Valuing Differences

A Disability Reference Guide

Building a Public Service Representative of Persons with Disabilities
Introduction

This reference guide is designed to promote and increase disability awareness in the workplace. It has been compiled as a collection of separate monographs, containing insightful information on specific disabilities, and topics such as myths and misconceptions, workplace accommodations, and assistive technology. It also contains useful communication tips, guidelines on positive language, interview etiquette techniques, and more. Collectively, this is a practical resource for enhancing human resource practices with respect to persons with disabilities.
For additional copies of Valuing Differences - A Disability Reference Guide contact:

Office of Employment Equity for Persons with Disabilities
Human Resource Secretariat
50 Mundy Pond Road
P.O. Box 8700
St. John’s, NL A1B 4J6

Tel: (709) 729-5881
Toll Free: 1-888-729-7690
Fax: (709) 729-6737

E-Mail: openingdoors@gov.nl.ca

www.exec.gov.nl.ca/OEEPD

Disclaimer: The information in this handbook is not meant to be all inclusive and is not applicable to all individuals with a disability as each person is unique. The information is for awareness purposes only and is not intended to be used for diagnosis and/or treatment.

Alternate formats of this publication are available upon request.
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General Considerations

It is important to treat each individual with a disability as a unique individual just as you would someone without a disability. Keep in mind that:

- The focus should always be on the person’s abilities.
- Not all disabilities are readily visible.
- An individual’s needs may change over the course of his/her employment.
- Open communication is essential.
- Adapting communication styles to the individual’s needs can enhance communication.
- Accommodations should be identified and made together.
- One should be flexible and open to alternative ways of doing things.

When working with people with disabilities, here are some general suggestions to consider:

- Do not be afraid of saying or doing the wrong thing. By avoiding communication or contact with a person with a disability, fears and misconceptions cannot be curbed. Discomfort will be eased if people interact with each other more often through both work and social settings.

- Talk directly to the person with a disability. Comments such as “does he want to...” to an attendant or friend accompanying a person with a disability should be avoided. When a person who is deaf is using a sign language interpreter, look at them and direct all questions and comments to them, not to the interpreter.
Do not apply blanket accommodations. Needs vary among individuals, even those with the same type of disability. Therefore, all accommodations are not automatically applicable to all persons with a particular disability. A disability can vary in terms of the degree of limitation, the length of time the person has had the disability (adjustment to the disability), and the stability of the condition.

Do not discuss a person’s disability or related needs with anyone who does not have a legitimate need to know. A person’s disability and any functional limitations caused by that disability should be held in the strictest confidence.

Do not assume that people with disabilities are getting unfair advantages. Accommodations help to “even the field” so that a person may be effective and successful in their work.

Pretending to understand someone’s speech when you do not will hinder communication. Some people with disabilities may have difficulty expressing ideas orally. Wait for the person to finish their thought rather than interrupting or finishing it for them. If you do not understand what is being said, repeat back what you do not understand and the other person will fill in or correct your understanding, where needed. It is appropriate to ask the person if it may be easier for them to write down the information, however, you must be prepared to accept the answer “no.”

Recognize that a person with a disability may afford you a unique opportunity. What is not always readily appreciated is the unique input of a person whose life experience may be different from our own. If we view this situation as a learning experience, rather than a problem, we can all be enriched by it.
Brain Injuries

Quick Facts

• Brain injuries can result from an accident, illness, exposure to a toxic substance, infection, or tumor.
• A brain injury may result in a range of disabilities including motor, sensory or regulatory impairments, intellectual/cognitive problems, and/or behavioral/emotional problems.
• The effects of a brain injury relate directly to the affected area of the brain. Strengths and capabilities in areas of the brain not affected by the injury remain functional.
• Brain injuries may not be visible and the effects may be difficult to identify.

Tips for Interaction

• **Remember**: People with brain injuries are individuals first.
• Avoid over stimulation to reduce agitation and/or confusion.
• Reduce distractions and provide opportunities for breaks.
• Work together to set realistic timelines.
• Give step-by-step directions.
• Provide written or pictorial directions for tasks with many steps.
• Give direction or instructions in more than one way.
• Have consistent routines. If the routine is going to change, let the individual know ahead of time.
• Try to incorporate frequent repetition of information and emphasize the use of memory cues such as calendars or daily logs.
• Maintain calm behavior in stressful situations.
• Demonstrate new tasks.
• Give examples to go with new ideas and concepts.
• Recognize that individuals are particularly sensitive to stress after a brain injury.
• Be flexible about expectations and work towards maximizing opportunities for success.
• Be patient.
• Focus on achievements and progress.
Some of the conditions associated with a developmental disability include Down’s Syndrome, Autism, and Fetal Alcohol Syndrome.

