
Disability Awareness Resource Team (DART)

Tuesday, November 8, 2022, from 2:00-4:00 p.m.

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AGENDA

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|--|-----------------------------|
| I. Welcome and Call to Order [3 min] | Co-Chairs |
| A. Approval of Agenda | |
| B. Approval of Minutes from September 13, 2022 | |
| II. Program – 2022 Advocacy and Inclusive Employment Practices [45 min] | Max Hornick |
| Community Education Specialist, Disability Network Southwest Michigan | |
| III. Introductions & Agency Updates [20 min] | |
| IV. Work Group Updates | |
| A. Emerging Issues Related to Employment & Advocacy [10 min] | Sheldon Schwitek/Discussion |
| B. Collaboration – Partner Matrix – any updates? [2 min] | Kathy Olsen |
| C. Curriculum – At Your Desktop Training / Resources – current needs? [2 min] | Kathy Olsen |
| V. Unique Customer Needs – Request for Input & Resources [10 min] | Discussion |
| VI. Professional Development Opportunities [5 min] | |
| A. Disability Network Southwest Michigan http://www.dnswm.org/ | |
| B. Incompass Michigan – https://incompassmi.org/ - see the Education & Training tab | |
| C. DART Desktop Training Modules https://www.michiganworkssouthwest.org/about/board/
(Scroll down on web page to the DART tab.) | |
| VII. DART Schedule for 2023 [2 min] | |
| VIII. Next Meeting – Tuesday, February 7, 2023, from 2-4 pm | |
| IX. Adjournment | Co-Chairs |

The Disability Awareness Resource Team (DART) is a standing committee of the Michigan Works! Southwest Workforce Development Board.

DART members represent businesses, service providers, advocates, and allies with expertise in assisting individuals with disabilities with their career, training, and employment needs.

DART members will inform, promote, and advise the WDB on strategies to support career pathways, training, and employment options for individuals with disabilities, including youth, to gain and retain employment.

Disability Awareness Resource Team (DART) Minutes September 13, 2022

CALL TO ORDER – The meeting was held virtually via the GoToMeeting platform. DART Co-Chair, Hank Bostic called the meeting to order at 2:04 p.m.

MEMBERS PRESENT:

Sharmese Anderson (FwD)	Kathy Lentz (ISK)
Galyn Barnum (HRI)	Ramona Lumpkin (Recovery Institute)
Hank Bostic (Disability Network)	Kathy Olsen (MWSW)
Gary Clark (MI LEO-WD)	Rep. Julie Rogers (MI 60 th District)
Ben Hoger (MWSW)	Lisa Stanley (MRS)
Sarah Hutchinson-Chee (Goodwill SW MI)	Jordan Stripling (KRESA)
Jonathan Kraker (MRC)	

APPROVAL OF AGENDA

The DART meeting agenda for the September 13, 2022 was approved by consensus of members present.

APPROVAL OF MINUTES

The DART meeting minutes of June 14, 2022 were approved by consensus of members present.

WORK GROUP UPDATES

Emerging Issues Related to Employment – No new issues were brought before the DART committee.

Collaboration – Partner Matrix – Kathy Lentz reported Integrated Services Kalamazoo (ISK) is now a Certified Community Behavioral Health Clinic (CCBHC).

Curriculum- At Your Desktop Trainings – Lisa Stanley reported there are no updates regarding the Desktop trainings. New modules will be created as needed.

UNIQUE CUSTOMER NEEDS

Members reported individuals are getting jobs, the challenge is to get individuals engaged with supported employment. Staff do not need to spend time developing jobs because there are many available jobs. Instead, they need to be able to provide supports.

GUEST – STATE REPRESENTATIVE JULIE ROGERS (60th House District)

Representative Julie Rogers joined the DART virtual meeting and provided a legislative update. She reported the following:

- Disability signage is being replaced with signage that is more modern and action oriented.
- Physical Therapists can now authorize placards for disability parking; previously, one had to contact their doctor for this.
- Representative Rogers is forming a Youth Advisory Council for youth 9th-12th grade which will meet once a month. Individuals interested in this opportunity should email her at JulieRogers@house.mi.gov.

Discussion pertaining to pending and/or potential legislation included the following:

- The privatization of mental health and the need to support a public option.
- The need for increased wages for front-line healthcare workers as well as nurses in the public healthcare system so they can be competitive with private healthcare employment.
- Auto No-Fault legislation and the recent settlement of the Andary family case. Per the published opinion, cases prior to the July 2021 implementation of the new No-Fault laws should be paid in full.
- Members raised concerns regarding pending Guardianship legislation.
- The Food Desert Bill to provide underserved areas with access to affordable fresh food and vegetables will be sunset at the end of September, a potential new Bill, if passed, would extend this legislation.

Representative Rogers requested that members keep her informed of any emerging issues. She also reminded members to include a notice on event promotional materials that accommodations are available and how to ask for them. She noted this was very helpful when promoting Expungement Fairs.

AGENCY UPDATES

Integrated Services Kalamazoo (ISK) – As previously mentioned earlier in the meeting, ISK is now a Certified Community Behavioral Health Center (CCBHC). Kathy Lentz reported this means that ISK can serve the public beyond Medicaid recipients. The services provided by CCBHCs focus on wellness, recovery, trauma-informed care, and physical-behavioral health integration.

Michigan Works! Southwest – Ben Hoger reported that beginning October 3, 2022, PATH participants will be expected to report in-person to Michigan Works!.

MI Department of Labor and Economic Opportunity – Workforce Development (MI LEO-WD) – Gary Clark reported another \$9.7 million will be available for Barrier Removal Employment Success (BRES). The funds will be distributed through Michigan Works! offices and will be used to remove barriers and provide supportive services to assist individuals with their transition to employment.

