PALGRAVE EXPLORATIONS IN WORKPLACE STIGMA

# Disability in the Workplace

## A Caribbean Perspective

Jacqueline H. Stephenson
Natalie Persadie

palgrave
macmillan

# Palgrave Explorations in Workplace Stigma

Series Editor
Julie Gedro, Empire State College, Rochester, NY, USA

This series is a call to action for organizations to not only recognize but include, support, and value employees of all walks of life, regardless of the social stigmas that might create material, affective, or psychological divisions between them and their ostensibly "normal" counterparts. It fills the gap in scholarship surrounding the difficult issues employees or job seekers might face based on their demographics, life events, or other factors. The series explores issues such as mental illness and wellness; and alcohol and drug addiction and recovery. It explores the complex and often times nuanced issues that face sexual minorities, or those who are formerly incarcerated, or military veterans in the context of employment or career decision making.

Through rigorous research and contributions from the foremost scholars in human resources, books in the series will provide an in-depth exploration of each population and challenge HR scholars and practitioners to effectively consider and embrace these explorations and consider expanding their own awareness. The series speaks on behalf of anyone who has ever been affected–directly or indirectly–by discrimination or exclusion in the context of work, and promotes a positive, productive, and purposeful working environment for employees at all levels.

Jacqueline H. Stephenson · Natalie Persadie

# Disability in the Workplace

## A Caribbean Perspective

palgrave
macmillan

Jacqueline H. Stephenson
University of the West Indies
St. Augustine, Trinidad and Tobago

Natalie Persadie
University of Trinidad and Tobago
Point Lisas, Trinidad and Tobago

ISSN 2662-3625 ISSN 2662-3633 (electronic)
Palgrave Explorations in Workplace Stigma
ISBN 978-3-031-19339-2 ISBN 978-3-031-19340-8 (eBook)
https://doi.org/10.1007/978-3-031-19340-8

© The Editor(s) (if applicable) and The Author(s), under exclusive licence to Springer Nature Switzerland AG, part of Springer Nature 2023
This work is subject to copyright. All rights are solely and exclusively licensed by the Publisher, whether the whole or part of the material is concerned, specifically the rights of translation, reprinting, reuse of illustrations, recitation, broadcasting, reproduction on microfilms or in any other physical way, and transmission or information storage and retrieval, electronic adaptation, computer software, or by similar or dissimilar methodology now known or hereafter developed.
The use of general descriptive names, registered names, trademarks, service marks, etc. in this publication does not imply, even in the absence of a specific statement, that such names are exempt from the relevant protective laws and regulations and therefore free for general use.
The publisher, the authors, and the editors are safe to assume that the advice and information in this book are believed to be true and accurate at the date of publication. Neither the publisher nor the authors or the editors give a warranty, expressed or implied, with respect to the material contained herein or for any errors or omissions that may have been made. The publisher remains neutral with regard to jurisdictional claims in published maps and institutional affiliations.

This Palgrave Macmillan imprint is published by the registered company Springer Nature Switzerland AG
The registered company address is: Gewerbestrasse 11, 6330 Cham, Switzerland

# Contents

1 Introduction—Disability and Discrimination 1

2 The Nature of Disabilities in the Caribbean 23

3 Education and Persons with Disabilities in the Caribbean: A Law and Policy Perspective 57

4 Disability, Information Technology, Assistive Devices and Employment in the Caribbean 93

5 Mental Health Disabilities and Work in the Caribbean Region 121

6 Neurodiversity in the Anglophone Caribbean 143

7 Disability, Employment and the Law: A Caribbean Outlook 165

8 Disability, Employment and the Law: Lessons for Caribbean Countries from Australia and the United Kingdom 189

9 Experiences of Disabled Persons in Employment in the Caribbean Region 215

10 Conclusion 239

List of Referenced Caribbean Laws 253

Index 259

# LIST OF FIGURES

Fig. 2.1 Top 20 causes of disability in the Anglophone Caribbean (2000) 27
Fig. 2.2 Top 20 causes of disability in the Anglophone Caribbean (2019) 30
Fig. 2.3 Model of factors affecting the treatment of disabled individuals in organisations (*Source* Stone, D. L., & Colella, A. [1996]. A model of factors affecting the treatment of disabled individuals in organizations. *Academy of Management Review*, *21*(2), 352–401) 46
Fig. 4.1 Interactions between the components of ICF. (*Source* World Health Organisation [WHO]. The ICF: An overview. International Classification of Functioning, Disability and Health [ICF]) 96
Fig. 4.2 Conceptual framework showing potential factors influencing supervisor support for job modification (*Source* Shaw, W. S., Kristman, V. L., Williams-Whitt, K., Soklaridis, S., Huang, Y. H., Côté, P., & Loisel, P. [2014]. The Job Accommodation Scale [JAS]: psychometric evaluation of a new measure of employer support for temporary job modifications. *Journal of occupational rehabilitation*, *24*(4), 755–765) 112