Individuals with developmental disabilities have many skills and talents.

Areas of difficulty may be with communication, socializing, and/or independent living. With support, individuals with developmental disabilities can work as employees and volunteers.

Developmental disabilities can range from slightly reduced abilities in learning new information and skills to more significant reductions in learning abilities and the need for intensive support.

Individuals who have developmental disabilities usually want to be independent.

The largest obstacles to equal employment opportunity for these individuals are lowered expectations and the lack of employer confidence in their capabilities.

In general, remember:

Persons with developmental disabilities are individuals first.
Developmental Disabilities

Tips for Interaction

Persons with developmental disabilities generally respond well to a three step learning process:

Explanation
• Use simple sentences to assist the individual in understanding.
• Focus on concrete ideas and skills as the individual may have trouble with abstract concepts.
• Make instructions clear and concise.
• Break directions down into small steps or tasks.

Demonstration
• Demonstrate tasks whenever possible.
• Be patient, persistent, and consistent while at the same time providing positive feedback.

Participation
• With proper training and support, individuals with a developmental disability can be successfully employed.
• Be conscious of including all staff, including those with developmental disabilities, in workplace activities.
Hearing Disabilities

Quick Facts

- A hearing disability ranges anywhere from slightly reduced hearing to total deafness.
- The goal of all communication is to obtain appropriate information from the person. Sometimes it is necessary to be versatile in finding an effective communication method with people who are deaf or hard of hearing. The main objective, though, is to communicate effectively.
- Methods of communication can include sign language, finger spelling, lip reading, and written and/or oral communication.

Hard of Hearing

- Involves varying degrees of ability to hear the loudness or pitch of the sounds most directly associated with speech.
- Hearing aids make sounds louder, but they do not clarify the person’s reception or understanding of the sound.
- Hearing difficulties can occur at different frequencies of sound.
- The ability to hear is affected by the pitch of the speaker’s voice and the level and type of background noise.

Deaf

- Individuals who are deaf do not rely on their hearing.
- “Deaf” can be used as a cultural definition, reflecting identity, language, culture and community.
**Hearing Disabilities**

**Tips for Interaction**

- **Remember:** People who are deaf or hard of hearing are individuals first.
- Get the attention of the individual before speaking.
- When pointing to an object or area, allow the individual’s gaze to return to you before continuing to speak.
- Maintain eye contact while talking.
- If the individual is reading your lips, make sure that your face is clearly visible, keep your hands away from your face and mouth while speaking and try not to sit with your back to a window.
- When an interpreter is present communicate directly with the individual, not the interpreter.
- Speak slowly and clearly.
- Be expressive, but do not exaggerate.
- Do not shout. Use a normal tone of voice.
- If necessary, rephrase your thoughts or ideas, or try different words.
- It is okay to use paper and pencil to communicate but be aware that this may isolate the individual in a meeting.
- During meetings, ask the individual where they would like to sit to maximize communication. Have each person raise his or her hand before speaking so that those depending on lip reading will know where to look.
- Discuss when an interpreter or note-taker may be required.
- Watch for facial expressions and body language that will help determine the success of your communication.
- It is okay to ask for something to be repeated.
- Not all people who are deaf know sign language. Do not assume that everyone needs an interpreter. Do not change the subject without warning.
- Just because someone uses a sign language interpreter during the interview does not mean that they will require an interpreter at all times to do their work.
- To get the attention of a person who is hearing impaired or deaf, vocalize a greeting, and if necessary, discreetly wave your hand or gently tap the person’s shoulder.
- Remember that the grammar of sign language is not directly related to English. The lack of knowledge of English grammar is not a sign of lack of intelligence.
Learning Disabilities

Quick Facts

• Learning disabilities affect the acquisition, organization, retention, understanding and/or expression of information.
• Examples are Dyslexia, Dyscalculia, Non-verbal, and Dysgraphia.
• Individuals may show one or more of the following characteristics:
  – Difficulty in academics (e.g. reading, writing, math).
  – Memory or perception problems.
  – Speech or language disorders.
  – Attention problems, such as difficulty staying on task or being easily distracted.
  – Hyperactivity such as difficulty sitting still.
• Each person with a learning disability is affected differently.