Kalamazoo RESA – Project SEARCH – Jordan Stripling reported the *KRESA Transition Team* will be meeting to discuss topics of transition. The kick-off event will be September 29, 2022, at the Kalamazoo RESA Service Center. The goal is to bring educators together to determine topics. If interested in attending, please reach out to Jordan Stripling. The *annual Transition Fair* is scheduled for October 27, 2022, from 2:30-5 pm at the Young Adult Program West Campus location. The current *Project SEARCH* cohort has ten students interning at Bronson. This is the last week of classroom instruction, and their rotations begin next week at Bronson. Kalamazoo RESA is seeking volunteers to assist with the *annual MiCareerQuest™* which is scheduled for October 25 & 26, 2022. [Link to volunteer sign up.](#)

Disability Network Southwestern Michigan – Hank Bostic reported Disability Network Southwest Michigan continues to offer workshops available to the public on topics related to serving individuals with disabilities.

Housing Resources Inc. (HRI) – Galyn Barnum reported the rising cost of rent is a concern because although wages are rising, they are not keeping up with the increases in rent and COVID Emergency Rental Assistance (CERA) funds are no longer available.

Recovery Institute - - Ramona Lumpkin reported the Recovery Institute has dropped the mask mandate, doors are unlocked, and there is a salad bar luncheon this Friday , September 16, 2022.

Michigan Rehabilitation Services (MRS) – Lisa Stanley reported MRS staff are working using a hybrid model. The offices are open, and staff are scheduling in-person meetings with customers and community partners as well as virtual meetings.

MRC Industries – Jonathan Kraker reported MRC Industries has a new CEO and beginning October 1, 2022, the CEO will be leading expansion efforts with community living supports. More information will be forthcoming.

Friends with Disabilities – Sharmese Anderson reported Friends with Disabilities is promoting inclusion at its second annual Gala which they will be hosting in November for individuals ages eighteen and older. The event will be at Martell's. They are also hosting events every month to help bridge the isolation gap. In July, a beach trip was scheduled; and in August, there was a chartered bus trip to Detroit. A trip to Shipshewana, Indiana for theatre and dinner is planned for later in September.

PROFESSIONAL DEVELOPMENT OPPORTUNITIES

- A. 2022 Mental Health Summit – Friday, September 23, 2022, from 8:00 a.m. – 4:30 p.m., in-person and virtual, WMU College of Health and Human Services, 1200 Oakland Dr, Kalamazoo. For more info, contact 269-966-5600 ext. 31634 or email your interest to Russell.Bell@va.gov. This is a free training and an opportunity for valuable information. [Click to register](#)
- B. Disability Network Southwest Michigan <http://www.dnswm.org/>
- C. Michigan APSE <https://apsemi.org/new/index.php/training/>
- D. Incompass Michigan <https://incompassmi.org/>
- E. DART Desktop Training Modules <https://www.michiganworkssouthwest.org/about/board/>
(Scroll down on web page to the DART tab.)
- F. African American Mental Health Symposium at WMU – Friday, October 14, 2022 from 8:30 a.m. to 4:00 p.m., [Link to register](#)

NEXT MEETING

The next DART meeting is scheduled for Tuesday, November 8, 2022, from 2:00-4:00 p.m.

ADJOURNMENT

The meeting adjourned at 3:11 p.m.

Respectfully submitted by:

Kathy Olsen, Quality Assurance/Project Coordinator and WDB Liaison
Michigan Works! Southwest



2022 Advocacy & Inclusive Employment Practices

Max Hornick

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Definition of Disability

- A physical/mental impairment that substantially limits one or more major life activities
- The ADA also protects people who:
 - Have a record of such impairment
 - Are regarded as having such an impairment

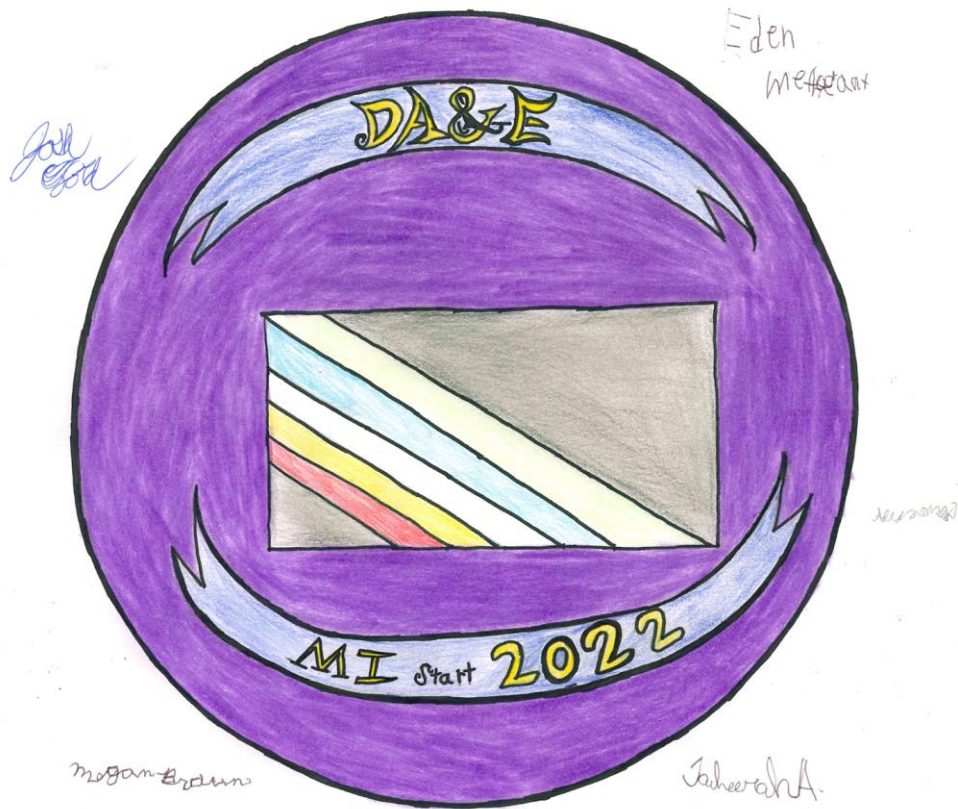


Advocacy Academy 2022

- Five young adults with disabilities employed for summer job at Disability Network Southwest Michigan
- Learned about disability history, pride, and advocacy
- Created a systems advocacy project to work on as a group



Disability Awareness & Education (DA&E) Day



- Worked to establish DA&E Day as a state holiday in Michigan
- Celebrated annually on the third Friday in October
- Created flyer, brochure, [Facebook](#), [Instagram](#), and [web petition](#)
- Met with state legislators
- Michigan Senator Sean McCann introduced resolution to create DA&E Day.
- Senate Resolution #167 declared Friday, October 21, 2022 as Disability Awareness & Education Day.

