

**CHALLENGES FACED BY DISABLED PEOPLE AT WORK PLACE IN INDIA.****- SUNIL KUMAR MISHRA<sup>1</sup>****Abstract**

Disability is an important public health problem especially in developing countries like India. The problem will increase in future because of increase in trend of non-communicable diseases and change in age structure with an increase in life expectancy. The issues are different in developed and developing countries, and rehabilitation measures should be targeted according the needs of the disabled with community participation. In India, a majority of the disabled resides in rural areas where accessibility, availability, and utilization of rehabilitation services and its cost-effectiveness are the major issues to be considered. Research on disability burden, appropriate intervention strategies and their implementation to the present context in India is a big challenge. Recent data was collected from Medline and various other sources and analysed. The paper discusses various issues related the challenges by people with disability at work place.

Keywords: Challenges, disability, India, issues, rehabilitation services

**Introduction**

Disability is defined as any restriction or lack of ability to perform an activity in a manner or within the range considered normal for the human beings, resulting from impairment. Impairment concerns the physical aspects of health. Disability is the loss of functional capacity resulting from an impairment organ and handicap is a measure of the social and cultural consequences of an impairment or disability. The types of disability include loco-motor, hearing, speech, visual and mental disability. Recent development is the International Classification of Functioning, Disability and Health, developed by WHO in 2000 which has been used in the Multi-Country Survey Study during 2000 and 2001 and the World Health Survey Program in 2002 and 2003 to measure health status of the general population in 71 countries. The domains here are classified into body, individual, and societal perspectives by the conceptual components that includes body functions and structure, activity and participation along with contextual factors that includes a list of environmental and personal factors. The International Classification of functioning (ICF) considers that every human being can experience some degree of disability

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and it is a continuous process from attainable level of health. Persons with disabilities are one of the most marginalised sectors of our society. The societal view has led to disability being seen as a stigma, which makes parents feel ashamed of their children, who in turn don't want to take their disabled children out of their homes. This not only makes lives of persons with disabilities miserable, but they continue to be depressed throughout their lives. Most of the government buildings or private offices and other infrastructure are inaccessible for disabling population. The Disabled person has a very low representative in fields like government jobs, politics, economy etc. The disabled workers are keen to work but are less likely to be in employment and may be hiding disabilities from employers, are paid less when they are in work and that many employers do not feel they are well equipped to deal with the needs of disabled staff. With this background, the paper discusses various issues and challenges related to disabled people at work place.

### **The person with disability.**

The most important element in the discourse on disability is to assess who is a person with disability. Disability is not a homogeneous concept, as it varies from person to person. Seen through a microscopic lens, one person will always be more or less disabled than the other, in terms of their relative physical capabilities. The Social Statistics Division under the Ministry of Statistics and Programme Implementation, government of India, came up with a report titled Disabled Persons in India: A statistical profile 2016. While defining disability, the report states: From the conceptual point of view, there is no universal definition of what constitutes a disability or of who should be considered as having a disability. Moreover, there is no one static condition of disability. A disability is a result of the interaction between a person with a health condition and a particular environmental context. As per 2011 population census, 20% of persons with disabilities in India have a disability in movement, 19% have a disability in seeing, 19% have a disability in hearing and 8% have multiple disabilities. The report also highlights that the number of persons with disabilities is highest in the age group 10-19 years (46.2 lakh people). The United Nations Conventions on the Rights of Persons with Disabilities defines disability differently. It says: Disability results from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others. Persons with disabilities include 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.