Fig. 5.1 Burden of specific mental disorders—trends over time (*Source* PAHO. The burden of mental disorders in the Region of the Americas, 2000–2019. Pan American Health Organization, 2021, https://www.paho.org/en/noncommunicable-diseases-and-mental-health/enlace-data-portal-noncommunicable-diseases-mental-2) 125

Fig. 5.2 Burden of mental disorders—Trends over time (*Source* PAHO. The burden of mental disorders in the Region of the Americas, 2000–2019. Pan American Health Organization, 2021, https://www.paho.org/en/noncommunicable-diseases-and-mental-health/enlace-data-portal-noncommunicable-diseases-mental-2) 127

Fig. 6.1 Autism and Asperger syndrome across the non-Latin Caribbean, relative to other region (*Source* Pan American Health Organisation [PAHO]. [2021]. The burden of mental disorders in the Region of the Americas, 2000–2019. Retrieved from: https://www.paho.org/en/noncommunicable-diseases-and-mental-health/enlace-data-portal-noncommunicable-diseases-mental-2) 149

Fig. 10.1 Revised model of the factors affecting the treatment of people with disabilities in organizations (based on Stone & Colella, 1996). PWD: persons with disabilities (*Source* Beatty, J. E., Baldridge, D. C., Boehm, S. A., Kulkarni, M., & Colella, A. J. [2019]. On the treatment of persons with disabilities in organizations: A review and research agenda. *Human Resource Management*, *58*[2], 119–137) 246

# List of Tables

Table 2.1 Causes of disabilities in the Anglophone Caribbean (2000 vs 2019) 26
Table 2.2 Top causes of disability—Islands of the Anglophone Caribbean (2000) 28
Table 2.3 Top causes of disability—Islands of the Anglophone Caribbean (2019) 31
Table 2.4 Hiring and retaining persons with disabilities (PWD) 38
Table 3.1 Signatory/Accession Status of Anglophone Caribbean Countries to three Conventions addressing Disability and Education 60
Table 3.2 Policy, Plans and Laws in Anglophone Caribbean Countries related to Education and Disability 78
Table 4.1 Accommodating employees—Questions to Consider 98
Table 4.2 Assistive technology products classification according to ISO 9999:2016 99
Table 4.3 WHO—Priority assistive products list © World Health Organization (2016a, 2016b) 101
Table 4.4 Assistive technology which may facilitate efficient participation in the labour force by PWD (*Not an exhaustive list*) 105
Table 5.1 Factors and dimensions reflecting mental health as flourishing 132
Table 5.2 Guide for changes in language in referring to mental health 133

Table 6.1 Work-related challenges and strengths attributed to neurominorities 148
Table 6.2 Categories of strategies and supports that facilitate successful employment of persons with ASD 152
Table 6.3 Typical adjustments for neurominorities 154
Table 7.1 Signatory/Accession/Ratification Status of Anglophone Caribbean Countries to three Conventions addressing Disability and Employment 169
Table 7.2 Anglophone Caribbean Countries with legislation for disability, equal opportunities, non-discrimination and special measures in employment 171
Table 7.3 Anglophone Caribbean Countries with disability legislation addressing employment matters that is comprehensive, disability-specific or employment-specific 178
Table 8.1 A comparison of provisions contained in the equality and disability-specific legislation in relation to employment matters of Anglophone Caribbean Countries 195
Table 8.2 Number of areas of employment addressed in equality and disability-specific legislation in relation to employment matters in Anglophone Caribbean Countries 203

## CHAPTER 1

# Introduction—Disability and Discrimination

## Introduction

In this book, we explore the workplace experiences, opportunities and challenges as it relates to the heterogeneity of persons with disabilities. In this chapter, we outline the scope of the text and importantly, the interrelated nature of diversity, discrimination, inclusion and equality in the English-speaking Caribbean, specifically in relation to persons with disabilities, within the context of employment. Many of the islands of the Commonwealth Caribbean have signalled their commitment to inclusivity, diversity and the reduction of disparate treatment for persons with disabilities, by becoming signatories to the United Nations (UN) Convention on the Rights of Persons with Disabilities (CRPD), which entered into force in 2008 and aims to "*promote, protect and ensure the human rights, dignity and fundamental freedoms of all persons with disabilities*". To date, the following Anglophone Caribbean islands are signatories to and have ratified this UN Convention—Antigua *and* Barbuda, the Bahamas, Trinidad *and* Tobago, Barbados, St. Vincent *and* the Grenadines, Dominica, Grenada, Guyana, Jamaica and consequently, they are legally bound by the directives outlined therein.

