disabilities Act, 1995, meant for government establishments, it does not in anyway define what reasonable accommodation is and how it can be enforced by any institution. In order to clarify the concept for both the employer and employee, it is essential to rely on definitions and concepts that have evolved over a period of time. With the enforcement of CRPD in India, private entities are also under the ambit of law. This chapter will help not only private sector employers and employees but also government agencies who would eventually be forming enforcement guidelines for implementation of various articles under CRPD.

1. Reasonable Accommodation

1.1. What is reasonable accommodation?

A reasonable accommodation is any modification to a job or the work environment. It enables a qualified applicant or employee with a disability to participate in the application process or to perform ‘essential job functions’. Reasonable accommodation also includes adjustments to assure that a qualified individual with a disability has rights and

privileges in employment equal to those of employees without disabilities. (USDOJ, Department of Justice)¹¹⁸.

1.2. What does the law say about accommodations?

Article 27 (i) of CRPD states, “Ensure that reasonable accommodation is provided to persons with disabilities in the workplace”. The employers are therefore obliged to provide reasonable accommodation to people with disabilities.

2. Types of Reasonable Accommodations

2.1. What are the reasonable accommodations that employers might have to make?

Accommodations are often thought of as physical equipment or modifications. However, accommodations can include a wide range of non-physical modifications.

Following are some steps that employers may have to take to support some employees with disability, based on the individual need:

Type	Definition	Example
Making modifications to the premises to make it accessible	Alterations to the physical environment, that allow safe and equal access to facilities.	<ul style="list-style-type: none"> – Widening a doorway/providing ramps – Lever to turn round a door knob – Raised letters on elevators and signs – Flashing lights on fire alarms and telephones
Assigning the person to a different place of work	This could mean transferring an employee to an accessible location.	<ul style="list-style-type: none"> – Shifting a wheelchair user’s work station from an inaccessible third floor office to an accessible one on the ground floor. – Moving the person to other premises of the same employer if the first building is inaccessible.

¹¹⁸ “What is Reasonable Accommodation”, Winning, Ethan A. 15 July 2008.

<<http://www.ewin.com/articles/rsnabl.htm>>.

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Providing accessible transport	If the regular staff bus is inaccessible, then arrangements need to be made to ensure transport facility is accessible.	<ul style="list-style-type: none"> – Providing accessible/low floor cab – Picking/Dropping a person at the doorstep. – Providing transport allowance so that the employee with disability unable to use regular company transport, can come in her/his own transport.
Assistive Device and/or technology	There are many devices that make it possible for people with disabilities to overcome existing barriers to performing functions of a job. These devices range from very simple solutions, such as an elastic band that can enable a person with cerebral palsy to hold a pencil and write, to high-tech electronic equipment.	<ul style="list-style-type: none"> – Electric stapler – Adapted keyboard – Screen reading software – Talking calculator – Speaker phones
Modifying equipments	Modifications to equipment to help an employee perform the job easily and independently.	Tactile markings on equipment in Braille or raised print.
Altering the person's working hours	An employer could consider modification of a regular work schedule as a reasonable accommodation unless this would cause an undue hardship.	<ul style="list-style-type: none"> – Flexible work hours – Part-time work – Additional breaks – Change of timings
Flexible Leave Policy	Flexible leave policies should be considered as a reasonable accommodation when people with disabilities require time off from work because of their disability. An employer is not required to provide additional paid leave as an accommodation, but	<ul style="list-style-type: none"> – If a person becomes disabled, the employer might have to allow the person more time off during work, than would be allowed to non disabled employees, to receive physiotherapy or psychoanalysis or undertake employment

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	should consider allowing use of accrued leave, advanced leave, or leave without pay, where this will not cause an undue hardship.	rehabilitation. – A similar adjustment might be appropriate if a disability worsens or if a disabled person needs occasional treatment.
Job Restructuring & reassignment	<p>Job restructuring or job modification is a form of reasonable accommodation that enables many qualified individuals with disabilities to perform jobs effectively.</p> <p>Job restructuring may involve reallocating or redistributing the marginal functions of a job. However, an employer is not required to reallocate essential functions of a job as a reasonable accommodation.</p> <p>Essential functions, by definition, are those that a qualified individual must perform, with or without accommodation.</p>	<ul style="list-style-type: none"> – Change work schedule – Rearrange the order in which tasks are done – Decrease number of non-essential job duties – Swap task with co-worker – Job share with co-worker – Reassign task to another employee – Reassigning to another vacant position (if accommodation is not possible for the current position)
Modifying instructions or reference manuals	The way instructions are normally given to employees might need to be reoriented when telling a disabled person how to do the task.	<ul style="list-style-type: none"> – Training manual in Braille/audio – Tape /CD – Instructions given in writing to sign language user. – Instructions given orally and with demonstration to people with learning disabilities.
Modifying procedures for testing and assessments	This could involve ensuring that particular tests do not adversely	– Oral test for a person with restricted manual dexterity.

	affect people with particular types of disabilities.	<ul style="list-style-type: none"> – Written interview for a person with speech disability.
Modification in Training	Reasonable accommodation should be provided, when needed, to give employees with disabilities equal opportunity for training to perform their jobs effectively and to progress in employment.	<ul style="list-style-type: none"> – Providing accessible training venue – Training in software for visually impaired person – Training materials in accessible formats – Longer cycle training and/or individualised training
Personal Assistant	Person who helps an employee with job duties, work routines, or work-related aspects of a job.	Allotting duty to housekeeping staff to provide assistance to employees at work.
Providing a reader or an interpreter	It may be a reasonable accommodation to provide a reader /interpreter for a person with a visual or reading disability, if this would not impose an undue hardship	<ul style="list-style-type: none"> – A colleague reading a letter to a person with visual impairment at particular times during the day or in appropriate circumstances. – Interpreter for a training programme (for doing a regular job, interpreter may not be needed for a deaf person. Interpreter may only be needed occasionally)

(“Disability Discrimination Act, 1995 - Code of Practice”)¹¹⁹.

2.2. Do employers have to provide transportation to and from work as an accommodation?

According to international guidelines, an employer is required to provide reasonable accommodations that eliminate barriers in the work environment. It does not include accommodations that eliminate barriers outside of the work environment. Therefore, an employer would not be

¹¹⁹ “Disability Discrimination Act, 1995 - Code of Practice for the Elimination of Discrimination in the Field of Employment against Disabled Persons or Persons Who Have Disability.” Ed. Department for Education and Employment: HMSO Publications Centre, 1996.

required to provide transportation to commute to work as a reasonable accommodation, unless, of course, the employer generally provides transportation for its employees. An employer should ensure that accessible transport is provided to employees with disabilities, only if all employees in the organisation are provided transport facilities.

However, an employer's policy regarding work timings may create barriers for an individual whose disability interferes with her or his ability to commute to work. The employer should modify that policy as a reasonable accommodation in this scenario, unless it would impose an undue hardship.

For people with disabilities, lack of accessible public transport in India is one of the main deterrents in taking up employment. Some companies proactively provide transport to people who have difficulty travelling in public transport as a reasonable accommodation. It has proved beneficial to business as they have been able to attract a larger talent pool. Shared cabs, transport allowance, etc. are some of the methods followed by companies to minimise transport costs.

2.3. Do employers have to provide Personal Assistance Services (PAS) as a reasonable accommodation?

Globally, reasonable accommodation includes PAS in the form of work-related assistance. But generally, this does not include PAS in the form of personal attendant care at the work-site. Work-related PAS can include task-related assistance at work such as readers, interpreters, help with lifting or reaching, page turners, a travel attendant to act as a sighted guide to assist a blind employee on occasional business trips, and re-assignment of non-essential duties to co-workers. (*“Personal Assistance Services (PAS) in the Workplace”*)

A personal attendant for daily needs is essential for some people with severe disability to be able to function. Unlike in other countries, where the State provides allowances for personal assistants, people in India have to depend on family members for assistance. This is a hindrance for people with severe impairments to take up and keep jobs. Some large companies are therefore providing personal assistance for people with severe disabilities in the workplace as reasonable accommodation. In one company for example, the housekeeping attendant is assigned an additional duty to provide assistance in daily needs to a person with severe disability. Another company is providing part payment for the personal attendant as a reasonable accommodation. Hence, employers would have to take a decision after discussing the various possibilities with the employee.

3. Factors for Determining ‘Reasonableness’ of the Accommodation

3.1. When is it “reasonable” for an employer to make an accommodation?

Effective and practicable adjustments for disabled people often involve little or no cost or disruption. It is very likely to be reasonable for an employer to make. In order to determine if an adjustment is reasonable, the following factors could be taken into consideration:

The effectiveness of the step in preventing the disadvantage

As an example, the particular accommodation is reasonable if it will have a direct effect on the productivity/output. If the adjustment does not benefit the employee much, then the adjustment is unlikely to be reasonable.

The practicality of the step

For example, it may be impractical for an employer, who needs to appoint a person immediately, to wait for an adjustment to be made to the entrance to the building. However, it might be reasonable and possible to make a temporary arrangement in the meantime, based on the suggestion of the employee.

The financial and other cost of the accommodation and the extent of any disruption caused.

If an adjustment costs little or nothing it would be reasonable. The significance of the cost of a step may depend in part on what the employer would otherwise spend in the circumstances. It might be reasonable for an employer to make an adjustment with significant cost for an employee who is likely to be in a job for some time, than a temporary employee.

The extent of the employer’s financial or other resources

For example, it would be reasonable for an employer with a large workforce to make significant efforts to reallocate duties, identify an alternate post or provide supervision from an existing staff. It could be reasonable for a small company to have to make any of these adjustments, but not if it involved a disproportionate effort.

The availability to the employer of financial or other assistance to help make an adjustment

This is best illustrated with the help of examples. An employer, in recruiting a disabled person, finds that the only feasible adjustment is expensive. If the assistance is however available from either a Government programme, or a voluntary body or if the disabled person is

willing to contribute, it is reasonable for the employer to allow the use of the equipment. In another instance, if the person has the piece of adapted equipment which she/he is prepared to use for work, then she/he should be allowed to use it. Then again, if an employee needs a full time personal assistant and the employee is willing to bear the cost, then the employer has to allow the attendant to come with the employee.

3.2. Could an employer have to make more than one adjustment?

Yes, it is reasonable to make more than one. As an example, for a woman with deaf blindness who has joined a job and is unfamiliar with the building, the employer (1) arranges for instructions to be in Braille (2) suggests to the colleagues ways in which they can communicate with her and (3) provide necessary software for accessing the computer.

3.3. Do all people with disabilities need accommodations?

No. Accommodation needs are dependent on the nature of the infrastructure and other arrangements. Certain arrangements require little or no adjustment.

3.4. Who decides whether or not an accommodation is unreasonable?

The decision concerning whether an accommodation is unreasonable is made by the employer taking into account the factors listed above. However, employers cannot simply state that they will not provide an accommodation without some type of negotiation and discussion with the applicant or employee.

3.5. What accommodations are not classified as ‘reasonable accommodations’?

Reasonable accommodation does not include removing essential job functions, creating new jobs, and providing personal need items such as eye glasses, hearing aids and mobility aids.

4. Procedure for Providing Reasonable Accommodation

4.1. What is the best way to identify and provide a Reasonable Accommodation?

Frequently, when a qualified individual with a disability requests a reasonable accommodation, the appropriate accommodation is obvious. The individual may suggest a reasonable accommodation based upon her/his own life or work experience. However, when the appropriate accommodation is not readily apparent, an employer must make a reasonable effort to identify one.

It is recommended that a process is put in place for determining the need for accommodations.

1. Accommodation Request

When an individual decides to make a request for an adjustment to her/his employer, for a reason related to a medical condition, she/he need not use the term "reasonable accommodation". The request may be phrased in everyday language.

Examples of accommodation requests

An employee tells her supervisor, "I'm having trouble getting to work at my scheduled starting time, because of medical treatments I'm undergoing." This is a request for a reasonable accommodation.

An employee tells his supervisor, "I need six weeks off to get treatment for a back problem." This is a request for a reasonable accommodation.

A new employee, who uses a wheelchair, informs the employer that her wheelchair cannot fit under the desk in her office. This is a request for reasonable accommodation.

An employee tells his supervisor that he would like a new chair because his present one is uncomfortable. Although this is a request for a change at work, his statement is insufficient to put the employer on notice that he is requesting reasonable accommodation. He does not link his need for the new chair with a medical condition. ("Enforcement Guidance: Reasonable Accommodation and Undue Hardship Under the Americans with Disabilities Act")¹²⁰.

Written Request:

A written request protects the interest of employee and employer.

A **Sample Workplace Accommodation Request Form** is provided in the **Appendix 6**. It is divided into two sections:

Part A: To be filled by the employee to provide the following information:

1. State reason for the request
2. Lists tasks on job description that are problematic as a result of disability
3. Lists accommodation(s) that will enable the employee to perform job-related tasks
4. Medical documentation -- whether or not the employee's disability is visible and obvious, s/he may be asked to provide medical

¹²⁰ "Enforcement Guidance: Reasonable Accommodation and Undue Hardship Under the Americans with Disabilities Act". October 2002. The U.S. Equal Opportunity Commission. 20 June 2008. <<http://www.eeoc.gov/policy/docs/accommodation.html#intro>>.

documentation. This describes the disability and functional limitations as these facts relate to the performance of job duties.

Part B: To be completed by the employer to document responsive action

2. Addressing the Request

Meeting to discuss accommodations: Upon receipt of the employee's request for an accommodation, the employer must respond in a timely manner.

Part B of the Workplace Accommodation Request form

(<http://www.employability.org/erc/dan1.pdf>) can be used to schedule the meeting and then to document the meeting outcomes. The participants in the meeting should include the employee making the request, his/her supervisor, and possibly the rehabilitation professional if needed. Other staff members, with expertise in potential areas of accommodation, may also attend. For example:

- **Facility Manager** to address facility modifications or acquisition of special equipment
- **Computer Specialist** to address acquisition of computer software or hardware
- **Human Resources Manager** to address job restructuring, modified work schedule, or medical leave
- **Accommodation Specialist** staff member with training in assistive technology and/or other forms of workplace accommodation

Identifying a reasonable accommodation: It requires a specific inquiry into the exact nature of the individual's disability and the details of the job in question. One must not generalise because not every person with disability is the same. The focus has to be on the individual and not on disabled people generally. One way to accommodate is to *break the job down* into essential and non-essential functions. The person has to be able to do the essential functions. So, an employer is not going to be required to change those functions or do away with them. However, an employer may be required to change or eliminate non-essential functions.

First, look to see whether the individual can perform the essential functions without any other accommodation. If so, s/he is qualified. If not, then ascertain whether s/he could perform the essential functions with an accommodation, and whether that accommodation is a reasonable one.

Interactive process: The employee and employer should engage in an **interactive process**. The employee should first request an accommodation and supply whatever personal information is needed. The employee should also suggest any accommodation she/he knows about. Then the employer should respond with suggestions and ideas. Failure of the employer to do so can create a presumption that the accommodations suggested by the employee were reasonable. Likewise, if the employee does not cooperate in this process, there can be a presumption of unreasonableness.

3. Providing an Accommodation

Once the need for an accommodation is substantiated, the employer must proceed to ensure accommodation is provided. A “right” accommodation is one that enables an employee to perform the essential duties of her/his job by filling the gap between employee’s functional abilities and the job requirements. Often, an accommodation is not limited to just one solution, but may include a combination of solutions. Depending on the situation, efforts to find an appropriate workplace accommodation involves consideration of several alternatives, as mentioned in Section 3.1 of this chapter.

4. Refine & Maintain Successful Accommodation

After the accommodation has been implemented, the employee’s performance must be monitored and evaluated to determine whether the accommodation is enabling the employee to perform the essential functions of his or her job. Since each situation is unique, there is no set timeframe for reassessment although a common approach is to evaluate the accommodation at 90-day intervals. The most important input comes from the employee using the accommodation to perform his/her job. The evaluation will reveal if the accommodation has been (1) effective or (2) if it needs to be improved or (3) it has not been effective and another approach is required. (“EmployAbility”¹²¹; “Employment Law Memo”¹²²).

4.2. Who is responsible for requesting an accommodation?

The employee with a disability is responsible for requesting an accommodation.

4.3. When can an accommodation be requested?

A job accommodation may be requested by the employee with a disability

- During the job application process
- After a job offer is made
- At any time during the course of employment

Employers should not ask job applicants about the presence of a disability. However, the employer may ask if the individual can perform specific job responsibilities and/or how the person would go about accomplishing those tasks, with or without an accommodation.

In particular, if an individual’s disability is readily apparent, the employer may ask how the individual will perform specific job tasks. The

¹²¹ “EmployAbility”. 20 June 2008. <<http://www.employ-ability.org/erc/disabilitiesatwork26-pdis4.asp#Anchor-Sample-11481>>.

¹²² “Employment Law Memo”. 20 June 2008. <<http://www.lawmemo.com>>.

employer may perceive these tasks as potentially problematic given the nature of the individual's disability.

Once an individual has requested an accommodation, an employer can ask for more specific information concerning the nature of an individual's disability.

4.4. Who pays for accommodations?

If the accommodation meets the criteria for a "reasonable accommodation", and is a "tool" to allow the person to do her/his job, the employer must pay for any costs involved. Many large companies earmark a central budget for providing accommodation.

However, there may be cases where the accommodation is not considered a reasonable accommodation by the employer. This could be discussed with the employee or a disability consultant to discuss the alternatives.

4.5. What are various options for employers who are unable to afford expensive assistive devices? Why should companies spend for reasonable accommodations?

First, it is important for employers to objectively determine if an accommodation requested is reasonable (based on the factors given in 3.1.)

If a reasonable accommodation proves to be expensive for an employer, it would be important to look at all available options before rejecting the request.

For example, if the cost of an assistive device is Rs. 50,000/-, and an employer believes that spending more than Rs. 25,000/- would be an undue hardship, the individual with a disability should be offered the option of paying the additional Rs 25,000/-. Or, if it would be an undue hardship for an employer to spend any amount in purchasing equipment, the employee should be offered the option of providing her/his own equipment.

Another option is to consider providing a personal loan to the person with disability to purchase that device.

The employer and/or the employee could consult with an NGO, which may have facilities for loaning that equipment at a reasonable rent or free of charge.

Regarding the question of why should an employer spend money for reasonable accommodation, the answer is that reasonable accommodation is the key to non-discrimination and promotes equality. It removes barriers in workplace which restricts qualified people with disability to work and contribute. It is also mandated by the law to ensure reasonable accommodation.

According to a study, the attrition rates of people with disabilities who have been provided reasonable accommodation is much lower in comparison with people who have not been provided any accommodation. So it is worth the investment!

4.6. Does an employer have to justify not making an accommodation?

Yes. The UN Convention mandates employers to “ensure reasonable accommodations” in the workplace. If an employer fails to take such steps which are reasonable, then the employer cannot justify the failure to do so.

4.7. What happens if an accommodation, including placement in an alternative position, is not possible?

If an employee cannot be accommodated, including placement in an alternative position, the employee will be separated from the company after the employee's entitlements are settled. This decision requires to be taken after discussions with the Equal Opportunity Officer /Consultant /Specialised agency.

4.8. What are the rights and duties of an employee?

- The employee must inform the employer about her or his disability, as well as the need for accommodation.
- An employee with a disability has a right to request an accommodation at any time, even if her/his medical condition has not changed.
- The employee must cooperate with the employer in the consideration and implementation of the requested reasonable accommodation.
- The employee must cooperate in providing medical or other information. This is necessary to verify the existence of the disability, as well as determining the kind of accommodation required. The employee has a right to have his/her medical information kept confidential.
- The employee has the right to refuse an accommodation, despite the existence of a disability, if the employee can perform the job in a reasonable manner without the accommodation (“Reasonable Accommodation”)¹²³

¹²³ “Reasonable Accommodation”. New York Code of Rules & regulations. 20 June 2008. <<http://www.dhr.state.ny.us/pdf/rules.pdf>>.

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4.9. By providing reasonable accommodations to disabled people, are we not discriminating against others?

No. In fact, you would be discriminating against disabled people if you do not provide reasonable accommodation. The Indian Constitution guarantees 'Right to Equality'. It states that you should treat people who are in similar situations similarly. If you treat people who are in dissimilar situations similarly, it is discriminatory.