### **Legal Frame Work: Rights to Persons with Disabilities Act, 2016**

This act is the benchmark for the substantial development of the people with disabilities. This act highlights the principles to be implemented for empowerment of persons with disabilities (PWD) are respect for inherent dignity, individual autonomy including the freedom to make one's own choices, and independence of persons. The Act lays stress on non-discrimination, full and effective participation and inclusion in society, respect for difference and acceptance of disabilities as part of human diversity and humanity, equality of opportunity, accessibility, equality between men and women, respect for the evolving capacities of children with disabilities, and respect for the right of children with disabilities to preserve their identities. The list has been expanded from 7 to 21 conditions and it now also includes cerebral palsy, dwarfism, muscular dystrophy, acid attack victims, hard of hearing, speech and language disability, specific learning disabilities, autism spectrum disorders, chronic neurological disorders such as multiple sclerosis and Parkinson's disease, blood disorders such as haemophilia, thalassemia, and sickle cell anaemia, and multiple disabilities. This act says that Persons with benchmark disabilities are defined as those with at least 40% of any of the above disability. The RPWD Act, 2016 provides that "the appropriate Government shall ensure that the PWD enjoy the right to equality, life with dignity, and respect for his or her own integrity equally with others. Measures are to be taken to protect the PWD from being subjected to cruelty, inhuman, and degrading treatments and from all forms of abuse, violence, and exploitation. It is to be ensured that all PWD enjoy legal capacity on an equal basis with others in all aspects of life and has the right to equal recognition everywhere as any other person before the law and have the right, equally with others, to own and inherit movable and immovable property. The Bill provides for the access to inclusive education, vocational training, and self-employment of disabled persons without discrimination and buildings, campuses, and various facilities are to be made accessible to the PWD and their special needs are to be addressed. Necessary schemes and programs to safeguard and promote the PWD for living in the community are to be launched by the Government. Appropriate healthcare measures, insurance schemes, and rehabilitation programs for the PWD are also to be undertaken by the Government. Cultural life, recreation, and sporting activities are also to be

taken care of. All Government institutions of higher education and those getting aid from the Government are required to reserve at least 5% of seats for persons with benchmark disabilities. Four percent reservation for persons with benchmark disabilities is to be provided in posts of all Government establishments with differential quotas for different forms of disabilities. Incentives to employer in private sector are to be given who provide 5% reservation for persons with benchmark disability.

### **Analysis of Literature**

The Disadvantages of Disabled Persons in the Workplace. The International Labor Organization estimates that there are approximately 600 million people who are classed as disabled worldwide as of July 2011. Countries around the world are working to give these individuals a better chance at finding and maintaining sufficient employment. However, some disadvantages related to having disabled employees do exist. These disadvantages, along with pervasive myths about the disabled population, often keep qualified workers out of a job or comfortable working environment.

### **Challenges for PWD'Sat work place**

- **Speed and Productivity:** Disabilities sometimes mean that a disabled employee is not able to work at a pace comparable to other employees. For example, it may take longer for someone with a physical disability to move equipment, while someone with a mental disability may take longer to read and interpret documents. This sometimes makes a difference in jobs where the ability to keep pace affects other functions of the company, such as in a factory with an assembly line. However, it is not necessarily a disadvantage in other companies, such as an art restoration business where the quality, not the speed, of each project is more important.
- **Discrimination:** Although the Disabilities Act and other laws have opened doors for the disabled in the workplace and many employers strive to comply, disabled workers still can face discrimination. For example, co-workers may resist having a disabled worker as a member of their team if the specific disability the disabled worker has would slow down a project. In some cases, these types of issues can force members of a human resources department to intervene and

settle conflicts, and the employer may need to take time and resources to remind all employees about the definition and consequences of workplace discrimination. discrimination when it comes to any aspect of employment, including hiring, firing, pay, job assignments, promotions, layoff, training, fringe benefits, and any other term or condition of employment.

- **Accessibility:** Particularly for individuals with physical disabilities, accessibility is be a major challenge. While legislation has made most buildings accessible to individuals with physical handicaps, disabilities may still limit the job duties these workers can perform. This creates a disadvantage for these workers, because they may not be as desirable to employers. Accessibility can also present challenges for employers, who may have to modify workspaces at their own cost to accommodate mobility impairments.

