The Palgrave Handbook of Disability at Work

Edited by
Sandra L. Fielden
Mark E. Moore
Gemma L. Bend

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This book is dedicated:
Sandra L. Fielden
To Kay, Adelina and Lynn—I am so lucky to have you in my life, and to my co-editors, you have been a pure joy to work with.

Mark E. Moore
This book is dedicated to my late parents, Edward and June Moore. Your love, assistance, dedication and encouragement have made this book as well as my success as a scholar-teacher possible. Thank you for everything!

Gemma L. Bend
To Nathan, thank you for all your continued love and support.

Acknowledgements

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Odelia Bay is a doctoral student at Osgoode Hall Law School in Toronto where she holds a Canada Graduate Scholarship to Honour Nelson Mandela from the Social Sciences and Humanities Research Council (SSHRC), and a Helena Orton Memorial Scholarship from York University. Her dissertation project examines how workers with episodic disabilities balance the competing needs of self-care and work. Odelia completed her Master of Laws at Columbia Law School in New York City. She has a Juris Doctor in English Common Law from the University of Ottawa and a Bachelor of Journalism from Ryerson University in Toronto. Odelia articled in union-side labour law and is called to the Ontario Bar. She has taught courses on labour law, statutory interpretation and critical race theory at the University of Victoria's Faculty of Law in British Columbia, Canada.

Gemma L. Bend area of research is diversity in organizations looking specifically at exploring the intersection of gender and disability in organizations. Her work engages with identity, embodiment, materiality, performativity and power/resistance in mainstream and sheltered employment. She is completing her PhD at The Open University Business School in the Department for People and Organisations. She completed her Masters by Research (MRes) at The Open University Business School and her master's dissertation was titled: 'An Exploration of Gender and Disability in the Workplace'. She presented her research at numerous conferences such as Gender, Work & Organisation, Critical Management Studies, and British Academy of Management in the

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Joyce Bender is an international disability leader, a business woman and advocate, living with epilepsy, who has impacted disability inclusion, employment, empowerment and digital accessibility, for over two decades. As founder and CEO of Bender Consulting, Joyce has built models and methods to scale and sustain training and employment programs; two signature programs include iDisability, an eLearning software product with nearly two million business users on platform, and Careers2B, a workforce development program, focused on growing a pipeline of people with disabilities, while meeting today's business needs for talent.

Joyce has impacted national policies and programs through her board leadership and stakeholder engagement with the American Association of People with Disabilities, the Epilepsy Association, and her advisory board efforts with the National Technical Institute for the Deaf. She has shared best employment practices with members of Congress and US government officials to promote the development of sensible policies and programs. Joyce has served as a disability employment expert for the U.S. State Department in Japan, South Korea, Indonesia, Panama and Kazakhstan and has been featured in periodicals including *Reader's Digest*, *New York Times*, *Investor's Business Daily*, *Pittsburgh Post-Gazette*, and *Chicago Tribune*. She holds a Bachelor of Science degree in Psychology from Geneva College and hosts the radio show, *Disability Matters with Joyce Bender* on www.voiceamerica.com.

Jerome Edmund Bickenbach is a lawyer and health scientist who has worked for the past 40 years on disability epidemiology, disability law and policy, and rehabilitation health systems research. He worked at the WHO on the development of the International Classification of Functioning, Disability and Health and with the Rehabilitation and Disability team before moving to Swiss Paraplegic Research and the University of Lucerne, Switzerland, to continue research and writing on disability and ageing, assistive technology and implementation science in the context of the learning health system for rehabilitation.

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Katherine Breward is an associate professor at the University of Winnipeg. Her work focuses on disability accommodation and labour market outcomes of historically marginalized workers. Katherine's research has appeared in the *Canadian Journal of Disability Studies; Equality, Diversity, and Inclusion: An International Journal; the British Journal of Management; and the Journal of Immigrant and Minority Health*. Her teaching cases featuring disability accommodation issues appear in the *Case Research Journal*.

Adelina Broadbridge is a senior lecturer in the Division of Management, Work and Organisation, Stirling Management School. Her main research interests, and focus of her PhD, are around the broad area of management careers, particularly in the UK retail industry. She has also researched issues connected with stress, age and work–life balance. She additionally has conducted various research with Generation Y undergraduates and graduates and their perceptions and experiences of the initial stages of their careers. Adelina is the editor of *Gender in Management: An International Journal*, an editorial board member of *Equality, Diversity and Inclusion: An International Journal* and track chair of the Gender in Management stream at the British Academy of Management Conference. She founded the Gender in Management Special Interest Group, which has membership from around the world. She has devised and delivered programmes on personal and professional development of women working in the higher education sector and is an Aurora role model.