Persons with disability should be treated on equal basis with others. If certain accommodations/costs are involved to promote this right, it ought to be provided not out of any misplaced benevolence towards people with disability. Rather, it should be out of a legitimate sense of entitlement. In order to ensure equality of outcome, for participation to happen, reasonable accommodation should be provided as a right. Reasonable accommodation promotes equality and participation. If one fails to provide reasonable accommodation, one is practicing discrimination.

5. Examples of Accommodations for Persons with Different Kinds of Disabilities

A. Hearing Impairment

Scenario: A hearing impaired person is working at a petrol station. His duty is to put the specified quantity of fuel into vehicles. However, he is unable to find out the exact quantity sometimes and this leads to customer dissatisfaction.

Solution: Give a notepad and pen to the hearing impaired employee and ask him/her to request the customer to write down the exact quantity required. Most customers are more than happy to cooperate and write down the quantity. (Mr. Surinder Singh, MD - Shell India Marketing Pvt Ltd, 2008)¹²⁴

Scenario: A hearing impaired employee needs to converse with his fellow employees sitting at other locales.

Solution: Instant Messengers like Google Talk, MSN Messenger, Yahoo Messenger, and Microsoft Communicator for Businesses are available. Chatting is perhaps the most common internet activity in the world after browsing. The hearing impaired person can chat with his colleagues sitting immediately around him or in other locations, both domestic and international, with the help of the Instant Messengers.

¹²⁴ Mr. Surinder Singh, MD - Shell India Marketing Pvt Ltd., in a presentation at an interactive meeting organised by CII on employability of persons with disabilities for HR. ITC Hotel Windsor Manor, Bangalore, 8th August 2008

Scenario: A manufacturing company has a large number of employees with quite a few hearing impaired individuals. This company has its own transport system. Sometimes, these hearing impaired employees face problems in finding out the exact time when their bus is going to pick them up. There is a landline hotline for the same, but it is not accessible by hearing impaired employees.

Solution: Get a mobile connection with SMS (Short Message Service) facility. Have this mobile number assigned to the person who mans the landline. Any hearing impaired employee can simply send a message to this number with a query (eg. “location, time”), to which he can get a SMS response.

Scenario: I am running a shop and would like to hire a hearing impaired employee who doesn't use hearing aids. We sometimes require him to go from one section to another. This is currently not possible due to his hearing loss.

Solution: Give him a personal paging device with vibration facility which he can wear on the belt or wrist. Every time it vibrates, he can simply come to you for instructions and thus go to the appropriate section.

Scenario: An employee with hearing impairment who is non verbal wants to attend training with other employees.

Solution: Hire a sign language interpreter or get a person to transcribe for the training, based on the person's need. Trainer should also be informed to provide as much information as possible using a suitable visual medium.

B. Visual Impairment

Scenario: I would like to hire a visually impaired person as part of my human resources team. However, this involves a lot of computer work like power point presentations, word documents and excels documents.

Solution: Visually impaired people can work on computer. Check with the candidate whether she/he uses any assistive technology to access computer. If yes, install the necessary software (screen reader/magnifier) in the desktop/laptop, based on her/his need.

Scenario: There is a visually impaired employee in a media company which involves reading large amounts of printed materials. Since a visually impaired person cannot see, how can I ask him to do this task?

Solution: There are hardware and software solutions for the same. Provide him with a document scanner and desktop machine. He can scan the paper on his own, save this onto his or her desktop. He can then hear the content in audio format using a screen-reading software.

C. Dexterity Impairment

Scenario: An employee in my grocery store has only one arm. His job is to stock items into their respective shelves. This involves moving large

quantities of stock from the store room to the various corners of the store. I find that he gets tired due to the workload.

Solution: Give him a trolley to move his items. This will reduce his workload considerably. Also give him a mini-step ladder to enable easier access to higher parts of the shelves.

D. Learning Disability

Scenario: Because of low reading skills, a child care assistant with a learning disability has difficulty preparing lessons based on children's books.

Solution: The employee is given a videotape of various children's stories.

Scenario: A "quick service" restaurant grill operator has a severe learning disability. He cannot read and can recognise only specific single letters on orders for hamburgers.

Solution: Condiment bins are coded with the first letter of the item so that a worker can match the orders to the bins. In addition, he is taught three key words ("only," "none," and "plain") through flash card repetition.

E. Physical Disability

Scenario: A technical editor in the publishing industry has a spinal cord injury and needs to work lying on his back.

Solution: A work station is provided that enables the editor to work on a computer while in a supine position. Also a work from home option can be provided to such an employee.

Scenario: A department store retail clerk with multiple sclerosis uses a scooter and has problems with stamina.

Solution: The employee is reassigned to a department on the first floor, provided with space for the scooter, given a sit/lean stool at the register and scheduled for first shift with every third day off.

Scenario: An electro-mechanical assembly crew member acquires a cumulative wrist/hand trauma disorder which affects handling and finger dexterity. This decreases his ability to use hand tools for the assembly of electro-mechanical devices.

Solution: A rechargeable electric screwdriver is purchased, to reduce repetitious wrist twisting. These can be subsequently purchased for all employees as a preventative measure.

Scenario: An airline programmer/analyst has post-polio fatigue brought on by stress. She/he cannot be on call 24 hours a day and work overtime as mandated by the job-requirement.

Solution: Waiver of the requirements of 24-hour on-call duty and overtime. The employee works the hours prescribed for older adult workers.

F. Mental Illness

Scenario: An administrative assistant in a social service agency has bipolar disorder. Her duties include typing, word processing, filing and answering the telephone. Her limitations include difficulties with concentration and short-term memory.

Solution: Provide her with assistance in organising her work. Also provide a dual headset for her telephone which allows her to listen to music when not talking on the telephone. This accommodation will minimise distractions, increase concentration and keep the employee relaxed. Also, meetings need to be held with the supervisor once a week to discuss workplace issues. These meetings are recorded so she can remember the issues that are discussed. She is then able to replay the information to improve her memory.

Scenario: Inability to screen out environmental stimuli such as sounds, sights, or smells, which distract you. For example, an employee may have a hard time working next to a noisy printer or in a high-traffic area.

Solution: Move the printer away from the work area; allow the employee to wear headphones, playing soft music while they work; install high partitions around the person's desk. ("EmployAbility")¹²⁵

6. Assistive Technology

6.1. What is assistive technology?

Assistive technology is a generic term that includes assistive, adaptive and rehabilitative devices. It also refers to the process used in selecting, locating and using them. Assistive technology promotes greater independence for people with disabilities by enabling them to perform tasks that they were formerly unable to accomplish. It also includes providing enhancements to accomplish tasks they had great difficulty accomplishing.

Assistive technology includes any item, piece of equipment or system that is used to increase, maintain, or improve how a person performs some task of daily living. Assistive technologies and services are generally specific accommodations for individuals who need to overcome some physical or technological barrier they encounter in the workplace.

For example, a computer can be made accessible for a person who has a visual disability by having screen text converted to audio or Braille.

¹²⁵ "EmployAbility". 20 June 2008. <<http://www.employ-ability.org/erc/disabilitiesatwork26-pdis4.asp#Anchor-Sample-11481>>.

Similarly, a one-handed keyboard enables a person who uses one hand to type with a good speed. (“Assistive Technology”)¹²⁶

6.2. How has assistive technology helped people with disabilities?

Assistive technology has helped people with disabilities in several ways ranging from minor to major. The following are real-life examples of how appropriate use of technologies has gone a long way in helping a person with disability.

Garimella Subramaniam, an Editor with visual disability – Screen Reading Software

Garimella Subramaniam breaks many stereotypes as a person with visual disability. He is the Assistant Editor of The Hindu. The much respected and read national newspaper has its headquarters at Chennai. His family and friends expected him to pursue the job of a classical vocalist or a teacher. He instead, pursued Political Science at the prestigious Jawaharlal Nehru University (JNU). Garimella later went to the London School of Economics, United Kingdom to do his Ph.D. in Political Theory. He later got an offer from The Hindu.

Garimella remembers that “my entry into The Hindu was through its London correspondent with whom I had interacted in my student days. The Hindu already had someone without vision working at a very senior position. Also, it is long known for its enlightened policies towards employees. So, it is a combination of factors.”

About the technology he uses at work, he mentions text-recognition software to surf the Net and write reports, etc. The nature of the job remains the same in every other respect as with other journalists. The office has provided him with speech-enabled software which enables him to function effectively. Garimella's determination, sense of independence, workplace attitude and appropriate use of technology have all contributed to making him a successful journalist¹²⁷.

Zamir N Dhale, Advocacy Officer with Deaf Blindness - PAC Mate Braille Display

Zamir works as Advocacy Officer with Sense International, India office (Delhi). He is a person with hearing and visual impairment. He operates independently with the help of PAC Mate Braille Display. The portable PAC Mate Braille Displays features a simple platform, the 20-cell and 40-cell refreshable Braille units that can connect to any computer with a USB cable or form one unit by attaching to the PAC Mate Omni. (“PAC

¹²⁶ “Assistive Technology: Workplace Accommodation Toolkit”. 20 July 2008.
<<http://www.apr.gc.ca/wat/wb10000E.asp>>.

¹²⁷ Sengupta, Anjali. “Forty Life Stories of Courage and Accomplishment”. Ed. Mukta Aneja and Eyeway Team. New Delhi: All India Confederation of the Blind, 2005.

Mate Portable Braille Display”)¹²⁸. He is assisted by a tactile sign language interpreter in his meetings and travel engagements.

As Advocacy Officer his job profile include advocacy, networking with various government ministries and organisations for awareness generation on the issue of deaf-blindness. He provides support and guidance to deaf blind people and families through various programmes and initiatives of the organisation.

But jobs were not easy to come by. He faced lots of difficulties in finding employment as there were communication barriers. The organisations were just not equipped to work with deaf-blind people.

Sense International came his way through a job advertisement in 2006. They were impressed by Zamir’s inspiring confidence and his zeal to work for people with deaf-blindness. And he of course is impressed with the attitude of his colleagues in Sense International. In his words “They have made the office accessible, they have helped me find accommodation in Delhi”. And he adds, “They all know sign language and that makes it easier”. Zamir has travelled abroad to countries like UK, USA, Nepal and Bangladesh to raise awareness about issues concerning deaf-blind people.

Madhuri Kapur, Computer Programmer with Cerebral Palsy – Voice Output Device and Pointer attached to headband for using Keyboard.

Madhuri Kapur is an artist, computer programmer and a teacher. She has Cerebral Palsy. She communicates through a voice output device and a pointer attached to a headband with which she types out what she wants to say on a computer. She finished school from Indian Institute of Cerebral Palsy, Kolkata, and graduated in commerce from the Indira Gandhi National Open University. After doing web-designing and computer courses, she worked as a computer programmer for the Confederation of Indian Industry (CII). She also worked for firms like Shaw Wallace and Organon. In addition, she imparts lectures on ‘Augmentative and Alternative Communication’ (ACC) to doctors, B.Ed. students at Jadavpur University, and NGO workers involved with community-based rehabilitation programmes. (“Mookerjii, Madhumita”)¹²⁹.

Anil Anandrao Kulkarni, Haemophilia – Virtual Keyboard

Anil works as an employee in Mphasis. He has Haemophilia - a blood-disorder which results in profuse bleeding in joints on excessive strain or injury and may lead to permanent damage to the joints. He needed a keyboard that minimised the strain on his fingers. This would help him in increasing productivity in his work without injuring his fingers.

¹²⁸ “PAC Mate Portable Braille Display”. 19 June 2008. <
http://www.freedomscientific.com/fs_products/PACmate_20.asp>.

¹²⁹ Mookerjii, Madhumita. “Cerebral palsy to her abilities” DNA (1 April 2006). 23 June 2008.
<<http://www.dnaindia.com/report.asp?NewsID=1021382&CatID=2>>

He was provided with a cigarette-lighter-sized virtual keyboard which uses laser and infrared technology to project a full-size keyboard onto any flat surface for almost any palmtop computer, PDA or blue tooth enabled mobile phone. Using this, he was able to type normally on the projected keyboard. (“Corporate Social Responsibility, Mphasis”)¹³⁰

Stephen Hawking, Renowned Astrophysicist with multiple disabilities – Multiple Technologies to write, speak, operate electronic items, etc.

The world-renowned astrophysicist, Professor Stephen Hawking has motor neuron disease. His work on the basic laws which govern the universe are path breaking.

He uses technology effectively to not only move around his workplace but also uses it to communicate, write, speak, operate gadgets and so on. To use a telephone, he is able to use either his laptop mobile card phone or connect his chair computer directly to a telephone socket. The process works by sending digital commands from his computer instructing the phone system to dial a number, answer the phone or hang up at the end of a call.

Professor Stephen Hawking has a universally programmable infra-red remote control attached directly to his computer system. This enables him to operate many of the electronic items in his home, such as televisions, video recorders and music centres. He also has a radio control device which enables him to open doors and operate lights in his house. He is now also able to operate doors within his workplace.

Explaining how technology has helped him to write, speak and communicate, Professor Hawking says, “I communicate with a computer system. I have always used IBM compatible computers on my wheelchair. The screen is mounted on the arm of the wheelchair where I can see it, more recent systems have the whole computer in a box on this arm. The original systems were put together for me by David Mason, of Cambridge Adaptive Communications. This company manufacture and supply a variety of products to help people with communication problems express themselves. Recently, Intel engineers designed a new computer for me powered by a Pentium II processor, which I now use.

On the computer, I run a programme called Equalizer™, written by a company called Words Plus Inc. A cursor moves across the upper part of the screen. I can stop it by pressing a switch in my hand. This switch is my only interface with the computer. In this way I can select words, which are printed on the lower part of the screen. When I have built up a sentence, I can send it to a speech synthesiser. I use a separate synthesiser, made by Speech+. I also can use Windows 98 through an interface called EZ Keys, again made by Words Plus. I am able to control the mouse with the switch through cleverly selected process from a small

¹³⁰ Mphasis “Let’s Talk Employment”.Disability and Access Services Newsletter. Issue 1, Nov 2007.

box shown on the desktop. I can also write text using similar menu's to those in Equalizer.

I can save what I write to disk. I write papers using a formatting program called TEX. I can write equations in words, and the program translates them into symbols, and prints them out on paper in the appropriate type. I can also give lectures. I write the lecture beforehand, and save it on disk. I can then send it to the speech synthesiser, a sentence at a time. It works quite well, and I can try out the lecture, and polish it, before I give it.” (“The Stephen Hawking Website”)¹³¹.

Raj Gulati, A writer with disability of limbs – Dragon Speaking Software

After an accident, Raj Gulati, a writer, could not move his limbs. He got the Indian edition of Dragon Naturally Speaking software 9.0 from Dragon’s Mumbai based distributor ICONS. Dragon Speaking Software helps create documents, reports, e-mails, etc by speaking. It converts speech into text. It’s over three times faster than typing.

Raj Gulati says, “It works with absolute ease. Just trained it and am getting an accuracy of almost 99%.” (“Dragon Naturally Speaking Review”)¹³².

A list of commonly used **Assistive Technology** is available in the **Appendix 7**.

6.3. Are there any Government Grants available for individuals to purchase assistive devices/technology?

There is a Central Scheme called Assistance to Disabled Persons for purchase/fitting of aids and Appliances (ADIP). The ceiling for the cost of Equipment is Rs. 6000/-. Full aid is given to those whose income is up to Rs. 5000/- per month. 50% is given to people with income between Rs. 5000/- per month and Rs. 8000/- per month. Cost of travelling, boarding and lodging are given to beneficiaries. This scheme is implemented through NGOs. Many assistive devices and technologies cost much higher and those are not covered under the scheme. More information about the scheme is available at Ministry of Social Justice & Empowerment website. (“Types of Aids/Appliances to be Provided”)¹³³.

¹³¹ “Professor Stephen W. Hawking's web pages”. 23 June 2008. <<http://www.hawking.org.uk/>>.

¹³² “Dragon Naturally Speaking Review”. 24 July 2008.

<http://www.mouthshut.com/review/Dragon_Naturally_Speaking-32637-1.html>.

¹³³ “Type of Aids/Appliances to be provided”, Ministry of Social Justice & Empowerment website. 23 March 2008. <<http://socialjustice.nic.in/disabled/adips.htm#adip8>>.

6.4. Are there any corporate sectors who are working towards using technology to create accessibility for people with disabilities?

IBM India has recently launched an initiative called ‘Human Ability and Accessibility Centre’ that aims to make technology and information easily accessible to people with visual, cognitive, hearing and motor disabilities in India.

Located at India Research Lab in New Delhi, IBM India Human Ability and Accessibility Centre caters to the diverse requirement of accessibility stakeholders in India including government bodies, corporates, academic institutions, researchers and NGOs.

Through the use of some innovative solutions developed by IBM researchers like Easy Web Browsing (for the visually impaired), WebAdopt2Me (for people with cognitive impairments or low vision), IBM aDesigner (disability simulator), Hindi Speech recognition, English assessment tool called Sensei and so on, this advanced virtual Centre enables human capability so that everyone can maximise their potential, regardless of ability or disability (“The Business Edition”)¹³⁴. More information about the initiative can be sourced from the IBM Website (<http://www-03.ibm.com/able/>).

Conclusion

Providing accommodations is an integral part of assisting people with disabilities in employment. As an employer, a little effort made by you with the right attitude at the right time to provide the right support to an employee with disability, would yield great results. These results would be in terms of employee satisfaction, productivity, loyalty and recognition as a company that truly values diversity.

Reasonable accommodation for disabled people is a fairly new concept in India, particularly for the corporates. However, with the ratification of CRPD which mandates reasonable accommodation, this concept will get clearer over time.

¹³⁴ “IBM launches Human Ability and Accessibility Centre”, The Business Edition. 30 November 2008. 20 June 2008. <<http://www.thebusinessedition.com/>>.

Emergency Preparedness for People with Disabilities in Work Environs

Overview

This chapter provides information and guidance on Emergency Preparedness for people with disabilities in their work environs. It includes an emergency evacuation plan and safety guidelines for people with different disabilities. It will assist employers, organisations and authorities enforcing fire safety to address the safety needs of disabled persons in a practical, non-discriminatory manner. The preparedness plan may not be limited to only fire related emergencies but can prepare companies to evacuate employees even during other emergencies like riots, floods, etc.

1. Emergency Preparedness Plan

1.1. What is an Emergency Preparedness Plan?

Emergency Preparedness Plan simply means to be prepared for any emergency arising from events like fire, bomb blast, earthquake and so on. The underlying principle of such a plan is to provide safety through safe evacuation i.e. the efficient relocation of building occupants to an area of safety usually outside the building.

Each building should have an emergency action plan specifying the evacuation procedures for everyone, including disabled people, likely to be in the building.

Most important is the operationalisation and practice of the emergency fire action plan.

1.2. Why should an employer have an Emergency Preparedness Plan?

Wherever we live, disaster can strike without warning. Planning and preparation can greatly reduce the impact of disasters (and other lesser emergencies) on our lives. In case of an emergency, we all have a role to play in minimising the risk to life before fire and rescue services arrive. Both employers and employees would like to know how to exit the premises safely in the event of an emergency.

People with disabilities are slowly but surely moving into mainstream society in India, including the employment sector. As mandated by the law, it is every employer's responsibility to provide a safe place for all employees to work, including people with disabilities. Equipment and procedures exist that can provide such safety for any person with a disability that is not so severe that it would preclude the ability to work. A year ago, in Byculla Mumbai, a bright, young deaf youth died in a fire (“Deafmute-23yearold-dead-in-byculla-fire-inspired-others-to-live”)¹³⁵. He died not because he was deaf, but because the emergency evacuation plan did not include his need adequately.

1.3. What does the Law say about Emergency Preparedness and what are the legal implications for the Employers?

Each State in India has its own Fire Safety Laws which apply to all people including people with disabilities. The National Building Code 2005 which has provisions and guidelines for adopting fire safety norms and prevention against other calamities like flood, cyclone, earthquake etc. apply equally to the safety of people with disabilities also. In addition to these, the Persons with Disabilities Act’1995 and the recent international law – UN Convention on Rights of People with Disabilities’, to which India is a signatory, ensure non-discrimination and equal opportunities to people with disabilities. These policies place a legal responsibility on any employer to provide a safe working environment to its employees, including employees with disabilities.