Recruitment

- Disability Networks or Centers for Independent Living:
 - <https://dnmichigan.org/cils/>
- Michigan Rehabilitation Services (MRS):
 - <https://www.michigan.gov/leo/bureaus-agencies/mrs>
- Bureau of Services for Blind Persons (BSBP):
 - <https://www.michigan.gov/leo/bureaus-agencies/bureau-of-services-for-blind-persons>
- Workforce Recruitment Program for College Students with Disabilities:
 - <https://askearn.org/topics/recruitment-hiring/workforce-recruitment-program-wrp/>
- Disability services offices at colleges and universities
- Young Adult Program at the local school district



Job descriptions should include:

- Job title
- Salary range
- Essential functions
- Marginal functions
- Physical requirements
- Minimum qualifications
- Specification of supervisory authority



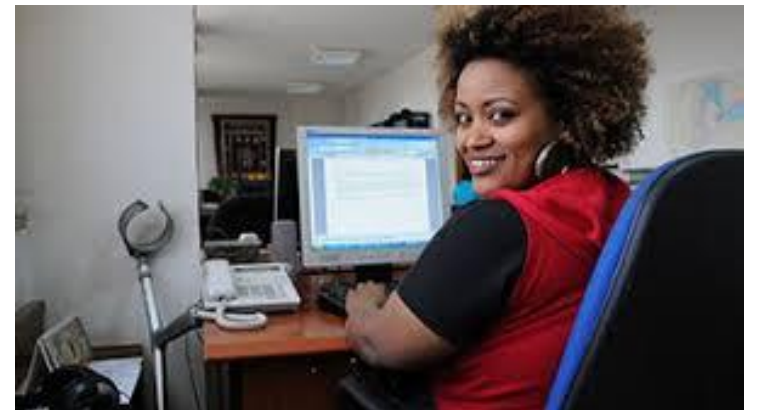
Additional Job Information

- Environmental factors
 - Describe the environment an individual will be working in
- A comprehensive break-down of physical requirements
 - Describe both the obvious and less-obvious physical requirements of the job
- Schedule and location
 - The preferred schedule and location work will be done
- Job descriptions updated regularly



What are essential functions?

- Essential job functions are those primary duties which the person must be capable of performing, with reasonable accommodations if required.
- These functions must be developed and be officially written into the job description.



Words Matter

Old Description	New Description
Must be able to drive between multiple locations for client appointments	Must be able to travel between multiple locations for client appointments
Must have strong written and oral communications skills	Must be able to communicate with others effectively
Must be able to stand for long periods of time	Ability to remain at work station for long periods of time
Must be able to see hazards and hear directions in a hectic environment	Must be able to respond quickly and effectively to directions and safety hazards

Source: Employer Assistance & Resource Network on Disability Inclusion, <https://AskEARN.org>

Interviews

- Check to make sure application forms are accessible.
- Inform applicants ahead of time how to ask for an accommodation for an interview.
- Inform applicants in advance if they will be asked/required to take a test or perform a task.
- Ask only job-related questions.
- Don't try to imagine how you would perform the job with the applicant's disability.
- Do not request a medical exam prior to making a job offer.
- Keep questions focused on the candidate's qualifications for the job.
- Talk about the organization's attendance policy and not about if they miss work.
- Don't ask applicants if they need accommodations, but tell them how to make a request.

What is a reasonable accommodation?

- Any change to a job, the work environment, or the way things are usually done that allows an individual with a disability to apply for a job, do a job, or enjoy equal access to benefits available to other individuals in the workplace
- ADA does not require employers to take actions that involve undue hardship.
- Does not change the nature of the job



Reasonable accommodations may include:

- Modification to the work schedules
- Modification of equipment
- Providing screen reader software
- Modifying a policy to allow a service animal
- Modifying the layout of a workspace
- Making materials available in braille or large print
- Using videophones to facilitate communications with Deaf colleagues
- Working from home full or part time



What is the cost?

The cost of a reasonable accommodation according to the Job Accommodation Network: (Updated 10/19/2020)

- 56% cost nothing at all!
- All other accommodations cost an average of \$500.
- Accommodation costs are decreasing.



Resources

- Job Accommodation Network (JAN): <https://askjan.org/>
 - Job Descriptions: https://askjan.org/topics/jobdesc.cfm?csSearch=2589127_1
- Employer Assistance & Resource Network on Disability Inclusion (EARN): <https://askearn.org/topics/recruitment-hiring/>
- Partnership on Employment & Accessible Technology (PEAT): <https://www.peatworks.org/>
- Office of Disability Employment Policy: <https://www.dol.gov/agencies/odep>
 - Tax Incentives for Employers: <https://www.dol.gov/agencies/odep/program-areas/employers/tax-incentives-for-employers>

Questions? Comments?



Max Hornick
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Disabled people need not apply

It's time to ban discriminatory clauses in job postings

February 5, 2016 2:00AM ET

by [David M. Perry](#) [@lollardfish](#)

The Arc of Texas, an organization dedicated to inclusion, advocacy and disability rights, is hiring a new CEO. Their job announcement, as originally posted, made one thing clear: [Disabled people need not apply](#).

Towards the bottom of the application, a strange list of criteria under the headline, “Physical and Mental Requirements,” included “Seeing, Hearing/Listening, Clear speech, Ability to move distances between offices and workspaces, Driving.” The next post, for another well-paid leadership position, added “manual dexterity, lifting up to 25 pounds, carrying up to 25 pounds” to the list, making it even more restrictive.

What’s a disability rights organization doing pre-emptively discriminating against disabled individuals in their most important hiring? And is this kind of language — which can be found in job postings from the tech sector, the non-profit world, and countless academic jobs — even legal?

Samuel Bagenstos, now an expert on disability law at the University of Michigan and a former Principal Deputy Assistant Attorney General for Civil Rights at the US Department of Justice, called The Arc posting “a pretty blatant violation of the Americans with Disabilities Act.”

