

**Perception On Reasonable Accommodation And Its Impact On Job  
Performance With Reference To Differently Abled Employees Of Private  
Establishment**

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**Abstract**

Despite the People with disability have valuable skills to offer organizations, and show commitment and loyalty and the constitutional mandates, people with disabilities continue to be neglected in the workforce due to the attitude of employers. Majority of the companies are not willing to make any investment in modifying their infrastructure or policies to suit disabled people. Though the Differently abled employees are having lot of difficulties in the workplace, they neither disclosing nor asking reasonable accommodation due to various reasons. This paper aims to study the awareness of differently abled employees about reasonable accommodation and its availability at the workplace and their constitutional rights on claiming the same and to trace the reason for not asking the reasonable accommodation from the employer. This study also analyse the impact of reasonable accommodation on the job performance of the differently abled employees. This study would change the perceptions of employees as well the attitude of employer in availing and providing reasonable accommodation that may yield mutual benefit for both.

**Key words:** Disability, Reasonable Accommodation, Job performance

**Introduction**

A person with Disabilities (PWDs) refers to those who have physical problems that set it apart from the others. Disabilities is an umbrella term, covering impairments, activity limitations, and participation restrictions. An impairment is a problem in body function or structure; an activity limitation is a difficulty encountered by an individual in executing a task or action; while a participation restriction is a problem experienced by an individual in involvement in life situations. Disability is thus not just a health problem. It is a complex phenomenon, reflecting the

interaction between features of a person's body and features of the society in which he or she lives (WHO).

In India out of the 121 Cr population, 2.68 Cr persons are disabled which is 2.21% of the total population. Majority (69%) of the disabled population resided in rural areas (1.86 Cr disabled persons in rural areas and 0.81 Cr in urban areas). In the case of total population also, 69% are from rural areas while the remaining 31% resided in urban areas. In India, 20% of the disabled persons are having disability in movement, 19% are with disability in seeing, and another 19 % are with disability in hearing. 8% has multiple disabilities. (as per census 2011 - 2016 updated) People with disabilities have long been excluded from or underrepresented in the workforce based on low expectations and preconceived notions about their capabilities. Workers with disabilities are not limited to employment but also in terms of promotion or job retention. The job markets do not meet the requirements of infrastructure appropriate to the needs of the disabled.

### **Reasonable Accommodation**

According to U.S. Equal Employment Opportunity Commission a reasonable accommodation is any change or adjustment to a job or work environment that permits a qualified applicant or employee with a disability to participate in the job application process, to perform the essential functions of a job, or to enjoy benefits and privileges of employment equal to those enjoyed by employees without disabilities. Examples of reasonable accommodations may include; providing or modifying equipment or devices job restructuring, part-time or modified work schedules (work flex), reassignment to a vacant position, adjusting or modifying examinations, training materials, or policies, providing readers and interpreters, making the workplace readily accessible to and usable by people with disabilities An employer is required to provide a reasonable accommodation to a qualified applicant or employee with a disability unless the employer can show that the accommodation would be an undue hardship — that is, that it would require significant difficulty or expense.

Government of India also passed the Rights of Persons with Disabilities Act, 2016 in accordance with the principles codified in the United Nations Convention on the Rights of Persons with Disabilities, and replaces the previous legislation. The new law protects disabled persons in India from various forms of discrimination, ensures their access to equal employment opportunities, and enhances their societal participation. The Rules prescribe standards about the

physical environment, transport and information and communication technology applicable to disabled employees. Although the Disability Law does not mandate reservation of the disabled in the private sector, private employers are required to identify posts/vacancies in the establishment that would be suitable for disabled persons.

**Job performance**

Job performance relates to how individuals perform in their job duties. In the context of job performance, this means that the reasonable accommodation enables the individual to perform the essential functions of the position. The well designed work environments, low stress, and a supportive employer can greatly increase job performance.

**Review of Literature**

**Mark Bell (2018);** Pitfalls and Progress: Reasonable Accommodation for Workers with Disabilities in Ireland;. This article examines the duty on employers to provide reasonable accommodation for workers with disabilities. In particular, there is a strong obligation on employers to follow fair procedures when considering whether measures can be taken to remove or mitigate any barriers to participation in employment. The article reflects on the influences that have shaped the development of the law.