Tips for Interaction

• **Remember**: People with learning disabilities are individuals first.
• Since a learning disability is an invisible disability, it is rarely noticed without disclosure from the individual.
• People with learning disabilities have average or above average intelligence.
• Often, a person with a learning disability is very creative and develops unique and innovative methods of analyzing situations and issues.
• Relate to a person on the basis of his or her strengths rather than weaknesses. Assign work that utilizes those strengths.
• People with perceptual learning disabilities have difficulty receiving information through their senses. This includes auditory, tactile, and visual perception. Using multiple senses, such as reading and listening to what is being read out loud, is often helpful.
• People with academic-type learning disabilities such as Dyscalculia, Dysgraphia, and Dyslexia may have trouble reading or writing and prefer to tape record information or directions. Talking devices, such as computers and calculators are also useful.

• People with auditory learning disabilities may request that information be clarified or repeated. Written instructions or directions are helpful. Using short sentences, clear enunciation, and/or demonstrations may be useful. People with this type of disability often need to work in quiet surroundings.

• People with motor learning disabilities experience difficulty when their muscles react differently than expected to brain signals, resulting in a lack of coordination. Repetition helps to lessen coordination problems.

• People with perceptual learning disabilities have difficulty with accuracy. They may reverse numbers and/or place words or numbers in the wrong spaces on a form. Therefore, people with this type of disability may need their material checked for grammar and word or number reversal.

• People sensitive to tactile stimulation may not like being touched by others, including shaking hands. They may also have trouble judging the amount of pressure they exert in such actions as holding objects.

• People with visual perceptual learning disabilities may have difficulty in finding objects; or they may lose them frequently. People with this disability may color code files, etc., for easy identification.

• People with learning disabilities must discover their own personal coping mechanisms to accommodate their specific learning disability. But be prepared to provide support wherever possible.

• Be thorough, direct, and specific in communication.

• If inappropriate behavior is observed or reported, it is important to tell the person what behavior is inappropriate and what changes need to be made.

• Be approachable and understanding if an accommodation is required.

• Develop work-related strategies that enhance success for the individual.

• Provide structure and feedback.

Learning Disabilities
Medical Disabilities

Quick Facts

• Medical disabilities may include cancer, heart disease, diabetes, respiratory disorders, epilepsy, multiple sclerosis, HIV/AIDS, asthma, or allergies.
• This type of disability includes sensitivities, which are reactions to certain types of foods, chemicals, perfumes, and/or dust particles.
• Physical disabilities, hearing, vision, or speech can be affected by a medical disability.
• An individual may be affected by the type and dosage of medications they are taking.
• Many medical disabilities are invisible.
• If the medical disability changes over time, the type of accommodations or assistive devices being used may need to be changed.

Tips for Interaction

• **Remember**: People with medical disabilities are individuals first.
• Consider the specific needs of the individual.
• Be approachable and understanding if an accommodation is required.
• Consider using flexible scheduling.
• If needed, allow frequent breaks and longer timelines to accomplish tasks.
• Consider the use of computer technology for working at home on a part or full-time basis.
• Evaluate office space to maximize efficiency.
• Discuss any emergency medical concerns or procedures in case the individual needs assistance.
• If necessary, train others in emergency procedures.
Mental Illness

Quick Facts

• Mental illness involves an impairment of thought, mood, perception, orientation or memory.
• Examples are mood disorders (depression, bipolar disorder, and seasonal affective disorder), anxiety disorders (panic disorder, obsessive-compulsive disorder, and post-traumatic stress disorder), schizophrenia, and psychosis.
• The biggest obstacle is stigma – a negative social attitude towards an individual.
• Common symptoms are chronic fatigue, withdrawal from society, negative self-image and outlook, and difficulty coping with problems.
• Treatment may include a combination of counselling, therapy and/or medication.
• Do not try to provide counselling or therapy to the person.
• There are many types of mental and emotional illness, with different causes. Some disorders are biologically or chemically based and can be controlled with medication therapy.

In general, remember:

• People with mental illness are individuals first.
Mental Illness

Tips for Interaction

- Focus on their skills and abilities.
- Each type of mental illness is different and may require different communication styles.
- Consider staff training to increase awareness of the signs and common symptoms of mental illness.
- Be willing to listen.
- Remain calm if a stressful situation occurs.
- Flexibility in the work schedule is essential.

- Be clear and direct in communication.
- Develop work-related strategies that enhance success for the individual.
- Be sensitive about time away from work for medical appointments.
- Changes in behavior may signal increased stress at work or home, changes in medication, or other changes in the individual’s environment.
Physical Disabilities

Quick Facts

• Physical disabilities may restrict an individual’s ability to move around, perform manual tasks or participate in certain activities.
• A physical disability can be present at birth, be caused by a medical condition or result from an accident.
• The use of a cane, crutches, walker, wheelchair, scooter, or prosthetic device may be required.
• Physical disabilities may impact fine motor or dexterity skills.
• Physical accessibility is the biggest obstacle.