**Accommodations:** Depending upon the nature of the disability, many disabled workers can perform nearly or at the same level as nondisabled peers if given appropriate accommodations. This could include hearing amplification devices for a profoundly hard-of-hearing employee or Braille materials for a visually impaired worker. Business owners often pause to judge the reasonableness of accommodations disabled workers need prior to making hiring decisions. This can result in them passing over an otherwise qualified employee for a position as a result of the individual's need for accommodation. Most of the government buildings or private offices and other infrastructure are inaccessible for disabling population.

- **Education:** Disabilities might hinder individuals who have the mental capability to acquire a higher education in their attempts to do so. The same disadvantages that limit the ability of an individual with a disability to get and keep employment can hurt his ability to acquire education. Individuals limited in their educational opportunities may find this a continued problem, as many workplaces are unwilling to hire those who don't meet set education credentials. These organizations might overlook an otherwise capable worker unable to acquire the necessary schooling.

- **Update of Infrastructures and Tech:** Employers are required to make reasonable accommodations to workplace infrastructures so that a disabled candidate may work if hired. For

instance, they may have to install a wheelchair ramp or modify the physical aspects of the employee's workstation. The employer has to take the time to arrange for the accommodations, which sometimes means there is a delay in active employment or completion of specific projects. Additionally, in some cases, other workers are not familiar with the specific technologies a disabled worker may need. For example, a software specialist who is an expert in company-specific or standard software programs may not be as familiar with a speech-recognition program and therefore may need some time to troubleshoot problems. There may be fewer people on site who can assist the disabled worker if the infrastructure or technologies become an issue. However, these accommodations and delays are not necessarily a financial burden on the employer, as the productivity and loyalty of the disabled employee often more than compensates for the expense of the changes and wait periods.

- **Assumptions:** Even though some disadvantages exist regarding disabled people in the workplace, many of what people regard as disadvantages are largely a myth. For instance, people often assume that disabled workers will be absent more often due to their conditions, but in fact, disabled workers miss the same or fewer days of work than their non-disabled counterparts. Disabled workers have higher safety records as well. To dispel these myths, employers and the co-workers of the disabled actively must pursue the creation and distribution of statistical information about this demographic.
- **Attitudinal Barriers:** Attitudinal barriers which help in stigmatisation and discrimination, deny people with disabilities their dignity and potential and are one of the greatest obstacles to achieving equality of opportunity and social integration.
- **Inaccessible communication systems:** It prevent access to information and knowledge and opportunities to participate. Lack of services or problems with service delivery also restricts the participation of people with disabilities.
- **Institutional Barriers:** Institutional barriers include many laws, policies, strategies or practices that discriminate against people with disabilities. Discrimination may not be intended

but systems can indirectly exclude people with disabilities by not taking their needs into account.

### **Disability Management at Workplace**

Employers are faced with increasing social and legislative pressure to integrate and accommodate people with disabilities. Increasing workers' compensation and health care costs are threatening the survival of business and draining resources otherwise allocated to future economic development. Trends suggest that employers can be successful in the effective management of injury and disability problems. Impressive disability management programme models are prominent among employers that assume control and responsibility for injury prevention, early intervention, injured worker reintegration and worksite accommodation. Current disability management practice in industry reflects an example shift from services provided in the community to interventions occurring at the worksite. Promoting respect and dignity between workers with disabilities and the professionals who serve them is very necessary.

### **Definition of Disability Management**

Disability management is operationally defined as an active process of minimizing the impact of an impairment resulting from injury, illness or disease on the individual's capacity to participate competitively in the work environment. It is proactive process. It is a process that enables labour and management to assume joint responsibility as proactive decision-makers, planners and coordinators of workplace-based interventions and services. It promotes disability prevention strategies, rehabilitation treatment concepts, and safe work return programmes designed to control the personal and economic costs of workplace injury and disability. Disability management practices are based on a comprehensive, cohesive and progressive employer-based approach to managing the complex needs of people with disabilities within a given work and socio-economic environment. Despite rapidly escalating costs of injury and disability, rehabilitation technologies and disability management resources are available to facilitate immediate and recurrent savings among business and industry. Disability management policies, procedures and strategies, when properly integrated within the employer's organization, provide the infrastructure which enables employers to effectively manage disability and continue to

compete in a global environment. The ability of the employer to participate actively and effectively in this relationship will contribute to the control of costs, as well as to the protection of the worker's sustained and productive employment.

