



Harnessing the Power of Demographic Change in a Global Workplace

Global companies sincere about developing organization-wide cultures of inclusion for people with disabilities must work within a variety of laws and regulations that make the process easier or more difficult.

The United States is one of the most progressive countries in the world in terms of federal and state laws concerning the inclusion of people with disabilities in the workplace. As companies globalize, they are challenged with maintaining a culture of inclusion across the organization without regard for geographic location while also working within the laws and regulations of different countries. According to the United Nations, the inclusion of people with disabilities has a long way to go. It is not an issue reserved for developing or underdeveloped countries either. In most developed countries, the unemployment rate for people with disabilities is approximately twice the rate for people with no disability. As companies establish operations in countries like Brazil, Japan, India, and the United Kingdom, they must develop a deep knowledge of the laws and culture concerning the inclusion of people with disabilities in the workforce.

The following countries are offered as examples, but they are representative of the approaches being taken to improve inclusion of people with disabilities.

Brazil

In 2015, Brazil passed the "Inclusion of People with Disabilities Act" which includes hiring quotas. The law requires employers with 100-500 employees to have a workforce that is comprised of 2-5 percent of people with disabilities. Companies with more than 500 employees have a flat quota of 5 percent. The quotas were originally established in 1991, but the newer law establishes stronger enforcement. However, most companies have not met the requirements, saying they are unable to find enough qualified people with disabilities. American Glass Products took the issue to court after being fined \$150,000, and the Supreme Labor Court said a company can be exempted if it can prove it made a good faith effort to meet the quota.

Brazil's culture has not been supportive of people with disabilities, so many people are not fully integrated into society. There are no accommodation laws, so the infrastructure is not largely not functional for people with special needs. Employers should be aware of the cultural background and the many real challenges encountered by people with disabilities so that the right approaches to hiring and onboarding are developed and so that new hires are accommodated in multiple ways, like assisting them with transportation to work and providing appropriate technology.

Japan



Japan has more than 30 laws on the books that address the employment of people with disabilities. In 1960, the government passed the "Act on Employment Promotion of Persons with Disabilities" that prohibits discrimination of people with physical disabilities. A series of laws over the years led to the most recent law requiring companies with 50 or more employees to develop a workforce that consists of 2.2 percent of workers with disabilities. Importantly, the law also expanded the definition of "disability" to include people with mental health issues. Companies meeting the quota are rewarded with financial incentives, and companies missing the target are fined.

Japanese society, like most cultures, struggles to overcome a cultural history that included the segregation of people with disabilities from general society. In fact, there are companies that hire people with disabilities but continue the practice of segregating them into separate divisions and giving them jobs that do not require work important to company success.³ Changing any culture is difficult, but employers can play a major role by hiring people with disabilities into positions offering meaningful work and providing the tools and resources they need to succeed. The more that companies hire people with disabilities, the faster society's perspective will change.

India

A greater number of people with disabilities are protected by the 2016 "Rights of Persons with Disabilities Act." The "New Act" covers more than 15 disabilities that include physical, intellectual, mental and sensory disabilities. A person with at least 40 percent disability is entitled to certain benefits, and companies must adhere to a list of obligations. The obligations include publishing an Equal Opportunity Policy (EOP) that details accommodations, lists positions identified for people with disabilities, describes training and promotion procedures, and much more. This law places responsibility on the employer to make and document a sincere effort to hire people with disabilities and to provide equal opportunities for accessing work and career planning.

India's culture has historically not been supportive of people with disabilities. Stigma is still attached to people with disabilities, in many areas, but it is hoped the New Act will lead to change. It is a particularly complex challenge because the discrimination is deeply embedded by the fact many people with disabilities are simply forced to live in slum areas with rampant poverty due to a lack of social services or are forced into mental hospitals. Employers hiring people with disabilities may have to invest in workforce training, but employment will be a major step toward ending the stigma.

United Kingdom

The United Kingdom has many of the same requirements and same issues as the United States concerning people with disabilities. The UK passed the Equality Act 2010 in which discrimination is prohibited and making reasonable accommodations in the workforce is required. Yet, employment of people with disabilities remains far below employment of people without disabilities. In the UK, people with disabilities have an employment rate of 49.2 percent compared to 80.6 percent for people without disabilities.



Common Challenges Around the World

The reality is that people with disabilities continue to experience discrimination in every country. The extent of the discrimination may vary, but any discrimination is wrong. It is heartening to know that so many countries are passing laws to protect the rights of people with disabilities. Passing a law is an important step, but it is only a first step. A law is virtually useless if it is not enforced. Even then, legal enforcement can lead to resentment among employers. In a Utopian world, no law would be necessary. Global employers can play a very large role in advancing the real inclusion of people with disabilities in the workforce. Without their commitment, change is not possible.