Tips for Interaction

• **Remember:** People with physical disabilities are individuals first.
• Recognize that needs of an employee with a physical disability may change over the course of their employment.
• Ongoing and open communication is essential.
• Most people will ask for assistance if they need it.
• It is appropriate to use common words like ‘walking’ or ‘running’.
• During long conversations, place yourself at eye level to a person using a wheelchair.
• Make sure all meetings and interviews are conducted at wheelchair accessible locations.
• Don’t be surprised if the person transfers from a wheelchair to an office chair or gets out of the wheelchair to move about. Some people who use wheelchairs can walk, but they choose to use a wheelchair because of stamina or balance issues.
• When walking with a person who walks slower than you, walk with the person, not in front of them.

• If a person falls or is off balance, simply offer assistance. A natural tendency is to overreact, but you need not be overprotective of a person with a mobility impairment.

• Be aware of obstacles, including floor or ground surfaces that might be present in a room or location that would inhibit the movements of people.

• Be prepared to shake hands with what is offered to you. This could be a disabled right hand, a prosthetic device, a stump, or even their left hand.

• Do not lean or rest on an individual’s scooter or wheelchair as these are generally considered a part of the individual’s personal space.

• Consider modifying office space to enhance accessibility.

• Be sure to extend the same greeting courtesies you would to a person without a disability.

Physical Disabilities
Short Stature

Quick Facts

• There are 200 diagnosed types of growth-related disorders that can cause a person to be of short stature that result in the person being 4 feet 10 inches or less in height.
• Average-size people often underestimate the abilities of persons of short stature. For an adult, being treated as cute and childlike can be a tough obstacle.
• The biggest difficulty persons of short stature have is being treatment based on their size rather than their age.

Tips for Interaction

• **Remember:** Persons of short stature are individuals first.
• Be aware of having necessary items within the person’s reach when practical. If the person appears to be having difficulties with existing furniture, ask what he/she prefers - do not volunteer a footstool or ladder.
• Be aware that persons of short stature count on being able to use equipment that is at their height.
• Communication can be easier when people are at the same level. Persons of short stature have different preferences. You might kneel to be at a person’s level; stand back so you can make eye contact without the person straining his/her neck or sit in a chair.
• Use the term “short stature” avoiding the terms “dwarf” or “midget”.

Short
Stature

Quick Facts

19
Speech Disabilities

Quick Facts

• A speech disability affects verbal communication with others including:
  – Pronunciation
  – Voice Strength/Volume
  – Fluency
  – Articulation
  – Voicelessness

• Speech disabilities may be associated with hearing loss, neurological disorders, brain injury, mental illness, and/or physical disabilities.

Tips for Interaction

• **Remember:** People with speech disabilities are individuals first.
• Be patient and allow the person to complete what they are saying without interruption.
• Encourage self-expression but do not pressure the person to speak.
• Do not insist that the individual speak to a group.
• Allow one-on-one communication if necessary.

• It is appropriate to ask for something to be repeated. It benefits no one to pretend you understand when you do not.
• Be approachable and understanding if an accommodation is required.
• Develop work-related strategies that enhance success for the individual.
There is a range of visual impairments that involve visual clarity and the amount of usable sight (field of vision).

Individuals with visual impairments may have loss of vision such as:
- Partial Sight (vision clarity and/or field of vision is reduced in one or both eyes)
- Legal Blindness (visual acuity of 20/200 or visual fields of less than 20 degrees in both eyes)
- Total Loss of Sight (less than 5% of all vision)

The quantity of printed material in the daily workplace may present a challenge.

Most individuals have developed strategies for working with printed material and orientating themselves to new surroundings.

A person’s visual acuity may change under different light conditions. Do not confuse visual impairments or ‘legal blindness’ with total blindness. Many people who are considered to be legally blind have residual (or remaining) sight. In fact, many people who are legally blind walk without the use of a cane or guide dog and can read printed text with some accommodations (such as large print or a magnifier).