Moreover, some Anglo-Caribbean islands have enacted legislation that (congruent with the directives of the CRPD) prohibit discrimination on the basis of disabilities, within the context of education, employment

© The Author(s), under exclusive license to Springer Nature Switzerland AG 2023

J. H. Stephenson and N. Persadie, *Disability in the Workplace*,
Palgrave Explorations in Workplace Stigma,
https://doi.org/10.1007/978-3-031-19340-8_1

and the provision of goods and services. These islands include—Antigua and Barbuda, Jamaica, and the Bahamas, where legislation has been enacted solely to prohibit discrimination on the basis of disabilities *and* Trinidad and Tobago, St. Lucia, and Guyana, where broad-based anti-discrimination legislation has been enacted, with disabilities representing only a single element of the multiple grounds of discrimination outlawed therein. Notwithstanding this, less than 50% of the islands of the Commonwealth Caribbean have to date, actively taken steps to comply with the obligations of the CRPD, i.e. to adopt legislative measures to prohibit discriminatory, disparate and unequal treatment for persons with disabilities. Indeed, initial efforts by the aforementioned islands to establish such legislation, represent a positive migration towards the establishment and implementation of equitable policies and practices in relation to persons with disabilities and may act as a catalyst towards facilitating greater inclusion and acceptance of PWD in the Anglophone Caribbean (Karpur et al., 2014).

## Disability and Discrimination

"*Nothing about us, without us*" is the motto globally associated with persons with disabilities and used by them, their advocates and allies, to convey the desire of persons with disabilities (PWD), to actively participate in the development and implementation of any policies and plans designed to help them. However, every day, the rights and autonomy of persons with disabilities are routinely ignored, for example when individuals push an individual's wheelchair out of their way (instead of politely engaging the wheelchair user); yelling at a person with hearing impairment or getting frustrated that they are unable to read lips (instead of perhaps learning sign language ourselves); grabbing a person with a sight impairment *to help them*, without asking if they need or want your assistance or support; telling a person with a mental illness like clinical depression that *they simply need to get over it* (mental illnesses are just as legitimate as physical illnesses and one cannot simply get over a diabetes diagnosis, without the requisite medical treatment). These actions occur every day, and far from being perceived as helpful by PWD, they are viewed as disrespectful and dismissive and may be interpreted by PWD as attempts to marginalise and infantilise them, by imposing the will of others on them, based on an erroneous assumption that they are incapable of making autonomous decisions. In reality, these acts convey stigma and pity rather than allowing PWD the dignity and autonomy of making their own decisions (Andrews et al., 2021; Thomas, 2022). In addition, researchers (Andrews et al., 2021) have advocated for "*disability humility*" which suggests that deference to PWD as "authority and experts about their own lives".

Persons with disabilities are discriminated against when they are treated less favorably than others on the basis of their disability (i.e. real or perceived). Within the context of PWD, ableism describes the discrimination of PWD in favour of persons without known disabilities, which may be explicit or implicit acceptance of preconceived notions or implicit biases (Andrews et al., 2021; Gayle-Geddes, 2016; Morris, 2018). With respect to persons with disabilities, advocacy is typically associated with equality of treatment, equality of opportunity and equality of outcome. The evolution of the concept of equality to the prevailing notion of diversity suggests with respect to equality of treatment that it is essential to treat each person with disabilities, as an individual with unique concerns. Otherwise stated, PWD are heterogenous hence even if two employees have been diagnosed with the same disabling condition, it cannot be assumed that they would benefit from the same access provisions. Hence it is incumbent on every employer to inquire as to whether accommodations are needed and investigate the associated costs rather than to assume in the absence of supporting evidence whether accommodations would be required, and the type and nature of said accommodations.

## Equality, Diversity and Inclusion

Equality, diversity and inclusion (EDI) are recognised as concepts that are interrelated and evolving (Garg & Sangwan, 2021; Kirton, 2020; Köllen et al., 2018; Nair & Vohra, 2015; O'Donovan, 2018; Özbilgin, 2009; Tomlinson & Schwabenland, 2010), this has been extended to include access when discussing PWD, hence equality, diversity, inclusion and access (EDIA). Access has special relevance to persons with disabilities and may be interpreted variously, *to wit* access to employment, opportunities, education, the provision of goods and services and appropriate accommodations (Konur, 2002; Vanderheiden, 1998; Vornholt, et al., 2018). In short, the EDI discourse has evolved from "*equality (*everyone is treated equally*), equity (*individual needs are met*), and justice (*the removal of systemic embedded barriers*)*" (Andrews et al., 2021: 452; Tomlinson & Schwabenland, 2010).