**Hartnett, H.P. & Stuart, H. & Thurman, H. & Loy, B. & Batiste, L.C.. (2011);** Employers' perceptions of the benefits of workplace accommodations: Reasons to hire, retain and promote people with disabilities. 34. 17-23. 10.3233/JVR-2010-0530. Despite the legal mandates of the ADA, people with disabilities continue to be underrepresented in the workforce. While there does exist an established body of research devoted to the hiring of individuals with disabilities, information on retaining individuals with disabilities in the workplace has not been reflected as often in the critical discourse devoted to disability and employment practices. This article analyzes data from an ongoing study conducted by the Job Accommodation Network (JAN), a service of ODEP (Department of Labor 1004062R), showing that employers benefited from hiring, retaining, and accommodating individuals with disabilities. Benefits derived by employers include the ability to retain quality employees, increased company profitability, and an avoidance of costs associated with hiring and training a new employee. In addition to these benefits, providing accommodations in order to retain employees is shown to improve organizational culture and climate, as well as fostering a sense among all employees that

employers recognize both the value of the individual worker as a human being and the inherent social benefits of creating and sustaining an inclusive workplace.

**Kim L. MacDonald-Wilson, M.S., Sc.D. (cand) E. Sally Rogers, Sc.D. Joseph M. Massaro, Ph.D. Asya Lyass, M.S. Tim Crean, B.A.** Despite (2002); An Investigation of Reasonable Workplace Accommodations for People with Psychiatric Disabilities This study was an exploratory, descriptive, longitudinal, multi-site investigation of reasonable workplace accommodations for individuals with psychiatric disabilities involved in supported employment programs. Implications for service providers and administrators in supported employment programs are discussed.

### **Statement of the problem**

Most people with a disability wish to work but have complexity in getting employment. Employers may not hire such people due to not having reasonable accommodation for them. Most of the companies are not willing to make any investment in modifying their infrastructure or policies to suit disabled people. Even the new constructions are not disabled friendly. HR Executives are not aware of disability laws, the word 'reasonable accommodation' is unknown to them. The rights of person with disability also ensure to provide reasonable accommodation but the adherence of law is questionable in private establishment. Therefore, this study aims to find the awareness of differently abled employees about the constitutional rights and analyse the perception of differently abled employees who are working in the domestic and multinational companies regarding the availability reasonable accommodation at the workplace and how the reasonable accommodation impact the job performance.

### **Objective of the study**

- To know the awareness differently abled employees on reasonable accommodation at the work place.
- To study the perception of differently abled employees towards the availability of reasonable accommodation.
- To analyze the impact of reasonable accommodation on and work performance of differently abled employees.

### **Limitation of the study**

The data were collected from differently abled employees of domestic and Multinational companies in Chennai city. Personal bias and prejudice of the respondents could have affected

the result of the study. The sample size of 50 employees may constitute limitations due to this small nature.

### **Data analysis and Results discussion**

Primary data were collected from a random sample of 50 respondents in Chennai city with the help of well drafted, pretested and structure questionnaire. Besides, necessary secondary sources were also referred. The collected data were analysed through ANOVA and Correlation.

**Hypothesis 1:** H<sub>0</sub>: There is no difference between awareness of respondent about reasonable accommodation and qualification of the respondent

#### **ANOVA**

| <b>Awareness on Reasonable Accommodation and Qualification</b> |                |    |             |      |      |
|----------------------------------------------------------------|----------------|----|-------------|------|------|
|                                                                | Sum of Squares | df | Mean Square | F    | Sig. |
| Between Groups                                                 | 12.607         | 1  | 12.607      | .216 | .644 |
| Within Groups                                                  | 2447.575       | 42 | 58.276      |      |      |
| Total                                                          | 2460.182       | 43 |             |      |      |

The P value is greater than 0.05 at 95% confidence interval, so the Null hypothesis is rejected. Therefore, there is a difference between awareness of reasonable accommodation and qualification of the respondent.

**Hypothesis 2:** H<sub>0</sub>: There is no significant difference between expectation of respondent regarding reasonable accommodation and gender.