1.4. Would a general plan for Emergency Preparedness suffice for people with disabilities also?

Employees with disabilities are entitled to the **same level** of safety as everyone else. A general emergency preparedness plan for emergency evacuation will apply to people with disabilities also, but would require "reasonable accommodation" as mandated in CRPD to provide the same level of safety and utility as is provided to everyone. Further, an emergency preparedness plan that includes the specific needs of people with disabilities appropriately addresses the specific needs of certain other people as well. They include temporarily disabled people (eg. a person with a leg injury), persons with heart disease, people with Asthma, pregnant women, people losing their hearing due to age, etc.

¹³⁵ “Deafmute 23 year old dead in byculla fire, inspired others to live”. The Indian Express. 30 December 2008. <<http://www.expressindia.com/latest-news/deafmute-23yearold-dead-in-byculla-fire-inspired-others-to-live/286631/>>

1.5. Would buildings that have been constructed according to the Building By-laws and Guidelines for accessibility become automatically safe for people with disabilities?

Buildings constructed according to the existing Building By-laws and Access Guidelines would facilitate the safe evacuation of all people including disabled people. Basic fire safety measures and risk reduction practices for earthquakes, floods etc. have been included in the mandatory Building By-laws.

Apart from the suitable arrangement of regular fire extinguishers in the building, some other building adaptations greatly help in safe evacuation and reduce the need for personal assistance. They may also extend the time available for disabled people to make their own evacuation or leave with assistance (see the Box ‘Specific Building Features to Enhance Fire Safety’).

Specific Building Features to Enhance Fire Safety¹³⁶

Sprinklers

The operation of a properly designed and maintained sprinkler system in the building is reliable up to 95%. Usually the sprinkler system is connected with the automatic fire alarm system and comes into operation on its own in case of fire. A manually operable sprinkler system is also available. It eliminates the life threat to building occupants regardless of their individual abilities and can provide superior protection for people with disabilities.

Sprinkler systems will, in most circumstances, provide the protection to permit evacuation that is limited to the area under immediate threat from the fire.

Lifts

Purpose designed evacuation lifts and fire-fighting lifts have features and safeguards which may allow their use in the event of fire. Research has found that the use of both elevators and stairs can improve evacuation times by as much as 50% over stairs alone.

Doors

Fire doors are designed to hold back smoke and fire to protect the people

¹³⁶ “Practical Fire Safety Guideline: The Evacuation of Disabled Persons from Buildings. Safer Scotland, Scottish Government” 12 December 2008 <
<http://www.infoscotland.com/firelaw/files/Evacuation%20of%20disabled%20persons%20from%20buildings.pdf>>

in a building and facilitate their evacuation.

Stair Enclosure

The fire-resisting construction of escape stairs will offer protection to persons using the stairs as this increase the available escape time.

Fire Compartmentalisation

Some buildings are divided into separate fire compartments. It may therefore be possible to evacuate people horizontally through the building into another fire compartment and away from the emergency situation.

Temporary Waiting Space/Area of Refuge

Area of refuge is a temporary waiting space that is separated from a fire by fire-resisting construction. It is provided with a safe route to a storey exit, thus constituting a temporarily safe space for disabled persons and others, who may need assistance for evacuation. There can be more than one area of refuge in a building as per the need.

An area of refuge may be equipped with:

- An operating phone, cell-phone and a two-way radio so that emergency services can be contacted.
- A closing door.
- Supplies that enable individuals to block smoke from entering the room from under the door.
- A window and something to write with (lipstick, marker) or a "help" sign to alert rescuers that people are in this location.
- Respirator masks.

1.6. Who all would require assistance for safe evacuation in the event of an Emergency?¹³⁷

Not all people who have impairment/disability will necessarily require assisted evacuation. Also, those not having an access problem might require assistance in an emergency situation, such as those with heart condition, Asthma or visitors with small children.

¹³⁷ Emergency Procedures for Employees with Disabilities in Office Occupancies, 1 November 2008
<<http://www.usfa.dhs.gov/downloads/pdf/publications/FA-154.pdf>>

The individuals mentioned below may need to have special provisions or contingencies included in the emergency plan for their protection:

- Individuals with varying degrees of mobility impairments, ranging from slow walkers (using crutches, walking sticks etc.) to wheelchair users.
- Individuals who are visually impaired and may require special assistance in learning the emergency evacuation routes or assistance in proceeding down exit stairs.
- Individuals with hearing impairments who may require modification to the standard audible alarms.
- Individuals with temporary impairments due to recovery from serious medical conditions. These may include a stroke or traumatic injuries, such as a broken leg or a sprained ankle, or surgeries such as a knee or hip replacement.
- Individuals with medical conditions such as heart and respiratory disorders (e.g. Asthma) or pregnancy, who may tire easily, need special assistance or more time to evacuate.
- Individuals with mental impairments who may become confused when challenged with the unusual activity during an emergency. They may lose their sense of direction, or may require emergency directions that are broken down into simplified steps or basic concepts.
- Other vulnerable populations such as visitors or customers with small children who require extra time to evacuate, or employees who work outside the normal working hours.

2. Evacuation Plan Development¹³⁸

2.1. What are the steps for developing an Evacuation Plan?

There are three main steps to having a good emergency evacuation plan.

Step 1: Develop workable Emergency Evacuation Plan

The first step is to develop a workable emergency evacuation plan specific to that place and people, including disabled persons.

¹³⁸ Emergency Procedures for Employees with Disabilities in Office Occupancies, 1 November 2008
<<http://www.usfa.dhs.gov/downloads/pdf/publications/FA-154.pdf>>

Identifying Needs

It is crucial to know beforehand regarding the special assistance needs of employees/regular users of the building. An employer may ask employees/regular users with known disabilities if they will require assistance in the event of an emergency. She/he may also periodically survey and request all its current employees to inform (on voluntary self-identification basis) in case they would require assistance during an emergency. The **Appendix 8A** provides a sample **Questionnaire for Individual Need Identification** in case of an emergency.

Detection of Fire

It is extremely important to put preferably the automatic fire detection systems like automatic fire/smoke alarms. Manual systems are also provided in public buildings by which persons can initiate a fire alarm if they discover a fire. These manual systems should be mounted at a height to be within the "reach range" of 48 inches to 54 inches for the person in a wheelchair.

Fire Detection Panel on each floor of the building is very helpful in informing the occupants about the exact location of the fire and avoidance of that route for exit.

Notification of Fire/Any other Emergency

Notification refers to the process of informing occupants that an emergency exists. In most cases, the information and action required is simply to evacuate.

Traditionally, notification of an emergency has been accomplished by audible devices (alarms), which are effective for all except those with hearing impairments. Nowadays, visible devices (high intensity flashing lights) are being used along with the audible devices to broaden the range of notification effectiveness.

In larger buildings, emergency evacuation may involve relocation to a safe area within the building. It may also involve sequencing evacuation by floor or area so as not to overload the stairways. In such cases, the amount of information that must be provided to occupants is substantially greater. In some countries, this is typically done audibly through emergency paging systems. These are effective for all except those with hearing impairments for whom textural displays (television monitors or scrolling text signs) are located throughout the building. Portable devices (tactile/vibratory pagers) have also been utilised effectively. Such technology is now available in India as well.

Evacuation Action Plan

i. General Evacuation Plan

A general evacuation plan applies to everybody including people needing assistance and it is specific to the organisation/company. In multi-occupied buildings, where responsibility may rest with a number of persons for each occupying organisation, all plans and strategies must be coordinated to avoid any conflict.

The local Fire and Rescue Service assists in conceptualising and detailing the plan.

A good evacuation plan works out:

- The duties of designated Fire Wardens/Marshals, Coordinators and other staff in case of fire, and also before and after the fire.
- The Fire Exits and the Emergency Exit Routes for different areas in the building.
- The usage of areas of refuge/temporary waiting spaces.
- The placement of evacuation equipment.
- Do's and don'ts in case of fire, earthquake etc.

ii. Individual Evacuation Plan

Apart from the general plan, the emergency evacuation plan for an individual in need of special assistance must be developed through consultation with him/her (Please refer to Evacuation Options). This plan explains the method of evacuation to be used by a disabled person in each area of a building. An individual plan is commonly called Personal Emergency Evacuation Plan – PEEP.

Standard Plans are written procedures that can be used as options for disabled people to choose from where individual plans are not possible as in the case of visitors/customers. Copies of the plans may be held at reception points within the building. **These** are advertised and/or offered to people as a part of the entry or reception procedure. A disabled person requiring assisted evacuation is offered options for their assistance and given suitable instructions. Where standard PEEPs are used, local disabled peoples' organisations may be a source of information to assist in creating the plans (particularly for disabilities such as dual sensory impairment and autism spectrum disorders where communication needs specialised support).

Examples for Standard Personal Emergency Evacuation Plan

Assistance from one person

Circumstances: Sight is limited and/or orientation is difficult

Evacuation Procedure: The person you are visiting will take you to a temporary waiting space which is within the escape stair at each level of the building. A member of our fire evacuation team will meet you there and assist you out of the building.

Equipment to assist the evacuation: None

Carried down by three persons

Circumstances: Person with mobility impairment. Can walk along the flat but cannot manage stairs at all. Need to be carried down stairs.

Evacuation Procedure: Please make your way to the temporary waiting space, which is within the escape stair at each level of the building. Ring for assistance from the point situated within the temporary waiting space,

Our staff is trained to carry persons with the use of an office chair. A team will meet you in the temporary waiting space. You will need to sit on the chair, which has armrests to support you. Three staff members will then carry you down.

Equipment to assist the evacuation: Office Chair

Reception Sign: We operate a system of assisted evacuation for disabled visitors. Please tell our receptionist your requirement.

Evacuation Options

Appendix 8C contains a reference list of evacuation options. These options can be matched to the need of the person, information about the building, such as the fire safety measures and fire safety/emergency strategy to assist with the production of a standard PEEP or an individual PEEP. The options can be used as a guide and discussion tool to establish, in partnership with a disabled person, what is appropriate for each person in their evacuation plan.

Below some of the evacuation options are described for clear understanding:

Option 1: Use an evacuation chair or a similar device.



The device shown in the picture is called EVAC+CHAIR. An evacuation chair looks like a deckchair with skis and wheels underneath. The person in the wheelchair is helped to transfer himself to the EVAC+CHAIR and is maneuvered by one or two people. When placed on the stairway, it slides down the stair. The wheels at the back facilitate movement on the flat, but these chairs are not suitable for long distances.

(Reference - EVAC+ CHAIR TM Corporation, I7

East 67 Street, New York, NY 10021, voice 212-734 6222)

Option 2: Carry down with two persons

To use this technique, carriers stand on opposite sides of the individual. Take the arm on your side and wrap it around your shoulder. Grasp your carry partner's forearm behind the person in the small of the back. Reach under the person's knees to grasp the wrist of your carry partner's other hand. Both carry partners should then lean in, close to the person, and lift on the count of three. Continue pressing into the person being carried for additional support in the carry. The advantage of this carry is that the partners can support (with practice and coordination) a person whose weight is same or even greater than their own weight.

Option 3: One (or two)-Person Carry Technique (Cradle Lift)

This is the preferred method when the person to be carried has little or no arm strength. It is safer if the person being carried weighs less than the carrier's weight, in case of only one person being available.

Option 4: Carry down with three persons & Carry down with 4 persons

Carrying down with three or four persons can be done by holding the wheelchair at one of the rigid points in each corner of the wheelchair. The team then lifts and moves up or down the stairs. The person should be moved after the main flow of people. However some types of wheelchair are not suitable for carrying down. For example large motorised chairs.

Option 5: Travel down in own chair with support

To assist in *moving a wheelchair downstairs*, stand behind the chair grasping the pushing grips. Tilt the chair backwards until a balance is achieved. Descend frontward. Stand one step above the chair, keeping your center of gravity low (by bending your knees) and let the back wheels gradually lower to the next step. Be careful to keep the chair tilted

back. Have another person assist by holding the frame of the wheel-chair and pushing in from the front. But do not lift the chair, as this places more weight on the individual behind.

Option 6: Cannot transfer readily from wheelchair

Some people may find it difficult or impossible to transfer from their wheelchair into an evacuation chair or other evacuation aid. In these cases, a risk assessment of the use of lifts within the building for evacuation purposes may find that this solution is preferable. Where the use of lifts is considered appropriate, consideration could also be given to the location of workstations or points of service used by disabled people to facilitate evacuation.

Option 7: Buddy system

A Buddy is generally a friend/colleague assigned to alert the concerned officials about the situation regarding the disabled person if need be and assist him/her for safe evacuation during an emergency. One should assign "two buddies" who are work associates. Employees with disabilities can be given the responsibility for selecting their own "buddies". Periodic emergency plan reviews should include checking the status of "buddies."

The "buddy" is to be trained by the employee with a disability as soon as they are recruited. Practice sessions are required to ensure that "buddies" can handle their assigned tasks.

Step 2: Plan Implementation

The second step for including employees with disabilities in emergency evacuation plans is plan implementation. This includes a final written evacuation plan (Example available at <http://www.access-board.gov/index.htm>), training of the staff and integration of the plan into standard operating procedures. A copy of the written evacuation plan should be distributed to all employees and key personnel.

Training

Local Fire-Station Staff and Disability Organisations can help in planning and training in emergency evacuation plan, generally without any charges.

Good communication and appropriate training for all staff, including staff with disabilities, and management regarding the fire or emergency evacuation process are vital to ensure success.

In scenarios where persons leave or are absent, it is important that their role is allocated to another suitably trained person. This is specifically where staff members are assigned specific roles.

Training may include:

- Understanding the emergency evacuation plan
- Use of fire extinguishers and other emergency equipment

- Good practice in communication, including use of communication systems
- Appreciation of fire-resisting enclosures/area of refuge
- Importance of using pre-planned evacuation routes
- Disability awareness
- Disability evacuation etiquette
- Moving, lifting and handling techniques

Practicing Evacuation

In order to ensure that the plans run smoothly, training should include practice. Evacuation practice will depend on the type of evacuation required. Generally, evacuation should be practiced regularly and at least six monthly. Where a disabled person has elected to make an exceptional effort to get out un-aided, it is not practical for them to require regular practice. However, timing a short section of the escape may help in establishing how long a full evacuation might take.

Step 3: Plan Maintenance

The final step towards stabilising the emergency evacuation plan, including employees with disabilities, is plan maintenance. To ensure that accommodations continue to be effective, the evacuation plan should be practiced and accommodations updated periodically. In addition, a system for reporting new hazards and accommodation needs should be developed; a relationship with local fire and police departments should be maintained; and new employees should be made aware of the plan. Finally, all accommodation equipment used in emergency evacuation should be inspected and maintained in proper working order.

Practice consists of one of three types of activity - walk through procedures, announced drills or surprise drills. Practice will instill confidence in one's ability to cope in an emergency. It will also do more than anything else to assure everyone that appropriate lifesaving actions will be taken during a real emergency.

Walk Through Procedures

Practice separate parts of a plan one at a time. In this way you can concentrate your efforts on the particular-parts and particular individuals requiring more extensive practice. Members of an emergency response organisation (e.g. fire wardens) would be prime candidates for this practice. This is also a way of introducing newly hired employees in the workplace to important parts of the plan.

Announced Drills

As with the walk through procedures, this is intended more to train than to evaluate. Such drills will help identify crucial coordination activities and communication links. These can be conducted quarterly or half-

yearly, depending on the frequency of change in the people using the building.

Surprise Drills

Use these drills infrequently. Depending on the situation, this might be done once or twice each year. Surprise drills should involve some realistic elements (e.g. blocked exits).

These drills must be used for identifying any gaps in the plan that would need to be addressed.

Panic has rarely been reported, either in drills or in actual emergencies, when regular practice has been followed.

The following box relates to the Plan Maintenance:

Plan Maintenance- A Case Study¹³⁹

Michael Hingson, a 9/11 survivor who is blind, used his guide dog, his associates, and his previous experience during drills to evacuate the building safely.

He says, “I feel like I was as prepared as possible. I knew the evacuation procedures, I attended all the building fire drills, I knew the exit routes. So when the attacks hit, I had a sense of preparedness, self-sufficiency, and the confidence to take a leading position in evacuating myself and others to safety” (Kailes 2002a).

After the 1993 World Trade Center bombing, at the suggestion of the local emergency management office, The Associated Blind (a local service provider for low and no-vision clients) worked with the New York City Fire Department to develop a building evacuation plan and drill for the staff, most of whom have limited or no vision. The Associated Blind wanted a plan for its staff members covering the range of problems that could occur during a disaster. On September 11, their efforts paid off.

The entire staff calmly and safely evacuated their building’s 9th floor, a success they attribute directly to the customised advance planning and drills (Center for Independence of the Disabled 2004)

¹³⁹ “Saving Lives: Including People with Disabilities in Emergency Planning” 15 December 2008 <
www.ncd.gov/newsroom/publications/2005/saving_lives.htm>.

2.2. What are the specific safety guidelines for preparing the emergency plan for individual disabilities, including people with mental disabilities?

Specific Safety Guidelines for Emergency Evacuation of Employees with different disabilities:

A fully accessible building greatly helps in facilitating self-evacuation of people with disabilities.

General Points

- When assisting a disabled person in an emergency situation, treat the individual as you would any adult.
- Explain what needs to be done.
- Give the person an opportunity to define her/his needs and wishes to you. Allow her/him to make decisions as fully as possible.
- Remember at all times, when assisting a disabled person, in an emergency situation, you are expected to provide safety for that person.
- Do not be impatient even in an emergency situation, where time is critical.

Assisting Persons with Mobility Impairment

- There is a wide range of people who fit into this category – for e.g. people using crutches, cane, walker or wheelchair. Issues relating to this group of people may also be relevant to people who have Asthma or heart conditions. The preferred options for evacuation by people with mobility impairment are horizontal evacuation to outside the building; horizontal evacuations into another fire compartment; or vertically by evacuation lift, eventually arriving at a place of safety outside the building.
- Someone using a crutch or a cane might be able to negotiate stairs independently. One hand is used to grasp the handrail the other hand is used for the crutch or cane. Here, it is best not to interfere with this person's movement. You might be of assistance by offering to carry the extra crutch. Also, if the stairs are crowded, you can act as a buffer and "run interference."
- If a wheelchair user is on the ground floor, she/he may be able to exit safely without any assistance.
- The needs and preferences of wheelchair users vary. Consult with the person to have the following worked out during the planning and training process:
 - Ways of being moved (see evacuation options)

- The number of people necessary for assistance
 - Ways of manoeuvring/handling the wheelchair (see evacuation options)
 - As far as possible, never take a wheelchair up or down the steps with less than two persons.
- There will be instances when non-ambulatory persons have to forsake their wheelchairs during an emergency evacuation. During evacuations, persons using crutches, walkers, etc. (who may not be able to walk long distance or are very slow in walking), may require to be carried. The co-workers who assist them should work out the best method of lifting and carrying the disabled person to prevent any risk of physical damage (see evacuation options).
 - When an evacuation chair is to be used, the device may be allocated to a particular person and either kept alongside their work location, or in the most suitable temporary waiting space close to them. In buildings where there is open public access, it may be advisable to provide evacuation chairs at suitable points within the building.
 - In the absence of an evacuation chair, an office chair preferably with side-arms can also be used.

Assisting Persons with Vision Impairment

- Speak up when approaching a visually impaired person. Explain who you are, why you are there, and what needs to be done.
- Offer your help but let the person explain what help is needed.
- Let the individual grasp your arm or shoulder lightly for guidance. She/he may choose to walk slightly behind you to gauge your body reactions to obstacles; be sure to mention stairs, doorways, narrow passages, ramps, etc.
- When guiding to a seat, place the person's hand on the back of the chair.
- If leading several individuals with visual impairments at the same time, ask them to hold each other's hands.
- Ensure that after exiting the building, the individuals with impaired vision are not "abandoned". Ensure that they are led to a place of safety. A colleague(s) should remain with them until the emergency is over.
- Visually impaired people may not be able to read the fire action notices provided in most buildings, as these are often in small typefaces. Instructions could be made available in Braille, large print or on audiotape.
- Features of good building design with reasonable adjustments for visually impaired people are extremely helpful in their unassisted evacuation: for e.g. good colour contrasting; handrails on escape

stairs; markings on escape stairs; colour contrasted or different texture floor coverings on escape routes; or way finding information. Orientation aids, tactile information and audible signs may further reduce the need for assistance.