Turning to *equality*, simply asserting that everyone is treated the same does not mean that the outcomes are the same nor does it mean that everyone can access the same opportunities. As an example, if during an organisation wide (*in person*) staff meeting, information is verbally shared by the Human Resource Manager, indicating that the organisation has updated its performance measures, an employee with a hearing impairment may be disadvantaged, if accommodations are not made to ensure that this employee is also able to access this information (*for example* failure to provide a sign language interpreter, or failure to provide the employee the updated procedures in an alternative format, i.e. via a printed document), then by a preponderance of the evidence, the affected employee has not been afforded equality of treatment, opportunity or outcome. Three primary categories of equality are: equality of outcome, treatment and opportunity (Jewson & Mason, 1986; Laci et al., 2017; Peragine & Biagi, 2019). It has been suggested that addressing inequality within the workplace, with the stated intention to treat everyone the same could be ineffective and result in the failure of some equality initiatives (Coleman et al., 2013; Liff & Wajcman, 1996). Moreover, there is an absence of irrefutable evidence to support any assertion that equal treatment approaches have resulted only in benefits in relation to equality in part because prevailing prejudicial stereotypes appear to create some difficulty for workplace managers to conceptualise job requirements in neutral terms (Collinson et al., 1990; Curran, 1988; Köllen et al., 2018; Roemer, 2002; Schaar, 2017).

In their 1996 article, Liff and Wajcman (1996) discussed equal opportunities from the perspective of sameness or equality as well as the viewpoint of differences or managing diversity. Accordingly, equality based on sameness is deemed to occur where one person is treated the same as another who may differ in some way (the differences may be based on immutable characteristics). However, one of the challenges with such an approach is that those persons who are different from the dominant group invariably minimise their differences in order to be treated in the same manner as the dominant group. Where equality based on sameness is concerned, such an approach to equality would be difficult to attain where minority groups are represented in the workplace, as this may require consideration of differences in experiences, skills and abilities. The alternative to such an equality approach would be managing diversity which requires acknowledging differences in the workplace. This approach in contrast to the equality model suggests that employees may not wish to be treated equally but may value different treatment or working arrangements, based on their needs.

Inclusion as a concept is associated with the following attributes: feeling valued, involved and engaged at work, feeling accepted as your authentic self, high-quality dyadic relationships with organisational members including managerial staff and executives (Bernstein & Bilimoria, 2013; Köllen et al., 2018; Miminoshvili & Černe, 2021; Ng & Sears, 2020; Sabharwal, 2014; Shore et al., 2011). This is similar to the sense of belonging or acceptance desired by employees to ensure that they remain motivated at work (see theories of motivation theories: Maslow's hierarchy of needs and Alderfer's ERG theory) and feel a sense of fitting in and a part of the in-group as predicted by social identity theory (Mor Barak, 2015; Mor-Barak & Cherin, 1998; Sabharwal, 2014), rather than isolation and marginalisation because of their differences as suggested by the similarity attraction paradigm (Colella & Stone, 2005). This would require the promotion of organisational citizenship behaviours (Benuyenah, 2021; Bergeron, 2007; Bizri, 2018) and organisational inclusive behaviours (Gasorek, 2000; Mor-Barak & Cherin, 1998; Sabharwal, 2014) patterned after the actions of the organisation and its leaders (Özbilgin, 2009).

One of the challenges with group-related theories as it relates to persons with disabilities is an assumption that all members of a group are homogeneous, which is a fallacy. Persons with disabilities are a heterogeneous group and, as such, any assumptions about this group based on generalisations and the erroneous application of stigmas and stereotypes to all PWD, will invariably result in ineffective organisational decision-making, and employees with disabilities who are left feeling isolated, abandoned, derided, ineffective, devalued, physically and emotionally unwell (Leach et al., 2010; Miminoshvili & Černe, 2021; Shore et al., 2011). The extent to which PWD are excluded, as where for example, they are not offered the same opportunities for training, development and promotion, as a result of their organisational contributions not being recognised and valued, may cause them to experience a "sticky floor" effect. This effect refers to a phenomenon where employees with disabilities (EWD) are concentrated at lower positions in the organisational hierarchy, where they are overqualified and this could be a catalyst for them to leave the organisation, to seek opportunities elsewhere, where their skills and valued, utilised and rewarded (Shore et al., 2011; Yap & Konrad, 2009).

An alternative approach to equality of treatment is to find a way to value and utilise differences between employees. By managing diversity, organisations are encouraged to strengthen the workforce and the competitive advantage by employing different people from those already in the workforce [status quo] (Hossain et al., 2020; Köllen et al., 2018; Larkey, 1996; Robertson, 2004; Tomlinson & Schwabenland, 2010). This approach challenges the equality framework, suggesting that people do not necessarily wish to be treated the same in every aspect of their working life but by offering different working arrangements or benefits, employers facilitating the diversity approach may realise greater benefits within their workplaces relative to those pursuing an equality approach (Liff & Wajcman, 1996). Diversity policies and practices within organisations, encourage inclusivity and the multiple skills and talents of all different types of employees (Bernstein & Bilimoria, 2013; Shore et al., 2011; Soni, 2000; Thomas, 1990), which may involve changing workplace policies and practices such that there are no exclusions (intentional or unintentional) according to an employee's immutable characteristics. Rather, the goal of organisational diversity initiatives is to foster cohesion with a collective organisational focus on achieving the goal of the organisation (Soni, 2000). Diversity has been broadly categorised as surface level and deep level diversity, the former refers to obvious differences for example race, age, etc., while the latter refers to differences in attitudes, opinions, information, values, etc. (Bell et al., 2018; Nkomo et al., 2019; Phillips & Loyd, 2006; Phillips et al., 2006).