While many persons who are blind can use Braille, the majority of persons who are blind do not.
Tips for Interaction

• **Remember:** People with visual impairments are individuals first.
• Consider alternative formats for documents (large print, electronic, voice).
• Most individuals will ask for assistance if needed.
• Speak directly to the individual, not through a third party or companion.
• Use the individual’s name when directing the conversation to him or her.
• It is okay to use words like “see”, “look” or “read”, phrases such as “I’ll see you later”, and commonly used expressions.
• When entering the room, identify yourself to the individual.
• When leaving the room, let the individual know.
• Continue talking to the individual as you approach them or they approach you because they use your voice for orientation.
• When guiding an individual (into an office, for example) offer your arm rather than taking their arm. This way they can follow your body movements.
• Guide dogs are working animals. Always ask permission before petting or touching the dog.
• It is very helpful and important to describe the physical surroundings, using specific words or phrases for directions such as “north”, “south”, “left side”, “right side”, or “three feet from the door”.
• In a meeting, have persons introduce themselves by name. The person with the visual disability will be able to determine where each person is seated according to the direction of each voice.
• Tell an individual when you have brought new items into their environment, describing what they are and, most importantly, where you have put them.
Positive language empowers. When writing or speaking about people with disabilities, it is important to put the person first. Group designations such as “the blind” or “the disabled” are inappropriate because they do not reflect the individuality, equality or dignity of people with disabilities. Further, words like “normal person” imply that the person with a disability isn’t normal, whereas “person without a disability” is descriptive but not negative. The accompanying chart shows examples of positive and negative phrases.

People with disabilities should be described in words and expressions that portray them with dignity. The following guidelines and terms are supported by some 200 organizations that represent, or are associated with, Canadians with a disability.

**In general, remember:**

- Describe the person, not the disability.
- Refer to a person’s disability only when it is relevant.
- Avoid images designed to provoke pity or guilt.
<table>
<thead>
<tr>
<th>Instead of</th>
<th>Use...</th>
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<tbody>
<tr>
<td>Disabled, handicapped, crippled</td>
<td>Person(s) with a disability</td>
</tr>
<tr>
<td>Crippled by, afflicted with, suffering from, victim of, deformed</td>
<td>Person who has ... or, Person with...</td>
</tr>
<tr>
<td>Lame</td>
<td>Person who is mobility impaired</td>
</tr>
<tr>
<td>Dwarf, Midget</td>
<td>Person of short stature, little person</td>
</tr>
<tr>
<td>Burn victim</td>
<td>Burn survivor</td>
</tr>
<tr>
<td>Confined, bound, restricted to or dependent on a wheelchair</td>
<td>Person who uses a wheelchair</td>
</tr>
<tr>
<td>Deaf and dumb, deaf mute, hearing impaired</td>
<td>Person who is deaf, hard of hearing</td>
</tr>
<tr>
<td>Retarded, mentally retarded</td>
<td>Person with a developmental disability</td>
</tr>
<tr>
<td>Spastic (as a noun)</td>
<td>Person with Cerebral Palsy</td>
</tr>
<tr>
<td>Physically challenged</td>
<td>Person with a physical disability</td>
</tr>
<tr>
<td>Mental patient, mentally ill, mental, insane</td>
<td>Person with a mental illness, Person who has Schizophrenia, Person who has...</td>
</tr>
<tr>
<td>Learning disabled, learning difficulty</td>
<td>Person with a learning disability</td>
</tr>
<tr>
<td>Visually impaired (as a collective noun)</td>
<td>Persons who are visually impaired, blind</td>
</tr>
</tbody>
</table>
Interviewing a person using Mobility Aids
• Enable people who use crutches, canes or wheelchairs to keep them within reach.
• Be aware that some wheelchair users may choose to transfer themselves out of their wheelchair (into an office chair, for example) for the duration of the interview.
• When speaking to a person in a wheelchair or on crutches for more than a few minutes, sit in a chair. Place yourself at that person’s eye level to facilitate conversation.

Interviewing a person who is Blind or Visually Impaired
• When greeting a person with a visual impairment, always identify yourself and introduce anyone else who might be present.
• Let the person know if you move or need to end the conversation.
• If you offer assistance, wait until the offer is accepted. Then listen or ask for instruction.

Interviewing Etiquette
Quick Tips
• Politely offer a handshake.
• Make eye contact with the applicant.
• Ask what is the best way to communicate.
• Speak directly to the person.
• Do not assume that the person needs assistance.
• Do not express sympathy or tell the applicant that you admire their courage.
• Do not avoid questions because you assume the applicant is sensitive or fragile.
• Make sure that all questions are job related.
• Ask questions in a straight forward matter-of-fact manner.