Anna Z. Brzykcy is a PhD candidate at the University of St. Gallen and works as doctoral researcher at the Center for Disability and Integration (CDI-HSG). She graduated from a psychology master's program in the

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Jillian Cavanagh is a senior lecturer in the School of Management at RMIT University. Cavanagh's commitment to research is predominantly in the areas of management and organisations that employ workers with disability, and Men's Sheds and Aboriginal and Torres Strait Islander Men's Groups. Her works have been published in top tier peer-reviewed journals including *Personnel Review*, *International Journal of Human Resource Management*, *Journal of Vocational Education and Training* and the *Journal of Business Ethics*. Cavanagh is currently on the editorial board of the *Asia Pacific Journal of Human Resources*.

Valerie Critten has worked as a teacher both in mainstream and in special schools. She has taught children with moderate-to-severe learning difficulties, children on the autistic spectrum and children with physical disabilities. Many of the children had communication disabilities. Her interest in IT led to her becoming an IT subject coordinator and enabled her to use IT as a facilitator for children who were unable to communicate. Valerie taught many children with cerebral palsy who had unexpected difficulties with learning to read. Her thesis examined the cognitive difficulties which coordinated with the children's reading abilities including a new finding of the influence of specific areas of visual and spatial perception. After gaining a doctorate in education (Open University), Valerie has worked on published research projects involving an app to help people with communication difficulties to express their thoughts and ideas. Her interest in the visual and spatial perceptions of children with cerebral palsy has led to research (under review) on the children's difficulties with learning mathematical skills. Her interest on helping people to communicate their thoughts and ideas and her work with young people with cerebral palsy have led to this research on transitions into employment.

Roy J. Del Valle,   PhD, CRC, is the district manager of the Michigan Department of Health and Human Services, Michigan Rehabilitation Services (MRS), Marquette, MI District Office. He received his doctorate in Rehabilitation Counselor Education from Michigan State University. His professional experience includes provision of VR services in private, non-

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Catherine Easton is Reader in Law and Technology at Lancaster University. Her research interests focus upon internet governance, access to technology for disabled people, driverless cars, robotics, domain name regulation, intellectual property and human/computer interaction. Catherine previously held the role of Chair of BILETA and is working on a British Academy funded project to investigate how driverless cars can improve the lives of disabled people.

Sandra L. Fielden, PhD, is Honorary Senior Lecturer in Organizational Psychology in the Manchester Business School at the University of Manchester, a Chartered Occupational Psychologist, an Associate Fellow of the British Psychological Society and suffers from fibromyalgia, Chron's disease and other complex health problems. Over the last 15 years she has been involved in applied diversity research within the public and private sector and has researched in several areas, including gender and ethnic entrepreneurship, gender in management, coaching and mentoring, sexual harassment and evaluation studies. She was involved in the Cabinet Office's campaign for the promotion of diversity on public boards and is well known globally for her work in gender and management. Sandra is well published with numerous journal papers and book chapters and has co-authored/co-edited eleven books.

Deborah Foster is Professor of Employment Relations and Diversity at Cardiff Business School, Wales, UK. She has a disciplinary background in sociology and an interest in trade unions, employment relations and equality and diversity in organizations. Deborah has been a regular member of the editorial team of the *British Sociological Association* journal and *Work, Employment & Society,* has held grants from the ESRC, European Union, and is leading a DRILL (Disability Research into independent Living and

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Angela Ingram is a recent doctoral graduate from the Secondary Special Education and Transition Program at the University of Oregon. Her experience in special education has included teaching a wide range of diverse students with disabilities in the US and internationally in China, Qatar and Zambia. Her main research has focused on social justice issues related to disabilities and understanding barriers faced by transgender youth with disabili-

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Piers J. A. Lesser is an established consultant in pain medicine and anaesthesia at the Calderdale Royal Hospital, Halifax. He has 40 years of experience of pain clinics since 1979, and he established his own clinic in 1989, in a District General Hospital, having trained in eight clinics in the UK and attended courses in other hospitals. He is a long-standing member of the British Pain Society and the International Association for the Study of Pain as well as regional and local pain groups. Working in secondary care in chronic pain has provided a great deal of insight into the impact of chronic pain. During the last four decades there have been many changes in the understanding and treatment of pain but the clinical application of pain medicine continues to be focused on the individual who is affected by pain.