- Using the escape routes as part of the general circulation space within the building ensures that visually impaired people will become familiar with these routes. This may assist in the event of evacuation.

Assisting Persons with Hearing Impairment

- Where the fire alarm has audible sounders or a voice alarm system present, they may not be able to discern that the audible alarms are going off. Flashing beacons and vibrating pagers are examples of reasonable adjustment. Either can be used as part of the fire alarm system to alert hearing impaired people to an evacuation zone.
- Use of a 'buddy system', where a co-worker alerts the employee with a hearing loss to an emergency situation.
- Get the attention of a person with a hearing disability by gentle touch or flicking the light in a crowded room. Face a deaf person directly, and speak clearly without covering your face with your hands, as the person may be lip reading and trying to see your facial expressions.
- Clearly state the problem. Gestures and pointing are helpful, but be prepared to write a brief statement if the person does not seem to understand.
- Use facial expressions and hand gestures as visual cues to offer advice about the safest routes, by pointing toward exits or evacuation maps. Face the light, do not cover or turn your face away, and never chew gum. Check to see if you have been understood and repeat if necessary. Do not allow others to interrupt or joke with you while conveying the emergency information. Distraction may lead to confusion.
- Have a pad and a pencil available so that you and the deaf person can understand the same message; this is especially necessary if you cannot understand the person's speech/sign language. Write slowly as the deaf person reads as you write.
- Provide the individual with a flashlight for signalling their location in the event that they are separated from the rescuing team or buddy, and to facilitate lip-reading in the dark.
- Fire Wardens/Coordinators should not rely on a vocal call, and should be trained to physically check all areas for which they have responsibility. This is to ensure that there is no one left on the floor.

Assisting Persons with Mental Impairments/Learning Disabilities

- People with mental impairments/learning disabilities often have problems comprehending what is happening in an evacuation. Also, they may not have the same perception of risk as other people. They may get confused and disorientated.
- Some people with conditions such as dyslexia, dyspraxia or autism may not be aware of their impairment. Many people with a learning disability also have other impairments: some may have mobility difficulty and some may have impaired vision and hearing loss. Some people with cognitive disabilities may move more slowly than the main flow.
- It may not be possible to tell that a person has an impairment that affects their ability to orientate themselves around the building. Staff should be aware of this and be tactful when assisting a person who may seem lost or unsure of what to do during an evacuation.
- The key elements are staff awareness, having someone to help and familiarity with evacuation routes.
- Practice is essential for some persons (where assistance is required) especially in situations where one person is responsible for a number of others, say, in a classroom situation. People with a learning difficulty may need to practice their routes for escape frequently, perhaps on a monthly basis.

Assisting Persons with Other Impairments

- Pregnancy is not usually considered a disability, but it can result in reduced stamina or impaired mobility, especially in negotiating stairs. In these cases, offer to walk with the woman and be of support both emotionally and physically. Remain with her until you have reached safety.
- With respiratory disorders, such as Asthma or emphysema, the onset of symptoms can be triggered by stress, exertion, or exposure to small amounts of dust or smoke. Remind the individual to bring inhalation medication before leaving the workplace.
- Persons with cardiac conditions should be reminded to take their medications. Offer them assistance in walking; they may have reduced stamina and require frequent rest periods.

Conclusion

Not preparing for emergency evacuation for persons with disabilities goes against their basic right to life. Whatever the plan, what is most critical is that it be coordinated and practiced at regular intervals with the local fire and rescue service.

Promoting Indirect Employment of People with Disabilities

Overview

Every company generates indirect employment to people through their supply chain. For example, ITC provides direct employment to over 20,000 employees and indirect employment to across the value chain to nearly 5 million people. (“ITC – Sustainability Report”)¹⁴⁰.

Companies have great influence on their vendors. It is in the best interest of companies to have partners/suppliers who represent diverse groups of people. This chapter aims to provide information about the various ways of promoting employment of people with disabilities other than direct employment.

1. Supplier Diversity

1.1. What are the ways of promoting indirect employment of disabled people?

Companies can create a Supplier Diversity Policy or Programme to:

- Promote businesses owned by disabled people and disability cooperatives and
- Influence their existing or potential vendors to adopt an equal opportunity policy.

Promotion of businesses owned by disabled people and disability cooperatives

- A Supplier or Vendor Diversity Policy to support and promote businesses owned by people from minority and disadvantaged sections of society.
- Having a specific target to give certain percentage of business to suppliers from diverse backgrounds.
- Modifying the Vendor Registration Forms to gather information on whether the business is owned by people from diverse backgrounds.

¹⁴⁰ “Employment”, ITC Limited: Sustainability Report 2006. 20 June 2008.

<http://www.itcportal.com/sustainability_report_2006/html/itc-employment.htm>.

- Building a Database of suppliers from diverse backgrounds could be developed and maintained.
- Training and Mentoring Suppliers from diverse background.

Influencing their existing/potential vendors

- Encourage all the vendors to adopt an Equal Opportunity Policy and to employ people with disabilities.
- Some Companies also have a Code of Conduct for ensuring that their suppliers or vendors follow ethical practices; respect and value their employees and environment. Non-discrimination could be added to the Code.
- Introduce a clause in the Request for Proposal (RFP) for vendors to share information about their equal opportunity initiatives.
- Training sessions could be organised to educate their suppliers or vendors on disability.

<p style="text-align: center;">Microsoft Supply Diversity Initiative</p>
<p>“If you would like to become a Microsoft vendor, we encourage you to review the information on this Website and to register your interest with us. If you are a woman-owned, minority-owned, or disabled/veteran-owned business, we encourage you to take a closer look at Microsoft. Together with our suppliers, we are continually innovating to lower the cost of technology—making it accessible to all and showing leadership in supporting the communities in which we work and live. Microsoft serves diverse markets globally," says Fernando Hernandez, director of supplier diversity at Microsoft, "and we are convinced that our supplier diversity initiatives are a key competitive advantage, helping us win new business, retain customers, and reinforce the Microsoft brand." Because of our belief in the value of diversity, we actively encourage Minority, Women, and Disabled/Veteran Business Enterprises (MWDVBE) to become Microsoft suppliers and participants in the Microsoft® Vendor Program (MSVP). In addition, we ask that all of our suppliers promote diversity with the same vigour.</p> <p>(“Microsoft: Supplier Diversity”)¹⁴¹</p>

¹⁴¹ “Supplier Diversity”, Microsoft. 20 June 2008.

<<http://www.microsoft.com/about/companyinformation/procurement/diversity/default.msp>>.

2. Specific Projects to Promote Entrepreneurs with Disability/Disability Cooperatives and NGOs

2.1. How can companies support disability organisations, cooperatives and entrepreneurs with disability?

Companies could promote NGOs and disabled entrepreneurs by:

- Outsourcing Services to Disability NGOs/cooperatives/entrepreneurs
- Supporting Entrepreneurs with Disability (loans/material/products)
- Providing Marketing Outlets for NGOs and persons with disability
- Purchasing products from Disability NGOs

ARUNIM (Association for Rehabilitation Under National Trust Initiative of Marketing) is a Marketing Federation of disability organisations and entrepreneurs with disability offering products and services to cater to the domestic and overseas markets. Website: www.arunim.in, Contact: arunim2008@gmail.com

Examples of some successful Outsourcing to NGOs

- IBM, India, Canara Bank and many other public and private organisations have outsourced their horticulture requirements to Association of People with Disability (APD), an NGO in Bangalore. Mobile team/crew of persons with disabilities goes around to each of their client organisations for landscaping and maintaining gardens. (APD)
- Titan took initiative in imparting vocational training in the Watch Assembly Process. The technical team from Titan provided the required training in their Dehradun Unit. Presently, Titan is sub-contracting strapping of watches to Bajaj Institute of Learning, an NGO which has established their strapping unit near the factory in Mohabewala Industrial Area. (Interview with Manoj Chakravarthi)¹⁴².
- Mass-mailing jobs are outsourced by organisations like CAPART, Caritas etc. to NGOs Action for Ability Development and Inclusion.
- MindTree invited students from Spastics Society of Karnataka to design their logo. They organised a workshop and shared what is a company, why a company has a logo, what MindTree intended to become and the children got down to designing. Finally, the logo developed by Chetan, a person with Cerebral Palsy was chosen. (“MindTree Annual Report 2006-07”)¹⁴³

¹⁴² Chakravarthy, Manoj. E-mail interview. 24 June 2008.

¹⁴³ “MindTree Annual Report 2006-07”. 28 August 2008.

<http://www.mindtree.com/downloads/annual_report_2007.pdf>.

- Action for Ability Development & Inclusion (AADI) sensitised schools and colleges into outsourcing their services such as canteen, stationary shop, photocopying units, phone booths, cybercafés and so on to persons with disabilities. They linked up with Modi Xerox which gave photocopier machines at a large discounted price to entrepreneurs with disability for their ventures. Successful ventures were set up by disabled people at Lady Shri Ram College, Gargi College, Deen Dayal Upadhyaya College, Delhi Public School and other institutions in Delhi. (“Thilakam Rajendran”)¹⁴⁴
- ESSAR Group has outsourced the job of scanning their collection of photographs and saving them digitally in CDs to MBA Foundation. (“MBA Foundation”)¹⁴⁵

Example of Corporate Sectors Promoting Entrepreneurs with Disability

Initiated in the last quarter of 2007 by ITC - Welcomgroup and AccessAbility, the project ‘Jump Start’ has helped 4-5 persons with disability to set up kiosks/shops so far. There are many more in the pipeline. The entrepreneurs are persons with disability who run the business and to whom the business belongs. The profit made averages between Rs. 150/- and Rs. 1000/- on a given day, depending on the sales made. The programme is meant for people who have received very little education and so have little or no scope for getting regular employment. She/he should be interested in self-employment, have business acumen and some marketing ability necessary to run a business. She/he would also need to make a small, initial financial investment. ITC - Welcomgroup provides the basic furniture that is required to run the shop. Companies like HCL, Tata Teleservice and IBM Daksh have been enthusiastic partners and provided the required space and support in their respective premises to run the initiative. (Interview with Niranjana Khatri, ITC and Shivani Gupta, AccessAbility)¹⁴⁶

Examples of companies providing marketing outlets to NGOs

- American Express, GE Capital, Hidesign, TataInfotec, HSBC, HEWITT and KPMG have provided spaces within their premises for people with disabilities to market their products. (Thilakam Rajendran)
- Some companies like Infosys and Mphasis have provided space in their premises for NGOs to keep their stalls during festive time

¹⁴⁴ Thilakam Rajendran, Former Director (Adult Training Programme), Action for Ability Development & Inclusion AADI)

¹⁴⁵ Meenakshi B. “Re: MBA Foundation”. Email to Thilakam Rajendran 16 August 2008

¹⁴⁶ Khatri, Niranjana (ITC) and Shivani Gupta (AccessAbility). Personal interview.

Example of companies purchasing products from NGOs/Entrepreneurs with disability

- Office stationary requirements like envelopes, files, letter pads etc. are outsourced by National Thermal Power Corporation Limited (NTPC), Steel Authority of India Limited (SAIL) and other organisations to NGO's working with people with disabilities. NTPC has outsourced 50% of its total requirements for envelopes and file covers to Muskan, Action for Ability Development & Inclusion (AADI) and NGOs based in New Delhi.(World Bank Report 2007)¹⁴⁷
- Mind Tree purchases cookies from Spastics Society of Karnataka to serve their guests. ("Mind Tree Annual Report 2006-07")¹⁴⁸
- Standard Chartered Bank buys conference folders, letter sets, gift sets, diaries and candles from NGOs.
- Baldev Gulati, a visually impaired person, runs a spice factory (N P Masale) in Ghaziabad. 80% of their staff has people with disabilities. They produce 42 different varieties of spices. They supply to Delhi University, India Habitat Centre, Hotel Broadway, Hotel Vasant Continental, etc.("Spice route to empowerment")¹⁴⁹
- Indian Institute of Cerebral Palsy (IICP) has regularly supplied printed products to CII, Kolkata. They have supplied paper bags in bulk to Quakers and Ruiya Group. ("IICP")¹⁵⁰

Conclusion

Supplier Diversity and supporting disability organisations and entrepreneurs by the corporate sector is comparatively new in India. A proactive initiative in this area by corporates can go a long way in promoting employment for people with disabilities, including those who would prefer a home based or a sheltered environment.

¹⁴⁷ World Bank. "People with Disabilities in India: From Commitments to Outcome", World Bank Report- Disability. 20 June 2008.

<<http://www.worldbank.org.in/WBSITE/EXTERNAL/COUNTRIES/SOUTHASIAEXT/INDIAEXTN/0,,contentMDK:21557057~menuPK:3968122~pagePK:64027988~piPK:64027986~theSitePK:295584,00.html>>

¹⁴⁸ "MindTree Annual Report 2006-07". 28 August 2008.

<http://www.mindtree.com/downloads/annual_report_2007.pdf>.

¹⁴⁹ Akbar, Irena. "Spice Route to Empowerment". The Sunday Newline Indian Express. 22 June 2008. 24 August 2008. <<http://www.expressindia.com/latest-news/Spice-route-to-empowerment/325993/>>.

¹⁵⁰ Sen, Reena. "Re: IICP". Email to Thilakam Rajendran. 19 August 2008.

Appendix 1

Relevant Articles from the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)

Article No.	Title	Obligation/Purpose/Target
3	General Principles	<p>There are eight guiding principles that underlie the Convention and each one of its specific articles:</p> <ul style="list-style-type: none"> – Respect for inherent dignity, individual autonomy including the freedom to make one's own choices, and independence of persons – Non-discrimination – Full and effective participation and inclusion in society – Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity – Equality of opportunity – Accessibility – Equality between men and women <p>Respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities</p>
4	General Obligation	<ul style="list-style-type: none"> – To take all appropriate measures to eliminate discrimination on the basis of disability by any person, organization or private enterprise – To provide accessible information to persons with disabilities about mobility aids, devices and assistive technologies, including new technologies, as well as other forms of assistance, support services and facilities
5	Equality and Non Discrimination	<ul style="list-style-type: none"> – In order to promote equality and eliminate discrimination, States Parties shall take all appropriate steps to ensure that reasonable accommodation is provided – Specific measures which are necessary to accelerate or achieve de facto equality of persons with disabilities shall not be considered discrimination under the terms of the present Convention.

6	Women with Disabilities	<ul style="list-style-type: none"> – States Parties recognize that women and girls with disabilities are subject to multiple discrimination, and in this regard shall take measures to ensure the full and equal enjoyment by them of all human rights and fundamental freedoms. – States Parties shall take all appropriate measures to ensure the full development, advancement and empowerment of women, for the purpose of guaranteeing them the exercise and enjoyment of the human rights and fundamental freedoms set out in the present Convention.
8	Awareness Raising	<ul style="list-style-type: none"> – To raise awareness throughout society, including at the family level, regarding persons with disabilities, and to foster respect for the rights and dignity of persons with disabilities – To combat stereotypes, prejudices and harmful practices relating to persons with disabilities, including those based on sex and age, in all areas of life – To promote awareness of the capabilities and contributions of persons with disabilities <p>Measures to this end include:</p> <p>Initiating and maintaining effective public awareness campaigns designed</p> <ul style="list-style-type: none"> – To nurture receptiveness to the rights of persons with disabilities – To promote positive perceptions and greater social awareness towards persons with disabilities – To promote recognition of the skills, merits and abilities of persons with disabilities, and of their contributions to the workplace and the labour market <p>Encourage all organs of the media to portray persons with disabilities in a manner consistent with the purpose of the present Convention</p> <p>Promote awareness-training programmes regarding persons with disabilities and the rights of persons with disabilities.</p>
9	Accessibility	To enable persons with disabilities to live independently and participate fully in all aspects of life, States Parties shall take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to

		<p>the physical environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public, both in urban and in rural areas. These measures, which shall include the identification and elimination of obstacles and barriers to accessibility, shall apply to, inter alia:</p> <ul style="list-style-type: none"> – Buildings, roads, transportation and other indoor and outdoor facilities, including schools, housing, medical facilities and workplaces; – Information, communications and other services, including electronic services and emergency services. <p>States Parties shall also take appropriate measures:</p> <ul style="list-style-type: none"> – To develop, promulgate and monitor the implementation of minimum standards and guidelines for the accessibility of facilities and services open or provided to the public – To ensure that private entities that offer facilities and services which are open or provided to the public take into account all aspects of accessibility for persons with disabilities – To provide training for stakeholders on accessibility issues facing persons with disabilities – To provide in buildings and other facilities open to the public signage in Braille and in easy to read and understand forms – To provide forms of live assistance and intermediaries, including guides, readers and professional sign language interpreters, to facilitate accessibility to buildings and other facilities open to the public – To promote other appropriate forms of assistance and support to persons with disabilities to ensure their access to information – To promote access for persons with disabilities to new information and communications technologies and systems, including the Internet – To promote the design, development, production and distribution of accessible information and communications technologies and systems at an early stage, so that these technologies and systems become accessible at minimum cost.
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10	Right to Life	States Parties reaffirm that every human being has the inherent right to life and shall take all necessary measures to ensure its effective enjoyment by persons with disabilities on an equal basis with others.
11	Situations of risk and humanitarian emergencies	States Parties shall take, in accordance with their obligations under international law, including international humanitarian law and international human rights law, all necessary measures to ensure the protection and safety of persons with disabilities in situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters.
12	Equal recognition before the law	<ul style="list-style-type: none"> – States Parties reaffirm that persons with disabilities have the right to recognition everywhere as persons before the law. – States Parties shall recognize that persons with disabilities enjoy legal capacity on an equal basis with others in all aspects of life. – States Parties shall take appropriate measures to provide access by persons with disabilities to the support they may require in exercising their legal capacity. – States Parties shall ensure that all measures that relate to the exercise of legal capacity provide for appropriate and effective safeguards to prevent abuse in accordance with international human rights law. Such safeguards shall ensure that measures relating to the exercise of legal capacity respect the rights, will and preferences of the person, are free of conflict of interest and undue influence, are proportional and tailored to the person's circumstances, apply for the shortest time possible and are subject to regular review by a competent, independent and impartial authority or judicial body. The safeguards shall be proportional to the degree to which such measures affect the person's rights and interests. – Subject to the provisions of this article, States Parties shall take all appropriate and effective measures to ensure the equal right of persons with disabilities to own or inherit property, to control their own financial affairs and to have equal access to bank loans, mortgages and other forms of financial credit, and shall ensure that persons with disabilities are not arbitrarily

		deprived of their property.
13	Access to Justice	<ul style="list-style-type: none"> – States Parties shall ensure effective access to justice for persons with disabilities on an equal basis with others, including through the provision of procedural and age-appropriate accommodations, in order to facilitate their effective role as direct and indirect participants, including as witnesses, in all legal proceedings, including at investigative and other preliminary stages. – In order to help to ensure effective access to justice for persons with disabilities, States Parties shall promote appropriate training for those working in the field of administration of justice, including police and prison staff.
16	Freedom from exploitation, violence and abuse	<ul style="list-style-type: none"> – States Parties shall take all appropriate legislative, administrative, social, educational and other measures to protect persons with disabilities, both within and outside the home, from all forms of exploitation, violence and abuse, including their gender-based aspects. – States Parties shall also take all appropriate measures to prevent all forms of exploitation, violence and abuse by ensuring, inter alia, appropriate forms of gender- and age-sensitive assistance and support for persons with disabilities and their families and caregivers, including through the provision of information and education on how to avoid, recognize and report instances of exploitation, violence and abuse. States Parties shall ensure that protection services are age-, gender- and disability-sensitive. – In order to prevent the occurrence of all forms of exploitation, violence and abuse, States Parties shall ensure that all facilities and programmes designed to serve persons with disabilities are effectively monitored by independent authorities. – States Parties shall take all appropriate measures to promote the physical, cognitive and psychological recovery, rehabilitation and social reintegration of persons with disabilities who become victims of any form of exploitation, violence or abuse, including through the provision of protection services. Such recovery and reintegration shall take place in an environment that fosters the health, welfare, self-