An alternative approach to equality of treatment is to find a way to value and utilise the differences between people (employees). This approach is the managing diversity approach where businesses are encouraged to strengthen the workforce and the competitive advantage by employing different people from those already in the workforce. This approach challenges the equal treatment model suggesting that people do not necessarily wish to be treated the same in every aspect of their working life but by offering different working arrangements or benefits, employers facilitating the diversity approach may realise greater returns within their workplaces relative to those pursuing an equality approach (Liff & Wajcman, 1996).

According to Dover et al. (2020), the adoption of diversity initiatives within contemporary organisations may send fairness (which groups of employees are treated fairly/unfairly), inclusion (which groups of employees are included/excluded) and competency signals (which groups of employees are competent/incompetent) to organisational stakeholders including PWD. Diversity initiatives are not only espoused by the organisation but must also be actively enacted in order to be effective in the achievement of their goals (Ng & Sears, 2020). In assessing the efficacy of diversity initiatives, Leslie (2019) categorised diversity practices as ***non-discrimination practices*** (merit-based decision-making; providing diversity training); ***resource practices*** (preferential treatment for marginalised groups, targeted recruitment, issuing diversity statements, targeted training for marginalised groups, diversity networking groups to improve access and support, diversity mentoring programmes to assist marginalised employees), **and** ***accountability practices*** (diversity plans, diversity performance evaluations, diversity managers and/or departments, grievance systems) (see also, Kalev et al., 2006; Richard et al., 2013).

Consistent across these diversity/equality-related paradigms are elements that must be present within the organisation in order for these workplace initiatives to succeed, namely commitment from the organisation's leaders who foster an inclusive fair diverse culture, diversity and inclusion policies that are actively implemented and enforced, challenge ableist norms, engage in an ongoing destigmatisation process (Köllen et al., 2018; Kreiner et al., 2022; LeBlanc-Omstead & Kinsella, 2019; Özbilgin, 2009; Sabharwal, 2014; Tomlinson & Schwabenland, 2010).

## Diversity Motives

Research (Ely & Thomas, 2001) has proposed three perspectives of diversity, namely (i) *discrimination and fairness*; (ii) *access and legitimacy* and (iii) *integration and learning*. The former is associated with the ***moral arguments*** for pursuing diversity which are centred around ensuring "justice and fair treatment" the second is based on embracing diversity such that the composition of an organisation staff complement is reflective of the societies they serve and the final perspective, is related to ***business case*** arguments, since organisations are expected to engage in cost–benefit analysis of the use of their resources (Tomlinson & Schwabenland, 2010), where the outcome of such an analysis suggests that adopting diversity policies would result in net organisational benefits such as better decision-making, increased innovation, complex problem solving, increased cost-effectiveness, reduction of inefficiencies (Bernstein & Bilimoria, 2013; Dover et al., 2020; Ely & Thomas, 2001; Hossain et al., 2020; Ozeren, 2014; Seierstad, 2016; Tomlinson & Schwabenland, 2010; Van Dijk et al., 2012). Similarly, Dover et al. (2020) suggest that organisations may adopt diversity policies and practices to create fairer workplaces (***justice** rationale*), create more efficient and effective workplaces (***instrumental** rationale*) and to communicate non-discriminatory and diversity values to stakeholders (***signalling** rationale*).

The realisation by organisations of the benefits of the business imperative is not without controversy, indeed it has been argued that some organisational factors may moderate whether and the extent to which the business benefits are accrued, i.e. its efficacy is context contingent (Barmes & Ashtiany, 2003; Robinson & DeChant, 1997; Tomlinson & Schwabenland, 2010). This includes whether these diversity policies are actively implemented; whether there is management support for diversity initiatives, etc. Further, it has been argued that business motives are more likely to be cited by private sector organsations in support of diversity initiatives, whereas public sector organisations are more likely to identify a combination of business case reasons and moral arguments in support of the pursuit of diversity (Jansen et al., 2021; Tomlinson & Schwabenland, 2010). Notwithstanding this, there is no policy panacea that may be applied resulting in success for all organisations, thus organisations would be well advised to select the most appropriate ones from the available options (Tomlinson & Schwabenland, 2010).