### **Considerations required by employer before hiring PWDs.**

When the organization makes the decision to have a policy for hiring disabled people and increase efforts to implement it, there should be a concerted effort to identify positions that can be done by employees with different types of disabilities. This will require a detailed job analysis to be done to study job requirements that can be efficiently performed despite a handicap. For instance jobs that require heavy lifting or continuous physical effort might not fit the bill for people who have impaired limbs. Or jobs that require precise vision cannot be handled by partially blind people. Specific jobs must be identified and efforts can be made to hire disabled people these positions. The employee should be able to perform all essential functions for the job. The employee once appointed should not be discriminated against on any front - recruitment, training, benefits, promotions, job assignments, vacation and even layoffs. On the other hand law in also protects employers by stating that employers are expected to make "reasonable accommodation". The employer should not suffer any monetary loss in preparing the organization for disabled employees. The accommodation needs differ with the needs of the disabled employees. Not all organizations can afford to invest in making the changes to their infrastructure systems or processes. Employment of disabled people should be considered as long as it does not endanger the business of the organization or present physical or mental threats to other employees. Providing gainful employment and allowing disabled people to be financially independent is a lofty idea. The pursuit of such ideals is commendable in any organization. These opportunities help the challenged people to be productive members of the society and the organization. It instils in them a sense of self-worth and confidence which might open the doors to creativity and innovation that will benefit the organization. Hidden talents will emerge and end up saving the company precious dollars and might give them the ultimate competitive edge. Organizations need to step up their efforts in this direction. The biggest battle in India is that of attitude. The country needs to strengthen its laws and introduce new ones to ensure that the initiative is not sacrificed at the altar of attitude.

**Suggestions & Recommendation**

Employers and managers are increasingly realizing the need of employing a varied and diverse workforce. This means that a large majority of disabled who are qualified are unemployed and are actively looking for a job. Creating a disabled-friendly workplace is the first step towards employing more qualified disabled candidates. A workplace which offers support and encouragement will help disabled employees perform to their full potential and be productive in what they do. There are several things that a company, employer or the HR can do to ensure that they adopt a disabled-friendly work culture. Physical accessibility should be of topmost concern, followed by adoption of assistive technology, continued training of employees and consistent monitoring. Build awareness and Invest in Training. An aware workforce is also an empowered workforce. For disabled employees to be fully integrated into a workplace, it is essential that all employees are familiar with the affirmed commitment of their organization to being disabled-friendly. Sensitizing trainings and etiquette classes will help full-bodied employees gain more insight into how to best deal with disabled co-workers. Some employees may be consciously or unconsciously biased about their disabled counterparts. Quality training from the part of the company will help dispel these notions. Employees should also be given basic information on how they can help their disabled colleagues in cases of emergency. Assistive technology enables disabled people to be an active part of the workplace and has grown by leaps and bounds in the last few years. Most modern jobs require computers and use of technology. If company invests in the right assistive technology, apps and online tools, disabled employees will be able to carry out their job responsibilities without impediments. Some common assistive technology aids include color-coded keyboards, refreshable Braille displays, specialized screen reader software, assistive listening devices, speech recognition and sign language apps, and browsers that provide user-friendly and customizable Web interface.

It is also advised to install games or interactive activity apps on computers to engage and lighten the mood among employees. Assistive technology becomes optimal only when you train disabled employees to best use them. Relevant and ongoing training are, hence, of utmost importance. Training should also be a crucial part of the entire on-boarding process for disabled employees. Companies can also make use of outside support to give continued training to employees. Several non-profits and government agencies are working towards more inclusive workplaces that can hold seminars and awareness initiatives at you company. This not only

improves employee participation and morale, but also helps bring fresh and new perspectives to approaching the issue.