		<p>respect, dignity and autonomy of the person and takes into account gender- and age-specific needs.</p> <ul style="list-style-type: none"> – States Parties shall put in place effective legislation and policies, including women- and child-focused legislation and policies, to ensure that instances of exploitation, violence and abuse against persons with disabilities are identified, investigated and, where appropriate, prosecuted.
21	Freedom of expression and opinion, and access to information	<p>States Parties shall take all appropriate measures to ensure that persons with disabilities can exercise the right to freedom of expression and opinion, including the freedom to seek, receive and impart information and ideas on an equal basis with others and through all forms of communication of their choice, as defined in article 2 of the present Convention, including by:</p> <ul style="list-style-type: none"> – Providing information intended for the general public to persons with disabilities in accessible formats and technologies appropriate to different kinds of disabilities in a timely manner and without additional cost – Accepting and facilitating the use of sign languages, Braille, augmentative and alternative communication, and all other accessible means, modes and formats of communication of their choice by persons with disabilities in official interactions – Urging private entities that provide services to the general public, including through the Internet, to provide information and services in accessible and usable formats for persons with disabilities – Encouraging the mass media, including providers of information through the Internet, to make their services accessible to persons with disabilities – Recognizing and promoting the use of sign languages.
24	Education	<p>States Parties recognize the right of persons with disabilities to education. With a view to realizing this right without discrimination and on the basis of equal opportunity, States Parties shall ensure an inclusive education system at all levels and lifelong learning directed to:</p> <ul style="list-style-type: none"> – The full development of human potential and sense of dignity and self-worth, and the

		<p>strengthening of respect for human rights, fundamental freedoms and human diversity</p> <ul style="list-style-type: none"> – The development by persons with disabilities of their personality, talents and creativity, as well as their mental and physical abilities, to their fullest potential – Enabling persons with disabilities to participate effectively in a free society. <p>In realizing the right to education, States Parties shall ensure that:</p> <ul style="list-style-type: none"> – Persons with disabilities are not excluded from the general education system on the basis of disability, and that children with disabilities are not excluded from free and compulsory primary education, or from secondary education, on the basis of disability – Persons with disabilities can access an inclusive, quality and free primary education and secondary education on an equal basis with others in the communities in which they live – Reasonable accommodation of the individual's requirements is provided – Persons with disabilities receive the support required, within the general education system, to facilitate their effective education – Effective individualized support measures are provided in environments that maximize academic and social development, consistent with the goal of full inclusion. <p>States Parties shall enable persons with disabilities to learn life and social development skills to facilitate their full and equal participation in education and as members of the community. To this end, States Parties shall take appropriate measures, including:</p> <ul style="list-style-type: none"> – Facilitating the learning of Braille, alternative script, augmentative and alternative modes, means and formats of communication and orientation and mobility skills, and facilitating peer support and mentoring – Facilitating the learning of sign language and the promotion of the linguistic identity of the deaf community – Ensuring that the education of persons, and in particular children, who are blind, deaf or deaf
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		<p>blind, is delivered in the most appropriate languages and modes and means of communication for the individual, and in environments which maximize academic and social development.</p> <ul style="list-style-type: none"> – In order to help ensure the realization of this right, States Parties shall take appropriate measures to employ teachers, including teachers with disabilities, who are qualified in sign language and/or Braille, and to train professionals and staff who work at all levels of education. Such training shall incorporate disability awareness and the use of appropriate augmentative and alternative modes, means and formats of communication, educational techniques and materials to support persons with disabilities. – States Parties shall ensure that persons with disabilities are able to access general tertiary education, vocational training, adult education and lifelong learning without discrimination and on an equal basis with others. To this end, States Parties shall ensure that reasonable accommodation is provided to persons with disabilities.
27	Work and Employment	<p>States Parties recognize the right of persons with disabilities to work, on an equal basis with others; this includes the right to the opportunity to gain a living by work freely chosen or accepted in a labour market and work environment that is open, inclusive and accessible to persons with disabilities. States Parties shall safeguard and promote the realization of the right to work, including for those who acquire a disability during the course of employment, by taking appropriate steps, including through legislation, to, inter alia:</p> <ul style="list-style-type: none"> – Prohibit discrimination on the basis of disability with regard to all matters concerning all forms of employment, including conditions of recruitment, hiring and employment, continuance of employment, career advancement and safe and healthy working conditions – Protect the rights of persons with disabilities, on an equal basis with others, to just and favourable conditions of work, including equal opportunities and equal remuneration for work of equal value, safe and healthy working conditions, including protection from harassment, and the redress of grievances – Ensure that persons with disabilities are able to

		<p>exercise their labour and trade union rights on an equal basis with others</p> <ul style="list-style-type: none"> – Enable persons with disabilities to have effective access to general technical and vocational guidance programmes, placement services and vocational and continuing training – Promote employment opportunities and career advancement for persons with disabilities in the labour market, as well as assistance in finding, obtaining, maintaining and returning to employment – Promote opportunities for self-employment, entrepreneurship, the development of cooperatives and starting one's own business – Employ persons with disabilities in the public sector – Promote the employment of persons with disabilities in the private sector through appropriate policies and measures, which may include affirmative action programmes, incentives and other measures – Ensure that reasonable accommodation is provided to persons with disabilities in the workplace – Promote the acquisition by persons with disabilities of work experience in the open labour market – Promote vocational and professional rehabilitation, job retention and return-to-work programmes for persons with disabilities. <p>States Parties shall ensure that persons with disabilities are not held in slavery or in servitude, and are protected, on an equal basis with others, from forced or compulsory labour.</p>
28	Adequate standard of living and social protection	<ul style="list-style-type: none"> – States Parties recognize the right of persons with disabilities to an adequate standard of living for themselves and their families, including adequate food, clothing and housing, and to the continuous improvement of living conditions, and shall take appropriate steps to safeguard and promote the realization of this right without discrimination on the basis of disability. – States Parties recognize the right of persons with disabilities to social protection and to the enjoyment

		<p>of that right without discrimination on the basis of disability, and shall take appropriate steps to safeguard and promote the realization of this right, including measures:</p> <ul style="list-style-type: none"> – To ensure equal access by persons with disabilities to clean water services, and to ensure access to appropriate and affordable services, devices and other assistance for disability-related needs – To ensure access by persons with disabilities, in particular women and girls with disabilities and older persons with disabilities, to social protection programmes and poverty reduction programmes – To ensure access by persons with disabilities and their families living in situations of poverty to assistance from the State with disability-related expenses, including adequate training, counselling, financial assistance and respite care – To ensure access by persons with disabilities to public housing programmes – To ensure equal access by persons with disabilities to retirement benefits and programmes.
30	Participation in cultural life, recreation, leisure and sport	<p>States Parties recognize the right of persons with disabilities to take part on an equal basis with others in cultural life, and shall take all appropriate measures to ensure that persons with disabilities:</p> <ul style="list-style-type: none"> – Enjoy access to cultural materials in accessible formats – Enjoy access to television programmes, films, theatre and other cultural activities, in accessible formats – Enjoy access to places for cultural performances or services, such as theatres, museums, cinemas, libraries and tourism services, and, as far as possible, enjoy access to monuments and sites of national cultural importance. – States Parties shall take appropriate measures to enable persons with disabilities to have the opportunity to develop and utilize their creative, artistic and intellectual potential, not only for their own benefit, but also for the enrichment of society. – States Parties shall take all appropriate steps, in accordance with international law, to ensure that laws protecting intellectual property rights do not

		<p>constitute an unreasonable or discriminatory barrier to access by persons with disabilities to cultural materials.</p> <ul style="list-style-type: none"> – Persons with disabilities shall be entitled, on an equal basis with others, to recognition and support of their specific cultural and linguistic identity, including sign languages and deaf culture. – With a view to enabling persons with disabilities to participate on an equal basis with others in recreational, leisure and sporting activities, States Parties shall take appropriate measures: <ul style="list-style-type: none"> ○ To encourage and promote the participation, to the fullest extent possible, of persons with disabilities in mainstream sporting activities at all levels. ○ To ensure that persons with disabilities have an opportunity to organize, develop and participate in disability-specific sporting and recreational activities and, to this end, encourage the provision, on an equal basis with others, of appropriate instruction, training and resources. ○ To ensure that persons with disabilities have access to sporting, recreational and tourism venues. ○ To ensure that children with disabilities have equal access with other children to participation in play, recreation and leisure and sporting activities, including those activities in the school system.
31	Statistics and data collection	<p>States Parties undertake to collect appropriate information, including statistical and research data, to enable them to formulate and implement policies to give effect to the present Convention. The process of collecting and maintaining this information shall:</p> <ul style="list-style-type: none"> – Comply with legally established safeguards, including legislation on data protection, to ensure confidentiality and respect for the privacy of persons with disabilities – Comply with internationally accepted norms to protect human rights and fundamental freedoms and ethical principles in the collection and use of statistics. – The information collected in accordance with this article shall be disaggregated, as appropriate, and

		<p>used to help assess the implementation of States Parties' obligations under the present Convention and to identify and address the barriers faced by persons with disabilities in exercising their rights.</p> <ul style="list-style-type: none"> – States Parties shall assume responsibility for the dissemination of these statistics and ensure their accessibility to persons with disabilities and others.
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Source: UN Enable: Convention

<http://www.un.org/disabilities/default.asp?navid=12&pid=150>

Sample Equal Opportunity Policy (EOP)

Statement of Policy

This company/organisation/firm/practice/etc, aims to be an equal opportunity employer, and has a policy for this purpose. This policy covers all aspects of employment, from vacancy advertising, selection recruitment and training to conditions of service and reasons for termination of employment.

To ensure that this policy is operating effectively (and for no other purpose) the company/etc maintains records of employees and applicants' racial origins, gender and disability.

Ongoing monitoring and regular analysis of such records provide the basis for appropriate action to eliminate unlawful direct and indirect discrimination and promote equality of opportunity.

The company's/etc long term aim is that the composition of our workforce should reflect that of the community. Timetabled targets will be set for groups in the community that are identified as being underrepresented in the workforce. Where necessary, special steps, as permitted by the relevant Acts of Parliament, will be taken to help disadvantaged and/or underrepresented groups to compete for jobs on a genuine basis of equality.

The company's EOP, and the measures to implement it, have been devised on the basis of advice from the relevant bodies as well as in consultation with appropriate union and/or employee representatives.

The director of personnel/managing director/senior partner/etc, is responsible for the effective operation of the company's/etc EOP.

Vacancy advertising

Wherever possible, all vacancies will be advertised simultaneously internally and externally.

Steps will be taken to ensure that knowledge of vacancies reaches underrepresented groups internally and externally.

Wherever possible, vacancies will be notified to job centres, careers offices, schools, colleges, polytechnics, etc, with significant minority group rolls, as well as to minority press/media and organisations.

All vacancy advertisements will include an appropriate short statement on equal opportunity.

Selection and recruitment

Selection criteria (job description and employee specification) will be kept under constant review to ensure that they are justifiable on non-discriminatory grounds as being essential for the effective performance of the job.

Wherever possible, more than one person must be involved in the selection interview and recruitment process, and all should have received training in equal opportunities.

Reasons for selection and rejection of applicants for vacancies must be recorded.

Reasonable Accommodations, Accessible Facilities & Services

Reasonable accommodations/adjustments will be provided to qualified individuals with disabilities when such accommodations are directly related to performing the essential functions of a job, competing for a job, or to enjoy equal benefits and privileges of employment.

All reasonable measures will be taken to eliminate physical or technical workplace barriers to the employment of persons with disabilities.

All reasonable measures will be made to ensure that persons with disabilities are able to participate fully in meetings, conferences, workshops, seminars and other events.

Steps will be taken to ensure that information technology tools available to staff members, including intranets, software, applications, tools and databases, are available in accessible formats.

Positive action - training, promotion and conditions of service

Underrepresented groups will be encouraged to apply for training and employment opportunities with the company/etc. Wherever possible, special training will be provided for such groups to prepare them to compete on genuinely equal terms for jobs and promotion. However, actual recruitment to all jobs will be strictly on merit.

Wherever necessary, use will be made of lawful exemptions to recruit suitably qualified people to cater for the special needs of particular groups.

Wherever possible, efforts will be made to identify and remove unnecessary/unjustifiable barriers and provide appropriate facilities and conditions of service to meet the special needs of disadvantaged and/or underrepresented groups.

Personnel records

In order to ensure the effective operation of the equal opportunity policy (and for no other purpose) a record will be kept of all employees' and job applicants' gender, racial origins and disability.

Where necessary, employees will be able to check/correct their own record of these details. Otherwise, access to this information will be strictly restricted.

Such records will be analysed regularly and appropriate follow-up action taken.

General

The objectives of this EOP are to:

Ensure that the company/etc has access to the widest labour market and secures the best employees for its needs.

Ensure that no applicant or employee receives less favourable treatment, and that, wherever possible, they are given the help they need to attain their full potential to the benefit of the company/etc and themselves.

Achieve an ability-based workforce which is in line with the working population mix in the relevant labour market areas.

The cooperation of all employees is essential for the success of this policy. However, ultimate responsibility for achieving the policy's objectives, and for ensuring compliance with the UN Convention on the Rights of Persons with Disability as well as the various Codes of Practice, lies with the company/etc. Behaviour or actions against the spirit and/or the letter of the laws on which this policy is based will be considered serious disciplinary matters, and may, in some cases, lead to dismissal.

Note	Note that it is not a 'model' policy. It gives brief guidance on aspects of employment that require special attention if equality of opportunity is to be provided. It covers some of the most basic points regarding advertising, selection and recruitment, positive action and personnel records. But most employers will need to expand and/or adapt the policy to suit their own particular needs and circumstances.
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Adapted from: http://83.137.212.42/sitearchive/cre/gdpract/eop_sample.html

Check List for making a Company Disabled Friendly

Make a corporate commitment to include persons with disabilities among your stakeholders

- Is the CEO committed to a disability friendly workplace? (CEO commitment means senior leadership will embrace disability policies and that the organization will “talk the talk and walk the walk.”).
- Is there a written document to all staff that affirms this commitment?
- Do corporate policies, procedures and practices specifically mention disability?
- Do persons with disabilities serve on the board?
- Are employees and customers with disabilities seen in the annual report?
- Are workers with disabilities employed at all skill levels in the workforce, including senior management positions?
- Are your products or services marketed to customers with disabilities?

Educate all staff on disability

Providing disability education dispels myths and enables all staff to make sound disability employment decisions.

- Does new staff orientation include disability awareness training?
- Are training materials available in alternate formats such as large print, Braille, and captioning? Do employees with disabilities serve as mentors for new hires who do not have disabilities?

Provide ongoing information on disability

Continuing education enables employees to utilize pertinent disability information to resolve everyday family and work life situations.

- Is the staff familiar with legislation pertaining to disability?
- Does the staff receive disability information that could be helpful at work, at home or at school?
- Is disability information provided routinely in the company newsletter or on an Internet site?
- Are disability resources in the community contacted to help injured workers return to the workplace as soon as possible?

Form a disability support group

Disability perspectives enable all employees to contribute their full work potential to corporate success.

- Do employees with disabilities meet to discuss disability employment issues?
- Does this group have authority to make recommendations to management?
- Is the staff aware of this group and the contributions it makes to corporate success?

Provide accessible facilities and services

Accessible facilities and services are more useful for everybody

Are buildings, parking areas, workspaces, and communication systems accessible to persons with disabilities?

Accommodate applicants and workers with disabilities

An open policy on accommodations allows candidates and workers with disabilities to demonstrate what they can do.

- Is there a central source and budget for accommodations?
- Are applicants and employees informed that accommodations are available if needed?
- With permission, are employee success stories that demonstrate improved productivity based on accommodation shared with other employees?
- Does staff routinely stay abreast of new developments in universal and assistive technology?

Project a disability friendly image to attract candidates and customers with disabilities.

Building relationships with community agencies increases referrals of candidates with disabilities.

- Do college recruiters target students with disabilities when making campus calls?
- Do recruiters search for resumes on disability related Web sites?
- Are publications directed to persons with disabilities targeted for company advertising? Are recruiters and other personnel responsible for establishing working relationships with vocational rehabilitation and other community agencies serving applicants with disabilities?

Hire applicants with disabilities

A diverse workforce includes employees with disabilities.

- Do recruiters regularly attend employment fairs for candidates with disabilities?
- Do recruiters work with disabled student services offices and target students at colleges with known populations of students with disabilities?
- Does senior management promote and sponsor participation in Disability Mentoring activities?

Train and advance workers with disabilities

Employers who “talk the talk and walk the walk” of disability employment promote qualified workers to upper management positions.

- Do employees with disabilities routinely participate in employer sponsored training opportunities?
- Are employer-sponsored social events (retirements, awards programs) held in accessible locations?
- If not, has this issue been brought before the Disability Support Group for recommendations?
- Are procedures in place to promote qualified employees with disabilities to management and supervisory positions?

Encourage staff to volunteer in the community

Employers who want to make a difference in the disability employment arena are eager to influence tomorrow’s workers and help job candidates with disabilities with their search

- Is staff encouraged to build relationships with disability community service organizations during work hours?
- Does staff make regular visits to high schools to inform administrators, teachers and students (including students with disabilities) about scheduled open houses and job trends in your industry?
- Are human resource staff instructing students with disabilities about how to set up a resume that can be scanned or serving as mentors to graduating post-secondary students with disabilities to help them with their job search?

Source: (FelxAbility Tool Kit 2004: Oregon Business Leadership Network)

Appendix 3

Basic Disability Accessibility Audit Checklist

The checklist is not exhaustive. It gives a general idea about what to look for.
There are four Sections to the Disability Access Audit Check List:

1. **Equal Opportunity Policy & Management**
2. **Physical Environment (Buildings, work space, products and services)**
3. **Information and communications**
4. **Emergency Evacuation**

INFORMATION ABOUT THE COMPANY/ ORGANISATION	
Date of Audit	
Name of the audited organisation	
Chief Executive Officer	
Main Contact Person for Diversity/Equal Opportunity Initiatives	
Address	
Telephone	
E-mail	
Government/ Public/ Private	
Audited by (organisation/ consultant)	

I. EQUAL OPPORTUNITY POLICY AND MANAGEMENT		
Checklist	Comment Yes/No	Suggestion
Do you have an Equal Opportunity Policy which includes disability?		
Does your EO policy cover non-discrimination and provides for reasonable accommodation to employees with disabilities?		
Does the policy cover all processes, projects and departments?		
Do you have a Central budget for your Equal Opportunity initiative?		
Do you have a team/working committee that works on Diversity & Equal Opportunity?		
Do you have a representative from Senior management as part of the Working Committee?		
Do you set regular goals with timescales, conduct reviews and sensitising programmes to ensure implementation of the EO policy in your company?		
Do you conduct access audits at regular intervals through disability consultants/ advisors that cover policies, plans, procedures, services, spaces, events, information and publicity, employment and staff related issues?		

II. PHYSICAL ENVIRONMENT (buildings, work area, products, services)		
All buildings/areas in the office campus need to be audited. Please fill this form for each of the Buildings.		
Name/No. of the Building		
Type of the Building (office, food court, nurse station, bank, Gym, shop, etc.)		
Single or multi-storied building		
Number of floors		
II.1 Parking	Comment Yes/No	Suggestion
Is there any bus stop within 50 meters of the building?		
Is there any parking on site?		
If yes, is any of the parking designated for people with disability?		
If yes, is the designated parking within 50 meters of the entrance?		
Are security guards aware of the availability of accessible/preferred parking facility?		
Is there the International Symbol of Access (Disability Logo) displayed?		
II.2 Entrance to the building	Comment Yes/No	Suggestion
Is the gate without any obstruction?		
Is the gate wide enough for wheelchair users to enter in (more than 900 mm width)?		
Are there wheelchairs available at the gate?		
Is there a door to the entrance of the building?		
What type of door is it? (Automatic/Slide/		

Swinging)		
Is it kept open or needs to be opened by the person entering the building?		
What type of handle does the door have? (lever/knob).		
Are there stairs to the entrance of the building?		
If there are steps, is there railing on both sides?		
Is there a ramp?		
Where is the ramp located?		
Is there a signage indicating the location of the ramp?		
Is the ramp without any obstruction?		
Is the gradient of the ramp 1:12, as per the standards? Is it wide enough?		
Does the ramp have railings?		
Is the entrance mat of firm texture?		
Is there a tactile warning strip as one approaches the top entrance?		
Does lighting installations of the building take into account the needs of people with visual disabilities?		
Is there the International Symbol of Access (Disability Logo) displayed at the entrance?		
Is there a tactile plan or diagram of the building available at the entrance?		
Are the Guards at the main entrance aware of the facilities available for people with disabilities and are trained in communication with people with different disabilities?		
Is the floor non-slippery?		