Social justice arguments for diversity are related to fairness, equity and moral legitimacy within organisations (Hill et al., 2018; Noon, 2007). Thus, when considering a PWD for an employment vacancy, the candidates background, qualifications and aptitude should be evaluated as far as they are required by all applicants in order to be considered for placement (Johns et al., 2012; Johnson & Miller, 2002; Tomlinson & Schwabenland, 2010). Hence, if a data entry clerk post is vacant and an applicant has mobility limitations, this should not preclude that candidate from consideration because it is unlikely that mobility is directly related to the daily duties of a data entry clerk.

Turning now to legislative arguments, as previously indicated, the legislative response in the Anglophone Caribbean has been somewhat varied, such that whereas the islands of the Bahamas, Antigua and Barbuda, Jamaica and Guyana have enacted laws specifically outlawing discrimination against PWD, Trinidad and Tobago, St. Lucia and Guyana, have enacted more broad-based laws to prohibit discrimination on a wide variety of grounds, including but not limited to disabilities. The salient question in relation to these laws is whether and the extent to which they are efficacious and for those islands where legislation either does not exist or is still in the developmental stage, how are they ensuring that they are fulfilling their obligation as a signatory to the CRPD. A quick and dirty approach to determine this could be to compare the number of PWD employed prior and subsequent to the enactment of relevant legislation and/or adoption of the CRPD (via policy changes) to determine whether the number has increased. However, such an approach lacks rigour and fails to take into account the complexity of the environment in which organisations function. This approach as such is replete with pitfalls as changes to employment levels which are observed after such a comparison may or may not be attributable to legislative changes but to other environmental factors (Bennington & Wein, 2000; Hornstein et al., 2001; Loretto & White, 2006; Smedley & Whitten, 2006).

Discrimination cases are typically civil law cases that are filed in a court of law or employment tribunal, where the standard of proof is a preponderance of the evidence, here the aggrieved party (or victim of discrimination) shoulders responsibility for proving their claims. This refers to a balance of probabilities, where the charging party must show that the alleged acts and/or omissions are more likely to have occurred in the manner alleged than not. There are also civil matters where the burden of proof requires the charging party to provide "clear and convincing evidence" to support the act/omission being alleged in the legal filing(s). Civil matters such as discrimination claims do not rise to the level of the provision of proof "beyond a reasonable doubt", as is required for a successful conviction in criminal cases. In practice, the burden of proof in cases of discrimination is first on the aggrieved party, who must not only assert that discriminatory action has been perpetuated against them but must also offer evidence in support of their assertions. Where this is done the burden of proof may then be passed on to the workplace or responding party to the action, whose responsibility it then becomes to show that their behaviour was not unlawful.

The primary exception associated with anti-discrimination legislation is the genuine and determining occupational requirement (GDOR), which mandates that the absence of specific disabilities is required for a specific job and within the organisation, it is appropriate to apply this requirement. This suggests that where either the employee or applicant fails to meet this requirement, or the employer is not satisfied that it is met, discrimination is permissible, and any legal remedy sought is unlikely to succeed. Finally, the punitive remedies available to the claimant must be severe enough to deter organisations from engaging in discriminatory behaviour and to dissuade other organisations from engaging in reprehensible discriminatory practices.

Even with these change agents, changing institutionalised systemic behaviour socially and specifically within the organisational context is not without challenge. There are many change models after which societal and organisational changes may be patterned, including but not limited to Lewin's change model (Hussain et al., 2018), Kotter's change model (Kritsonis, 2005). In advocating for the initiation and pursuit of a change agenda across the Caribbean region to ensure the eventual achievement of the United Nation's strategic goals and the objectives of the CRPD to which the islands are signatories, a change model proposed by Prochaska and DiClemente (1983) may be instrumental. The model's proposed stages of change consist of the following four (4) steps: ***Pre-contemplation*** (targets of change maintain the status quo); ***Contemplation*** (targets of change develop an intention to change); ***Preparation*** (targets of change develop a plan to change); ***Action*** (targets of change start and continue to make changes in the immediate term; and ***Maintenance*** (targets of change resist reverting to old patterns of thinking and modes of behaviour and continue with the changed behaviour) (Lecube et al., 2019; Manaf, 2019; Prochaska & DiClemente, 1983).

Comprehensive changes in discriminatory behaviour are unlikely to occur in isolation. With phenomenon such as discrimination and disparate treatment, cognitive, emotional and behavioural changes are required, however, where prejudicial attitudes are embedded culturally, the emergence of change will inevitably be slow and methodical, and its realisation would likely be hastened by repeated island-wide re-education and sensitisation campaigns across the region; incentives offered to organisations to increase the number of employees with disabilities (e.g. offering government subsidies for any required accommodations), comprehensive enactment of anti-discrimination laws (in relation to disabilities) which are enforced, with punitive consequences for any and all breaches (by organisations and individuals), *inter alia*.

