Do Ask, Do Tell: Tapping the Power of Disability Diversity & Encouraging Self-Identification

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Participant Questions & Panelist Responses

KATHLEEN LEE, ILR

Q: How often do employers have to ask about self-identification?

If the employer is a federal contractor, they may ask job applicants at the application or pre-offer stage to self-identify (yes or no) that they have a disability. This is voluntary for the person with a disability and it is for affirmative action and data analysis only during all three requests for self-identification. Post-offer, after they have been hired and are now considered an employee, they will be asked again to self-identify. Lastly, employers have to re-survey employees once within a five-year period after they are employed by the company.

Q: What is the best time for disclosure? During application, at interview or after job offer?

This is a personal preference to the individual with a disability and may depend on the specific company that they are applying to—the company may be seeking applicants with disabilities and the individual may feel that they might have a competitive advantage. Some candidates believe after they are hired is the best time to disclose, as this information cannot be used in any of the interview or application process. During an interview, if someone has an obvious or visible disability, they may want to discuss their disability if they feel that the interviewer may perceive their ability to do the job differently as a result of the visible disability. It is better for the candidate to speak positively about their disability rather than have the interviewer make assumptions whether they are correct or not. Own the interview and keep everything job-related. For invisible disabilities, candidates have the luxury of choosing to disclose or not disclose and, again, this is at their discretion.

Q: Can we hear more about the difference between climate and culture?

This is a link to an article I wrote last Fall that describes the differences as it relates to disability inclusion: http://www.directemployers.org/2015/10/13/making-disability-matter-and-creating-inclusive-workplaces/.

Dr. Lisa Nishi and Dr. Susanne Bruyere at Cornell have done some great research in this area, which is referenced in the article above.

This is a simple YouTube video, https://www.youtube.com/watch?v=hXdmaBlijD0, that explains the fundamental difference in general terms.

This is a general brief on the difference from the Kennedy Group in Chicago,
http://thekennedygroup.com/_pdfs/culture_vs_climate.pdf.

Q: As far as I can tell, most federal contractors take affirmative action because of OFCCP's enforcement. What other data exist indicating otherwise?

Although compliance may be the initial reason to think about the disability community, employers are taking notice of the human capital that exists within this large demographic, and companies are realizing that they have to find talent to meet the current skill gaps in certain high demand job areas, including the HB-1 areas. Employers are not in great positions to turn away talent since there is a worker shortage for qualified candidates in high growth industries. It is also much more cost effective to find talent in the U.S. utilizing the available resources and tax incentives that exist for hiring candidates with disabilities. This can include State VR, University Disability Support and Career Services, American Job Centers, Non-profit Organizations and the Work Opportunity Tax Credits and On-The-Job Training resources.

Q: Is it possible employees are not aware what a disability is, as defined by the Americans with Disabilities Act (ADA), so they feel it does not apply to them?

Many employees do not consider themselves disabled even though they have a health condition that is certainly a documentable disability. This could be someone with high blood pressure, diabetes, cancer or a psychiatric disability, for example. Employees have mitigating measures that help manage their health conditions, so the focus is not on disability identity, it is just a health condition. Mitigating measures may be medication, diet, counseling and other reasonable accommodations to mitigate functional limitations, etc. Disability is part of the human condition, although many people would not describe this as a clarifying characteristic of who they are as an individual or employee.

Q: Most state governments don't have Section 503 AAPs because the OFCCP does not audit them. Agree?

More and more states are looking at disability inclusion initiatives, and quite a bit of research has been done in this area. This is not necessarily due to compliance but a more targeted approach to disability awareness, citizens with disabilities, and the employment opportunities for this demographic in replacing the baby boomer generation. There are two resources you may want to take a look at:

One is from the National Governors Association (NGA). Reference a Better Bottom Line,
http://www.nga.org/files/live/sites/NGA/files/pdf/2013/NGA_2013BetterBottomLineWeb.pdf

Another is research by Rutgers University, Cornell, and EARN,
http://askearn.org/docs/StateModel.pdf

Q: Most attorneys I work with advise their clients not to promote disclosure because it increases obligations and liabilities. How should this concern be answered?

I am not an attorney and I cannot give legal advice. However, I can speak from the consultative and practical perspective. Disclosure will depend on the individual and their specific situation. I don't think it is effective to give general advice and think it will work for every person's situation. Look at the pros and cons to disclosure as well as when or if to disclose and how to do so effectively: To whom and how much will be shared and at what time, if at all. Authenticity is important to employers and to employees, so this is something to address as well. Do you need an accommodation? Will disclosing impact your job? Will this be a competitive advantage to you? etc. are some of the questions to ask yourself or someone you are working with.

Q: What are some examples employers could use as a "benefit" to increase self-ID responses?