Lauren Lindstrom is a professor and dean of the School of Education at University of California Davis. Lindstrom has focused her career on developing innovative career development programs and improving post-school employment outcomes for young adults with disabilities. Her research examines the interplay of individual factors such as gender, socioeconomic status, disability and family expectations, with system-level factors such as school services, educational policies and barriers in the workplace. She has developed school- and community-based interventions and disseminated findings through publications, products and conference presentations. Her most

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Hannah Meacham is a lecturer at Monash Business School. Hannah holds a PhD in the creation of meaningful and inclusive work for people with intellectual disabilities. Recently, her articles appeared in *Personnel Review* and *Journal of Business Ethics*. Hannah's research interests include workers with disabilities, mental health in the workplace, diversity and inclusion, and strategic HRM. Prior to her appointment, Hannah worked within the HR industry in both Australia and the UK specializing in strategic HR management and workplace relations.

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Liz Oliver is Lecturer in Employment Law and active member of the Centre for Employment Relations Innovation and Change and the Centre for Disability Studies at the University of Leeds. Her research is socio-legal, and she uses empirical socio-legal methods within her work. Liz's research interests relate to UK national and EU employment law with an emphasis on equality and inclusion. She has published in the area of gender equality in employment, careers and pay, contingent employment such as fixed-term employment and work through platforms. Her research focuses on disability work

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Agnese Rapposelli has obtained her PhD in Statistics from "G. D'Annunzio" University of Chieti-Pescara, Italy. She was research fellow in Statistics at the Department of Economic Studies of "G. D'Annunzio" University of Chieti-Pescara, and she was visiting student at Warwick Business School, University of Warwick, UK. Her research interests concern efficiency evaluation methods, in particular Data Envelopment Analysis technique, with a special focus on environmental application, and Stochastic Frontiers Analysis. In addition, she has conducted major studies on the inclusion of disabled people in the Italian labour market.

Sarah Riding has been Lecturer in Social Work at the University of Salford since 2013. Sarah worked as a child and family's social worker and as a specialist social worker in Child and Adolescent Mental health services in the North West of England for a number of years before joining a large Further Education College where as well as teaching she was the lead for Equality and Diversity at the college. She also works as a specialist advisor to the Care Quality Commission focusing on mental health and substance misuse and was privileged to be a member of the team that contributed to "Are we listening? A Review of Children and Young People's Mental Health Services", published in March 2018. Sarah's research interests focus on childhood and adult trauma and embedding equality and inclusion in social work practice.

Alecia M. Santuzzi, PhD, is Associate Professor of Social and Industrial-Organizational Psychology at Northern Illinois University. Her research has generally focused on the social experiences of individuals in highly evaluative situations (e.g., job interviews). She applies those broad concepts and theories to understand the experiences of individuals with concealable stigmatized identities as they decide whether or not to disclose their identities. Her recent research focuses specifically on self-labelling and disclosure decisions among workers with disabilities, and how those decisions affect worker performance and well-being.

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developments, impact on disabled people in the UK labour market. Further, she has engaged in research that explores in what way welfare systems and labour market activation programs lead to further inequality for disabled people, in particular for individuals with mental health conditions, in finding employment. Her work on digital exclusion for disabled people in Europe has appeared in the special issue 'Internet use and disability' of *Cyberpsychology: Journal of Psychosocial Research on Cyberspace.*

Jennifer R. Spoor is Lecturer in Management in the La Trobe Business School. Her research interests include emotion, group and intergroup relations, and diversity and inclusion, particularly with respect to gender and people with disabilities. Her research examines human resource management (HRM) strategies for supporting volunteers with disabilities, attitudes towards people with disabilities and employee engagement with ASD employment programs.