## CURRENT DISABILITY CHALLENGES

According to the World Bank's World Health Report on Disability, at the time of writing there are over 1 billion persons with disabilities globally which accounts for 15% of the world's population. This number continues to grow globally due to poor environmental conditions, inability to access adequate health care, unsafe working conditions and increase in chronic untreated health conditions. The number of PWD is not equally distributed globally and in fact, 80% of PWD live in developing countries and women disproportionately report higher incidents of disability than men. According to the International Labour Organisation (ILO), approximately 386 million persons of working age are PWD, with employers typically assuming that they are unable or unwilling to work. Such assumptions, based on preconceived notions rather than proven reality exacerbates the challenges of unemployment and underemployment faced by this marginalised group and as a result, PWD who are adversely affected are forced to rely on the state for access to social services and welfare payments.

Consequently, the benefits associated with work are not realised, not only the monetary payments and economic benefits but the abilities to use one's knowledge, skills and abilities in a productive way, but there is a resulting deterioration of their mental wellness, social inclusion, self-esteem and self-worth. In promoting access to employment for PWD, the ILO has proposed a useful three-pronged framework, which proposes (i) *inclusive employment*, (ii) *enabling environments* and (iii) *increasing employability* as areas of concentration for governments, employers and trade unions (and other workers organisations), with a view of promoting inclusion of PWD in the labour market.

As it relates to *inclusive employment*, the ILO echoes some of the previously supported research findings namely a business case for diversity, disability sensitisation via knowledge sharing. Turning to the promotion of *enabling environments*, the ILO supports the enactment of anti-discrimination legislation, social protection schemes and employment placement services for PWD. The final prong of the ILO framework is the focus on *increasing employability* of PWD by promoting inclusive skills development and entrepreneurship, and in so doing PWD are not dependent on employers for offers of gainful employment but create opportunities for themselves by scanning the marketplace and identifying areas of service or product deficiencies. According to independent reports by the United Nations Educational, Scientific and Cultural Organisation (UNESCO) and the Economic Commission for Latin America and the Caribbean (ECLAC), at the time of writing there are approximately 1.3 million persons in the Caribbean with disabilities facing discrimination, exclusion and systematic barriers which curtail their ability to actively participate in social, economic and political life.

## Models of Disability

The above-referenced ILO framework points to an understanding of disabilities and PWD from the perspective of the impact of the environmental conditions on PWD, rather than the physical or mental challenges faced by the individual being considered. Within extant literature there are several models of disabilities which are considered. Perhaps the model which is most ubiquitous (in the Caribbean) is the ***medical*** model, where PWD are assessed based on their physical and/or psychological medical diagnoses. However, in addition to this, the social model of disability regards disability as a socially constructed problem, such that it is not the medical condition of the individual but rather the extent to which the social environment in which the individual resides (and is employed) is able and willing to make environmental modifications to ensure that all persons may actively take part and be integrated. The ***human rights model*** of disability recognises disability as a part of human diversity and as such PWD should be included and not excluded from the rights and freedoms afforded to any other. There is also the International Classification of Functioning, Disability and Health (**ICF**) model of disability which asserts that a person's level of functioning is determined by environmental factors, personal factors and the state of their health (or health conditions). In the Caribbean when referencing PWD, the medical model is the most commonly used approach, this results in employers' inability to see the role of the social/environmental structures, limiting the engagement of PWD in accessing and retaining gainful employment.

The medical model of disability focuses on the physical and/or mental impairment with which an individual has been diagnosed. It defines disability as "the attribute(s) of a person who is functionally and biologically limited" (Jongbloed, 2003), these may be categorised as physical, visual, auditory, psychosocial, and intellectual. This perspective of disability aligns disabilities with individuals and as a result, the individual is seen as defective, dependent and stigmatised (Foster & Scott, 2015; Sullivan & Artiles, 2011).

The accommodations which may be required for this heterogenous group, are regarded as potentially imposing a burden on organisations, such that its profitability and sustainability are adversely affected. This is typically in the absence of supporting evidence. In fact, this prevailing wisdom has not found support in empirical research, in fact, it has been argued that many of the accommodations required are minimal in costs (Bonacio, 2020) and due to the heterogeneity in nature and scope of disabilities, all possible accommodations will not be the same for all members of this marginalised group (Schartz et al., 2006; Solovieva & Walls, 2013). Where discrimination has been institutionalised in a society or an organisation, prejudicial patterns of employment practice may be followed without question, as a result of norms and expectations within the workplace (Renskin, 2000). Indeed, the embeddedness of discrimination within societies (Banaji, 1999) may make it more challenging for movement towards inclusion to occur.