“I really thought it was a bad joke, not a serious job advertisement,” he wrote me in an email. “The ADA prohibits employers from adopting selection criteria that screen out classes of individuals with disabilities unless the criteria are job-related. There is no strong business reason why the CEO or the advocacy director should have to be able to see, hear, drive, lift or carry. These aren’t manual-labor jobs.”

When disabled people are excluded from applying for jobs, the disability community suffers and businesses cheat themselves out of potential great employees. Jay

Ruderman, President of the Ruderman Family Foundation, which advocates for the full inclusion of people with disabilities into society, told me, “people may not know that people with disabilities are the largest minority in our country and the poorest segment of our population. It is fundamentally unjust that 70 percent of people with disabilities are unemployed and excluded from inclusion in the daily aspects of life most of us take from granted.”

Ruderman cited the benefits of hiring people with disabilities, noting that employers get, “a loyal, hard-working employee [and] their entire workforce is energized through their engagement in a socially just workplace.” [Statistics](#) from the Department of Labor confirm Ruderman’s assessment. Only 19.2 percent of people with disabilities participate in the labor force, as opposed to 68.1 percent without disabilities. The unemployment rate overall is 4.6 percent, but for people with disabilities, it’s 10.3 percent.

Disabled Americans are well aware of the problem. Lauren Appelbaum, Director of Communications at [RespectAbility](#), a non-partisan organization focused on empowerment for the disabled, told me that when polling disabled voters in the 2014 election cycle, “58 percent of the disability community rank a candidates’ position on the economy, jobs and wages as the No. 1 issue when asked to rank their top 3 issues.” That pattern continues in the current electoral cycle.

Why is it so hard for disabled Americans to find work? Obviously, some people are prevented from doing some kinds work due to their disabilities. Others are heavily reliant on government benefits, which often limit the number of hours or level of income one can achieve without jeopardizing those benefits.

Go to your favorite job site and search for ‘25 pounds.’ You’ll be shocked at how many non-manual-labor jobs have lifting requirements.

That said, too often the problem is a failure of imagination. Perhaps some employers deliberately discriminate against disabled job candidates, but job ads like The Arc of Texas’ suggest persistent, pernicious ableism. These clauses appear regularly in higher education jobs as well. I found around 60 current advertisements, including faculty, staff

and administrative positions, [at diverse types of universities](#). At many institutions, every job posting receives one of these clauses, despite many positions being perfectly suited to individuals with all types of bodies, senses and minds.

The University of Arkansas – Little Rock regularly inserts the following clause into their jobs, taken here from [an application for a French professor](#):

Sedentary Work - Exerting 10 pounds: Occasionally, Kneeling: Occasionally, Climbing (Stairs, Ladders, etc.): Occasionally, Lifting 10-25 lbs: Occasionally, Carrying 5-10 lbs: Occasionally, Pushing/pulling 5-10 lbs: Occasionally, Sitting for long periods of time: Occasionally, Standing for long periods of time: Occasionally, Speaking; Essential, Hearing: Essential, Vision: Ability to distinguish similar colors, depth perception, close vision: Essential, Walking - Short Distances: Frequently

The Director of First Year writing at University of Texas at Arlington must “[climb stairs](#).” A [Development Officer](#) at Clarion University Foundation is required to lift 25 pounds, one of the most common ways that disabled people are pre-emptively excluded. It’s reasonable for a job involving manual labor to require lifting. Making that 25-pound standard universal, though, excludes a huge class of people.

Here’s the worst: The [Director of Diversity and Inclusion at Tarrant County College District](#), an office that includes oversight over disability issues, must be able to meet “physical demands” such as the need to “sit; use hands to finger, handle, or feel objects, tools, or controls; reach with hands and arms; and talk or hear.” What’s more, the employee is “occasionally required to stand; walk; climb or balance; stoop, kneel, crouch, or crawl; and taste or smell,” as well as “frequently lift and/or move up to 10 pounds and occasionally lift and/or move up to 25 pounds.” And “Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and the ability to adjust focus.”

Every category in the Director of Diversity posting is listed as essential, even the ability to taste or smell. Sam Crane, Director of Public Policy at the Autistic Self Advocacy Network and a disability rights lawyer, told me, “based on the job description that I’m

seeing here, I'd say that's illegal." An employer cannot simply list categories that exclude wide swathes of disabled Americans without a very strong reason.

How does this happen? Perhaps Human Resource managers just slap boilerplate lists of requirements into all postings, never thinking about all the disabled individuals whom they are pre-emptively excluding. That's certainly what both Kyle Piccola, Director of Government Affairs for The Arc of Texas, told me, and Peter V. Berns, CEO of The Arc's national office, confirmed. Piccola added, in an email, "We recognize this mistake and have taken action to fix the problem." They [subsequently](#) replaced the clause with an Equal Employment Opportunity statement.

I called Human Resources at the University of Arkansas – Little Rock and Tarrant County College District, identified myself as writing for Al Jazeera America, and asked to speak to the appropriate person about these clauses and their rationales. As instructed, I left detailed messages. At the time of publication, I had not received a response to my queries.

These examples are just the tip of the iceberg. Go to your favorite job site and search for "25 pounds." I suspect you'll be shocked at how many non-manual-labor jobs have lifting requirements. Think about how many extremely qualified, dedicated, workers won't even bother applying, even though in fact they would do the job as well as anyone else.

Unintentional discrimination is still discrimination. Boilerplate clauses keep disabled people from even applying for jobs. "Requirement creep," likely put in place by HR professionals eager to avoid trouble, exacerbates discrimination and could, if someone had the time and money, lead to legal trouble. Without deliberate change, unemployment will continue to be the biggest problem facing Americans with disabilities. It's time for employers to take a hard look at their hiring practices.

David M. Perry writes on language and power at [How Did We Get Into This Mess?](#) He is a history professor at [Dominican University](#). <http://america.aljazeera.com/opinions/2016/2/disabled-people-need-not-apply.html>

Encouraging Applicants with Disabilities: Job Descriptions and Announcements

Job announcements and descriptions can play an important role in creating a pipeline of candidates that includes qualified people with disabilities. When done well, these documents serve as the first opportunity to communicate a culture of inclusion and workplace flexibility. Nevertheless, job announcements and descriptions often contain language or unnecessary details that may prevent people with disabilities from applying.

