Workplace Flexibility, Accommodation and Disability: Tools for Workforce Productivity

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Presentation Overview

• Importance of attention on disability, employment and workplace flexibility
• Employers experience with workplace flexibility approaches for disability
• Disabilities where employers appear to be having difficulty accommodating
• Workplace flexibility strategies that maximize participation and productivity for workers with disabilities
Importance for American Workplaces

- More than one out of every ten (12.6%) working age Americans (ages 21-64) has a disability*
- Approximately 21.5 million working age Americans have disabilities*
- Social Security Data**
  - Approximately 10 million Americans under age 65 on SSI and/or SSDI
  - Almost 8 billion dollars/month
  - Mental disability and musculoskeletal highest in number (SSDI)

*NIDRR Demographics and Statistics RRTC at Cornell University’s Employment and Disability Institute, calculations based on 2005 American Community Survey, performed by William Erickson, 2006.
Importance for American Workplaces (con’t)

- Employment rate in 2004 of working age men (21-64) with disabilities was 20%, as compared to 86% of men without disabilities.*

- The Employment rate in 2003 of working age women with disabilities was 18%, as compared to 73% of women without disabilities.*

- In 1986, two-thirds of Americans with disabilities between the ages of 16 and 64 who were not working indicated they would prefer to work. In 1994, that proportion increased to 79%.**


Relative Poverty Rate for People with Disabilities

In 2004, an estimated **28%** of civilian men and women with a work limitation, aged **21-64** in the United States lived in families with incomes below the poverty line, compared to an estimated **9%** of civilian men and women without a work limitation.*

Importance for American Workplaces (con’t)

• People with disabilities are a sizable concentration in the U.S. population
• People with disabilities want to work
• There is a continuing disparity in employment rates of people with disabilities
• The numbers of people collecting Social Security disability benefits continue to rise
Increasing Prevalence of Disability in the U.S. Workforce

- The 45 to 54 and 55 to 64 year old U.S. population is projected to grow by nearly 44.2 million (17%) and 35 Million (39%) in the next ten years*
- This group will account for nearly half (44%) of the working age population (20-64) by the year 2010*
- The prevalence of disability grows with age (Figure 1)
- By 2010 the number of people with disabilities between the ages of 50 and 65 will almost double, and will be significantly larger than at any other age**

Figure 1. Growth in Disability Prevalence by Age

Prevalence = 4.5715e^{0.0383*Age}

$R^2 = 0.9881$

Source: NIDRR Demographics and Statistics RRTC at Cornell University’s Employment and Disability Institute, calculations from 2003 ACS PUMS file performed by Robert Weathers, 2005.
Figure 2. Estimated Growth in Disability Population 2000-2010, By Age

Source: NIDRR Demographics and Statistics RRTC at Cornell University’s Employment and Disability Institute, Disability Prevalence Rates from 2003 American Community Survey (ACS) applied to U. S. Census Bureau population forecasts performed by Robert Weathers. 2005.
Accommodation Promotes Retention of Workers with Disabilities

- Workers accommodated following the onset of disability had significantly lower risk of applying for SSDI benefits*
- Universal employer accommodation would increase expected duration of employment of men by 3.13 years*

U.S. Employment Discrimination Charges (percent of total EEOC Charges by Type)

* Because individuals often file charges claiming multiple types of discrimination, the number of total charges for any given fiscal year will be less than the total of the eight types of discrimination listed.

Data from: http://www.eeoc.gov/stats/charges.html, Data provided by William A. Erickson, Employment and Disability Institute, Cornell University
# ADA Charges—Top 5 Issues (by Total Charges)