#### **ANOVA**

| <b>Expectation on Reasonable Accommodation and Gender</b> |                |    |             |      |      |
|-----------------------------------------------------------|----------------|----|-------------|------|------|
|                                                           | Sum of Squares | df | Mean Square | F    | Sig. |
| Between Groups                                            | 8.009          | 2  | 4.004       | .355 | .704 |
| Within Groups                                             | 462.969        | 41 | 11.292      |      |      |
| Total                                                     | 470.977        | 43 |             |      |      |

The P value is greater than 0.05 at 95% confidence interval, so the Null hypothesis is rejected. Therefore, there is a significant difference between expectation of respondent regarding reasonable accommodation and gender.

**Hypothesis 3:** H<sub>0</sub>: There is no significant difference between perception about availing reasonable accommodation and age of the respondent.

**ANOVA**

| Perception on Reasonable Accommodation and Age |                |    |             |        |      |
|------------------------------------------------|----------------|----|-------------|--------|------|
|                                                | Sum of Squares | df | Mean Square | F      | Sig. |
| Between Groups                                 | 2655.213       | 16 | 165.951     | 35.180 | .000 |
| Within Groups                                  | 155.667        | 33 | 4.717       |        |      |
| Total                                          | 2810.880       | 49 |             |        |      |

The P value is greater than 0.05 at 95% confidence interval, so the Null hypothesis is accepted. Therefore, there is no significant difference between perception about availing of reasonable accommodation and age of the respondent

**Hypothesis 4:** H0: There is a no significance difference between perception on compliance of legal obligation and type of organization.

| Perception on Compliance of Legal Obligation and Type of Organisation |                |    |             |        |      |
|-----------------------------------------------------------------------|----------------|----|-------------|--------|------|
|                                                                       | Sum of Squares | df | Mean Square | F      | Sig. |
| Between Groups                                                        | 1351.130       | 4  | 337.782     | 10.413 | .000 |
| Within Groups                                                         | 1459.750       | 45 | 32.439      |        |      |
| Total                                                                 | 2810.880       | 49 |             |        |      |

The P value is lesser than 0.05 at 95% confidence interval, so the Null hypothesis accepted. Therefore, there is a difference between perception of respondent on compliance of constitutional obligation and type of organization.

**Hypothesis 5:** H0: There is no significant relationship between Legal obligation and availability of reasonable accommodation

**Correlations**

| Legal Obligation and Availability of Reasonable Accommodation |                     |                           |                                          |
|---------------------------------------------------------------|---------------------|---------------------------|------------------------------------------|
|                                                               |                     | Constitutional obligation | Availability Of Reasonable Accommodation |
| Constitutional obligation                                     | Pearson Correlation | 1                         | .688**                                   |
|                                                               | Sig. (2-tailed)     |                           | .000                                     |
|                                                               | N                   | 50                        | 50                                       |
| Availability Of Reasonable Accommodation                      | Pearson Correlation | .688**                    | 1                                        |
|                                                               | Sig. (2-tailed)     | .000                      |                                          |
|                                                               | N                   | 50                        | 50                                       |

**Correlations**

| Legal Obligation and Availability of Reasonable Accommodation |                     |                           |                                          |
|---------------------------------------------------------------|---------------------|---------------------------|------------------------------------------|
|                                                               |                     | Constitutional obligation | Availability Of Reasonable Accommodation |
| Constitutional obligation                                     | Pearson Correlation | 1                         | .688                                     |
|                                                               | Sig. (2-tailed)     |                           | .000                                     |
|                                                               | N                   | 50                        | 50                                       |
| Availability Of Reasonable Accommodation                      | Pearson Correlation | .688                      | 1                                        |
|                                                               | Sig. (2-tailed)     | .000                      |                                          |
|                                                               | N                   | 50                        | 50                                       |

\*\* . Correlation is significant at the 0.01 level (2-tailed).

The P value is lesser than 0.05 at 95% confidence interval, so the Null hypothesis is accepted. Therefore, there is a no relationship between constitutional obligation and provision of reasonable accommodation.

