7. DISABILITY

7.1. Introduction

Disability is a diversity dimension that crosses all racial, gender, educational, socioeconomic, and organizational lines. It is an acquired diversity dimension that any person might join at any time. (According to Equal Employment Opportunity Commission’s probability calculation if you do not currently have a disability, you have about a 20% chance of becoming disabled at some point during your work life). People with disability are a competent bank of resource which has been alleged of being constantly overlooked and inadequately tapped and represented in the corporate sector.

7.2. Definition

The word “disability” often triggers images of the most obvious types of disabilities in most of the people – mobility impairments that require a person to use a wheelchair to move around, or perhaps visual or hearing impairments. But disabilities may be physical or cognitive, may be readily observed or “hidden” (such as epilepsy, arthritis, and diabetes), and may result from a variety of causes. Disability is not just a status condition, entirely contained within the individual; rather, it is an interaction between medical status (say, having low vision or being blind) and the environment.

Though definitions of disability consist of similar components they vary in their approach and outlook. Exploring definitions on disability will help us understand the meaning of disability in a comprehensive manner.

The WHO definition of Disability is any restriction or lack (resulting from an impairment) of ability to perform an activity in the manner or within the range considered normal for a human being. The World Health organization distinguishes between impairment, disability and handicap. Impairment is any loss or abnormality of psychological, Physiological or anatomical structure or function. Disability is any restriction or lack (resulting from an impairment) of ability to perform an activity in the manner or within the range considered normal for a human
being. Handicap is a disadvantage for a given individual resulting from an impairment or disability that limits or prevents the fulfilment of a role that is normal depending on age, sex, social and cultural factors for that individual.

In India, The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act 1995 defines Disability to mean

- Blindness
- low vision
- leprosy-cured
- hearing impairment
- loco motor disability
- mental retardation and
- mental illness

**Disability** is defined by the Americans with Disabilities Act of 1990 as "A physical or mental impairment that substantially limits one or more major life activities. An individual may also qualify as disabled if he/she has had impairment in the past or is seen as disabled based on a personal or group standard or norm. Such impairments may include physical, sensory, and cognitive or intellectual impairments. Mental disorders (also known as psychiatric or psychosocial disability) and various types of chronic disease may also be considered qualifying disabilities.

### 7.3. Why Include Disability in Diversity Initiatives

People with disability forms a large and inherent part of human resource of a country. Estimates made by National Centre for Promotion of Employment for Disabled People (NCPEDP) argues that 5 to 6 of Indian population has a disability. No country or society can ever progress or develop leaving 6% of its population behind. In terms of human resources, we are talking about a potential workforce of 60 million people. This untapped labor pool can offer a source of skilled employees and can contribute to increasing retention and reducing turnover. Recruiting and
retaining workers with disabilities is one strategy to counter the effects of the aging and shrinking workforce. Employers are often skeptical about the employability and productivity of disabled employees and are apprehensive about the cost of providing reasonable accommodation and modifications to be made.

Researches suggests that in comparison to other employees

- People with disability perform as well as or better than those without disabilities.
- PWD are often highly educated and bring a wide range of skills, talents and qualities to the workplace, such as flexibility, communication and a sense of humour (EEO Trust, US, 2005).
- PWD have a lower or equivalent level of absenteeism. In Australia, 86% of employees with disabilities had an above average attendance rate.
- Costs a similar amount to employ.
- PWD have lower or equivalent turnover and accident rates. In New Zealand, research shows the safety rate for disabled people in the workplace was 99.78% ((New Zealand, Ministry of Health).
- Around one in five (19%) disabled people in the workforce needed some form of personal assistance, technical equipment or other workplace modifications to enable them to work in their current job.
- Modified or different duties, including flexible work hours, were the most common requirement indicated by 9% of these people.
- Alterations to the work area or building were required by 2% of people in the workforce. (New Zealand, Ministry of Health).