Interviewing Courtesies
Introducing a person using Mobility Aids
• Enable people who use crutches, canes or wheelchairs to keep them within reach.
• Be aware that some wheelchair users may choose to transfer themselves out of their wheelchair (into an office chair, for example) for the duration of the interview.
• When speaking to a person in a wheelchair or on crutches for more than a few minutes, sit in a chair. Place yourself at that person’s eye level to facilitate conversation.

Introducing a person who is Blind or Visually Impaired
• When greeting a person with a visual impairment, always identify yourself and introduce anyone else who might be present.
• Let the person know if you move or need to end the conversation.
• If you offer assistance, wait until the offer is accepted. Then listen or ask for instruction.
Interviewing a person with a Speech Impairment

- Be patient and allow the individual to complete what they are saying without interruption.
- Do not pretend to understand if you do not. Ask the person to repeat what you do not understand or try rephrasing what you wish to communicate.
- Do not raise your voice. Most individuals who are speech impaired can hear and understand.

Interviewing a person who is Deaf or Hard of Hearing

- To attract the attention of a person who is deaf or hard of hearing, touch him/her lightly on the shoulder.
- If the interviewee lip reads, look directly at him/her. Speak clearly at a normal pace. Do not exaggerate lip movements or shout. Speak expressively because the person will rely on facial expressions, gestures and eye contact.
- Shouting does not help and can be detrimental. Only raise your voice when requested. Brief, concise written notes may be helpful.
- If an interpreter is present, it is commonplace for the interpreter to be seated beside the interviewer, across from the interviewee.
- Interpreters facilitate communication. They should not be consulted or regarded as a reference for the interview. Speak directly to the person who is being interviewed, not the interpreter.
# Do's and Don'ts for Supervisors

The most important aspect of supervising and managing employees with disabilities is treating them in a manner that is equitable to the way you treat all employees. Just because a job accommodation may be required does not mean a supervisory accommodation is necessary.

## The following are tips for effective supervision:

<table>
<thead>
<tr>
<th><strong>Do’s</strong></th>
<th><strong>Don’ts</strong></th>
</tr>
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<tbody>
<tr>
<td>Do respect the employee as a person.</td>
<td>Don’t be afraid of employees with disabilities. They won’t break, and you can’t catch their disabilities.</td>
</tr>
<tr>
<td>Do ask the person who has a disability which is the best way to accommodate his or her physical limitations.</td>
<td>Don’t feel sorry for the person with the disability. Get to know him or her by discovering their abilities.</td>
</tr>
<tr>
<td>Do expect the same good work habits, the same quality of work and the same production levels from workers with disabilities as you would from others.</td>
<td>Don’t feel like the person is more fragile emotionally than others. Constructive feedback produces growth.</td>
</tr>
<tr>
<td>Do give honest feedback to the employee who has a disability. Everyone makes mistakes, and everyone wants feedback to improve his or her performance.</td>
<td>Don’t assume the person can’t perform a certain task. Ask how he or she will do the task. Help the person figure it out.</td>
</tr>
<tr>
<td>Do include employees in all activities, such as staff meetings or events.</td>
<td>Don’t talk down to employees with disabilities or treat them like children.</td>
</tr>
<tr>
<td>Do expect the employee to have the same ambitions as others.</td>
<td></td>
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</tbody>
</table>
What does Duty to Accommodate mean?
The duty to accommodate refers to an employer’s obligation to take appropriate steps to eliminate discrimination against employees, prospective employees or clients resulting from a rule, practice, or barrier that has – or can have – an adverse impact on individuals with disabilities. The duty to accommodate is written into section 2 and section 15 of the Canadian Human Rights Act; it stipulates that accommodation is required, short of undue hardship.

What is Undue Hardship?
According to the Canadian Human Rights Commission, the following are some guidelines which may be useful when determining what constitutes undue hardship.
If a qualified individual could be unfairly disadvantaged by existing policies, procedures, or facilities, there is a duty to accommodate unless accommodation would cause undue hardship.

Workplace Accommodation

- The key to successful accommodation lies in individual solutions. The foremost expert on workplace accommodations is the individual with the disability.
- Listen to what your employee tells you about his/her disability and what he/she thinks is needed. Ask questions when you don’t understand.
- Use resources specializing in specific disability issues. Be creative, flexible and innovative.
- Encourage your employee to test any special equipment or device before purchasing.
- Not all persons with disabilities require workplace accommodations.

Frequently Asked Questions

What does Duty to Accommodate mean?
The duty to accommodate refers to an employer’s obligation to take appropriate steps to eliminate discrimination against employees, prospective employees or clients resulting from a rule, practice, or barrier that has – or can have – an adverse impact on individuals with disabilities. The duty to accommodate is written into section 2 and section 15 of the Canadian Human Rights Act; it stipulates that accommodation is required, short of undue hardship.