**Make Accessibility a Priority,** A freely accessible workspace is incredibly important to disabled employees. It helps them move around, get their work done and enjoy the time spent at the workplace. Disabled-friendly parking, wheelchair accessible doorways, ramps at entries and exits of buildings and cafeterias, wide corridors and easy access to workstations, accessible operating buttons and/or Braille in lifts, and accessible washrooms are some of the basic necessities required to make a workplace disabled- friendly. Meeting rooms and other common access areas also need to be given special attention to and made accessible to all disabled employees. Another key factor for improving inclusivity at workplace is to provide honest and fair feedback to employees, irrespective of any bias. Employee health and well-being need to be of foremost priority, especially at disabled-friendly workplaces. Games, physical activities, and other recreational options can be encouraged in your company. Gyms, relaxation rooms and even sleeping pods are becoming common at workplaces. Another option you can consider is including families and caregivers of disabled employees in your awareness initiatives and pre-hiring training sessions. This makes it easier for disabled employees to get used to their new roles.

### **Conclusion**

Research on disability and employment has a long history. Organisations have to push forward in order to support the workplace inclusion of people with disabilities. They not only need a new understanding of disability, but also need to take new perspectives to make a contribution to the field. There is more need to be understand about the situation of people with disabilities and its impact on functionality and work capacity. Therefore, it is necessary to understand the dynamics between different types of disabilities and work and the impact of various institutions, systems and policies Likewise, policy can and must respond more efficiently to the demands of the labour market inclusion of people with disabilities. There is need for workplaces with tolerances for persons with disabilities or other chronic health problems, since working conditions have changed and capacity disorders and sick leave due to disorders increased. India has some 40 to 80 million persons with disability. But low literacy, few jobs and widespread social stigma are making disabled people among the most excluded in India. With better education and more

access to jobs, people with disabilities can become an integral part of society and workplace as well as help generate higher economic growth that will benefit the country as a whole. In the years to come, the number of disabled people in India is expected to rise sharply as age related disabilities grow and traffic accidents increase. This is borne out by the fact that internationally, the highest reported disability rates are in OECD countries. People with disabilities need to be better integrated into society by overcoming stigma; disabled adults need to be empowered with employable skills; and the private sector needs to be encouraged to employ them. The scale of disability in India needs to be better understood by improving the measurement of disability. Most importantly, persons with disabilities should themselves be made active participants at workplace in the development process of the organisation. Workplace disability management and transitional work programmes represent a new example in the rehabilitation of workers with disabilities. Trends reflect a shift in rehabilitative interventions from medical institutions to the worksite. Joint labour-management initiatives in disability management are commonplace, creating new challenges and opportunities for employers, unions and rehabilitation professionals in the community. The interdisciplinary members of the worksite-based disability management team are learning to harness existing technologies and resources within the work environment. The demands on employers are essentially limited to their creativity, imagination and flexibility to adapt disability management interventions to the work environment. Job accommodations and temporary non-traditional job options expand the range of transitional work alternatives for workers with restrictions. Redesigned tools, ergonomically correct workstations, adaptive devices and work schedule modifications are all effective disability management methods that enable the person with disabilities to perform essential job tasks.

Protecting the rights of person with disabilities is an important component of disability management. Without transitional work options and accommodations, workers with disabilities risk discrimination similar to that faced by other individuals with disabilities. Thus, disability management is an effective advocate tool, whether advocating for the employer or the person with a disability. Disability management interventions protect the employability of the worker as well as the economic interests of the employer. Just as this crisis offers a challenge to industry, disability management interventions and transitional work programmes create an opportunity. With a decreasing labour pool, an ageing workforce and increased worldwide competition, employers in industrialized societies must seize the opportunities to control the personal and

economic costs of injury and disability. An employer's success will be determined by the extent to which he is able to shape positive attitudes among employees, by creating an infrastructure supportive for people with disabilities. To sum up, "The problem is not how to wipe out the differences but how to unite with the differences intact". – Rabindranath Tagore.

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