Jannine Williams is Lecturer in Human Resource Management at QUT, Australia. From her background in working with D/deaf and disabled people, research on disabled academics' career experiences and gender projects, Jannine has developed research interests in the development and organization of socially responsible work which is developed through a concern for the meaning and experiences of work and how work practices can be developed to be inclusive. Her research encompasses processes of organizing; categories of social relations and constructions of difference, particularly disability and gender. She has co-edited two books: *Deaf Students in Higher Education: Current Research and Practice*, and *Gender, Media and Organization: Challenging Mis(s)Representations of Women Leaders and Managers*. Her work has appeared in *Work, Employment & Society*, *British Journal of Management*, *Studies in Higher Education*, the *International Journal of Management Reviews, Disability & Society*, *Human Resource Development Review* and *Gender in Management: An International Journal.*

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Introduction

Sandra L. Fielden, Mark E. Moore, and Gemma L. Bend

Disability is a dynamic and evolving construct that requires ongoing discussion of emergent perspectives from different academic disciplines. Yet, despite international and national guarantees of equal rights, there remains a great deal to be done to achieve global employment equality for people with disabilities. However, just focusing on the rights of individuals does not provide an adequate understanding of the actual experiences of people with disabilities in the workplace (Nyanjom et al. 2018). Research has, to some degree, provided an understanding of stigmatized identities and the self-esteem of people with disabilities, as well as how organizations accommodate the specific problems of employees with disabilities (Oliver and Barnes 2012). While this approach is valuable and interesting it does not really consider the experiences of people with disabilities in the workplace, and for many of these

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individuals their career progress is a far more complex interaction between disability (and other intersectional variables such as gender, ethnicity and race), work and the workplace. In contrast to other publications that have focused on one element of disability in the workplace, for example legal aspects, the approach we take is to follow and analyse the encounters of those with disabilities throughout the work process.

Regardless of the route taken into employment the journey to enter, secure and maintain employment for people with disabilities is fraught with challenges, both good and bad, that has a significant impact on individual's well-being (UK: Baumberg 2015; USA: Dunn and Burcaw 2013). Despite advancements in legislation and policies in western societies that should give people with disabilities equal opportunities and rights on par with people without disabilities in employment, research still finds that people with disabilities remain in a disadvantaged position (Baumberg 2015). In the UK 22 per cent (7.5 million) of the population report having disabilities, specific to employment 51.3 per cent (3.9 million) are in employment compared to 81.4 per cent of people without disabilities; 9.3 per cent of people with disabilities are unemployed compared to 3.7 per cent of people without disabilities; and 44 per cent (3.3 million) are economically inactive (Office of National Statistics 2018). In addition, employment rates for people with disabilities by different characteristics were as follows:

Age: highest for those aged 25–49 (56.4 per cent), lowest for those aged 16–24 (38.2 per cent),
Education: highest rates for those with a degree (or equivalent) (71.7 per cent) and lowest for those without a qualification (17.0 per cent),
Gender: women (50.8 per cent) and men (51.9) have similar rates,
Part-time: 24.1 per cent aged 16–64 were working part-time compared to 36.0 per cent of people without disabilities of the same age.

When you further investigate these statistics, it becomes evident that there is a disparity of employment rates across the disability spectrum when comparing the gap in employment rates for specific people with disabilities against figures for those without.