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If a qualified individual could be unfairly disadvantaged by existing policies, procedures, or facilities, there is a duty to accommodate unless accommodation would cause undue hardship.
Undue Hardship takes into account such factors as:

- The cost of the accommodation, examined in the context of the size and financial state of the employer
- Disruption of operations or collective agreements
- The interchangeability of workforce and facilities
- Safety risks
- Employee morale

The fact that hardship must be “undue” to remove the duty to accommodate means that some inconvenience and costs are acceptable. Employers should generally attempt to accommodate an individual before concluding that it would result in undue hardship.

When an accommodation is not provided, the employer must be prepared to demonstrate that it would, in fact, cause undue hardship and that no realistic alternative was available.

When assessing potential hardship, it is necessary to consider all possible accommodation along with various methods of reducing hardship, such as:

- Phasing in major accommodations
- Making use of special budgets or external sources of funding
- Identifying alternative ways of completing job duties
- Shifting tasks between employees

Workplace Accommodation

What are the limits in the Duty to Accommodate?

There are limits to the employer’s duty to accommodate. An employer must balance the rights of the individual and the rights of the employer to have a productive workplace. An employer is not required to:

- Create an unproductive job
- Retain someone who is unable to meet their employment obligations despite accommodations
- Face undue hardship.

Is there a high cost to integrating people with disabilities into the office?

No. The cost of accommodation is reasonably modest. According to the Job Accommodation Network, most accommodations or adaptive equipment costs $500 or less. These costs are even more reasonable when you consider them amortized over the entire duration of the person’s employ with the organization.

The cost of adapting a workstation to the needs of a person with a disability can sometimes be high, but not prohibitively high – accommodation is just one part of the continuum of meeting the needs of your employees.

Examples:

- Changing a desk layout from the right to the left side for a data entry operator who has a shoulder injury ($0).
- Supplying a telephone amplifier for a computer programmer who is hard of hearing ($70).
• Providing a special chair for a payroll clerk to alleviate pain caused by a back injury ($400).
• Providing a drafting table, page turner and pressure sensitive tape recorder for a statistician who is paralyzed from a spinal cord injury ($1,100).

What is a Bona Fide Occupational Requirement (BFOR)?
A BFOR refers to an essential task or objective required to perform a job. An employer needs to review the duties in a job description to determine if the duties are essential for the position. If certain duties are discriminatory or nonessential, they need to be removed. As well, employers must pay particular attention to the difference between the processes and objectives of a job. In many instances, it is possible to alter, or accommodate, a process while still achieving the objective.

Examples of Workplace Accommodation

Following are some examples of typical workplace situations where accommodation may be appropriate:

• Install access ramps and power doors where necessary to promote ease of access and movement.
• Ensure that washroom facilities are accessible.
• Provide sign language interpreters to facilitate verbal and visual interaction and communication.

• During presentations, ensure information is highly visible, easily legible and easily understandable.
• Arrange office furniture to compensate for right or left side dexterity or for ease of access and reach.
• Adjust the height of shared items such as photocopiers, printers and fax machines to promote ease of access and reach.

In general, remember:

• Workplace accommodation is not a courtesy – it’s the law!
• An employee who has been denied an accommodation can file a complaint under the Canadian Human Rights Act. Employers are required to accommodate individuals, short of undue hardship.
Alternative Keyboards

• One-handed keyboards and keyguards that prevent two keys from being pressed simultaneously.
• Mini keyboards for small ranges of movement.
• Split keyboards separate the keys activated by the left hand from the keys activated by the right hand.

Ergonomic Office Furniture

• This includes ergonomic chairs, wrist guards, foot rests, wrist pads, step stools, and adjustable workstations.

Text Telephones (known as TTs, TTYs, or TDDs)

• Enables TT users to type phone messages over the telephone network and communicate with others via telephone.

Screen Reader

• Designed to convert information on the computer screen to audible spoken language. They are designed to work with most software packages.

Voice Recognition

• This technology allows the user to control the computer and to input text using the voice.

Screen Magnification Software

• Software that magnifies portions of the screen to increase visibility and readability.

Workplace Accommodation

Assistive Technology

There are numerous technological devices available to enable individuals with disabilities to maximize their strengths and improve their efficiency in the workplace. Some examples of assistive technologies include:

Acquiring accessibility software or constructing barrier-free workplaces to accommodate an employee or employees is a good investment all around. Remember, there are no catch-all solutions – not all people who are deaf require sign language interpreters; not all people who are blind read Braille; not all people with physical disabilities use a wheelchair; and not all persons with disabilities require accommodations.