Theoretically, there exist many models through which we can enrich our understanding of persons with disabilities and employment (Coker, 1995). Though the acceptance of stereotypes may be an efficient shortcut to aid our understanding of persons whom we regard as “other” (i.e. those persons who do not fit within the preconceived parameters of a typical stereotyped employee), it must be emphasised that heterogeneity exists within all groups and by extension within all marginalised groups. For the avoidance of doubt, it would be erroneous to assert that all persons with disabilities are the same and have the same needs, the same accommodation requirements, the same levels of productivity, and the same limitations as it would be to assert that all humans are the same.

The disability employment model developed by Bonaccio et al. (2020) highlights some concerns that employers may have in relation to the employment of persons with disabilities. Specifically, regarding recruitment and selection employers are concerned with (*i*) the qualifications of applicants with disabilities; (*ii*) the number of qualified people with disabilities; (*iii*) the attractiveness of vacancies to people with disabilities; (*iv*) the selection process for applicants with disabilities; (*v*) the cost of potential accommodations. Employers also have concerns about the social organisational integration of employees with disabilities and the potential impact of workers with disabilities on colleagues. Finally, as it relates to performance concerns, employers may be concerned with the job performance of PWD, the occupational health and safety behaviours of workers with disabilities, occupational health and safety behaviour and disciplinary action and termination of workers with disabilities.

It is common for published annual reports to include a statement of inclusivity but while it will typically explicitly include race, age, gender, ethnicity, *inter alia*, disabilities are frequently omitted. In the Caribbean, there exist five (5) dominant conglomerates, namely Ansa McAl Ltd., Barbados Shipping and Trading Ltd., Grace Kennedy and Company and Neal and Massy Holdings Ltd. Of these in their published annual reports over the period 2015–2020, each conglomerate included statements indicating their commitment to inclusion, equality and diversity and in so doing positioned their companies as tolerant of persons with disabilities and companies who would be willing to engage current or potential members of staff /stakeholder group members with disabilities. These statements have not yet been tested in the Caribbean but where companies based in other jurisdictions have made similar statements, empirical research has found that espoused policies are incongruent with enacted practice (Cooke & Saini, 2010; Gilbert & Ivancevich, 2000; Ng & Sears, 2012; Nyambegera, 2002; Prasad & Mills, 1997).

## Concluding Comments

This book is important at this time, because there is a paucity of literature on issues of discrimination and diversity in the English-speaking Caribbean region specifically, on the grounds of disabilities and, where such publications exist, they fail to provide a comprehensive analysis of the issues relating to employment of this marginalised group. This point of departure of this text is that it covers persons with disabilities in the Caribbean by reason of its comprehensive and exclusive evaluative analysis of employment in relation to persons with disabilities, simultaneously examining socio-economic and legal factors. These issues will be examined from the perspective of Stone and Colella's (1996) seminal model, which "provides a framework for understanding and studying the way persons with disabilities are perceived and treated at work", and via the framework of the theory of social categorisation, where individuals categorise others into groups with the objective of identifying those who are similar to and/or different from themselves (Wenzel, 2004) and hence those with whom they anticipate successful work and other relationships (Kurzban et al., 2001). There are three (3) primary models of disability, namely the medical, social and human rights models. Within the island states of the Caribbean, the medical model of disability is relied on and as such, physical or mental impairments are perceived to differentiate persons with disabilities from persons with no known disabilities. This is reflected in the legislation (in the Anglophone Caribbean) enacted to prohibit discrimination on the basis of disabilities, and as such is influential in the way in which disabilities are perceived by societal members and stakeholders.

Legislators and policymakers may wish to consider the analysis of this text in making legislative amendments or enacting new laws, with a view to broadening the range of persons protected as it relates particularly to disabilities. Moreover, organisational practitioners may find these discussions useful, where current policies/practices are shown to be unlikely to further their organisation's objective vis-à-vis productivity and sustainability. Moreover, academics may also find this text useful in facilitating the delivery of contemporary data, literature and analysis as it relates to the current challenges faced by persons with disabilities in the region, how they are perceived within Caribbean society and community stakeholders and whether and the extent to which this has evolved over time. Students seeking to understand the challenges faced by persons with disabilities as a marginalised group in contemporary Caribbean society may also find the analysis in this text enlightening. Academics and students from outside the Caribbean region may find this text useful in conducting comparative analyses of what obtains in this region as compared to what obtains in theirs, in terms of both the content of the law and policy as well as their real-life application. This book also establishes a benchmark for future researchers, from within the region as well as outside, who may explore further the issues of discrimination in relation to persons with disabilities and the extent to which sustained employment of this group is affected. In the Caribbean region, specifically, as it relates to persons with disabilities and much of what is accepted as representative of reality is based on anecdotal evidence and historical assumptions about this marginalised group.

In the succeeding chapters, the authors examine from the perspective of the Anglophone Caribbean: the nature of disabilities; education and persons with disabilities; disabilities, information technology, assistive devices, and employment; mental health disabilities and work; neurodiversity and employment; disability, employment and law; prohibiting