

VIDEA WEDNESDAY WEBINARS

31ST ANNIVERSARY OF THE ADA: RECRUITMENT OF JOBSEEKERS WITH DISABILITIES IN THE SERVICE INDUSTRY

**Host: Shanell Petersen, Managing Director,
Marketing & Vision 2040**

WEDNESDAY, JULY 14, 2021

10:00AM-11:00AM

REGISTER AT WWW.USVIEDA.ORG/WEBINARS



Main Speaker:



**Shammi Carr,
Advocate, Disability
Rights Center of the
Virgin Islands (DRCVI)**

Americans with Disabilities 31st Anniversary Employer Training Series:

Recruitment of Individuals with Disabilities in the Service Industry

July 2021



ADA Anniversary (ADA) Employer Series

- * Collaboration with Disability Rights Center of the VI (DRCVI), VI Economic Development Authority (VIEDA) and VI Small Business Development Center (VISDBC) at the University of the Virgin Islands
- * Weekly trainings to address issues related to small businesses throughout the Territory as well as celebrate inclusion and civil rights of people with disabilities
- * Various times and dates to meet small businesses busy schedule (some trainings will also be recorded on Facebook)

Current Schedule

- * **July 14th** from 10-11am: Recruitment of Individuals with Disabilities in the Service Industry (EDA Hosting)
- * **July 15th** from 12- 1pm: Universal Design Increases your Bottom Line (SBDC Hosting)
- * **July 26th** from 2-3pm: Celebrating the ADA for Small Businesses (SBDC Hosting)
- * **July 28th** from 1-2pm: Disability Services and Resources for Small Businesses (DRCVI Hosting)

31st ADA Anniversary



The Americans with Disabilities Act (ADA)

- * Societal Paradigms – religious, medical, social, civil rights
- * 1990 Signed into law by President George H.W. Bush
- * Most comprehensive law that protect individuals with disabilities
- * 57-60 million Americans have a disability
(US Census 2010 and US CDC 2020)
- * Virgin Islands roughly 9.8% per US Census 2010 (10,000+)

The ADA and the Five Titles

- * Five Titles:

Title I – Employment

Title II- State and Local governments

Title III- Public Accommodations (includes
ecommerce)

Title IV- Telecommunications

Title V- Misc.

Objective

For small businesses to know where to find talent with disabilities as well as understand reasonable accommodations in the service industry (retail, taxi/transportation, restaurant/bars, hotels)

Who is a qualified individual with a disability

* Under Title I, a person must meet both prongs:

-Physical and mental impairment that substantially limits a major life activity (record of, regarded as)

-Is qualified for the position



Disclosure

- * Employers can not ask any applicant if they have a disability, can ask, “can you do the essential functions of the job with or without accommodations”
- * If the disability is obvious and the person does not ask for any reasonable accommodations, then treat the disability as a “non-disclosure”
- * If the person discloses disability, depending what stage of employment, then the employer is allowed to ask disability related questions (several caveats)

Who is qualified as an employer under ADA Title I

- * 15 or more employees including PT, triggers Title I obligations
- * Must engage in the reasonable accommodation process to assess if the accommodation can be implemented
- * Small businesses have protection with undue hardship
- * Resources to help off-set the cost of accommodations

Polling Question 1

Where do you recruitment from?

1. Employee Referrals
2. DOL referrals
3. Online resume banks and job boards
4. Community contacts (job fairs)
5. Other

Where to start with **Recruitment** of talent with disabilities

- * VI Vocational Rehabilitation
- * VI Department of Labor
- * On-line disability resume banks and job boards
- * Independent Living Center
- * VI Developmental Disability Council
- * Adult Education and Career Programs

Vocational Rehabilitation

- * Territory Wide services and resources to help people with disabilities find and keep work
- * Resources to help with training, reasonable accommodations
- * Hiring incentives available such as On the Job Training (OJT), Paid Work Experience and Work Opportunity Tax Credit (WOTC)



VI DOL



- * Business Services including several other employer supports and resources
- * Leverage their hiring incentives such as apprenticeship, OJT, Customized Training and Paid Work Experience
- * Can blend resources with the Workforce Center such as training for professional development for current staff

Disability Related Online Job Boards

- * Ability Corps.org
<https://abilitycorps.org/>
- * National Labor Exchange
<https://virtualjobs.usnlx.com/>
- * Disability Job Exchange
<https://www.disabilityjobexchange.com/> (link has issues currently)



Disability Related Online Job Boards

- * The Sierra Group – Recruit Disability
<https://www.recruitdisability.org/>
- * USA JOBS (specific section for Disability)
<https://www.usajobs.gov/>



Polling Question 2

Do you have a reasonable accommodation policy at your workplace?

