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Creating an Inclusive and Accessible Culture: Supportive Management for People with Disabilities

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Creating an Inclusive and Accessible Culture

Supportive Management for People with Disabilities

tinyurl.com/SupportDisabilitiesLibCALM

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Welcome!

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Native American Disability Law Center

"The Law Center is the only agency in the country devoted solely to protecting the legal rights of Native Americans with disabilities. We guard Native Americans with disabilities against abuse and advocate for their basic rights. Our advocacy ensures accountability in health care, education, employment, housing, transportation and juvenile justice."

www.nativedisabilitylaw.org/support-our-work

Goals for Today

1. Understand the legalities surrounding disability inclusion in the workplace

1. Devise strategies for supporting employees with disabilities

2. Assess how Universal Design and equity training can create a supportive environment and culture for all library workers

Disability Civil Rights in the Workplace

Disability Defined

"The ADA defines a person with a disability as a person who has a physical or mental impairment that substantially limits one or more major life activity. This includes people who have a record of such an impairment, even if they do not currently have a disability."

(ADA National Network, 2022)

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Disability by the Numbers

- 26% of American adults live with a disability

- 19.1% of disabled Americans are employed as of 2021

- 2.91% of ALA members report having a disability as of 2017

- More than 50% of people experience long COVID

(CDC, 2020; BLS, 2022; ALA, 2017; Groff et al, 2021)

ADA in the Workplace

- For employees with disabilities that can complete essential job duties with or without reasonable accommodation

- Protects disabled workers from discrimination in all aspects of employment

- Requires accommodations to adapt job duties or work environment

- Ensures confidentiality from employers

(US EEOC, n.d.)

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Accommodations

- "A reasonable accommodation is a modification or adjustment to a job, the work environment, or the way things are usually done during the hiring process."
  - **Reasonable** is the key

(Office of Disability Employment Policy, n.d.; Bureau of Labor Statistics, 2019)

Steps in the Process

1. Employee or supervisor recognizes the need to adjust work environment or job duties

2. Employee obtains a letter from a doctor and takes it to their supervisor or HR

3. Employee engages in "interactive process" if needed

4. Accommodations are granted and supervisor is notified

5. Supervisor must keep nature of accommodations confidential

Barriers to Accommodations

- Employees must know to ask for them and how to navigate the process

- HR wants what is easiest for institution, not best for employee

- Requires disclosure of disability to some degree

- Potential social and professional repercussions from colleagues and supervisors
  - See Pionke, 2019

The American with Disabilities Act is the Floor. Accessibility is the Ceiling.

Specific Strategies for Supporting Employee with Disabilities

"Disabled people shouldn't only be expected to access services or offers with words 'disabled', 'disability' and 'inclusive' in them.

Disabled people should be able to access whatever they want.

That's what we should be working towards."

~ Ben Andrews (<u>Twitter, Aug 2021</u>)

Be Knowledgeable & Compassionate

- Educate yourself
  - Institutional Policy
  - Disability Inclusion

- Listen calmly without negativity

- Believe employees and demonstrate care and confidentiality

Learn about the Reality of Disability

- **Challenges:** Stressful, Expensive, Painful & Boring, Time Consuming

- **Strengths:** Problem Solver, Excellent Communication & Time Management, Self-Reflective, Expert at Prioritization

Ensure Confidentiality

- Respect individuals right to privacy, you have a right to know what accommodations someone wants but not their specific condition.

- If someone chooses to disclose their personal circumstances to you, get explicit permission from them before you share information with others.

Approach Someone who is Struggling

- Explain you've noticed they may be having issues and ask what might help them.

- If you can authorize the accommodation yourself, do so. If not, talk them through the accommodation process.

- Remember confidentiality: Don't pry into their issues! Don't force them to share! Let them decide if they want assistance.

How to Support Accommodations

- Understand the process so you can:
  - Explain ADA and FMLA
  - Show them where the paperwork is and send them the link

- Offer to talk to someone with them if they prefer

- Provide actionable support to employee and HR

- Pause and think: Is it something you can do on your own? Do you need to go through HR / Disability Services?

Supporting Workers with Disabilities at Events

- Is there the option to sit or stand?

- Does your sign-up form ask if someone needs an accommodation?

- Do you contact those who request accommodations ahead of time to tell them what accommodations will be provided?

- Is food being provided?

  - Did you ask about dietary restrictions (which includes food allergies) AND are you respecting them?

- Is transcription or sign language interpretation available?

- Are related materials, websites and recordings accessible?

How to do Your Homework

- Understand and know where to find relevant policies and paperwork.

- Pay attention to testimonials, reflections, suggestions and complaints written by individuals with disabilities about their lived experiences.

- Embrace being uncomfortable by reflecting on things you instinctively find upsetting or uncomfortable.
    - Why are you upset or offended?
    - Are you upset because someone is not able bodied? Why?

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More Ways to Support Workers with Disabilities

- Take the lead on updating your materials or on a group working to change policies related to accessibility.

- Ask for advice when you need it.

- Don't assume someone wants to represent all individuals with disabilities.

- Believe people's lived experience and statements of need!

Remember: No one wants to justify who they are!

People who insist they are "owed" an explanation because they

"don't understand" cause psychological harm and long term trauma.

Focus on active listening and helping to meet the person's needs,

not your own understanding of their unique circumstances.

Universal Design Approaches for Inclusion

Universal Design

"Universal Design is the design and composition of an environment so that it can be accessed, understood and used to the greatest extent possible by all people regardless of their age, size, ability or disability."
(National Disability Authority, 2020)

Coined by Ronald Mace from the Center for Universal Design at NCSU: "The design of products and environments to be usable by all people, to the greatest extent possible without the need for adaptation or specialized design."
(Center for Universal Design, 2008)

Universal Design for Learning

UDL focuses more on the teaching and learning environment rather than a physical space.

3 Core Features:
- Multiple Means of Engagement (the WHY of learning)

- Multiple Means of Representation (the WHAT of learning)

- Multiple Means of Action & Expression (the HOW of learning)

Principles of UD in the Workplace

- Flexibility in how work is performed

- Flexibility in when work is performed

- Flexibility in where work is performed

(University of Arizona, Disability Resource Center, 2022)

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Additional UD Workplace Ideas

- **Small Accommodations:** If there are small accommodations that can fit within your budget make them without a formal ADA process. Everyone learns/works differently.

- **Present information in different ways**: Providing agendas, taking notes, presenting information both verbally and written can help those who might learn differently not need accommodations.

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Improving Disability Inclusion

Policies to Implement

- Explain how to access accommodations in on-boarding

- Regularly hold training on disability inclusion and legal rights for library employees

- Incorporate disability throughout DEI planning

- Ensure accessibility policies for patrons and staff are clearly shared

Equity Trainings to Consider

- ADA Accommodations versus FMLA
- Local ADA practices
- Diversity of Disability
  - Vaughan, 2019
  - Disability & Libraries Toolkit
- Inclusive Language
- Inclusive Teaching Pedagogies
- Technology Training
- Student Accommodation Practices

Nothing About Us Without Us

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Questions or Comments?

Resources available at:
tinyurl.com/SupportDisabilitiesLibCALM

Get in touch!
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