Here are several:

- *Testimonials from internal champions at the company that are respected and trusted.*

- *An internal culture and climate that supports employees with disabilities and provides an equitable workplace. This must be seen and exhibited throughout the company, not just in print format.*

- *Having active employee resource groups (ERGs) that promote disability and veteran inclusion will speak volumes to employees, including those with disabilities. Explaining the reasons behind self-identification (why it matters and what you will do with the information) that would include a workforce that is representative of the community the employer is serving and providing products or services to.*

- *Increasing opportunities at the company for diverse employees, especially those with disabilities, in the areas of equitable education/training/job growth or mobility.*

Q: I work as a vocational rehabilitation counselor. I regularly work with individuals with psychological conditions such as depression, anxiety, etc. Are most employers more supportive of accommodations for physical conditions versus psychological?

It depends on the knowledge and exposure of the companies. What have their experiences been? Do they have a personal experience with a disability or know others who do? This makes a big difference in behaviors. Historically, employers and people in general have more concerns or fear of the unknown. For psychological disabilities, there has been the most stigma associated although that is changing as we have a 25% chance of acquiring a psychological disability (depression) and more and more people are telling their stories and people have a better understanding of the accommodations, services and resources available to individuals with psychiatric disabilities. Knowledge, exposure and looking at disability on an individual basis is important for accommodations and inclusion efforts. Providing the necessary information/resources for the interactive discussion and finding

solutions to accommodation requests is critical to success. There are tons of resources at the state and federal level, especially the Job Accommodation Network (AskJAN.org). Check out their A-Z disability resources.

Q: How do you maintain the tone and voice of the integrated campaign, when you get to the actual place where the questions are asked (Workday) with limited customization?

I believe you are asking about an internal communication and a HR Portal (Workday) or self-service kiosk. Having a balanced communication for disability inclusion, including self-identification, is important. This is not a "one shot deal." Internal messaging needs to be timely and reinforced by personal stories, activities the company is participating in (community, job fairs, social responsibility as it relates to disability and veterans, etc.), and opportunities for current and future employees. Build a climate of trust and follow-through on campaigns and activities that support inclusive workplaces.

LORI GOLDEN, EY

Q: The federal government has NOT made it easy to allow for multiple vehicles for people to self-identify. What are some other ways employers can legally do this?

At EY, we leverage existing processes to highlight the self-ID questions. We have only one vehicle available that is accepted for Section 503 purposes: the demographic questions in the people profiles that connect to our formal HR system. We highlight those questions in our New Hire Portal; New Hire Orientation; Counseling Family meetings and AccessAbilities-sponsored events; and articles, stickers, and mentions in email signatures and instant messages.

Q: Is there an EY office in Alaska or who covers Alaska?

There is not. Here's where you can find all of EY's locations: -
http://www.ey.com/OurLocations

Q: What is the url for the EY Abilities information?

Here is where you can find information about EY Abilities:
http://www.ey.com/US/en/About-us/Our-people-and-culture/Diversity-and-inclusiveness/Unleashing-our-full-abilities

Q: Did EY communications result in significant increase of IWD self-identifying?

We've seen increases, but we're not yet where we'd like to be.

Q: How does EY support parents or caregivers of people with disabilities?

We have a wide range of benefits and program offerings. For example, this year we introduced ABA benefits, the state-of-the-art early intervention treatment program for children with autism. We also have two separate support networks for these groups: one for parents of children with disabilities and another for EY people and significant others who act as caregivers for adults with disabilities, including elderly family members, adult children, spouses, etc. You can find more information on our ey.com/abilities website.

Q: What are some actionable ways you have used the information from "I Count" to provide better support for employees' needs?

We are continually improving our efforts to meet the needs of all our people, including people with disabilities and family members of people with disabilities. Expanding benefits are one area; in addition to ABA benefits, we added hearing aid benefits this year. Another is an ongoing effort to improve digital and office accessibility. We've been captioning webcasts and videos for a number of years; this year we're using captioning at large internal meetings and events. We're beginning monthly accessibility reviews of all our websites and are developing new emergency response processes for people with disabilities as part of new

global security standards. We are continuing to educate our workforce on how to work more inclusively; we recently developed and are distributing guidance on how to create accessible PowerPoint presentations and will be messaging on the importance of using microphones and following other inclusive protocols in firm meetings.

Q: At EY, what type of response rate do you get to your self-ID invitations and how does that compare to before your more integrated, holistic approach?

We began asking for the first time in December 2014 in an integrated and holistic way, so we have no comparisons to offer yet.

Q: For many employees with invisible disabilities, workplace bullying is real and rampant resulting in being fired or quitting. How do you provide for people with invisible disabilities especially those on the autism spectrum or with mental illness?