<table>
<thead>
<tr>
<th>Issue</th>
<th>Total Charges</th>
<th>EEOC Charges</th>
<th>FEPA Charges</th>
<th>Percent FEPA</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Discharge</td>
<td>127,460</td>
<td>67,142</td>
<td>60,318</td>
<td>47.3</td>
</tr>
<tr>
<td>2 Terms/Conditions</td>
<td>37,981</td>
<td>13,190</td>
<td>24,791</td>
<td>65.3</td>
</tr>
<tr>
<td>3 Reasonable Accom.</td>
<td>60,402</td>
<td>40,866</td>
<td>19,536</td>
<td>32.3</td>
</tr>
<tr>
<td>4 Hiring</td>
<td>22,498</td>
<td>12,379</td>
<td>10,119</td>
<td>45.0</td>
</tr>
<tr>
<td>5 Harassment</td>
<td>19,663</td>
<td>11,561</td>
<td>8,102</td>
<td>41.2</td>
</tr>
</tbody>
</table>

Note: Charges in which only the ADA is cited. Charges can have more than one issue.

This data was provided by the Equal Employment Opportunity Commission under a special agreement to allow confidential university research. Data tabulations by S. Antonio Ruiz-Quintanilla of Cornell University. (NIDRR-funded Grant No. H133G040265: *Using the U.S.EEOC Employment Discrimination Charge Data System for Research and Dissemination Purposes*).
## ADA Charges—Top 7 Bases (by Total Charges)

<table>
<thead>
<tr>
<th>Basis</th>
<th>Total Charges</th>
<th>EEOC Charges</th>
<th>FEPA Charges</th>
<th>Percent FEPA</th>
</tr>
</thead>
<tbody>
<tr>
<td>1  Other Disability</td>
<td>56,841</td>
<td>24,125</td>
<td>32,716</td>
<td>57.6</td>
</tr>
<tr>
<td>2  Orthopedic Back Impairment</td>
<td>32,474</td>
<td>18,060</td>
<td>14,414</td>
<td>44.4</td>
</tr>
<tr>
<td>3  Regarded As Disabled</td>
<td>19,116</td>
<td>12,810</td>
<td>6,306</td>
<td>33.0</td>
</tr>
<tr>
<td>4  Nonparalytic Orthopedic Impairment</td>
<td>18,135</td>
<td>11,114</td>
<td>7,021</td>
<td>38.7</td>
</tr>
<tr>
<td>5  Depression</td>
<td>13,275</td>
<td>8,263</td>
<td>5,012</td>
<td>37.8</td>
</tr>
<tr>
<td>6  Other Psychiatric Disorders</td>
<td>9,577</td>
<td>4,344</td>
<td>5,233</td>
<td>54.6</td>
</tr>
<tr>
<td>7  Diabetes</td>
<td>7,792</td>
<td>4,690</td>
<td>3,102</td>
<td>39.8</td>
</tr>
</tbody>
</table>

Note: Charges in which only the ADA is cited. Charges can have more than one basis.

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Flexibility in Workplace Policies and Practices for People with Disabilities

- Flexible work hours
- Time off (short term, extended, episodic)
- Use of telecommuting
- Flexibility in workplace policies
- Flexible management system
- Flexibility in test taking
Degree of Difficulty in making Organizational Changes to Better Meet the Needs of Employees with Disabilities by Organization Size

- Changing co-worker/supervisor attitudes: 
  - Large (500+): 33% 
  - Small (<500): 33%
- Modifying return to work policy: 
  - Large (500+): 18% 
  - Small (<500): 15%
- Creating flexible management system: 
  - Large (500+): 17% 
  - Small (<500): 17%
- Change in leave policy: 
  - Large (500+): 10% 
  - Small (<500): 10%
- Adjusting medical policies: 
  - Large (500+): 7% 
  - Small (<500): 6%
- Ensuring equal pay & benefits: 
  - Large (500+): 3% 
  - Small (<500): 1%

* statistically significantly different by company size (p<.05)

Note: percentages do not include those who didn't make the change.