For additional information please contact the Office of Employment Equity for Persons with Disabilities at 729-5881, TTY 729-5441, toll free at 1-800-950-4414, or email openingdoors@gov.nl.ca.
Certain jobs are more suited to persons with disabilities.

A very common myth is the idea that “certain jobs are more suited to persons with disabilities”. Persons with disabilities are as different and diversified as members of any other minority group, or of society at large. We need to focus not on the disability, but on the ability of the person.

It would be a good idea to hire a person with a disability to see what he or she can do.

Hiring decisions should be based on an objective evaluation of a candidate’s qualifications and competencies. The only thing more absurd than not hiring someone because they have a disability is to hire someone just because they have a disability.

Persons with disabilities are better workers than able bodied people.

Positive or negative stereotypes can affect our ability to make effective decisions and can build unreasonable or unrealistic expectations of an employee. The unfair standard of the positive stereotype is hard to live up to – everybody should have the right to have a bad day.

We need special comprehensive training to work with persons with disabilities.

It’s true that experience working with people with disabilities is helpful, but what that experience usually provides is the knowledge that working with a person with a disability is no different from working with anyone else. People with disabilities do not need special supervision or treatment from co-workers.
Insurance rates go up when a person with a disability is hired. Fears about increased insurance rates are often based on the false assumption that persons with disabilities have a higher rate of accidents and injuries. These rates are actually no higher than for any other employee. The same applies for workers’ compensation rates that are based on industry risk factors and the employer’s accident history.

**We may not have any jobs that persons with disabilities can do.**

We cannot assume what would or would not present difficulty to another person. Since every person’s experience of disability is unique, we can’t assume what people are capable or not capable of doing. We also can’t assume whether a person with a disability will or will not require any type of accommodation.

**It is important not to place persons with disabilities in jobs where they might fail.**

People with disabilities are not the first minority group to face the challenge of proving their competency before being hired. They are, however, the first group for whom this is considered a favour. A patronizing attitude can significantly contribute to underemployment. Rather than protect people – and deny them the experience everyone needs to grow – allow them the dignity of being able to take risks, try new things, and learn through failure as well as success.

It isn’t fair to my co-workers, employees, clients or customers to hire someone with a disability, since they may feel uncomfortable working with this person.

Exposure breeds comfort. And we can’t ignore the exposure that already exists. Over 15% of the Canadian population has some form of disability. They are our employees, co-workers, clients, customers and family members. It is very rare to meet a person who does not have a close friend or family member who has a disability. People are usually more comfortable and willing to work with people with disabilities than many employers expect.

**I just don’t know enough about disabilities to feel qualified to supervise or work with people who have them.**

There is far too much to know about disabilities than an employer, supervisor, or co-worker could possibly expect to learn. The only truly effective way of learning about a disability that is relevant to your workplace is to learn from the person with a disability. There is really only one expert for any specific disability – the person who has it.
Bibliography


Communicating with and About People with Disabilities, National Collaborative on Workforce and Disability www.ncwd-youth.info

Disability Definitions, The Canadian Abilities Foundation, Toronto, ON www.abilities.ca


Duty to Accommodate, Treasury Board of Canada Secretariat www.tbs-sct.gc.ca

Employ with Expertise, An Employer’s Toolkit for Success in Hiring Individuals with Disabilities, WORKink Alberta www.ab.workink.com

Job Accommodation Network www.jan.wvu.edu

Workplace Accommodation, Public Service Commission of Canada www.psc-cfp.gc.ca
“Everyone deserves the opportunity to gain meaningful employment.”
Premier Danny Williams

“There is nothing that changes an organization’s attitude and culture like personal experience.”
Clerk of the Executive Council

“We are proud to support the Office of Employment Equity for Persons with Disabilities.”
Newfoundland and Labrador Association of Public and Private Employees

“There is always more good going on than bad. Make the most of your opportunities.”
Client, Office of Employment Equity for Persons with Disabilities

For more information on our programs and services:
Tel: (709) 729-5881
Toll free in Newfoundland and Labrador: 1-888-729-7690
Fax: (709) 729-6737
E-mail: openingdoors@gov.nl.ca

Visit our Website:
www.exec.gov.nl.ca/OEEP

Or visit us at:
50 Mundy Pond Road
St. John’s, NL A1B 4J6