II.3 Reception Area	Comment Yes/No	Suggestion
Are the reception desk and other furniture at a reasonable height?		
Do the floor tiles from the entrance to the reception area have a different texture for people with visual disability to be able to reach the reception area?		
Is the floor of the reception area non slippery?		
Is the receptionist trained to communicate with people with different disabilities and is aware of the facilities available?		
Are there enough chairs to sit?		
Are wheelchairs available for people to use?		
II.4 Elevators /Lifts	Comment Yes/No	Suggestion
Is there a clear signage indicating the direction towards the elevators?		
If the building has levels above/below the Ground Level, does it have an elevator?		
Does the elevator go to every floor including basement and terrace?		
Is there an accessible path leading to the elevator?		
Is the height of the call button (outside the lift) between 900 mm-1100 mm?		
Is the width of the lift wide enough for a wheelchair to go in (opening door width min 900 mm) with adequate circulation space?		
Is the Control Panel (Operating Buttons) at a reasonable height for a wheelchair user? (900 mm – 1100 mm)		
Are there grab bars inside the lift for support?		

Is the floor of the elevator non-slippery?		
Is there an audio system installed (Talking lift)?		
Are there Braille/raised numbers used on the control panel?		
Is the emergency intercom usable without voice communication?		
Is the door opening/closing interval long enough?		
II.5 Staircases	Comment Yes/No	Suggestion
Is there a clear signage indicating the direction towards the stairs?		
Is the staircase well maintained and safe?		
Does the staircase have railing on both sides?		
Does the railing start from the very first step?		
Are the stairs free of flower-pots or any other obstructions near the railing?		
Do the stairs have guide strips?		
Are the stairs visible enough through colour contrast and enough lighting?		
Is the floor of the stairs non-slippery?		
II.6 Wash Rooms / Toilets	Comment Yes/No	Suggestion
Are the toilets for the disabled persons available on every floor?		
Are toilets accessible by lift or ramp if located on different level or floor?		
Are there separate toilets for the disabled people?		
Are there separate toilets for disabled men and		

disabled women?		
Is the accessible toilet identified by a sign?		
Is the width of the door wide enough?		
Is there enough manoeuvring space in the toilet?		
Are there wash basins, hand dryers, switches, mirrors, taps, etc., and are these at an accessible height for all users?		
Are grab bars installed at an appropriate height?		
Are the grab bars slip resistant?		
Can grab bars withstand load?		
Is the mirror at an appropriate height?		
Are flushing arrangements, toilet paper and other dispensers mounted at an appropriate height?		
Are flushing mechanisms easy to operate?		
Is the rest room equipped with an alarm system accessible to people with different disabilities?		
Are the doors lockable from inside and released from outside in emergency situations?		
II.7 Drinking Water Facility. Coffee/Tea Vending Machine	Comment Yes/No	Suggestion
Is the water tap/vending machine easily accessible?		
Can it be easily manoeuvred by a person with poor hand function?		
Is the area dry and non-slippery?		
Are glasses/cups provided?		
II.8 Cafeteria/Canteen	Comment	Suggestion

	Yes/No	
Is there an eating outlet located within the building?		
If not, is the eating outlet within 50 meters from the building?		
Is there a circulation path/passage way of at least 900 mm wide to allow the wheelchair user to move around the eating outlet and order their food?		
Is there enough leg clearance space below the table?		
Is the height of the table appropriate for a wheelchair user?		
Is the height of the cash counter appropriate?		
Is there a menu card available in Braille?		
Is the Staff at the counters trained to communicate with people with different disabilities?		
If it is a self service place, are there any support staff to serve food to disabled employees/ clients/customers of the company, on their tables, in case of need?		
Is the level of music low enough so that it does not inconvenience people with hearing or speech disability?		
II.9 Work Station/Area/Space	Comment Yes/ No	Suggestion
Is the path to workstation accessible? Is it non-slippery and without any obstructions?		
Are the chairs at a good height with proper back support?		
Is the height of the tables appropriate?		
Do the desks and tables have enough clearance space for wheelchairs?		

Is there enough room for a wheelchair user to move around?		
Are Storage of files, stationary, etc. at an accessible low level? Are these organised and well labelled?		
Are computer/telephone easily accessible and are easily reachable?		
Are facilities for screen reading software etc. available for people with visual disabilities?		
Does the company have any scheme (loan/ instalments) so that disabled employees can procure a particular assistive device/aid/ technology needed in her/his work?		
Are meeting and training rooms accessible?		
Is the work area well lighted?		
Is the work area well ventilated?		
Any other product/service?		
III. INFORMATION AND COMMUNICATIONS	Comment	Suggestion
	Yes/No	
Are the employees informed about the facilities available for persons with disabilities?		
Are there large-print/audio version/e-format versions/tactile diagrams, of different kinds of information (employee handbook, brochure, handouts, etc) available?		
Are alternate modes of communication like e-mails officially recognized and accepted?		
Is the website of the company (Intranet/ Internet) accessible and meet the international standard of Web Accessibility?		
Are all relevant locations and directions clearly signed using simple logos and language?		

Can Help Desk/Customer Support be accessed by people with different disabilities and do they have alternate methods to give information to people with hearing disability who may not be able to access phone?		
Is the Help Desk/Customer Support equipped with a wide range of information related to the needs of people/ employees with disabilities?		
Is there a Sign Language Interpreter available on call?		
Are individual needs of disabled employees looked into, so that they can fully participate in meetings, trainings, seminars of the company?		
IV.EMERGENCY EVACUATION	Comment Yes/No	Suggestion
Is there a visible as well as audible fire alarm system?		
Is all fire warning device and detectors checked routinely and regularly?		
Are final exit routes as accessible to all, including wheelchair users, as are the entry routes?		
Is evacuation from upper and lower levels possible using an evacuation lift/platform lift with a protected power supply?		
If people with disabilities cannot evacuate from the building independently, are there designated and trained buddies available?		
Is the staff trained on a regular basis in evacuation procedures, which includes support to people with disabilities in emergency situation?		
Are evacuation routes checked routinely and regularly for freedom from combustible materials/obstacles/locked doors?		

MAIN OBSERVATIONS
RECOMMENDATIONS
List of Appendices
Signature:
Name and Designation:

Appendix 4

Sample Job Description

Employer Information

Organisation Name: Hungry Zone

About the Organisation: Hungry Zone is an online food ordering Website Company. Customers can login to access menus of all the restaurants of a city and place orders over website/phone through Hungry Zone.

Job Title: Customer Service Representatives

Job Location: HSR Layout, Bangalore, Karnataka

Timing: 1:00 p.m. to 10:00 p.m. or 10:00 a.m. to 7:00 p.m. (depending on the shifts, could be break shifts also)

Job Purpose:

- Interact with customers to provide information in response to inquiries about restaurants and to take down food orders from customers on behalf of the restaurants in Bangalore and ensure delivery.
- Check emails with orders and process the same by passing orders to restaurants and letting the customers know about the status through email/ phone.

Essential Functions:

- Communicating with customers by telephone and E-mail, to provide information about restaurants, take /cancel orders, book tables, etc. : Very high responsibility job.
- Accessing information from a website while speaking to customers on phone. : Need to have good knowledge about the same.
- Taking down orders/messages on the website: Need to have good knowledge about the same.
- Updating the order on the website and sending confirmation mail to customers: Essential in order placing.
- Contacting restaurants by phone to place orders: Essential in placing orders.
- Resolving customer complaints/grievances : Rare but high priority

- Keeping records of customer interactions and transactions, recording details of inquiries, complaints, and comments, as well as actions taken: Important for tracking progress.
- Refer unresolved customer grievances to seniors for further investigation: Very important

Marginal Functions

- Make sure information on the website is updated. Check with restaurants on a regular basis and inform senior about the same so they can keep the website updated.
- Prepare bills at the beginning of the month for the last month.

Job Setting

Requires working indoors in environmentally controlled conditions, Office located on Ground Floor; does not require any travelling; requires work with external customers or the public; requires prompt service; requires diligence in ensuring correct orders are placed.

Activities

- Communicate with customer, peers and supervisor
- Use telephone communication techniques
- Write/reply E-mails to customers
- Calculate rates for orders/services
- Maintain telephone logs
- Take messages
- Obtain information from individuals
- Use internet to enter, access or retrieve data
- Resolve customer or public complaints

Qualifications/Skills

Basic Skills

- Active Learning (regular updates of information)
- Active Listening
- Average Reading Comprehension (English)
- Fluent Speaking (Essential: English, Hindi; Preferred: Kannada)
- Basic Writing (mails to clients in English)
- Basic Internet skills

Social Skills

- Coordination
- Service Orientation

Knowledge**Essential:**

- English Language
- Hindi Language

Preferred:

- Mathematics
- Kannada Language
- Knowledge about Bangalore geography and restaurants
- Knowledge about food in general: what's Chinese, what's continental etc

Tools

- Desktop computers
- Telephone (Landline and Mobile)

Technology

- Electronic mail (Microsoft Outlook, G Mail)
- MSN chat
- Gtalk
- Website
- Microsoft office (Word & Excel)

Note	When duties and responsibilities change and develop, the job description will be reviewed and subject to changes of business necessity
-------------	--

Source: Priyanka, Director & COO, Hungrayzone.com

Disability Self Identification Form

As an equal opportunity employer, _____(company/organisation/firm/etc. name), has a responsibility to provide its employees with the ability to identify themselves as persons with disability.

It is the policy of _____ (name of the company/organisation/firm/etc.) to ensure that all services, facilities and privileges are accessible to disabled people. Reasonable accommodations/adjustments will be made on an individual basis. Also, as part of Emergency Preparedness Plan, we would like to keep a record of any special needs employees with disability may have and which need to be taken into account at the time of evacuations.

It is up to the person with disability/special needs, however, to seek available assistance and to make their needs known.

Part A of the form should be filled by all employees. Employees with disabilities are encouraged to fill Part B of the form given below to assist us in obtaining information for any assistance that an employee with disability may need in performing her/his job, and also for calculating the percentage of employees with disability in the company.

The information will not be used to discriminate in any way. This information will remain confidential with the following exceptions:

- If a request for any assistance/adjustments is made, Managers and relevant people may be informed of necessary changes in duties or in the work area.
- First aid and safety personnel may be informed, when appropriate, if the disability might require alternate actions in emergency situations.

Self Identification Form for Persons with Disabilities

Part: A

1. Name:
2. Employee Number:
3. Department/Process:
4. Location of workplace:
5. Emergency Contact Address/Telephone No:

Part B (Optional. Employees are encouraged to fill the relevant portions, if applicable)

(Please *tick* one of the options mentioned below)

1. Are you a person with disability?
 - a) Yes
 - b) No

2. What is the nature of your disability?

a) Orthopaedic/Visual/Hearing/Speech/Cerebral Palsy/Mental Impairment/Any Other

(Please specify _____)

b) Any aids/appliances being used (Please specify)

3. Do you need any worksite adjustments/assistance to enable you to perform your job?

a) Yes

If Yes, please specify -----

b) No

4. Do you need special help in the event of an emergency evacuation?

a) Yes

If Yes, please elaborate -----

b) No

5. If you have suggestions for improving our company's accessibility to persons with disabilities, please specify.

Date: _____

Signature: _____

Appendix 6

Sample Confidential Workplace Accommodation Request

This is request for a workplace accommodation for a qualified employee with a disability. All information included on this form and related to this request will be kept **confidential** and will only be used for the purpose of addressing the employee's request for an accommodation.

Date Submitted: _____

Employee Name: _____

Telephone: _____ E-Mail: _____

Position: _____

Supervisor/ Manager: _____

Part A: To be completed by Employee:

1. Please state why you are requesting an accommodation:
2. List job-related tasks (from Job Description) you have difficulty performing due to your disability:

Task	Reason for having difficulty in performing the task

3. Check the accommodation(s) you are requesting and indicate how the accommodation(s) will enable you to perform the job tasks:

I request these accommodations	This will enable me to perform these job tasks
<input type="checkbox"/> Modify the facility for accessibility	
<input type="checkbox"/> Restructure my job duties	
<input type="checkbox"/> Modify my work schedule	
<input type="checkbox"/> Provide special equipment or devices or software	
<input type="checkbox"/> Provide a qualified interpreter/reader	
<input type="checkbox"/> Other (describe)	

☐ Check here if medical documentation is attached

☐ Check if photos are attached to illustrate need for accommodation (for example, need for modification to facility or workstation)

☐ Check if a current Job Description is attached which lists essential job duties

Part B: To be completed by Employer:

1. Review Meeting

A meeting will be held to discuss this request:

Date: _____ Time: _____ Place: _____

Rehabilitation professionals and/or staff specialists may participate in the meeting upon approval of both employee and Human Resources)

Meeting to be attended by:

Employee: _____

Supervisor: _____

Other(specify): _____

2. Employee's Qualifications to Perform Essential Job Functions

Use the form below as a guide for a confidential discussion of the employee's qualifications to

perform the essential functions of the job, with (W) or without (W/O) an accommodation.

(Essential Job Functions are defined under "Job Analysis" on the Job Description for this position).

Essential Job Function	Ability to Perform		Accommodation
	W	W/O	

4. Next Steps

☐ The following accommodation(s) will be provided to the employee:

Target Date: _____

☐ An accommodation is needed and efforts will proceed to find an appropriate solution.

Accommodation team members are:

Employee: _____

Supervisor: _____

Rehabilitation Professional: _____

Name of Agency: _____

Other: _____

☐ Additional information is needed:

☐ Medical documentation of employee's functional limitations

☐ Job Analysis to define essential job functions

☐ Other: _____

Employee Name _____ Signature _____ Date _____

Supervisor Name _____ Signature _____ Date _____

Source: Confidential Workplace Accommodation Request ; EmployAbility
www.employ-ability.org/erc/dan1.pdf

Assistive Technologies Available in India and Abroad

There are several devices and technologies available for people with disabilities to be able to work at a level playing ground. We will list down a few of the most common solutions, which are being used by people with disability. More information can be obtained from accessing the links provided with each of the product mentioned below:

A. Visual Impairment

1. Screen Reader

A screen reader designed to convert information on the computer screen to audible spoken language. Screen readers are not only useful to people who are visually impaired but also to people who are illiterate or have learning disability.

This category of software is designed to work with all software packages. Some good examples are:

JAWS by Freedom Scientific: JAWS® for Windows® works with your PC to provide access to today's software applications and the Internet. With its internal software speech synthesizer and the computer's sound card, information from the screen is read aloud

Source: http://www.freedomscientific.com/fs_products/software_jaws.asp

Supernova by Dolphin: Supernova offers magnification, speech and Braille support, giving people with visual impairment the freedom to access Windows in the way that suits them best

Source: <http://www.yourdolphin.com/productdetail.asp?id=1>

Following are some of the screen readers that work on mobile phones:

Mobile Speak Pocket: A product by Code Factory, works on Symbian operating system. For more information, visit Code Factory website (External Website)

Source: http://www.codefactory.es/mobile_speak_pocket/mspeak_pocket.htm

Nuance TALKS 3 Premium Edition: product by Nuance, works on Symbian operating system. For more information, visit Nuance website (External Website)

Source: <http://www.nuance.com/talks/premium.asp>

2. Screen Magnifiers

A screen magnifier is software that enlarges the graphics on the screen. It is a type of assistive technology suitable for visually impaired people with some functional vision.

Screen magnifiers commonly provide several other features for people with particular sight difficulties:

Colour Inversion. Many people with visual impairments prefer to invert the colours, typically turning text from black-on-white to white-on-black. This can reduce screen glare and is useful for elderly people suffering from age-related macular degeneration.

Smoothing Text can become blocky and harder to recognize when enlarged. Some screen magnifiers anti-alias or smooth text to compensate.

Cursor customization. The mouse and text cursors can often be modified in several ways, such as circling it to help the user locate it on the screen.

Different Magnification Modes Screen magnifiers can alter how they present the enlarged portion: covering the full screen, providing a lens that is moved around the un-magnified screen, or using a fixed magnified portion.

Screen Magnifiers bundled with OS:

A basic Magnifier application has been included within the Microsoft Windows operating system since Windows XP.

On Mac OS X, the built-in screen magnification feature can be used at any time holding the Control key and scrolling the mouse wheel to zoom in or zoom out.

Many Linux Operating systems such as Ubuntu utilize a program called Compiz-Fusion which has a highly configurable plug-in named "Enhanced Zoom Desktop"

Popular Screen magnifiers:

Magic from Freedom Scientific

(http://www.freedomscientific.com/fs_products/software_magic.asp)

Lunar from Dolphin Computer Access

(<http://www.yourdolphin.com/productdetail.asp?id=3>)

Super nova from Dolphin Computer Access

(<http://www.yourdolphin.com/productdetail.asp?id=1>)

ZoomText Magnifier/Reader from Ai Squared

(<http://www.aisquared.com/Products/zoomtextmag/index.cfm>)

3. OCR Readers

Optical Character Recognition (OCR) is a process of scanning printed pages as images on a flatbed scanner and then using OCR software to recognize the information as text. Scanned information can also be read out by the computer using synthesized speech. This can benefit people who have visual difficulties or reading and writing difficulties as they are able to hear the text being spoken.

Popular Products

Cicero (<http://www.yourdolphin.com/productdetail.asp?id=14>)

Openbook (www.freedomscientific.com/fs_products/software_open.asp)

Kurzweil (www.axistive.com/a-review-of-the-kurzweil-nfb-reader.html)

4. Refreshable Braille Displays

A Refreshable Braille Display or Braille terminal is an electro-mechanical device for displaying Braille characters, usually by means of raising dots through holes in a flat surface.

Some of the refreshable Braille displays available in the market are:

Focus Braille Display: A product by Freedom Scientific, works on Windows operating system. For more information, visit Freedom Scientific website (External Website).

(http://www.freedomscientific.com/fs_products/displays_focus40-80.asp).

ALVA 570 Satellite Pro Braille Display: A product by Synapse Adaptive, works on Windows operating system. For more information, visit Synapse Adaptive website (External Website).

(http://www.synapseadaptive.com/alva/Alva_Pro/alva_570_satellite_pro.htm).

Web-page Readers: Software that translates visual information such as text and explanations of graphics to audio format. The signal is converted and sent to a speech synthesiser that speaks the text through the computer's speakers.

One upcoming web page reader is webanywhere

Webanywhere provides access to the web from any machine with a modern web browser and some way to play audio. It is useful for web developers who would like to check their pages for accessibility and for blind web users using a computer where no other screen reader is available.

Source: <http://code.google.com/p/webanywhere/>

Other common assistive devices for people with visual impairment:

- Braille Slate/ Braille/Braille Keyboards Braille Printers (Embossers)
- Voice synthesizer
- Screen-magnifying Lens
- Calculators (large keys and display)
- Speaking Clocks/Watches
- Digital Voice Recorders
- Personal Portable Notetakers
- White cane
- Service animals (also used by people with other disabilities)

B. Dexterity Impairment (Arms/Hands/Fingers)

1. Infrared/Camera (Optical mouse)

Gives full mouse control to people who cannot use conventional pointing devices. An infrared sensing device is placed on the top of the monitor which follows a tiny dot that is placed on the forehead (or other parts of the body). The device translates head movements into direct movements of the cursor. The unit is used

in conjunction with a switch or dwell software which performs mouse clicks. The most common switch used with an infrared headpointer is a "sip 'n puff" which is a "straw" type device that allows the user to click by breathing in or out of the "straw".