We have focused on non-visible disabilities for a long time in a number of ways. The posters we create for National Disability Employment Awareness Month have often centered on awareness and acceptance of non-visible disabilities: materials like our video, our webcasts, AccessAbilities Minutes and our quick guides series of tip sheets feature people with non-visible disabilities and their stories. We also created a handbook specifically on this topic called Getting support, supporting others, which deals with the challenging interpersonal issues surrounding non-visible disabilities and directed to PWD, colleagues, supervisors and HR staff. We have a comprehensive mental illness awareness and education program rolling out shortly and have a pilot around recruiting professionals with autism, which will be supported by a broad internal communications plan.

Q: At what stage are you asking about sexual orientation and what kind of responses have you received?

We ask about orientation in the demographic section of our people profiles, where we draw numbers for Section 503 compliance tracking. We also ask optional demographic questions as part of our global people engagement survey. We draw attention to the demographic questions in our people profiles throughout the year as detailed above. Response rates are increasing, but we still have lots of work to do to boost awareness.

Q: Where do you house all of those data points -- like sexual orientation and caregiver status?

These are kept in a separate repository from ethnicity, disability and veteran data.

EARN Team

Q: I missed what ERG stands for. Please clarify.

A. *Employer Resource Groups (ERG). More information about ERGs is available at http://askearn.org/refdesk/Inclusive_Workplaces/Employee_Resource_Groups.*

Q: Is it against the law to host a job fair just for individuals with disabilities?

A. *No, it is not against the law to host a job fair just for individuals with disabilities. Such an event is considered a targeted outreach effort. Disability.gov has resources on job fairs for people with disabilities at https://www.disability.gov/?s=job+fairs&submit=. You may also wish to visit the U.S. Department of Labor's website at http://www.dol.gov/.*

Q: I am a job seeker, so I am looking for information on when and how to disclose my disability.

A. *Disability disclosure is a very personal decision. Here are some resources that may be of assistance to you as you consider your options:*

- *The National Collaborative on Workforce and Disability's guide "The 411 on Disability Disclosure." You can view the guide at http://www.ncwd-youth.info/sites/default/files/411_Disability_Disclosure_complete.pdf.*
- *The Job Accommodation Network (JAN) also has several resources on this topic at http://askjan.org/topics/discl.htm.*
- *Virginia Commonwealth University offers a "Disclosure Decisions to Get the Job" Fact Sheet at http://www.worksupport.com/research/viewContent.cfm/585.*

Q: I am a job developer working with clients who are Deaf. We often suspect and can't prove hiring discrimination in part because of cost of paying for accommodations such as sign language interpreters. Any ideas how we can get past this?

A. *Since each and every situation is different, this is a difficult question to answer. However, one strategy might be to target companies who promote hiring people with disabilities on the careers section of their website. Another suggestion might be for the individual to prepare information and provide it proactively, even offering different resources and strategies the person uses to help make communication accessible for all. The following article may offer some additional suggestions: Creating Deaf Accessibility in the Workplace.*

You can also find helpful resources on The Job Accommodation Network (JAN) website at http://askjan.org/media/deaf.htm. The Computer/Electronic Accommodations Program

(CAP) is also a great resource and has information on this topic at
http://www.cap.mil/Solutions/ProductDisability.aspx?DisabilityID=3.

Q: Do you have any examples of companies who are currently running apprenticeships for people with disabilities?

A. The U.S. Department of Labor's "ApprenticeshipUSA Toolkit" is a helpful resource on this topic and includes a section on "Models of Success." This resource is available at http://www.dol.gov/apprenticeship/toolkit.htm.

Another resource on this topic is "What Apprenticeship Employers Need to Know about Working with Young Adults with Disabilities," which is available at: http://www.dol.gov/odep/categories/youth/apprenticeship/ODEP5.pdf.

Q: How do we best communicate to our employees that the definition of disability is broader than just physical or developmental?

A. By doing just that. Communicate the information early, often and in as many different formats as possible, including brown-bag lunches, email communications, company newsletter, new employee orientation, yearly performance reviews, videos, info-graphics, etc.

For more information on creating an inclusive work environment, check out EARN's resource at: http://askearn.org/refdesk/Inclusive_Workplaces/Creating_an_Inclusive_Work_Environment.

Q: What kinds of resources are available to help us educate leaders and improve disability competence?

A. Resources on disability etiquette and awareness are available from EARN at http://askearn.org/refdesk/Inclusive_Workplaces/Etiquette. Disability.gov also has resources regarding this topic at https://www.disability.gov/?s=disability+awareness&submit=.

The ADA National Network offers training, publications, fact sheets and more on disability awareness. Contact your regional network. A list of regional ADA Centers can be found at https://adata.org/find-your-region.

State Vocational Rehabilitation Offices may offer training and education. Contact your local agency for more information. A list of state agencies can be found at http://askjan.org/cgi-win/TypeQuery.exe?902.