Encouraging diverse applicants requires more thought and intention than simply including an Equal Employment Opportunity (EEO) statement in the job announcement, because true equal opportunity for employment is more than just a tagline. This practice tool contains examples and suggestions to help construct high quality job announcements and descriptions that may increase the number of qualified applicants with disabilities your organization attracts.

Accurate Information Can Improve Job/Candidate Fit

Thorough and accurate job descriptions can yield a larger number of candidates who are a good fit for the position. In addition to the purpose of a position, people with disabilities may be more likely to apply for a job if they are able to get a sense of:



The specific activities the job entails. Conducting a [task analysis](#) can help to identify all of the components of a job, and to glean information helpful for delineating between “marginal” and “essential” job functions.



The work environment. Identifying specific information about the work environment can help a potential applicant make a decision about job fit. Is the environment loud, quiet, bright, dark, cramped, hectic, or fast-paced? Is the workspace open or do people have offices? The answer to these questions can be an important factor in a job seeker’s decision to apply.



The workplace culture. Workplace culture plays a large role in employee engagement, which in turn influences employee fit and retention rates. Corporate values and commitment to diversity should be evident in the job announcement and description.



The potential for workplace flexibility. The job description should be as clear as possible about the possibility of flexible scheduling or remote work, worksite location options, opportunities for rotational assignments, and particular benefits like paid time off.



Physical requirements. Certain jobs require some degree of physicality to complete. Employers should be very clear about those requirements, but avoid overestimating physical tasks (e.g., an office manager who must be able to lift 50 lbs.) Use of a task analysis process can improve accuracy in estimating physical requirements. People with disabilities need accurate information to determine if they can perform physical functions of the position, *with or without* accommodations.

Words Matter

The words used to describe job functions can be the difference between whether or not a person with a disability chooses to apply. Consider the following examples of simple language changes, which decrease the likelihood of unintentionally ruling out otherwise qualified applicants with disabilities. An effective job description will describe *what* needs to be done, not *how* the applicant needs to do it:

Old Description	New Description
Must be able to drive between multiple locations for client appointments	Must be able to travel between multiple locations for client appointments
Must have strong written and oral communications skills	Must be able to communicate with others effectively
Must be able to stand for long periods of time	Ability to remain at work station for long periods of time
Must be able to see hazards and hear directions in a hectic environment	Must be able to respond quickly and effectively to directions and safety hazards

Be sure to mention the process for requesting an accommodation during the application and interview phase in the job announcement, and include contact information for making the request.

Marginal vs. Essential

The Equal Employment Opportunity Commission (EEOC)¹ provides guidance on determining whether a job function is *essential* or *marginal*. A candidate with a disability could request to have marginal functions waived or reassigned as a form of reasonable accommodation, but all candidates must be qualified to perform essential functions, *with or without* an accommodation.

¹ EEOC, 1991. The ADA: Your Responsibilities as an Employer. Retrieved from <https://www.eeoc.gov/laws/guidance/ada-your-responsibilities-employer>

There are many factors to consider when determining essential functions, including:

- ✓ The amount of time dedicated to the task
- ✓ The degree of skill required
- ✓ The impact of reassigning the task
- ✓ Employer judgement of task importance
- ✓ The frequency of the task
- ✓ The amount of time it takes to perform the task

Each task is measured against all of these factors and perhaps more, as meeting a single criterion may not be sufficient to determine whether it is essential. For example:

- A marketing professional might frequently stuff envelopes for mass mailings. However, the task could be easily reassigned to an administrative support professional.
- A program manager might be responsible for developing a departmental budget once every year. The task is infrequent, but requires a specific skill set and would be very cumbersome to reassign to another employee.

Minimum Qualification Standards

People with disabilities experience bias and other barriers to employment, which can result in fewer professional opportunities compared to their non-disabled peers. Employers who are willing to emphasize “skills for employability” over standardized minimum experience qualifications are likely to receive a more diverse pipeline of applicants. In some cases, it is possible that skills for employability are more important than a specific degree or years of experience. It is often true that job-specific skills can be taught on the job, but other skills cannot, such as:

- ✓ Interpersonal skills
- ✓ Systems thinking
- ✓ Critical thinking
- ✓ Teamwork
- ✓ Problem solving
- ✓ Innovation
- ✓ Time management

In some cases, a job description might include these types of skills in lieu of a specific number of years of experience in similar positions, or a certain degree.

An employer is never required to hire anyone who is not qualified for the job, but it is possible to attract a more diverse pool of qualified candidates, including those with disabilities, with small changes to the way in which open positions are defined, announced, and described.

Resources

EEOC Guidance: Job Applicants and the Americans with Disabilities Act (ADA): <https://www.eeoc.gov/laws/guidance/job-applicants-and-ada>

Job Accommodation Network: Accommodation and Compliance: Job Descriptions: https://askjan.org/topics/jobdesc.cfm?csSearch=2589127_1

Employer Assistance and Resource Network on Disability Inclusion (EARN) Topics: Job Descriptions: <https://askearn.org/topics/recruitment-hiring/job-descriptions/>

U.S. Department of Education: Employability Skills Framework: <https://cte.ed.gov/initiatives/employability-skills-framework>

The Employer Assistance and Resource Network on Disability Inclusion (EARN) is a resource for employers seeking to recruit, hire, retain, and advance qualified employees with disabilities. It is funded by the U.S. Department of Labor's Office of Disability Employment Policy under a cooperative agreement with Cornell University. For more information, visit AskEARN.org. Preparation of this item was fully funded by the United States Department of Labor, Office of Disability Employment Policy in the amount of \$8,000,000 (four-year total grant amount) under Cooperative Agreement No. OD-33975-19-75-4-36. This document does not necessarily reflect the views or policies of the U.S. Department of Labor, nor does mention of trade names, commercial products, or organizations imply endorsement by the U.S. Government.

How Recruiters Can Address Ableism in Job Descriptions

By: Philip R. Datapeople 2021

Limiting requirements to essentials helps reduce ableism in job descriptions. Reasonable accommodations enable disabled candidates to do the job.