As can be seen in Fig. 1.1 there is a huge 56.2 per cent employment gap between those with a learning difficulty (23.9 per cent) and those with no disability; comparatively there is a much smaller gap, 19.8 per cent, for individuals with a hearing disability, such as hard of hearing or deafness, and those without (60.3 per cent employment rate). Furthermore, employment rates were 61 per cent for those with one health condition, 52 per cent for two
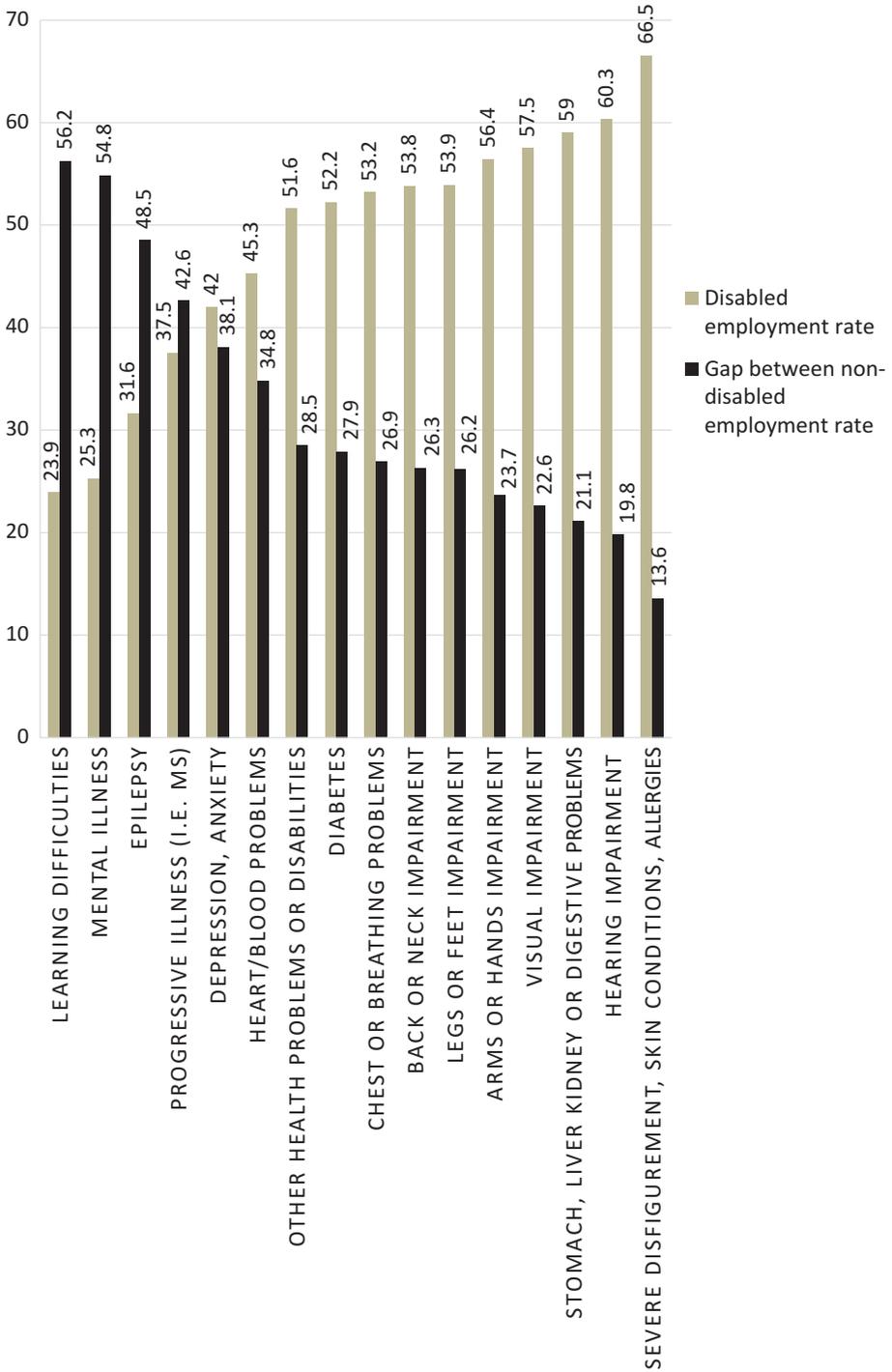
Fig. 1.1 Rates of employment across disability variants. (Adapted from Mirza-Davies and Brown, 2016, p. 4)

conditions, 44 per cent for three conditions, 38 per cent for four conditions and 23 per cent for five or more conditions. Although this book is not specifically aimed at increasing the numbers of people with disabilities in the workplace, by providing an in-depth understanding of the benefits, barriers and difficulties they encounter as they enter and progress through work, we hope that employers, employees, policymakers and all relevant individuals and organizations will contribute to increasing the number of people with disabilities entering and remaining in paid work.

Definitions

The concept of disability is complex, and there are historical, social, legal and philosophical influences on its interpretation. The experience of disability is unique to each person but there are common barriers and issues in terms of peoples' rights to access specific disability services, provided directly or indirectly by governments. The need for some agreed definitions, largely to ensure that disability support programmes are fair about who is to receive benefits and why, has prompted much discussion and debate. However, here are a few definitions that are widely accepted:

The World Health Organization (WHO)

Disability is an umbrella term, covering impairments, activity limitations and participation restrictions. An impairment is a problem in body function or structure; an activity limitation is a difficulty encountered by an individual in executing a task or action; while a participation restriction is a problem experienced by an individual in involvement in life situations. Disability is thus not just a health problem. It is a complex phenomenon, reflecting the interaction between features of a person's body and features of the society in which he or she lives. Overcoming the difficulties faced by people with disabilities requires interventions to remove environmental and social barriers (WHO 2018).

United Nations (UN)

The convention protects all persons with disabilities, who are defined in Article 1 as including "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" (UN 2012). This broad definition adopts what is known as the social model of disability. It recognizes that disability is an evolving concept, and that we are often prevented from exercising all of our human rights and fundamental freedoms by barriers of attitude and environment which have been placed in our way.