These findings dispel most of the notions and apprehensions organizations usually have in regarding employing people with disability. In certain situations companies are required to provide reasonable accommodations\textsuperscript{11} which are often relatively easy and inexpensive to

\textsuperscript{11} According to US department of justice, a reasonable accommodation is any modification or adjustment to a job or the work environment that will enable a qualified applicant or employee with a disability to participate in the application process or to perform essential job functions. Reasonable accommodation also includes adjustments to assure that a qualified individual with a disability has rights and privileges in employment equal to those of employees without disabilities.
implement. Tax incentives and financial support given by the government can be used towards this.

There are several reasons, some in the business and some in humanity perspective which attests the benefits of including people with disability in workforce. *Return on Investment, Human Capital Enrichment, Innovation, Marketing, Diversity, and Social Responsibility* is considered to be the main reasons to integrate disability in mainstream. To elaborate further

- Businesses that employ people with disabilities turn social issues into business opportunities. These opportunities translate into lower costs, higher revenues and increased profits.
- Leverage the unique experiences and skills of employees with disabilities. Employing PWD will provide companies access to a competent employee pool with full of potential.
- Disability adds another dimension to organization’s diversity efforts, by capitalizing and integrating this competent source of manpower - People with disability. An organization (especially ITES sector) can meet with its ever increasing manpower requirements. Strong human capital strategies, which include recruiting, hiring, and retaining employees with disabilities, are pivotal to maintaining competitive advantage by having the right talent at the right place at the right time to meet critical business needs.
- Attracts qualified candidates who value diversity, improve employee morale, and will lead to increased customer loyalty and brand trust.
- Employing PWD will increase organizations opportunity to gain a lasting customer base by connecting with a significant market segment
- Contributes to global competitiveness and economic strength.
- Companies can take advantage of the tax incentives provided by the government.

7.4. Disability and Indian Environment

Discussions on disability and related factors in India, arises more questions than answers. First issue is the extent to which the actual percentage of disabled persons is represented in Census.
and other surveys. The next is the attitude of society, government and governmental agencies and their approach in dealing with the issue. Next comes the realization, supplemented through statistics by governmental and NGO’s which reveals the under representation of disabled persons in spheres of life – education, employment.

7.5. Disability Statistics in India

According to the Census 2001, there are 2.19 crore people with disabilities in India who constitute 2.13 per cent of the total population. This includes persons with visual, hearing speech, loco motor and mental disabilities. (Movement- 28%, Seeing- 49%, Hearing- 6%, Speech-7%, Mental- 10%). National Sample Survey Organization (NSSO) survey in 2002 yields the following disability data – 1.8% prevalence rate (Movement- 51%, Seeing-14%, Hearing-15%, Speech-10%, Mental-10%.

Estimates say that seventy five per cent of persons with disabilities live in rural areas, 49 per cent of disabled population is literate and only 34 per cent are employed. The reliability of this data about the prevalence of disability is widely disputed. The 2001 census disability prevalence rate of 2.13 percent translates into a figure of 21.91 million people with disabilities out of a total population of 1028 million. This is significantly different from the past estimates where in 1931 a prevalence rate of 0.31 percent was recorded and later in 1981, 0.2 percent prevalence rate was recorded.

While 22 million people with disabilities are a large number, this is still arguably a gross underestimation especially when one considers that WHO estimates a global prevalence rate of 10 percent. This figure also falls considerably short when one compares these rates with those of more developed countries, such as USA (19.4 percent), UK (14 percent), and Australia (18%) with other developing countries such as Brazil (14.5 percent), Turkey (12.3 percent) and Nicaragua (10.1 percent). Whether it is the census or NSSO data, the estimated number of disabled people in India looks unrealistic. A leading Indian Disability NGO, the National Centre
for Promotion of Employment for Disabled People (NCPEDP) argues that 5 to 6 of the population has a disability.