Ableism can sneak its way into job descriptions without hiring teams being aware of it. That's because ableism is one of the more subtle biases. And for most recruiters, it's not always clear which requirements may deter qualified candidates. Or how to address ableism in a statement about the company's commitment to diversity.

How do you address ableism?

Addressing ableism comes down to two things. One, establishing what is an essential function for your job and what isn't, and keeping requirements to the essentials. Two, providing reasonable accommodations that enable someone with a physical limitation to perform the job.

Establish what's really essential to the job

Requirements are one area where job descriptions commonly go astray. It's tempting to add some *nice-to-haves* to the requirements section of a job description. And that's okay, as long as you emphasize that the *nice-to-haves* are just *nice-to-haves* and not absolute requirements.

However, it's important to keep an eye out for any requirement that may give disabled job seekers pause. Anything that isn't truly essential to perform the job can be problematic. Of the endless possibilities, here are some examples:

“Requires the ability to sit for extended periods of time.”

While most office workers sit at a desk during the day, it's not actually essential. In fact, many people stand while they're working just to mitigate the negative impact of sitting all day. Whether they have a physical impairment, old injury, or anything else.

“Must be able to hear the telephone in a crowded office.”

If answering the phones is part of the job, then knowing when the phone is ringing is essential. However, that doesn't mean someone needs to be able to hear a telephone ringing clearly in a crowded office. There are other ways to address that.

“Ability to drive a vehicle.”

Is the job a driving position? If not, the ability to drive a vehicle may be a convenient bonus, but it's not essential to the job.

“Must be able to lift 30 pounds.”

This is a common one...for office jobs, inexplicably. But how many office jobs really need someone to lift 30 pounds on a regular basis?

“Thrives in a bright, bustling, and energetic environment.”

This is a subtle one. It sounds reasonable on the surface, right? (Other than ‘bright, bustling, and energetic environment’ seeming like a euphemism for ‘noisy office.’) The problem is that kind of environment isn't great for many people with unseen disabilities such as hearing loss or migraine headaches.

Provide reasonable accommodations for the job

The reasonable accommodation clause in the Americans with Disabilities Act (ADA) addresses ableism in the workplace. Employers subject to the ADA must provide accommodations for otherwise qualified candidates. The only restriction is that the accommodation has to be ‘reasonable,’ meaning it doesn't cause undue hardship for the employer. Here are some reasonable accommodations for our ableism examples above:

“Requires the ability to sit for extended periods of time.”

Employees with back injuries or other physical conditions may need to alternate between sitting and standing. Meanwhile, sitting isn't really essential to the actual work itself. Accommodations may include an adjustable height workstation or a standing height desk with an adjustable seat.

“Must be able to hear the telephone in a crowded office.”

This is a problem for deaf or hard-of-hearing candidates, but there are accommodations you can provide. Sound reduction material or active listening devices can reduce background noise. And Communication Access Realtime Translation (CART) or telephone captioning services can provide realtime transcripts of speech.

“Ability to drive a vehicle.”

Again, a driving job will—out of necessity—require the ability to drive a vehicle. But it's not really necessary for common office jobs. (It's convenient but not essential.) Also, there are any number of transportation alternatives available. They include taxis, Uber and Lyft, rail, metro, shuttles, and so on.

“Must be able to lift 30 pounds.”

Again, this one shows up in a lot of job descriptions where it really shouldn't. A warehouse job? Possibly, yes. But office manager, event planner, or IT professional? Lifting ability may be helpful in those positions, but it's not essential. Reasonable accommodations for those types of positions can include a mechanical lift or hand truck for moving objects. You can also just reduce the amount of weight.

“Thrives in a bright, bustling, and energetic environment.”

Candidates with unseen disabilities like loss of hearing or migraine headaches are entitled to reasonable accommodations. Those can include a separate workspace, telecommuting, flexible hours, or light and noise reduction.

(Sidenote: A 'bright, bustling, and energetic environment' may also deter older workers. Sentiments like energy can signal a preference for younger candidates, which can be a form of ageism.)

Addressing ableism in recruiting

Ableism is a subtle bias that's all too common in the requirements section of job descriptions. But that doesn't have to be the case. Hiring teams can reduce or eliminate ableism by limiting requirements to just the essentials.

And if a candidate does have a disability, employers can (and must, legally) provide reasonable accommodations to enable them to do the job. Datapeople helps identify unnecessary physical requirements and reduce ableism in your job descriptions.

[Disability rights advocates are worried about discrimination in AI hiring tools](#)

by **Sheridan Wall and Hilke Schellman**

Your ability to land your next job could depend on how well you play one of the AI-powered games that companies like [AstraZeneca](#) and [Postmates](#) are increasingly using in the hiring process.

Some companies that create these games, like Pymetrics and Arctic Shores, claim that they limit bias in hiring. But AI hiring games can be especially difficult to navigate for job seekers with disabilities.

In the latest episode of MIT Technology Review's podcast "[In Machines We Trust](#)," we explore how AI-powered hiring games and other tools may exclude people with disabilities. And while many people in the US are looking to the federal commission responsible for employment discrimination to regulate these technologies, the agency has yet to act.

To get a closer look, we asked [Henry Claypool](#), a disability policy analyst, to play one of [Pymetrics](#)'s games. Pymetrics measures nine skills, including attention, generosity, and risk tolerance, that CEO and cofounder [Frida Polli](#) says relate to job success.

When it works with a company looking to hire new people, Pymetrics first asks the company to identify people who are already succeeding at the job it's trying to fill and has them play its games. Then, to identify the skills most specific to the successful employees, it compares their game data with data from a random sample of players.

When he signed on, the game prompted Claypool to choose between a modified version—designed for those with color blindness, ADHD, or dyslexia—and an unmodified version. This question poses a dilemma for applicants with disabilities, he says.

"The fear is that if I click one of these, I'll disclose something that will disqualify me for the job, and if I don't click on—say—dyslexia or whatever it is that makes it difficult for me to read letters and process that information quickly, then I'll be at a disadvantage," Claypool says. "I'm going to fail either way."

Polli says Pymetrics does not tell employers which applicants requested in-game accommodations during the hiring process, which should help prevent employers from discriminating against people with certain disabilities. She added that in response to our reporting, the company will make this information more clear so applicants know that their need for an in-game accommodation is private and confidential.