Survey of 834 HR/EEO respondents

Types of Accommodations Made by Organizations to Meet the Needs of Employees with Disabilities by Organization Size

### Large Employers (500+)
- Made existing facilities accessible: 92%
- Been flexible w/ HR policies: 87%
- Restructured jobs or modified work hours: 92%
- Parking or transportation accommodations: 78%
- Modified work environment: 77%
- Acquired/modified equipment or devices: 75%
- Provided written job instructions: 72%
- Made reassignment to vacant positions: 60%
- Provided qualified readers/interpreters: 47%
- Acquired/modified training materials: 43%
- Changed supervisory methods: 42%

### Small Employers (<500)
- Made existing facilities accessible: 69%
- Been flexible w/ HR policies: 72%
- Restructured jobs or modified work hours: 51%
- Parking or transportation accommodations: 51%
- Modified work environment: 42%
- Acquired/modified equipment or devices: 37%
- Provided written job instructions: 54%
- Made reassignment to vacant positions: 29%
- Provided qualified readers/interpreters: 19%
- Acquired/modified training materials: 16%
- Changed supervisory methods: 28%

Survey of 834 HR/EEO Representatives. Each category statistically significantly different by company size.

## Federal Supervisors’ Perceptions of the Helpfulness of Resources in supporting home-based or telework employment opportunities

<table>
<thead>
<tr>
<th>Resource Description</th>
<th>Helpful (of those with possible positions)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Total</td>
</tr>
<tr>
<td>Off-site technology support</td>
<td>75%</td>
</tr>
<tr>
<td>Guidelines for performance assessment of off-site workers</td>
<td>71</td>
</tr>
<tr>
<td>Formal flexiplace agreement between off-site employee and supervisor</td>
<td>71</td>
</tr>
<tr>
<td>Training for supervisors of off-site workers</td>
<td>66</td>
</tr>
<tr>
<td>Initial and ongoing training for off-site workers</td>
<td>66</td>
</tr>
<tr>
<td>Guidelines for the design of off-site work</td>
<td>66</td>
</tr>
<tr>
<td>Guidelines for supervision of off-site workers</td>
<td>65</td>
</tr>
<tr>
<td>Training for coworkers of off-site workers</td>
<td>57%</td>
</tr>
</tbody>
</table>

Percent of all valid responses; n=1001

* Helpfulness rated on a 1-5 scale with 1 being very helpful and 5=not at all helpful, Helpful=1,2

* X² test of association, comparing Blue vs. White-collar respondents statistically significant at the p<0.05 level.

Percentages may not total 100% due to rounding.

Costs of Accommodations

- Small percentage of employers felt increased costs of training and supervision were barriers to employing people with disabilities (10% and 12% respectively)*
- Job Accommodation Network (JAN) data indicate more than half of accommodations cost employers nothing**
- Many employers gave changing a work schedule as an example of a no-cost accommodation**
- 42% of employers reported median cost of $600 to accommodate**


Examples of Conditions Benefiting From Workplace Flexibility

- Musculoskeletal conditions
- Multiple Sclerosis
- Psychiatric disabilities
- Traumatic brain injuries
Examples of Accommodations Using Workplace Flexibility Practices

• Periodic rest breaks
• Worker rotation
• Flexible start/end schedules to take advantage of workers most productive times.
• Part-time or job sharing
• Flexible rather than scheduled break times
• Opportunity to work from home when symptoms severe

Visit www.hrtips.org for more information on accommodations for people with specific disabilities.
Conclusions

• With an aging workforce, higher incidence of requests for workplace flexibility policies and practices and other accommodation are likely to occur
• Workplace policies and practices that promote flexibility heighten the likelihood of retaining workers with disabilities, as well as older workers
• Most policies and practices that promote workplace flexibility cost little or nothing, and increase worker retention
• Workplace flexibility is in the best interests of people with disabilities, employers, and the general public, therefore an important area for public policy consideration.
Additional Resources

- Employment and Disability Institute
  www.ilr.cornell.edu/edi/
- EDI Electronic Repository
  digitalcommons.ilr.cornell.edu/edi/
- Disability and HR Tips for Professionals
  (relating to the Americans with Disabilities Act requirements)
  www.hrtips.org
- U.S. Disability Statistics
  (Prevalence; relative employment rates; household income)
  www.disabilitystatistics.org
- Job Accommodation Network
  http://www.jan.wvu.edu/links/adalinks.htm
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