The difficulty to reach a correct figure in India might be due to the following reasons. One, definition of 'disability' in case of advanced countries is much broader and embracing. For example, in such countries 'people with internal conditions' are also considered disabled. The second reason is the methodology - how we go about collecting our numbers. In 'developed' societies, almost each person in the country is accounted for. Every citizen has a social security number (or equivalent) with vital data about what is his/her age, his/her educational status and yes, whether he/she is disabled or non-disabled. So, the numbers are far more accurate, far more authentic. In India, we rely on the Census, an exercise that is conducted only once every ten years (and leaves a lot to be desired) which lead to disabled people often being referred to as the 'invisible minority'.

7.6. Societal Attitudes and governmental approach towards disability

In India there is a tendency of looking disability as a charity and welfare issue. It should be considered as more of a development/rights issue in our country. Channelling resources should not limit to medical rehabilitation but should extend towards social rehabilitation through empowerment of disabled persons by providing opportunities*. Much of the literature on disability in India has pointed to the importance of the concept of karma in attitudes towards disability. This mind-set of people coupled with the inhibiting attitudes to the possibility of successful employment by the employers posed difficulties in integrating disabled people to the mainstream. There are about 3000 organizations (Government and voluntary) according to Census India -2001, in the Indian disability sector providing rehabilitation services to persons with disability. In its efforts to bring people with disabilities to mainstream and provide them equal opportunities in employment and other walks of life, Government of India has enacted legislations which are aimed towards protection of rights, rehabilitation and increasing the employability of people with disabilities.
Rehabilitation means a goal-oriented and time-limited process aimed at enabling an impaired person to reach an optimum mental, physical and/or social functioning level, thus providing her or him with the tools to change her or his own life. It can involve measures intended to compensate for a loss of functional limitation (for example by technical aids) and other measures intended to facilitate social adjustment or readjustment.

Equalization of opportunities means the process through which the general system of society, such as the physical and cultural environment, housing and transportation, social and health services, educational and work opportunities, cultural and social life, including sports and recreational facilities, are made accessible to all.

7.7. Disability Acts in India

Following are the major acts in India that to protect the rights and ensure opportunities of people with disability.


This act is guided by the philosophy of empowering persons with disabilities. Promotion of equal opportunities and creating a non-discriminating environment for disabled people are the main objectives of the PWD Act that aims to protect the rights of persons with disability. The Disability Act of 1995 defines 'disability' to mean (i) blindness; (ii) low vision; (iii) leprosy-cured; (iv) hearing impairment; (v) loco motor disability; (vi) mental retardation, and (vii) mental illness. Provisions of the Act covers a) Prevention and Early Detection of Disabilities b) Education c) Employment d) Affirmative Action f) Non-Discrimination g) Research and Manpower Development i) Recognition of Institutions for Persons with Disabilities j) Institution for Persons with Severe Disabilities.

7.7.2. The Rehabilitation Council of India Act, 1992

The Act was created to provide for the constitution of the Rehabilitation Council of India for regulating training of the Rehabilitation Professional and maintaining of a Central Rehabilitation Register and for matters related to these issues
7.7.3. The Mental Health act 1987
An Act to consolidate and amend the law relating to the treatment and care of mentally ill persons, to make better provision with respect to their properly and affairs and for matters connected therewith or incidental thereto.

7.7.4. National trust for the Welfare of persons with mental retardation and Cerebral Palsy Act, 1999
The Government has also introduced a National Trust for the Welfare of Persons with Mental Retardation and Cerebral Palsy Bill, 1995. The trust aims to provide total care to persons with mental retardation and cerebral palsy and also manage the properties bequeathed to the Trust.

7.7.5. Exemptions on Income tax Act
This provides for facilities for persons employed in Government agencies and public sector organizations to avail the various benefits.