**Hypothesis 6:** H0: There is no significant relationship between reasonable accommodation and performance of respondent

**Correlations**

| Reasonable Accommodation and Job Performance |                     |                                          |             |
|----------------------------------------------|---------------------|------------------------------------------|-------------|
|                                              |                     | Availability Of Reasonable Accommodation | Performance |
| Availability Of Reasonable Accommodation     | Pearson Correlation | 1                                        | .036        |
|                                              | Sig. (2-tailed)     |                                          | .802        |
|                                              | N                   | 50                                       | 50          |
| Performance                                  | Pearson Correlation | .036                                     | 1           |
|                                              | Sig. (2-tailed)     | .802                                     |             |
|                                              | N                   | 50                                       | 50          |

The P value is less than 0.05 at 95% confidence interval, so, the Null hypothesis is rejected. Therefore, there is significant relationship between reasonable accommodation and performance of the differently abled employees

**Findings**

From the study it is found that 12% of the differently abled employees are even not aware of their constitutional rights in availing reasonable accommodation from their employer and 18%

of differently abled employees have the feel that they are grateful to their employer for offered a job. Though, they find discomfort at the work place due to absence of some facility but they are emotionally attached with the company. 35% of the differently abled employees are aware that providing reasonable accommodation is the constitutional obligation of employer. But they are hesitate to claim their rights, 18% due to the fear of losing the job and 17% due to minority in numbers in the total workforce. Out of 23 differently abled employees of various domestic companies, two-third are agreed that they face inconvenient due to absence of modified facilities at the workplace but they don't have an intention to quit the company because getting job in another company is difficult one so they are accustomed with the environment. In the study it is also found that Multinational Companies are strictly adhering the constitutional obligation towards providing reasonable accommodation, since 87% of the employees with disabilities who are working in MNCs have said that they are highly satisfied with the transport, lift, special allowance provided by their company, and it is also found that reasonable accommodation has a great impact on job performance since the p value is less than 0.05. Majority of the respondents are expecting that there should be a proactive approach from their employer in order to comply with the constitutional obligation of providing reasonable accommodation to the differently abled employees.

### **Suggestions**

Government should also mandate the 4% reservation for differently abled person in all private establishments; it may give a moral strength among the differently abled persons in claiming their rights. Government should grant either concession in tax or grant some aid to the private establishment in order to create additional facilities to the differently abled employees. Private establishment also focus their attention to the welfare of differently abled employees because they are highly committed with their work and with the organization. Government should instruct educational institution and all type of organization to conduct awareness programmes on the occasion of world disability day (3<sup>rd</sup> December) regarding the rights of the person with disability and the duties of the society in empowering the person with disability. It may help the differently abled person to overcome from the all the barriers and also should change the misconception about capabilities of differently abled person. Differently abled employees should feel free to share their requirements with the HR department.

**Conclusion**

People with a disability are disabled not because of an inherent inability to compensate, but because they are in an environment that requires tasks they are unable to perform. If we change the environment, we can remove the disability.(Joe Dolson). The rights of person with disability act ensure equal employment opportunity for the disabled in the private sector as well, by casting mandatory obligations on private employers. Misconceptions of employers about the capability of differently abled person are changing and now they are started realizing that hiring differently abled is not a charity but a business decision (Patu Keswani, CMD, Lemon Tree Hotels). By this study, I understood that the majority of the respondents dislike to using the term disabled in addressing them because they feel that the term disabled is pointing out negatively their capabilities, since they are expecting that they should be coined and treated respectfully with dignity. Therefore, I used the term Differently abled in this study to coin them because word has the power to heal or empower them. By providing incentives and tax concessions to the private establishment, the reluctance of private establishment may change and bring a proactive approach towards providing reasonable accommodation to differently abled persons. This may help the differently abled persons in India from various forms of discrimination and ensures their access to equal employment opportunities, and enhances their societal participation.

**Limitations and implications for future research**

This study considered only the perception of differently abled employees who are having difficulty in seeing, speech, hearing and movement and also this study is confined only with the perception of differently abled employees on availing of reasonable accommodation but view of employer or HR regarding the provision of reasonable accommodation is not covered in the present study. Therefore, there is a scope for further research on the same topic by intensifying the perception of differently abled employees who are having multiple or various type of disability, incorporating the perspective of employer and HR department regarding the provision of reasonable accommodation, extension of research area with different outcome variable in order to arrive comprehensive and feasible solution for the empowerment of the differently abled people.

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