Some very good options are:

Quadjoy mouse: <http://www.quadjoy.com/quadjoy.htm>

Headmaster Plus: http://www.infogrip.com/product_view.asp?RecordNumber=127

2. Modified Key Boards

One-handed keyboards allows for typing with only one hand. One handed keyboards have a special shape and letter layout. Speeds of 60 words per minute have been demonstrated by operators using single handed keyboards. They are designed for "Touch Typing" and have Push-On Push-Off keys for Shift, Control and Alt functions; essential for single hand operation.

There are also software programs that turn a standard keyboard into a half QWERTY by allowing the one handed user to type on a QWERTY keyboard with the good hand and when the space bar is depressed, the other side of the keyboard is mapped onto the keys under the good hand in a mirror image, such that the typing hand does not have to change positions to access the keys on the far side of the keyboard.

Some good sites are:

<http://www.aboutonehandtyping.com/>

Maltron Keyboards: <http://www.maltron.com/maltron-kbd-single.html>

There are many other modifications to key boards/mouse, which can be useful for people with disabilities, like BigKeys Keyboards <http://www.bigkeys.com/>; On-screen Keyboards <http://www.microsoft.com/enable/products/madentec.aspx>; Light touch Keyboard, Braille Key board, foot operated mouse, etc.

3. Voice Recognition

This technology allows the user to control the computer and to input text using the voice. Although voice recognition is becoming mainstream, it has always had important applications to the assistive devices industry. It allows for hands free computer use. It helps persons with dyslexia and dysgraphia who may have difficulty expressing themselves in writing. Voice Recognition requires considerable RAM, CPU and hard drive resources so it is important that a fairly current system be used to maximize the advantages of VR.

Some options are:

Dragon Naturally Speaking by Nuance

This converts your voice into text to create documents, emails and instant messages three times faster than most people type – all with upto 99% accuracy.

You can just use your voice to dictate and edit in virtually any Windows application. You can even surf the web just by speaking. Indian version of the software is also available.

This kind of software can benefit several forms of disability including the visually impairment, hearing impairment, dexterity impairment, learning impairment, and people who are slow in typing.

Source: <http://www.nuance.com/naturallyspeaking/>

4. Sip 'n' Puff switches

An alternative switch that is a little like a drinking straw. It is a pneumatic switch which means the employee uses the breath to perform mouse clicks. It can be programmed so that "breathing in" creates a double click and "breathing out" performs a single click. Some models also allow the user to activate the switch by biting. Often used in conjunction with a wireless transmitter that allows the user to move around without being attached to the computer by the switch wire.

For more information you can refer to:

Technical Solutions: <http://www.tecsol.com.au/SwitchSuckBlow.htm>

Origin Instruments: http://www.orin.com/access/sip_puff/

Axistive: <http://www.axistive.com>

5. There are also many aids used for daily activities based on the person's needs. Some examples are as follows:

- Joysticks
- Accessible Vehicles/Modifications
- Adjustable desks/workstations
- Automatic door openers

C. Hearing Impairment, Speech Impairment and Communication Disability

Door-bell/Entry Indicators

A visual signal that alerts persons having hearing impairments. When the doorbell is rung or someone is entering, an electronic signal triggers a light that visually notifies. Can be attached to a button such as a doorbell or to sensing equipment such as an emergency alarm. Any local electrician can be asked to implement the same.

Sign Language Interpretation

A professional translates the proceedings of an event into a sign language (physical gestures). This medium is a visual representation of auditory portion of the meeting and can be understood by persons who would otherwise find it difficult to follow the proceedings.

iCommunicator

iCommunicator promotes independent communication for persons who are deaf or hard-of-hearing and encourages increased literacy by “translating” English a number of ways

The iCommunicator translates in real-time:

- Speech to Text
- Speech/Text to Video Sign-Language
- Speech/Text to Computer Generated Voice

Once translated, the user can easily:

- Use the built-in Dictionary/Thesaurus to obtain definitions, synonyms and antonyms
- Perform internet searches for more information

Source: <http://www.icommunicator.com/>

Hearing Aids

A small amplifying device that is placed inside the ear to aid persons who are hard of hearing. They come in a wide variety of forms. Some of which have a remote controller to allow for frequency and proximity adjustments based on the context in which the aid is being used. (i.e., a noisy room full of people, a lecture or a quiet conversation)

A few popular hearing aids are

- Widex Digital Hearing Aids - www.widex.com/in
- Siemens - www.hearing-siemens.co.in
- Ali Yavar Jung National Institute for the Hearing Handicapped
<http://ayjnihh.nic.in/aw/default.asp>

Messenger Chat/Email/SMS

Chat is becoming a very powerful medium of communication not only for hearing impaired people but for everyone in the world. Whoever has a computer and is connected to a network has access to a variety of instant communication in the form of messenger chat or emails.

In the case of messenger chats, it involves two or more people sitting at different locations (they may have never met in person too), logging into a chat engine and chatting with each other in real-time. One can even chat from high-end mobile phones.

Some popular chat engines are:

MSN Messenger

- <http://get.live.com/messenger/overview>
- <http://webmessenger.msn.com>

Google Talk

- www.google.com/talk/

Yahoo Messenger

- <http://messenger.yahoo.com>
- <http://webmessenger.yahoo.com>

Meebo - a web based chat engine (www.meebo.com)

Apart from office emails, there are also free email services which can be accessed from anywhere:

- www.hotmail.com
- <http://mail.yahoo.com>
- www.gmail.com

An increasingly convenient and popular method of instant communication is SMS.

There are also many devices for people who have learning and/or multiple disabilities that affects communication Some of them are as follows:

- Large-screen Monitors
- Screen reader: Full Functionality (all applications)
- Voice Recognition
- Communication Boards

Symbolic Communication Software (The screen contains a menu of symbols (that look like Windows icons) which the person with a disability can select. Each symbol represents a phrase or concept. When the symbol is selected, it is converted to speech output. The person who is non-verbal can select these symbols one after another to create sentences and participate in interactive communication.

<http://www.apl.gc.ca/wat/wb11140E.asp?pId=350>

Mobility Impairment

Reduced function of legs and feet leads to people using a wheelchair or artificial aid for mobility. In addition to people who are born with a disability, this group includes a large number of people whose condition is caused by age or accidents. Ramps, railings, wider doors, grab bars; heights of counters, automatic doors, staircase lift, guide blocks, signages, voice alerts, visual alerts, etc in buildings provide easy access to disabled people. This has been covered in the Accessibility chapter of the Manual.

Wheelchairs, crutches, walkers, modified/accessible vehicles, canes are some of the assistive devices that are used by people with mobility impairments. More information on mobility aids available in India can be got from

<http://www.disabilityindia.org/aids1.cfm>

There are many other Assistive Technologies. Following are some good websites from where we can find more information about the technology/devices that are available.

- Job Accommodation Network: <http://www.jan.wvu.edu/media/ideas.html>
- Freedom Scientific: <http://www.freedomscientific.com>
- Microsoft – Assistive Technology: www.microsoft.com/enable/at/default.aspx
- IBM Accessibility services –
http://www-03.ibm.com/able/accessibility_services/index.html
- Barrier Break: <http://www.barrierbreak.com/>
- Media Lab Asia: <http://medialabasia.in/>
- RNIB – Royal National Institute of Blind People: <http://www.rnib.org.uk>
- Industry Canada – Assistive Technology Links: <http://www.apt.gc.ca>
- Axistive: <http://www.axistive.com>
- Saksham: <http://www.saksham.org/>

Appendix 8

Formats for Emergency Preparedness Plan

8A Individual Need Identification Questionnaire

Please fill in and return to_____	
Your Name _____	
Department _____	
Date _____	
Have you read and understood the fire/emergency evacuation procedure for the building that you work in?	
Yes	No
Do you require a copy of the procedure in an alternative format?	
Yes	No
If Yes, which format?_____	
Do you have any special evacuation requirements?	
Yes	No
If Yes, give brief details_____	

We operate an evacuation system which includes Personal Emergency Plans for Disabled people. If you have answered yes to the above question we will arrange a meeting with you.	
If you have any questions please speak to_____	
Thank You	

8B Record of Individual Personal Emergency Evacuation Plan

Persons Name:

Work Location:

Alternative work positions:

Reason why a PEEP is required:

Date plan created:

Plan created by:

Awareness of Procedure

A copy of the evacuation procedure has been issued in the following format:

- Braille
- In large print
- Electronic format
- The escape routes have been pointed out
- On tape

The method of alert in an emergency is by:

- The existing fire alarm system
- Pager
- Visual alarm system
- Members of the work team (Each named person will require a copy of this sheet)
- The fire wardens on the floor (The fire wardens require a copy of this sheet)

Names _____

Getting out

Assistance is required from ____ people

Names _____

Backup _____

(Each of these people requires a copy of this sheet)

The following is a description of the evacuation plan

Specialist equipment to assist evacuation is:

- 1.
- 2
- 3.

Practice Dates

Practices should be every ____ months. Dates should be put into diaries

8C Evacuation Options¹⁵¹

Option 1	Use of a lift
Option 2	Meet assistance at temporary waiting space
Option 3	Meet assistance at work location
Option 4	Make own way down stairs slowly
Option 5	Shuffle or slide down stairs after main flow of people
Option 6	Use an evacuation chair or similar
Option 7	Carry down – 2 persons
Option 8	Carry down – 3 persons
Option 9	Carry down – 4 persons
Option 10	Travel down in own chair with support
Option 11	Cannot transfer readily from wheelchair
Option 12	Travel down stairs using handrails
Option 13	Assistance from 1 person
Option 14	Assistance from 2 people
Option 15	Orientation information
Option 16	Tactile map of the building
Option 17	Colour coding or contrasting on escape routes
Option 18	Step edge markings
Option 19	Needs to be shown the escape routes

¹⁵¹ “Practical Fire Safety Guideline: The Evacuation of Disabled Persons from Buildings. Safer Scotland, Scottish Government” 12 December 2008 <
<http://www.infoscotland.com/firelaw/files/Evacuation%20of%20disabled%20persons%20from%20buildings.pdf>>

Option 20	Needs assistance for the person and their dog
Option 21	Needs doors to be opened
Option 22	Large print information
Option 23	Identification of escape routes by reception or security staff
Option 24	Flashing beacons
Option 25	Buddy system
Option 26	Vibrating pagers
Option 27	Alternative communication system
Option 28	Additional checks by fire wardens
Option 29	Horizontal evacuation into another fire compartment
Option 30	Phased evacuation
Option 31	Taped information

Organisations Providing Training and Placement for People with Disabilities in India

South India

Bangalore

Action Aid – Disability Unit

139 Richmond Road

Bangalore 560025

Tel: 080-25586682

Contact Person: Victor John Cordeiro, Programme Manager

E-mail: victor.jc@actionaid.org

Disabilities Covered: Cross Disability

- Awareness Training
- Access Audit
- Work Place Solutions
- Job Fairs
- Sensitisation Sessions

The Association of People with Disability [APD]

Hennur Road, St. Thomas Town Post

Lingarajapuram

Bangalore 560084

Tel: 080-25475165 / 25475861/25489594

Tel/Fax 080-25470390

E-mail: ablehand@vsnl.com apdblr@dataone.in

Head of the Organisation: V. Basavaraju

Placement Officer: Srinvasa Gowda

Disabilities Covered: Cross Disability

- Registration of people with disability
- Provide pre-placement employment training
- Placement of people with disabilities in corporates
- ITI Training Centre
- Tailoring Unit
- Computer Training Centre
- Soft Skills Training Programme
- Sign Language Interpretation Service
- Horticulture Unit (Training and Sale of Plants)

Enable India

694, 6th 'A' Cross, III Block Koramangala

Bangalore 560034

Tel: 080 - 41101390, 2571 4842

Mobile: 98453 13919

E-mail: enableindia@yahoo.co.in, shanti@enable-india.org

Website: www.enable-india.org

Head of the Organisation: Shanthi Raghavan, Managing Trustee

Disabilities Covered: Cross Disability

- Disability Sensitisation workshops for company employees
- Consultancy for policies and procedures
- Placement service: Supply trained and suitable candidates when demand comes
- Work place solution: Providing effective solutions by which disabled people can work effectively and on par with others
- Access audit for the company premise
- Post placement services such as workplace solution training and troubleshooting, sign language interpretation, counselling, etc.
- Pre-employment (employability) training for all disabilities for skilled jobs, BPO, IT, semi technical, semi-skilled and manual jobs
- MS Office training, Cisco certified network associate course, Medical Transcription training for visually impaired

JSS Polytechnic for Physically Handicapped

SJCE Campus

Mysore 570006

Tel: 0821- 2515318

Fax: 0821- 2514184

Disabilities Covered: Cross Disability

- AICTE approved Diploma Courses in:
 - Jewellery Design & Technology
 - Architecture Asst.
 - Commercial Practice (Kannada and English)
 - Computer Science & Engineering
 - Electronics & Communication Engineering

Leonard Cheshire Disability – International

South Asia Regional Office

542, 9th Cross, J P Nagar, III Phase

Bangalore 560 078

Tel: 080-2658 1902 / 6113

Fax: 080- 2658 7434

E-mail: info@lcdsouthasia.org/Neeraj.s@lcdsouthasia.org

Website: www.lcisouthasia.org

Head of the Organisation: K.R. Rajendra

Contact Person: Neeraj Sharma

Disabilities covered: Cross Disability

- Provide vocational and career guidance to people with disabilities
- Training on basic IT and soft skill development to prepare disabled people for entry level jobs in IT/ITES companies. e.g. Data entry, voice jobs etc. (At Cheshire Home, Bangalore)
- Provide vocational trainings in identified trades directly and/or through other institutions.
- Promoting self employment options for people with disabilities and their family members
- Work with financial service providers (MFI's, banks, NGOs, Govt and other institutions) to create financial linkages for people with disabilities
- Work with employers, small and big, to ensure people with disabilities have access to trainings and jobs in different capacities.

- Provide database/profiles of people with disabilities to corporates as per job opportunities available with them.
- Engagement of corporates in Computer training centre programme.
- Engagement with corporates, manager and owners to promote entrepreneurs with disabilities.
- Enlisting corporate support on Volunteerism for various activities. (training, lecture etc)

Mitra Jyothi

C.A. Site No. P22

31st Main, 18th Cross

HSR Layout, Sector I

Behind NIFT (National Institute of Fashion Technology)

Bangalore 560102

Tel: 080-2572-7623/24/25

Mobile: 93419 26099

E-mail: mjyothi@vsnl.com

Website: <http://www.mitrajyothi.org>

Head of the Organisation: Madhu Singhal

Disabilities Covered: Cross Disability

- Talking book Library
- Braille Transcription Centre
- Computer Training Programme
- Train the Trainer Programme for teaching computers to visually impaired people
- Independent Living Skills Training
- Placement cell (cross disability)

Chennai

ABILITY Foundation

28, 2nd Cross Street

Gandhinagar, Adyar

Chennai 600020

Tel: 044 - 42154540

E-mail: jobs@abilityfoundation.org

Website: www.abilityfoundation.org

Head of the Organisation: Jayshree Raveendran, Executive Director

Contact Person: Radhika Rammoorthy, Programme Officer (Employment)

Disabilities Covered: Cross Disability

- Facilitation of the recruitment process - from sourcing candidates to preliminary screening
- Disability awareness and placement related training
- Access audits and workplace solutions
- Annual job opportunities fair “EmployABILITY”
- Soft skills training programmes for graduates with disabilities

Kerala

National Institute of Speech & Hearing

Karimanal PO

Thiruvananthapuram 695 583

Kerala

Tel: 0471-2596919/2596920/2596938/3214411

E-mail: nisht@vsnl.com

Website: www.nishindia.org

Head of the Organisation: Dr. K N Pavithran, Executive Director

Disabilities Covered: Hearing disability

- Diploma in Software Systems, Courses in Graphics and Animation, Data Entry, etc. for people with hearing disability
- Placement of candidates with disability

North India

Delhi

AccessAbility

111/9, Aruna Asaf Ali Road

Vasant Kunj

New Delhi 110070

(Adjacent to Harpreet Ford Service Centre)

Tel: 9310 24 5743/9911 08 2688/ 011- 3266-0862 24526098

E-mail: contactus@accessability.co

Website: www.EmployAbility.co.in

Contact Person: Sachin Verma

Disabilities Covered: Cross Disability

- Disability Access Consultancy (Access Appraisal & Audit, Implementation Strategy Planning, Web Accessibility)

- Disability Awareness and Sensitisation Programmes
- Employment of Persons with Disabilities
- Diversity Recruitment Portal (Free Registration for employers and disabled people, Free Job Posting, Advice on employment and retention of people with disabilities, Information and resources)
- Placement Services (Source Pre-screened Candidates, Selection Assistance, Post Selection Induction Support, Workplace Adaptations, On Call Crisis Resolution Support)
- Inclusive Recruitment Policy Development
- Strategising company CSR

Action for Ability Development & Inclusion

2 Balbir Saxena Marg, Hauz Khas

New Delhi

Tel: 011 26537012

E-mail: aadi@aadi-india.org

Website: aadi-india.org

Head of the Organisation: G. Syamala

Placement Officers: Sonia Madhok/Manisha Srivastav

Disabilities Covered: Cross Disability

- Individual care plans for persons with disabilities specifically with regard to training and employment.
- Identification and facilitation towards setting up of sustainable small businesses for persons with disabilities.
- Creating avenues for internships for persons with disabilities in organisations.
- Training programmes on employability skills for persons with disabilities
- Production of block printed paper products # wrapping paper, stationary items like fancy diaries, telephone pads and folders, bags and other handmade paper gift items. Customised special orders can also be placed with UJALA.
- Printing and regular stationary items.
- Supply of snacks and meals to organisations.
- Awareness and sensitisation programmes for corporates.
- Work place audits aiming at inclusion of persons with disabilities
- Workshops on work place solutions and reasonable accommodations.

Amar Jyoti Charitable Trust

Karkardooma, Vikas Marg

Delhi 110092

Tel: 011 - 22375205

E-mail: amarjoti@del2.vsnl.net.in/umatuli@amarjyotirehab.org

Website: www.amarjyotirehab.org

Head of the Organisation: Dr. Uma Tuli, Founder & Managing Secretary

Disabilities Covered: Cross Disability

- Vocational training in cutting/tailoring, beauty culture, computer applications, repair of household electrical appliances, jewellery making, carpentry, art/craft and bakery
- Awareness programmes in corporates
- Technical assistance to corporates in creating disabled-friendly environment in office/work places.
- Provide list of qualified/skilled/semi-skilled personnel to corporates and extend help in conducting interviews at Amar Jyoti, VRC.
- Conduct workshops and interactive sessions with representatives of corporates and persons with disabilities to enable them to select candidates and guide them in getting the required skills which will enhance their employment opportunities.
- Office stationery, hand made eco-friendly Jute bags, cushion covers, and other gift items are produced for sale. Bakery Unit makes Biscuits (Sweet & Namkeen), Muffins, small cakes, Vegetable Patties etc. for sale

Anubhuti – Diversity Solutions

Post Box – 3619, Lajpat Nagar Post Office

New Delhi 110024

Mobile: Delhi : 9311607754 Chennai : 9884472069

E-mail: resume@anubhuti.biz

Website: <http://www.anubhuti.biz>

Disabilities Covered: Cross disability

- Access Audit of workplace
- Sensitisation Training
- Jobs/Capability Mapping
- Placement of People from diverse backgrounds (people with disabilities, women and retired professionals/ex service men)
- Customised Programmes for clients

Muskaan

Sector B. Pocket-2, Vasant Kunj

New Delhi 110070

Tel.: 011- 41761873 / 74

E-mail: muskaan32@gmail.com,

Website www.muskaan-delhi.org

Head of the Organisation: Dr. Shanti Auluck, Director / President

Placement Officers: Neera Chawla, Principal, Vocational Training & Work

Centre and Rubina Mohan, Project Manager, Vocational Training & Work Centre

Disabilities Covered: Intellectual disabilities

- Vocational training for people with intellectual impairments.
- Supply of Office and gift stationary items (files, diaries, note pads, seminar folder, bakery products, pickles and squash, candles and diyas etc. to various organisations)
- Undertake mass mailing jobs for organisations

Madhya Pradesh

Arushi

No 1, Shivaji Nagar

Bhopal 462016

Madhya Pradesh

Tel: 0755 – 4293399, 4231111 (help line)

Mobile: 9827220041

E-mail: arushiorg@sancharnet.in

Website: <http://www.arushi-india.org>

Disabilities Covered: Cross Disability

- Preparation of people with disability for employment (Counselling Preparation of CV, Computer skills, Communications, Group discussions, Interview techniques and skills, etc).
- Recruitment of persons with disabilities as per the requirements of our corporate clients.
- Training to Corporates (Disability Sensitisation, creation barrier free environment for persons with disabilities)

Uttarakhand

Karuna Vihar Centre for Vocational Training

24/2, Vasant Vihar, (Phase 2)

Dehradun 248 006

Uttarakhand

Tel: 0135-2760 807

E-mail: savita@latikaroy.org

Head of the Organisation: Savita Thapliyal

Disabilities Covered: Mental Disabilities

- Vocational Training in gardening, carpentry, housekeeping, cooking, arts & crafts, and office work for people with mental disabilities.
- Placements of trainees at boarding schools/popular food joints/nurseries etc.
- Packaging, supplying paper bags, pickles (to restaurants) and candles in a small quantity to clients.