Though initiatives and legislations are enacted to ensure equal opportunity and create a non-discriminating environment for all persons with disabilities, people with disability often find themselves on the receiving end when it comes to opportunities in employment and education. Opportunities for employment, education and creating a non-discriminating environment for all persons with disabilities were some of the rights that are given special attention in The Persons with disabilities (Equal opportunities, Protection of rights and Full Participation) Act 1995. The Act, under Section 32 mandates the Central and the State Governments to identify posts to be reserved for persons with disability. Further, the provisions stipulate that reservation has to be made to the extent of three percent while filling up vacancies in all the government and the public sector establishments. 'Employment’ Clause 41 categorically mandates incentives to employers, both in public and private sectors. Chapter VI of The Disability Act 1995 is entitled ensure that at least 5% of their work force is composed of persons with disabilities.

To address the issue of putting these stipulations into practice, several ministries and departments of the Government of India and various state governments provide concessions such as subsidized rail and air travel, special conveyance allowances to disabled employees, and income tax concessions.
7.8. Employment of People with Disabilities (PWD) in Indian corporate sector

Going through the history and statistics of employment of PWD in the Indian corporate sector it can be seen that mostly the stipulations in disability acts are not reflected in the employment rates of PWD. Research study by National Centre for Promotion of Employment for Disabled People (NCPEDP), 1999, in the area of employment of people with disability reveals the following picture

7.8.1. Key Findings

1. Percentage of disabled employees in the respondent companies: 0.40%
2. Percentage of employees with disabilities in the Public Sector: 0.54%
3. Percentage of employees with disabilities in the Private Sector: 0.28%
4. Percentage of employees with disabilities in the Multinationals: 0.05%
5. Out of the 70 respondent companies, 20 companies did not employ any disabled person at all
6. Out of the 70 respondent companies, only 10 were found to have 1% or above disabled employees
7. There was no company amongst where even 2% of the workforce was comprised of disabled persons.

The mentality of the Indian society to see disability as a charity and welfare issue is often extended to its corporate sector. Elaboration in this area was concentrated and mostly confined to financial support. A tendency to view inclusion of people with disability in the employment ranks as goodwill gesture is seen. But their attitude is undergoing a change and nowadays employers are dealing with their misapprehensions and realizing that people with disability is an asset and not a liability in their workforce. It was the government and public sector undertakings (PSUs) that took the lead in providing employment and other work opportunities to people with disability. Corporate India has, in recent years, followed in the public sector’s footsteps and realized that such initiatives come with many advantages. They are waking up to the concept and outlook of corporate social responsibility (CSR), mainly along with contributing to the society they belong in, CSR comes with several long-term positive results in the form of enhanced
company’s image as a company with a social conscience, Employee motivation, Enhanced productivity and profit.

7.8.2. IT Sector and Disability

The IT and ITES industries are well suited to employing PWD at various levels with reasonable adjustments. PWD are employed in IT and ITES companies for various types of work including policymaking, development, testing of complex and advanced software, BPO and KPO services such as data entry and data processing, medical transcription, call centre jobs, web services, and processing claims and application forms. Technological innovations such as JAWS software can convert text into speech, thus enabling visually handicapped persons to work at computers without using the monitor. The visually handicapped can also use normal keyboards by memorizing the keys. Another alternative is to work in jobs involving voice communication, such as call centre activities. Likewise, the hearing impaired can work at computers using visual cues. So as an industry it is my opinion that IT /ITES sector is one of the most suitable sector to employ people with disability.

7.8.3. Employee Perspectives

When queried on whether they think that if they felt that disability might become a source for discrimination a conclusive inference could not be made. Employees who are not disabled might not be able to understand the dynamics of disability as a source of bias in employment decisions. So I decided that in-depth interview with employees belonging to this diversity dimension will help me lead to a better inference. Four interviews were conducted. Three interviewees needed assistive devices due to loco-motor disability. Among the four interviews conducted three of them were selected through campus interviews and in the case of the fourth interviewee, he was already working with a leading IT company when he became disabled due to suffering from a paralytic stroke. All the interviewees are of the view that they didn’t feel any discrimination vented towards them due to their disability. They found the organizations to be accommodative. One interesting insight through the interviews is that the first step towards promoting inclusiveness is recognizing the potential of PWD as a proficient employee source. PWD are a competent resource who can contribute just as any other competent employee. Being disabled
might warrant for a few adjustments but won’t deter the employee from making meaningful contribution.