The International Classification of Impairments, Disabilities and Handicaps

The current version of the international classification of impairments, disabilities and handicaps (ICIDH) (Wood 1980) contains definitions and examples that are highly culture-specific (e.g. references to 'pouring tea') or that are inappropriately characterized according to sex. Consequently a new version of the ICIDH is now being drafted to embrace developments since 1980 and address criticism of the first ICIDH. One of the major developments is the more specific recognition of the social construction of the third dimension of disability. It is being proposed that this third dimension be renamed 'participation', and that its definition recognize the critical role played by environmental or contextual factors in restricting full participation. The draft definition is as follows:

- *Impairment:* is a loss or abnormality in body structure or of a physiological or psychological function.
- *Activity:* is the nature and extent of functioning at the level of the person. Activities may be limited in nature, duration and quality.
- *Participation:* is the nature and extent of a person's involvement in life situations in relationship to impairments, activities, health conditions and contextual factors. Participation may be restricted in nature, duration and quality. Participation is considered within seven broad domains: personal maintenance; mobility; exchange of information; social relationships; education, work, leisure and spirituality; economic life and civic and community life.
- *Context:* includes the features, aspects, attributes of, or objects, structures, human-made organizations, service provision and agencies in, the physical, social and attitudinal environment in which people live and conduct their lives.

Americans with Disabilities Act (ADA—USA)

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. It also includes individuals who do not have a disability but are regarded as having a disability. The ADA also makes it unlawful to discriminate against a person based on that person's association with a person with a disability (ADA 2018). It is important to remember that in the context of the ADA, 'disability' is a legal term rather than a medical one. Because it has a legal definition, the ADA's definition of disability is different from how disability is defined under some other laws, such as for Social Security Disability related benefits.

The Equality Act 2010 (UK)

You are disabled under the Equality Act 2010 if you have a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on your ability to do normal daily activities.

- 'substantial' is more than minor or trivial, e.g. it takes much longer than it usually would to complete a daily task like getting dressed
- 'long-term' means 12 months or more, e.g. a breathing condition that develops as a result of a lung infection

The Disability Discrimination Act 1992 (Australia)

To be deemed a disability, the impairment or condition must impact daily activities, communication and/or mobility, and has lasted or is likely to last six months or more. This includes:

- total or partial loss of the person's bodily or mental functions
- total or partial loss of a part of the body
- the presence in the body of organisms causing disease or illness
- the malfunction, malformation or disfigurement of a part of the person's body
- a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction
- a disorder, illness or disease that affects a person's thought processes, perception of reality, emotions or judgment, or that results in disturbed behaviour;

including disability that:

- presently exists
- previously existed but no longer exists
- may exist in the future
- is imputed to a person (meaning it is thought or implied that the person has disability but does not).

The breadth of impairments and medical conditions covered by the DDA are:

- Physical—affects a person's mobility or dexterity
- Intellectual—affects a person's abilities to learn
- Mental Illness—affects a person's thinking processes
- Sensory—affects a person's ability to hear or see
- Neurological—affects the person's brain and central nervous system
- Learning disability
- Physical disfigurement or
- Immunological—the presence of organisms causing disease in the body

Definitions of disability reflect the historic, social and legal background in relation to physical, mental and psychological disability, and have traditionally been constructed as an assumed opposite of ableism, that is the normative expectation of non-disability (Williams and Mavin 2012). Disability can come about in various ways: it may be congenital or arise later in life through sickness or injury, and for some their disability has little or no effect on their ability to work (Williams 2006). For others some form of workplace accommodation is required, whereas some are precluded from working at all in mainstream employment. For those people, definitions rarely acknowledge the complexity of disabilities, as many people with disabilities must deal with multiple health or disability issues with pain and mobility being the top impediments when engaging with the workforce (Williams 2006).

There are many more definitions which are country dependent but, as with the definitions above, there is a general consensus of what constitutes a disability for legal purposes, as well as for medical, treatment and benefit applications and so on. For the purpose of this publication we respect the individual author's preference for the actual definition they use, depending on the context within which their research is set, for example legal or medical. Definitions not only act to separate out people with disabilities from those without but they also influence the terminology that surrounds disability and, as a contentious issue, when presenting chapters on disability it is a topic that requires explanation.