Yes

No

Unsure

ADA Title I

- * Reasonable accommodations (RA) is an adjustment or change to how something is customarily done
- * Essential functions and other terms of employment can be addressed through RA
- * Most RA cost less than (>)\$500 and many are free
- * Employer should set up a process and inform their staff; should also be in the employee handbook

Examples of Reasonable Accommodations:

1. making existing facilities accessible;
2. job restructuring;
3. part-time or modified work schedules;
4. acquiring or modifying equipment;
5. changing tests, training materials, or policies;
6. providing qualified readers or interpreters; and
7. reassignment to a vacant position.
8. Telework (EEOC Guidance in 2003)

EEOC Technical Assistant Manual Excerpt

Undue Hardship

1. Has to meet definition of disability including being qualified for the position
2. Cannot pose a direct threat in terms of behavior and/or health including COVID-19
3. Cannot pose an undue hardship regarding cost and operations



Examples of RA in the Service Industry

- * **Point of Sale**, front desk, registering: enlarged screens and other assistive technologies, ergonomics, large print, sitting, other
- * **Stocking**: removal of marginal duties, modified and adaptive equipment, assistive technologies
- * **Intranet** (customer portal, reservation, human resources): make sure all platforms are accessible
- * **Training**: modification of training materials, different modes of communications, online oppose to in person

Let's hear from you.....

What accommodation request did you
received that stumped you or you
had to work through?

Resources for the Service Industry

- * Northeast ADA (NEADA) Center Small Business Toolkit
<https://smallbusinessatwork.org/>
- * Job Accommodations Network (JAN)- Accommodations in Retail
https://askjan.org/publications/case-studies/Accommodating-Employees-in-Retail-Settings.cfm?cssearch=3548247_1

Resources for the Service Industry

- * Equal Employment Opportunity Commission (EEOC)-
Reasonable Accommodation and Undue Hardship
<https://www.eeoc.gov/laws/guidance/enforcement-guidance-reasonable-accommodation-and-undue-hardship-under-ada>

- * Disability Accommodation Series:

Cornell University's HR Tips Series <https://www.hrtips.org/>

JAN Accommodation series <https://askjan.org/a-to-z.cfm>

Covid related resources for small businesses

- * Small Business Administration COVID page:
<https://www.sba.gov/blog/covid-19-resources-small-businesses>
- * US Chamber, COVID page:
<https://www.uschamber.com/co/start/strategy/small-business-resources-for-surviving-coronavirus>
- * EEOC COVID page: <https://www.eeoc.gov/coronavirus>
- * Disability Rights Center of the Virgin Islands COVID page:
<https://drcvi.org/resources/resources-on-covid-19-in-the-u-s-virgin-islands>

Northeast ADA Center (30th Anniversary)

Call Toll Free: 1-800-949-4232

Email: northeastada@cornell.edu

- * Talk to someone about your ADA issue including reasonable accommodation
- * Receive materials/documents
- * Information and referrals



Disability Rights Center of the Virgin Islands

www.drcvi.org

info@drcvi.org

STX - 340 -772-1200

STT/STJ – 340- 776-4303



DISABILITY RIGHTS

CENTER OF THE VIRGIN ISLANDS

Advancing Justice through Protection and Advocacy

VIDA

For more information contact: info@usvieda.org

St. Croix: (340) 773-6499 or St. Thomas/St. John: (340) 714-1700

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VI SBDC



<http://www.visbdc.org>

Consulting, Workshops & Technical
Assistance

Currently accepting virtual appointments

St. Thomas/St. John
(340) 693-1694

St. Croix
(340) 692-4294
info@visbdc.org



Thank you!

Q & A



31ST ANNIVERSARY OF THE ADA



Celebrate the 31st Anniversary of the Americans with Disabilities Act (ADA) by attending our weekly trainings on employment and disability for employers. The focus will not only include the ADA, but also address workforce diversity and development.

- varied times for training to accommodate small businesses' busy schedules
- topics ranging from recruitment to reasonable accommodation
- additional information related to COVID-19 including tax incentives

JULY 14TH **Recruitment of Jobseekers with Disabilities in**
10-11 AM **the Service Industry (Hosted by EDA)**

JULY 15TH **Universal Design Increases your Bottom Line**
12-1 PM **(Hosted by SBDC)**

JULY 26TH **Celebrating the ADA Anniversary for Small**
2-3 PM **Businesses (Hosted by SBDC, EDA joining)**

JULY 28TH **Disability Services and Resources for Small**
10-11 AM **Businesses (Hosted by DRCVI)**

*If you need any disability accommodations to participate, please contact Shammi Carr at 340- 776- 4303 seven days before the training.



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Thank you!



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