7.8.4. Organizations and Inclusivity of PWD

In Indian IT and ITES sector, organizations are increasingly addressing the issue of mainstreaming People with disabilities in their workforce. Disability initiatives are not just confined to CSR activities; it is now being understood and deployed as a necessary and efficient manpower source. Initiatives to promote an environment which fosters acceptance and non-discrimination of people with disabilities at workplace are deployed. To further understand how Indian IT/ITES addresses disability as a diversity dimension, the representation, stance, policies and procedure regarding inclusion of PWD in 50 organizations are looked into detail and summarized in the following section.

- 69% of the companies in the study have included disability in their diversity initiatives or CSR activities. This includes ensuring that work atmosphere is free from discrimination and harassment for disabled employees.

- A cross section of their diversity initiatives helps us understand how Indian IT/ITES sector fare in addressing disability in employment situations. Some companies in the IT/ITES sector deserve a special mention on their disability endeavours. There is a conscious effort on the part of these companies to assimilate disabled people into the workforce and make the organization a comfortable place for them to work.

  - Positive Recruitment efforts organizing job fairs targeting PWD. This includes specific mention encouraging PWD to apply to job advertisements, providing, Industry focused training to PWD to create a prospective talent pool, Targeted Hiring (Infosys, Mphasis, Genpact, Wipro, Iridium interactive)
  - Industry focused Training and financial support (Mphasis – Project communicate, NIIT, Quattro BPO Solutions- Job fair, Iridium Interactive, TCS Maitree initiative).
  - Sensitization Training(Genpact, Infosys IBM, Cisco, Oracle, Microsoft)
  - Accessible office space and technological assistance (TCS - Ramps and special toilets, Infosys- specially equipped restrooms, additional railings and tailored emergency drills, sign language interpreter present in all employee engagement
events, Mind Tree– disabled friendly workplace, Genpact – Facilities audit, Mphasis–Screen magnifiers, Wipro–Reasonable accommodation, Cisco, IBM, CSC, Oracle, Xansa- JAWS, screen magnifiers voice recognition software, Ramps, Braille signage in elevators)

- Allocated budget to better the work atmosphere for the disabled. (Mphasis)
- Acknowledgement for meritorious service to the physically challenged. (Infosys BPO –Shell Helen Keller Award, Vindhya Info media (Received Shell Helen Keller Award for meritorious service to the physically challenged).

- Interaction and Support (Financial, Training) to NGO and institutions to further the cause of employability of PWD – TCS Maitree, Infosys, Wipro, Ajuba, Hinduja, Mphasis partnered with Enable India Oracle – project Hired, Accenture, IBM: Training, Financial support.

- Mainstreaming roles for PWD (IBM, Oracle)

- Networks (Cisco- Disabilities Awareness Network, Converges -Ability Resource Team, HP - HP disability forum, IBM- EnABLErs at IBM)

- These companies belong to different cross sections in Indian IT and ITES industry varying in terms of the exposure, scale of operations, number of employees and country of origin. Out of the companies who have included disability 38 percent belonged to multinationals of foreign origin, 35 percent to multinationals of Indian origin and 27% comprised of companies with operations only in India. The organizations belonging to the first two categories have a large employee base, high revenues and are leading technological companies in Indian IT and ITES sectors.

- In case of foreign MNCs, country of origin of most of these companies has laws addressing employment of people with disability. In United States discrimination on the basis of disability is unlawful. These laws apply to all types of work situations, including hiring, firing, promotions, harassment, training, wages, and benefits (The Americans with Disabilities Act, Rehabilitation Act). Likewise in United Kingdom, UK disability discrimination act (1995, 2005), In China article 27 to 35 of seventh national people congress (1990) protects the disabled people’s right to work, In Israel Equal Rights For Israel For People With Disabilities Law (1998) upholds the rights of disabled people to work. Policies and initiatives of foreign MNCs often originate in concurrence with their
nation of origins laws on the subject matter. The outlook and attitude of the organization also plays a role in shaping them.

