

OPENING DOORS TO ALL CANDIDATES: TIPS FOR ENSURING ACCESS FOR APPLICANTS WITH DISABILITIES



The goal of the hiring process is to attract and identify the individual who has the best mix of skills and attributes for the job available. Ensuring that all qualified individuals can participate in the process is key to achieving this goal. By examining their hiring procedures and implementing some simple steps, employers can widen their pool of potential talent and ensure that they do not miss out when the best person for the job happens to have a disability.

■ JOB ANALYSIS

Although it is not required under the Americans with Disabilities Act (ADA), it would be prudent for employers to carefully examine each job to determine its essential functions. According to guidance from the Equal Employment Opportunity Commission (EEOC), essential functions are the basic job duties that an employee must be able to perform, with or without a reasonable accommodation. Determining essential job functions will assist in establishing appropriate qualification standards, developing a job description, conducting interviews and selecting people.

Do:

- Evaluate each candidate for the job based on whether he or she has met the employer's requirements for the job, such as education, training, employment experience, skills or licenses.
- Consider whether a person with a disability can perform the essential functions of the job, with or without a reasonable accommodation.
- Recognize that there are often many ways to accomplish the same task.

Do not:

- Assume that certain jobs are more suited to persons with disabilities.
- Assume that a person cannot or does not want a particular job because of apparent or non-apparent disabilities.
- Assume a person with a disability does not have the requisite education and training for a job.
- Hire a person with a disability who is not qualified to perform the essential functions of a job, even with a reasonable accommodation.

■ COMMUNICATION

Do:

- Relax and make the applicant feel comfortable.
- Treat an individual with a disability with the same dignity and respect you would give any applicant.

Do not:

- Assume that staff would need special training to learn how to work with individuals with disabilities.

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■ MEDICAL INFORMATION

Do:

- Check that applications and other forms do not ask disability-related questions.
- Make sure that any medical examinations required are also required of all other applicants and are performed after a job offer has been extended. The job offer may be conditioned on the results of the post-offer medical examination. However, if a decision is made not to hire an individual based on the results of the medical exam, the basis for that decision must be job related and not because of the individual's disability.
- Keep in mind that among those protected by the ADA are qualified individuals who have a substantial limitation in a major life activity. Whether qualified individuals with a medical condition like AIDS, cancer, mental retardation, traumatic brain injuries and learning disabilities will be considered disabled under the law will depend on the facts of each case.
- Develop procedures for maintaining and protecting confidential medical records.
- Make sure that any disability-related information is kept confidential and shared only with those who need to know. For example, supervisors and managers may be told about necessary restrictions on the work or duties of the employee and about necessary accommodations.

Do not:

- Make medical judgments.
- Ask an applicant if he or she has a disability during a job interview.
- Assume that a work environment will be unsafe if an employee has a disability.

■ ACCOMMODATIONS

Do:

- Ensure that the recruitment process is accessible to all individuals by providing reasonable accommodations that qualified applicants will need to compete for the job (e.g., applications in alternative formats and accessible route-of-travel to the human resources office).
- Remember that accessibility pertains not only to a physical environment. Application forms and other relevant information should be available in alternative formats for people with visual or cognitive disabilities.
- Develop an accommodations process and ensure all employees are aware of and understand it. For guidance, see the U.S. Department of Labor's Office of Disability Employment Policy publications page, www.dol.gov/odep/pubs/publicat.htm.

Do not:

- Assume that accommodations are expensive or difficult to implement. Most are not, and a number of resources are available to assist in making accommodations.
 - Assume that one accommodation will work for all individuals with similar disabilities.
 - Assume that a person does not need an accommodation because he or she does not have a visible disability.
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■ WORKSITE ACCESSIBILITY

In general, the ADA does not require employers to make accommodations unless requested to do so by an individual with a disability. However, individuals with disabilities must be able to participate in all aspects of the application process. Below is a list of steps employers may use to check how well they are fulfilling this responsibility.

- Parking spaces for persons with disabilities should be close to the work site entrance.
- The pathway from the parking area to the entrance should not include abrupt level changes or steps.
- Ramps used to provide access should be appropriately graded and have handrails.
- Doors should be wide enough (36 inches) for people who use wheelchairs. Also, they should be easy to open.
- The human resources office, or location within the work site where the application process is administered, should be accessible.
- The bathroom, water fountain and public telephone should all be useable by and accessible to people with disabilities.
- Elevators should have control panels lower than 54 inches from the floor and raised symbols or numbers on the control panels.
- All signage should include the use of symbols and graphics to be appropriate and accessible for persons with visual, learning and cognitive disabilities.
- The emergency warning system should include both audible and visual alarms.

For complete descriptions and diagrams of accessibility standards, visit the U.S. Access Board's Web site at www.access-board.gov.

■ RESOURCES TO ASSIST

A number of resources are available to assist employers in ensuring that their hiring process is inclusive of individuals with disabilities.

Job Accommodation Network (JAN)

1-800-526-7234 (V/TTY)

www.jan.wvu.edu

Access Board

1-800-872-2253 (V) or 1-800-993-2822 (TTY)

www.access-board.gov

Equal Employment Opportunity Commission (EEOC)

1-800-669-3362 (V) or 1-800-800-3302 (TTY)

www.eeoc.gov

ADA & IT Centers

1-800-949-4232 (V/TTY)

www.adata.org

Employer Assistance and Recruiting Network (EARN)

1-866-327-6669 (V/TTY)

www.earnworks.com



Office of Disability Employment Policy • U.S. Department of Labor • 200 Constitution Ave., NW • Washington, DC 20210
Voice: 1-866-ODEP-DOL (633-7365) • TTY: 1-877-889-5627 • Fax: 1-202-693-7888 • www.dol.gov/odep