West India**Gujarat**

Viklang Sanskar Tirth Trust

407, Sahajanand Trade Center, Opp. Kothawala Flats, Pritamnagar

Ahmedabad 380 006

Tel: 079 - 26584113, 26589532 Fax-(079)26580239

Mobile: 98253 23336

E-mail: vstt@vsnl.net , sitapati44@yahoo.co.in

Head of the Organisation: S..K.Verma, Director

Placement Officer Dilip Mahida

Disabilities Covered: Cross Disability

- Career guidance Counselling and Assessment for people with disabilities
- Training of candidates with disability for employment
- Services and Support to employers in Gujarat State

Maharashtra

National Resource Centre for Inclusion

National Job Development Centre (NJDC)

Spastics Society of India

Tel: 22- 2520 9413, 2520 6815

Contact Person: Vandana Garware

E-mail: VandanaGarware@nrcissi.org

Disabilities Covered: Cross Disability

- Appropriate training facilities, vocational guidance and counselling, selective employment and post-placement follow-ups.
- Awareness campaigns on various aspects of disability are conducted.
- An adult Literacy Programme and Youth Training Scheme
- Placement
- Skill-training departments:
 - Computer Applications Centre
 - Printing
 - Tailoring
 - Catering and food processing
 - Light Engineering
 - Office skills
 - Horticulture

National Society for Equal Opportunities for the Handicapped, India
(NASEOH, INDIA)

Postal Colony Road

Chembur

Mumbai 400071

Tel: 22-5220224 / 0 22-5220225

E-mail: naseoh@bom7.vsnl.net.in

Head of the organisation: Sudha Balachandra, Director General

Disabilities Covered: Cross Disability

- Placement to persons with disabilities in corporate employment and self-employment.
Training center – Basic and advance use of Computer applications – designed to impart skills required for data entry and other IT related/enabled back office operations.
- English language and communications related training – designed to impart skills required for the IT enabled services industry – with specific reference to Call centers.
- Undertake Data entry related job work.

MBA Foundation

GODS – Groups of Disabled

GODS' Heavens

Crystal Palace Complex

Rambaug

Powai

Mumbai 400 076.

Tel: 2857 6972 / 2570 2018

Tele-Fax: 2857 4456

E-mail: crbmanian@lifeCare-disabled.org

Website: www.lifecare-disabled.org

Head of the Organisation: C R Balasubramanian & Meenakshi Balasubramanian,
Trustees

Disabilities Covered: Cross Disability

- Six months Foundation Course in English Language, computer and soft skills in association with NASSCOM Foundation.
- Vocational Training in Packing
- Placement Service for educated youngsters with disabilities
- Workplace solutions for people with disability
- Awareness Training to corporate
- Periodical seminars on Employment of people with disabilities
- Group and individual therapy, Training in activities of daily living and Simple Assembly Level Work with one to one support for severely disabled persons
- Job Fair for Persons with Disability
- Special coaching to people with disabilities to complete Secondary Senior Secondary education.

East India

Kolkata

Indian Institute of Cerebral Palsy

35/1 Taratala Road

Kolkata - 700088

Tel: 0-33- 2401-3337

0-33-2401-3488/0240 (PBX)

0-33-2401-4177 (fax)

E-mail: ssei@vsnl.com

Website: www.iicpindia.com

Head of Organisation: Dr. Sudha Kaul, Executive Director

Contact Saurabh Bhattacharya, Vice Chair Deputy Head, VTC

Disabilities Covered: Multiple Disability

- Vocational Training Centre that includes 3 trades – printing, catering and computer training. (The Centre was cited as an example of Best Practice in an International Labour Organisation Publication)
- Computer Courses certified by Jadvapur University and include both disabled and non-disabled persons from disadvantaged socio-economic backgrounds
- Accredited centre of NIOS for National Open School and Open Basic Education
- Placements for our trainees
- Take on outsourced jobs related to Computer Applications (BPO, data entry)
- Take bulk orders for products for printing (file covers, stationery, paper bags, food products)
- Supply printed products and paper bags in bulk to corporates

Orissa

EQUITY

A-99 Budhhanagar

Bhubaneswar 751006

Orissa

Chief Consultant - Dr. Sruti Mohapatra

E-mail: info@equityindia.org

Website: www.equityindia.org

Disabilities Covered: Cross Disability

- End to end consultancy for corporates and Government on disability issues
- Conduct Equity Audits
- Employment Solutions
- Conduct Training
- Development of Policy Documents and Plans
- Design and Development of Information Formats
- Research and Survey
- Publications Review
- Organise Campaigns
- Event Management
- Monitoring and Evaluation of Ongoing Projects

Jharkhand

Deepshikha, ICD&MH

Shradhanand Road,

Ranchi 834001

Tel: 0651- 2207161, 2214203/09334423789

E-mail: deepshikha@inranchi.com

Website: www.deepshikha.info

Head of the Organisation: Sudha Lhila, Executive Director

Disabilities Covered: Mental Disability

- Skill Training in Agarbatti packing, file making, envelope and paper bag making for people with severe disabilities
- Produce Files, Envelopes, and Paper Bags for sale

Appendix 10

List of Vocational Rehabilitation Centres (VRC)

VRCs are Government organisations that register candidates with disabilities who are seeking employment. They train and place them in suitable jobs. They have the largest database of people with disabilities. They also supply candidates to private employers after doing the preliminary screening.

Assistant Director (R), Vocational Rehabilitation Centre for Handicapped, Information Technology Building, Opposite to I.T.I., Indiranagar, Agartala – 799 006 Tripura West Phone/Fax : 0381 2355632	Deputy Director (R), Vocational Rehabilitation Centre for Handicapped, ITI Campus, Kubernagar, Ahmedabad – 382 340 Phone : 079 2811629
Deputy Director (R), Vocational Rehabilitation Centre for Handicapped, 22, Hosur Road, Bangalore-560 029 Phone : 080 26564995	Assistant Director (R), Vocational Rehabilitation Centre for Handicapped, Plot No.1,2,5&6, At:Jagamara, Po:Khandagiri, Bhubaneswar – 751 030 Phone : 0674 2116473
Deputy Director (R), Vocational Rehabilitation Centre for Handicapped, C.T.I. Campus, Guindy, Chennai – 600 032 Phone : 044 22501534	Assistant Director (R), Vocational Rehabilitation Centre for Handicapped, Old ITI Campus, Gauhati – 781 008 Phone : 0361 2607858
Deputy Director (R), Vocational Rehabilitation Centre for Handicapped, ATI Campus, Vidyanagar, Hyderabad – 500 007 Phone : 040 27427381	Assistant Director (R), Vocational Rehabilitation Centre for Handicapped, Napier Town, Near Bus Stand, Jabalpur – 482 001. Phone : 0761 2405581

Assistant Director (R), Vocational Rehabilitation Centre for Handicapped, 45-A/23, Jawahar Nagar, Jaipur – 302 004 Phone : 0141 2652232	Assistant Director (R), Vocational Rehabilitation Centre for Handicapped, ATI Campus, Govindnagar, Kanpur – 208 020 Phone : 0512 2296005/Fax 2296273
Assistant Director (R), Vocational Rehabilitation Centre for Handicapped, 38, Badan Roy Lane, Beliaghata, Kolkata – 700 010 Phone: 033 23708146	Assistant Director (R), Vocational Rehabilitation Centre for Handicapped, ATI Campus, Gill Road, Ludhiana – 141 003 Phone: 0161 2490883/Fax 2491871
Deputy Director (R), Vocational Rehabilitation Centre for Handicapped, ATI Campus, V.N. Purv Marg, Sion, Mumbai – 400 022 Phone/Fax: 022 24052707	Assistant Director (R), Vocational Rehabilitation Centre for Handicapped, Plot No.9,10 & 11, Karkardooma, Vikas Marg, Delhi – 110 092 Phone: 011 22372704/05
Assistant Director (R), Vocational Rehabilitation Centre for Handicapped, A/84, Plot 1 Gandhi Vihar, Anisabad, Patna - 2 Phone: 0612 2250213	Deputy Director (R), Vocational Rehabilitation Centre for Handicapped, Nalanchira, Trivandrum - 695 015 Phone: 0471 2531175/2530371
Assistant Director (R), Vocational Rehabilitation Centre for Handicapped Women, After Care Hostel Building, Pensionpura, Vadodara – 390 002 Phone: 0265 2782857/Fax 2430510. E MAIL:vrcvadodara@hub.nic.in	The Deputy Director (R), Vocational Rehabilitation Centre For Handicapped, Opp. Boat House, Ariyankuppam, Pondicherry – 605 007 Phone: 0413 2602024
The Deputy Director (R), Vocational Rehabilitation Centre For Handicapped, K.G.Polytechnic Campus, Gogji Bagh, Srinagar – 190 008 Phone: 0194 – 2310658	The Deputy Director (R), Vocational Rehabilitation Centre For Handicapped, Mohalla Baga Mataji, Near Rotary Chowk, UNA (HP) – 174 303 Phone: .01975 – 202222

List of Useful Websites Relating to Disability Employment

1. International Labour Organization

<http://www.ilo.org/public/english/employment/skills/disability/diswork.htm>

The ILO Disability Programme promotes decent work for women and men with disabilities. The site has ILO Code of Practice on Managing Disability at workplace, and many research papers and publications on Disability employment. The Publication section contains many research papers/books on disability employment.

2. Diversity World

<http://www.diversityworld.com/Disability/index.htm>

It has some useful resources on disability employment. One can subscribe to free newsletter, which is quite informative. They have an on-line store, which has some excellent publications, videos etc.

3. Job Accommodation Network

<http://www.jan.wvu.edu/>

It is a site developed by US Department of Labor. It is an extremely comprehensive site on employment, particularly with regard to accommodations for people with different disabilities.

4. Workway

<http://www.workway.ie/>

The site is funded by the Irish Government. It contains some very useful information on disability and employment.

5. Employability

<http://www.employ-ability.org>

It is a program of the City of Los Angeles Community Development Department to create career empowerment for persons with disabilities. It has a very good EmployAbility Resource Manual.

6. Oregon Business Leadership Network

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

It is an employers Network in the US. It has a very good awareness video called 'Look at my Ability'. It also has a Resource Manual called FlexAbility, which is quite comprehensive.

7. United Nations Enable

<http://www.un.org/disabilities/>

It is an United Nation's Website on Disability. It has complete information on UN Convention on the Rights of Persons with Disability (CRPD). It has Fact sheets on Disability, Employment and Women with disability. It has a section on Publications, which is quite comprehensive.

8. W3C World Web Wide Consortium:

<http://www.w3.org/>

It has Standards and guidelines to make website accessible for people with disabilities.

9. Freedom Scientific:

<http://www.freedomscientific.com/>

Freedom scientific develops products for people with visual and learning disabilities. They also market it. JAWS, Magic and other software's can be purchased from here.

Indian Websites:

1. National Centre for Promotion of Employment for Disabled People

www.ncpedp.org

A comprehensive resource on issues pertaining to disability and offers information on access, communication, education, employment and policy and law with respect to people with disability.

2. Disability India Network

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

A comprehensive site related to disability, which is hosted by the Society for Child Development.

3. Punarbhava

http://www.punarbhava.in/index.php?option=com_frontpage&Itemid=1

It is an initiative of Media Lab Asia & Rehabilitation Council of India. It is an informative site for persons with disability . It has information on careers, assistive devices, Census and NSSO data on disability, etc. It has a section on Resources, which has video, publications of Ministry of Social Justice & Empowerment and list of organisations

4. Ministry of Social Justice & Empowerment:

<http://socialjustice.nic.in/disabled/welcome.htm>

Has information about National Institutes and other Government bodies,
Disability Legislations, District Rehabilitation Centres, Office of Commissioners
for Disability and various Schemes of the Central Government.

CII Social Code for Business

In recent years, the concept of Corporate Social Responsibility had emerged as an increasingly important feature of the business philosophy. No longer is business seen as basing its decisions solely on economic criteria. Businesses are now expected to consider the ethical, moral and social impact of their actions and decisions. A corporate that is sensitive to the surroundings and to the needs and aspirations of the community in which it operates not only creates goodwill and a strong market for its business, but also helps support a sustainable neighbourhood. We list here a set of principles and standards for good corporate citizenship for voluntary adoption. Concern, understanding and responsibility are in the essence of this set of principles.

- The Company affirms the interdependence of its enterprises with the well being and self-reliance of the community. This can be done by adopting an Article of Association on Corporate Social Responsibility (CSR) that advocates harmonising economic progress with social and environmental considerations
- The Company has a specific written policy statement on CSR (social & environmental) which is in public domain
- The Company has an explicit strategy on social and environmental issues that can be seen in the form of an Annual Work Plan mainstreamed with its business process
- The Company has included CSR as part of its corporate communications including newsletters and there is reporting on CSR in the Company's Annual Report
- The Company had a senior executive under the CEO responsible for CSR and managerial level officers tasked specifically with social and environment work. The CEO reviews the CSR programmes twice in a year
- The Company ensures equal access to employment and promotion opportunities across gender and cultures through policies and programmes.
- The Company had allocated specific resources for CSR activities and has monitoring system to track implementation process and impact
- The Company demonstrates its CSR by providing an enabling environment for employees to volunteer that includes recognition and accounting for volunteer time
- The Company is committed to document its learning experiences in terms of human achievements, contribution to the community, the learning for all stakeholders for sharing with local governments and development agencies

- The Company is also known for the partnerships it builds with various development players in the fields to synergise all available opportunities to bring about holistic development of the local community
- The Companies to expand the scope of learning from each other in their role of being good corporate citizens by way of exchanging data, views, implementation procedures and even exchange of expert personnel whenever necessary

CII Corporate Code on Disability

It is being increasingly realized that people with disabilities can make valuable contribution to businesses and to the national economy. Studies have shown that disabled people are capable, reliable employees, who often stay in the job longer than other employees. They contribute to productivity, to staff morale and to team spirit in the workplace as a whole.

Having a policy on disability in the workplace will enable companies to be recognized as corporates with social commitment. In line with this, we list here a set of standards for voluntary adoption. This is intended to assist employers in developing such a policy.

1. The company may have a formal disability policy to ensure equal opportunities by offering employment for people with disabilities at par with others on the basis of their skills and ability to perform the job. The disabilities may be defined as per the Persons with Disabilities (Equal Opportunities, Protection of Rights & Full Participation) Act, 1995. (Check overleaf)
 - The company may work with relevant employment services in matching jobseekers with disabilities to jobs suited to their ability, work capacity and interest.
2. The company may state in their job advertisements that they are “Equal Opportunity Employers” to encourage disabled people to apply for jobs.
3. The company will not discriminate against people with disabilities and endeavour to provide equal opportunities for promotion, transfer, career development and training, and proactively encourage them to fulfil their potential.
 - The company will encourage all disabled employees to discuss specific needs with their supervisors, or members of the HR team.
4. 4. The company will provide access, if not already there and make appropriate adjustments to the workplace and/or employment arrangements in order to enable people with disabilities as required in the fulfillment of their roles

- The company will provide a working environment in which all of its employees are treated with dignity and respect.
5. Every reasonable effort will be made to enable employees who become disabled while employed, by providing them alternative suitable employment within the organisation.
 6. The company will raise awareness of its employees on the range of issues that affect people with disabilities.
 7. The company will train and educate managers on the meaning of disabilities, the company's policy and their responsibility to ensure enforcement.
 8. 8. The company will act as advocates for the promotion of employment opportunities for disabled persons.
 9. 9. The company may also sub-contract / out source activities to disabled people / groups.

"Disability" as per the PWD Act 1995 means

- i. Blindness
- ii. Low vision
- iii. Leprosy-cured
- iv. Hearing impairment
- v. Loco motor disability
- vi. Mental retardation
- vii. Mental illness

"Person with disability" means a person suffering from not less than forty per cent of any disability as certified by a medical authority;

"Person with low vision" means a person with impairment of visual functioning even after treatment or standard refractive correction but who uses or is potentially capable of using vision for the planning or execution of a task with appropriate assistive device;

"Leprosy cured person" means any person who has been cured of leprosy but is suffering from-

- Loss of sensation in hands or feet as well as loss of sensation and paresis in the eye and eye-lid but with no manifest deformity;

- Manifest deformity and paresis; but having sufficient mobility in their hands and feet to enable them to engage in normal economic activity;
- Extreme physical deformity as well as advanced age which prevents him from undertaking any gainful occupation, and the expression "leprosy cured" shall be construed accordingly;

"Hearing impairment" means loss of sixty decibels or more in the better ear in the conversational range of frequencies;

"Locomotor disability" means disability of the bones, joints muscles leading to substantial restriction of the movement of the limbs or any form of cerebral palsy

"Mental retardation" means a condition of arrested or incomplete development of mind of a person which is specially characterized by sub normality of intelligence

"Mental illness" means any mental disorder other than mental retardation

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Glossary

Abbreviations	Description
AADI	Action for Ability Development & Inclusion
ACC	Augmentative and Alternative Communication
ADIP	Assistance to Disabled Persons for purchase/fitting of aids and Appliances
AFB	American Foundation for the Blind
APD	Association of People with Disability
ATAG	Authoring Tool Accessibility Guidelines
ATP	Adult Training Programme
CAPART	Council for Advancement of People's Action and Rural Technology
CEDAW	Convention for Elimination of all forms of Discrimination Against Women
CII	Confederation of Indian Industry
CPWD	Central Public Works Department
CRPD	Convention on the Rights of Persons with Disabilities
DAC	Disability Action Centre
DEOC	Diversity and Equal Opportunity Centre
DFID	Department for International Development
DINF	Disability Information Resources
EO	Equal Opportunity
EOP	Equal Opportunity Policy
ESI	Employee State Insurance

HRLN	Human Rights Law Network
ICHRL	India Centre for Human Rights and Law
IDDP	International Day of Disabled Persons
IICP	Indian Institute of Cerebral Palsy
IIM	Indian Institutes of Management
IIT	Indian Institutes of Technology
ILO	International Labour Organisation
MSJE	Ministry of Social Justice & Empowerment
MSVP	Microsoft® Vendor Program
MWDVBE	Minority, Women, and Disabled/Veteran Business Enterprises
NASEOH	National Society for Equal Opportunities for the Handicapped
NAB	National Association for the Blind
NCPEDP	National Centre for Promotion of Employment for Disabled People
NIFT	National Institute of Fashion Technology
NIPWD	Namgyal Institute for People with Disabilities
NJDC	National Job Development Centre
NT	National Trust
NTPC	National Thermal Power Corporation Limited
OCR	Optical Character Recognition
OECD	Organisation for Economic Cooperation and Development
PAS	Personal Assistance Services
PEEP	Personal Emergency Evacuation Plan
PWD	Public Works Document
REP	Request for Proposal

SAIL	Steel Authority of India Limited
SOAR	Searchable Online Accommodation Resource
TERI	The Energy and Resources Institute
UAAG	User Agent Accessibility Guidelines
UGC	University Grants Commission
USDOJ	United States Department of Justice
VRC	Vocational Rehabilitation Centre
WCAG	Web Content Accessibility Guidelines

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