The Americans with Disabilities Act requires employers to provide reasonable accommodations to people with disabilities. And if a company's hiring assessments

exclude people with disabilities, then it must prove that those assessments are necessary to the job.

For employers, using games such as those produced by [Arctic Shores](#) may seem more objective. Unlike traditional psychometric testing, Arctic Shores's algorithm evaluates candidates on the basis of their choices throughout the game. However, candidates often don't know what the game is measuring or what to expect as they play. For applicants with disabilities, this makes it hard to know whether they should ask for an accommodation.

Safe Hammad, CTO and cofounder of Arctic Shores, says his team is focused on making its assessments accessible to as many people as possible. People with color blindness and hearing disabilities can use the company's software without special accommodations, he says, but employers should not use such requests to screen out candidates.

The use of these tools can sometimes exclude people in ways that may not be obvious to a potential employer, though. [Patti Sanchez](#) is an employment specialist at the [MacDonald Training Center](#) in Florida who works with job seekers who are deaf or hard of hearing. About two years ago, one of her clients applied for a job at [Amazon](#) that required a video interview through [HireVue](#).

Sanchez, who is also deaf, attempted to call and request assistance from the company, but couldn't get through. Instead, she brought her client and a sign language interpreter to the hiring site and persuaded representatives there to interview him in person. Amazon hired her client, but Sanchez says issues like these are common when navigating automated systems. (Amazon did not respond to a request for comment.)

Making hiring technology accessible means ensuring both that a candidate can use the technology and that the skills it measures don't unfairly exclude candidates with disabilities, says [Alexandra Givens](#), the CEO of the [Center for Democracy and Technology](#), an organization focused on civil rights in the digital age.

AI-powered hiring tools often fail to include people with disabilities when generating their training data, she says. Such people have long been excluded from the workforce, so algorithms modeled after a company's previous hires won't reflect their potential.

Even if the models could account for outliers, the way a disability presents itself varies widely from person to person. Two people with autism, for example, could have very different strengths and challenges.

"As we automate these systems, and employers push to what's fastest and most efficient, they're losing the chance for people to actually show their qualifications and their ability to do the job," Givens says. "And that is a huge loss."

A hands-off approach

Government regulators are finding it difficult to monitor AI hiring tools. In December 2020, 11 senators wrote [a letter](#) to the [US Equal Employment Opportunity Commission](#) expressing concerns about the use of hiring technologies after the covid-19 pandemic. The letter inquired about the agency's authority to investigate whether these tools discriminate, particularly against those with disabilities.

The EEOC responded with [a letter](#) in January that was leaked to MIT Technology Review. In the letter, the commission indicated that it cannot investigate AI hiring tools without a specific claim of discrimination. The letter also outlined concerns about the industry's hesitance to share data and said that variation between different companies' software would prevent the EEOC from instituting any broad policies.

"I was surprised and disappointed when I saw the response," says [Roland Behm](#), a lawyer and advocate for people with behavioral health issues. "The whole tenor of that letter seemed to make the EEOC seem like more of a passive bystander rather than an enforcement agency."

The agency typically starts an investigation once an individual files a claim of discrimination. With AI hiring technology, though, most candidates don't know why they were rejected for the job. "I believe a reason that we haven't seen more enforcement action or private litigation in this area is due to the fact that candidates don't know that they're being graded or assessed by a computer," says [Keith Sonderling](#), an EEOC commissioner.

Sonderling says he believes that artificial intelligence will improve the hiring process, and he hopes the agency will issue guidance for employers on how best to implement it. He says he welcomes oversight from Congress.

However, [Aaron Rieke](#), managing director of [Upturn](#), a nonprofit dedicated to civil rights and technology, expressed disappointment in the EEOC's response: "I actually would hope that in the years ahead, the EEOC could be a little bit more aggressive and creative in thinking about how to use that authority."

[Pauline Kim](#), a law professor at [Washington University in St. Louis](#), whose research focuses on algorithmic hiring tools, says the EEOC could be more proactive in gathering research and updating guidelines to help employers and AI companies comply with the law.

Behm adds that the EEOC could pursue other avenues of enforcement, including a commissioner's charge, which allows commissioners to initiate an investigation into suspected discrimination instead of requiring an individual claim (Sonderling says he is considering making such a charge). He also suggests that the EEOC consult with advocacy groups to develop guidelines for AI companies hoping to better represent people with disabilities in their algorithmic models.

It's unlikely that AI companies and employers are screening out people with disabilities on purpose, Behm says. But they "haven't spent the time and effort necessary to understand the systems that are making what for many people are life-changing decisions: Am I going to be hired or not? Can I support my family or not?"

SECTION NAME: EMPLOYMENT POLICIES

Date Approved by Board: 11/26/2018	Policy Number: 126.5
Date Reviewed: 09/15/2020	Policy Title: Disability Accommodations
Original Issue Date: 10/12/2016	Page 1 of 1

Disability Network Southwest Michigan values a diverse workforce and is committed to hiring and promoting persons with significant disabilities. Disability Network fully complies with the Americans with Disabilities Act (ADA) and the Michigan Persons with Disabilities Civil Rights Act. Disability Network will make reasonable accommodations to enable employees with disabilities to perform the essential duties of their job and to fully participate in all aspects of employment.

If an employee believes that accommodation of a disability is necessary to perform the essential duties of a position, they should notify their supervisor as soon as possible.

Disability Network may be unable to make an accommodation that would be unreasonable or would impose an undue hardship on the agency.

*Refer to procedure #126.5 for guidelines related to this policy.

SECTION NAME: EMPLOYMENT PROCEDURES

Date Approved by Board:	Policy Number: 126.5
Date Reviewed: 11/5/2018	Policy Title: Disability Accommodations Procedures
Original Issue Date: 10/12/2016	Page 1 of 1

As soon as an employee believes they need a disability-related accommodation to perform the essential functions of their job, they should speak to their supervisor. The interactive process of exploring possible accommodations will begin using the most up-to-date Reasonable Accommodation Request form in use.

The program manager will consult with the program Director and President and CEO to identify and evaluate possible accommodations and ensure appropriate confidentiality in the process.