- 27% of those organizations with operations only in India, whose resources and exposure are limited, are directing their efforts towards ensuring equal opportunities for people with disability. Some companies in this category especially ones like Vindhya Info media (Received Shell Helen Keller Award for meritorious service to the physically challenged) attests the fact that attitude and not size and resources is important while dwelling on the matter of employing people with disability. In Vindhya Info media 90% of their employees are people with disabilities. Employing PWD is a matter of policy in this company which they put into practice by hiring and training them as per specific requirement of the clients thereby ensuring in the long run they are contributors to the Society. Physical and technological assistance in the form of PWD friendly office space, Presentations and training materials for their PWD employees in both sound and visual formats, screen magnifiers for the visually impaired, speech enabled software etc. are available. Vindhya Info media provides the industry with an excellent example to emulate.

NASSCOM in 2010 launched a disability initiative as a part of its inclusivity programmes. This initiative promotes the employability of people with disabilities not based on reservation or compassion but on the basis of qualifications along this the foundation is creating awareness by providing physical accessibility guidelines, web accessibility guidelines and promoting creation of assistive technology.

7.8.5. **Fostering Disability Inclusivity in Organization - Suggestions**

Based on interviews and observations suggestions to foster disability inclusiveness is put together.

The first step towards promoting inclusiveness is recognizing the potential of PWD as a proficient employee source and not addresses it just as a welfare issue. PWD are a competent resource who can contribute just as any other competent employee. Being disabled might warrant for a few adjustments but won’t deter the employee from making meaningful contribution. This translates into
• Including disability in corporate diversity initiatives.
• Challenging stereotypes and people's fears as a key step towards creating an inclusive work environment where everyone can be productive.
• Top level commitment and support.
• Non-discriminatory employment decisions including positive recruitment efforts encouraging people with disabilities to apply, job fairs, providing Industry focused training to PWD to create a prospective talent pool, targeted hiring targets.
• Disability awareness training to make a difference in people's attitudes and enable employers to create an environment which encourages creativity and commitment. This includes
  o Workforce education on disability awareness.
  o Community involvement with key disability organizations and NGO’s in the disability sector.
  o Sensitization workshops
  o Disabled-friendly constructions which aid easy access, mobility aids for disabled people in companies.
  o Exploring new functional areas where disabled people can be employed as opposed to the idea of confining employability of PWD in certain specified areas thus breaking the stereotype about the suitability of employing PWD.
  o A network or affinity group which couples as a support system for PWD in an organization.
  o Documentation of these processes helps in identifying areas which require improvement in functional areas concerning employment of PWD.
  o Creation of a cell or interface for companies to approach which can assist in recruitment and placements and provide companies with necessary information and insights regarding employing people with disabilities such as accommodations to be made, training to be provided and help them explore new areas where PWD can be employed.

Analysing the findings on disability as a diversity dimension in Indian makes it clear that Indian IT/ITES sector is making an attempt in identifying and addressing this diversity dimension. IT/
ITES sector is deviating from the stereotypic view of looking at employing PWD as a welfare and charity issue. Progressive thoughts and strategies or their ever increasing manpower requirements may be the factors but disability as a diversity dimension is increasingly finding its place in the inclusivity endeavours of the sector. The inherit nature of the industry and the technological innovations makes the inclusion of PWD in the sector viable. To provide further impetus in this matter, active interaction between Government\textsuperscript{12}, Organizations and NGO’s in this area is required. Borrowing IBM’s disability diversity dictum, ‘\textbf{Accommodation - Accessibility – Attitude}’ let me stress here that among these three in my opinion attitude is the most important one. Right attitude paves way for sincere efforts in assimilating this diversity dimension in organizations.

\textsuperscript{12} India being a signatory to UNCRPD might have a positive effect in the area of disability related endeavours