Each request for a reasonable accommodation will be evaluated based on the circumstances of that particular situation.

Tools and resources for exploring effective accommodations that are available to both the employee and the supervisor include, but are not limited to, consultation with the Job Accommodation Network (JAN), consultation with an outside expert (job coach, vocational rehabilitation counselor, etc), and consultation with the President and CEO.



Disability Accommodation Request Form

The following document is a record of request for a disability-related accommodation in the workplace. This form is to be completed by the employee and manager together.

Name of Employee:

Date of Request:

Step 1: Disclose a disability.

My disability is: *(examples: visual disability, arthritis, etc.)*

Step 2: Identify how disability impacts ability to perform the essential functions of the job.

My disability impacts my ability to perform assigned job duties, or the way I perform assigned job duties, in the following ways:

Step 3: Identify possible accommodations

Identify the specific accommodation(s) the employee is requesting, or brainstorm possible accommodations:

If employee is not sure what accommodation(s) are needed, explore options such as JAN (Job Accommodation Network), MRS or BSBP staff.

Step 4: Choose appropriate reasonable accommodation.

After a robust discussion and interactive process in step three, the accommodation(s) that are likely to be effective are:

Step 5: Purchasing appropriate assistive technology, device, equipment, office furniture, etc.

Determine who will identify and purchase equipment.

(May not be necessary to purchase an item; if not, please skip this step)

Step 6: Schedule a follow-up meeting.

A meeting has been scheduled for (date) _____ ,
which is _____ days OR _____ weeks
after the identified accommodation will be in place to determine if this is
accommodation is effective in helping the employee meet the essential functions
of their job.

Signature(s): _____ **Date:** _____
Employee: _____
Supervisor: _____

Step 7: Evaluating/checking in to see if accommodation has been effective

The employee and supervisor have met and determined that the requested
accommodation _____ is OR _____ is not* effective.

Signature(s): _____ **Date:** _____
Employee: _____
Supervisor: _____

*If the accommodation is not effectively helping the employee perform the essential functions
of their job, then it is recommended that the process begin again at Step 2 until a reasonable
accommodation can be found or it is determined that no reasonable accommodation can be
put in place at this time. Attach a new form to this form.

Tips for more effective virtual meetings for people with disabilities

PRIOR TO MEETING:	FACILITATOR	PARTICIPANT
Ask for accommodation needs before the meeting or during the registration process.	x	x
Share all materials that will be introduced in advance.	x	
Send out the Zoom shortcuts in advance.	x	
DURING MEETING:	FACILITATOR	PARTICIPANT
Identify yourself before you speak.	x	x
Encourage one person talking at a time.	x	
Give participants the option to make comments in the chat box OR by talking.	x	
Read the chat box comments to the whole group.	x	
Describe all graphics or visuals that are being shared on the screen.	x	
Build in breaks for longer meetings.	x	
Have your video on when you are talking and be close to the camera so a person can read your lips.	x	x
Don't put your hands, food, drinks or other objects in front of your face when talking.	x	x
Mute your microphone when you are not talking to reduce background noise.		x
Give contact information for participants to follow up later with questions or comments.	x	
If you don't know, ask!	x	x

Zoom Keyboard Shortcuts



Shortcut	Function
F6	Navigate among Zoom popup windows.
Ctrl+Alt+Shift	Move focus to Zoom's meeting controls
PageUp	View previous 25 videos stream in gallery view
PageDown	View next 25 videos stream in gallery view
Alt	On/Off "Always show meeting control toolbar in Accessibility Settings"
Alt+F1	Switch to active speaker view in video meeting
Alt+F2	Switch to gallery video view in video meeting
Alt+F4	Close the current window
Alt+V	Start/Stop Video
Alt+A	Mute/Unmute audio
Alt+M	Mute/Unmute audio for everyone except host <i>Note: For the meeting host only</i>
Alt+S	Launch share screen window and stop screen share <i>Note: Will only work when meeting control toolbar has focus</i>
Alt+Shift+S	Start/Stop new screen share <i>Note: Will only work when meeting control toolbar has focus</i>
Alt+T	Pause/Resume screen share <i>Note: Will only work when meeting control toolbar has focus</i>
Alt+R	Start/Stop local recording
Alt+C	Start/Stop cloud recording
Alt+P	Pause/Resume recording
Alt+N	Switch camera
Alt+F	Enter/Exit full screen
Alt+H	Display/Hide In-Meeting Chat panel
Alt+U	Display/Hide Participants panel
Alt+I	Open Invite window
Alt+Y	Raise/Lower hand
Alt+Shift+R	Gain Remote Control
Alt+Shift+G	Stop Remote Control
Ctrl+2	Read active speaker name
Ctrl+Alt+Shift+H	Show/Hide floating meeting controls
Alt+Shift+T	Screenshot
Alt+L	Switch to Portrait/Landscape View
Ctrl+W	Close current chat session
Ctrl+Up	Go to previous chat
Ctrl+Down	Go to next chat
Ctrl+T	Jump to chat with someone
Ctrl+F	Search
Ctrl+Tab	Move to the next tab (right)
Ctrl+Shift+Tab	Move to the previous tab (left)

Disability Awareness Resource Team (DART) 2023 Meeting Schedule

2023 Meeting Schedule

Meetings are scheduled on Tuesdays from 2:00-4:00 pm

Current plans are to hold the meetings virtually. If they are held in-person, the location will be announced no later than one week prior to the meeting date.

- Tuesday, February 7, 2023
- Tuesday, April 18, 2023
- Tuesday, June 20, 2023
- Tuesday, September 19, 2023
- Tuesday, November 14, 2023

Agenda packets will be emailed one week prior to each meeting. If meetings are held in-person, a call-in option will be provided.

DART Purpose Statement *(approved by WDB on December 16, 2015)*

The Disability Awareness Resource Team (DART) is a standing committee of the Michigan Works! Southwest Workforce Development Board.

DART members represent businesses, service providers, advocates and allies with expertise in assisting individuals with disabilities with their career, training and employment needs.

DART members will inform, promote, and advise the WDB on strategies to support career pathways, training, and employment options for individuals with disabilities, including youth, to gain and retain employment.

Presented to DART on 11-8-2022