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# A Case of Ability and Disability: What Managers Must Know About the ADA

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**This teaching exercise addresses a relatively neglected area of diversity, the employment of persons with disabilities. In the first part of the two-stage exercise, students are required to make a hiring decision based on a case that includes candidates who are disabled. This decision raises issues concerning the legal and ethical responsibilities of a hiring manager and uncovers some of the myths concerning candidates with disabilities. The case is subsequently used to anchor a lecture on essential information every manager should know about the Americans with Disabilities Act (ADA) and disability in the workplace. As a result of this exercise, students improved their knowledge of the ADA and the vocabulary associated with the Act, and recognized unfounded attitudes that can limit the employment prospects of persons with disabilities. *Organization Management Journal*, 11: 31–39, 2014. doi: 10.1080/15416518.2014.903105**

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**Keywords** Americans with Disabilities Act; persons with disabilities; employee selection; teaching exercise

## INTRODUCTION

When contemplating the prospect of employing persons with disabilities, many managers unduly focus on an individual's disability or disabilities, not on his or her abilities. Myths concerning individuals with disabilities persist; ignorance, misinformation, and misunderstanding about the Americans with Disabilities Act (ADA) are relatively common among practicing managers. Yet a substantial proportion of the working age population is disabled. In 2011, 10.3% of the civilian U.S. population between 18 and 64 years of age was disabled (Houtenville & Ruiz, 2012), and any one of us could join the ranks of the disabled at any time.

We developed this two-part exercise, a case followed by a lecture, to address a relatively neglected area of diversity for

several reasons. Employment statistics for individuals with disabilities are alarming, and unfounded biases concerning persons with disabilities are common.

Discussions of disability are sparse in the management literature, and many practicing managers have little knowledge of or misperceptions about the ADA. Finally, outside of short cases included in textbooks, we could not find any disability-focused cases or exercises designed for business students. As educators of future managers, we believe it is important to bring disability into the diversity conversation, a conversation that is often dominated by gender, race, and age.

## BACKGROUND AND LITERATURE REVIEW

The business case for workforce diversity and calls for diversity education are beginning to receive increasing attention in the management literature. One goal of diversity education is to positively affect attitudes and increase knowledge about diversity (Kulik & Roberson, 2008). Bell, Connerley, and Cocchiara (2009) make a case for mandatory diversity education in business school curriculum, making what they term an "aspirational case" that academics have a responsibility to go beyond the business case for diversity and advance the well being of people generally. Bagenstos and Winters (2008) argue that skills in working with diverse groups must be positioned as an essential competency that all employees need (see p. 312). We agree with the fundamental arguments presented by these authors, but note that they do neglect disability in their discussions of diversity.

Despite the passage of the ADA 20 years ago and its 2008 amendments, people with disabilities continue to face a critical disadvantage in the job market when compared to people without disabilities (Canas & Sandak, 2011; Chima, 2002; Dixon, Kruse, & Van Horn, 2003; Lengnick-Hall, Gaunt, & Kulkarni, 2008; Snyder, Charmichael, Blackwell, Cleveland, & Thornton, 2010; Tal, Moran, Rooth, & Bendick, 2009; Ward, Moon, & Baker, 2012). A recent news release from the U.S. Department of Labor (2013) reveals that in 2012, 76.5% of the nondisabled population between the ages of 16 and 64 years participated in the labor force, compared to only 31.6% of the

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working age disabled group. Moreover, workers with disabilities have lower average pay and job security, less training and participation in decision making, lower levels of job satisfaction, and lower levels of perceived organizational equity when compared with nondisabled workers (Schur, Kruse, Blasi, & Blanck, 2009).

Research evidence suggests that although working-age Americans with disabilities may have some restrictions on the kind or amount of work they can do, many are capable of competing successfully in the labor market. Unfortunately, employers are seldom proactive in hiring persons with disabilities. Many hold stereotypical beliefs about disability (e.g., Hernandez et al., 2008; Lengnick-Hall, Gaunt, & Kulkarni, 2008) that emphasize perceived costs (increased supervisory time, reduced productivity, increased absence, cost of accommodations, and/or fear of litigation) and fail to recognize actual benefits (low absenteeism, long tenure, and high levels of reliability and commitment) of employing people with disabilities. Further, employers are often unaware of support resources and services available to assist employers in hiring and retaining workers with disabilities, as well as tax incentives that are available for those who hire certain persons with disabilities (Lengnick-Hall, Gaunt, & Collision, 2003).

These issues may indicate a lack of knowledge and understanding of the ADA and its requirements, a lack of exposure to workers with disabilities, lack of effort, or ingrained biases on the part of employers. Aspiring managers who are aware of the issues and available resources may soon be in the position to affect change. The need for change is particularly striking given projected labor market shortages, the aging of the workforce, the number of current and potential workers with disabilities, and the need—some would say societal duty—to reintegrate veterans disabled in the wars in Iraq and Afghanistan into the workforce. Students should realize that disability is unique because it is the only protected class anyone can enter at any time in his or her life for reasons such as an accident or illness.

Disability has been neglected in the management and management education literatures. There is a rich literature on disability in the fields of rehabilitation counseling, rehabilitation psychology, communication theory, and psychology (e.g., Beattie, Anderson, & Antonak, 1997; Braithwaite & Thompson, 2000; Clarke & Crewe, 2000; Gething, 1994; Jans, Kaye, & Jones, 2012; Martin & Ligon, 2000; Moore & Crimando, 1995; Satcher & Gamble, 2002). In fact, Lee's (2001, 2004) studies of the attitudes of undergraduate business students toward persons with disabilities appeared not in management journals, but in rehabilitation psychology and social psychology journals, respectively.

Over the past 20 years, only a few articles related to disability have appeared in management journals (e.g., Baldrige & Veiga, 2001; Bell & Stringer, 2004; Florey & Harrison, 1997; Hunt & Hunt, 2004; McLaughlin, Bell, & Stringer, 2004; Podlas, 2001; Stone & Colella, 1996). Three were particularly useful in developing this exercise. First, Stone and

Colella (1996) developed a theoretical framework to explain the treatment of individuals with disabilities in organizations. Their framework included personal perceptions of nondisabled organizational members, the requirements of the job, and environmental factors such as legislation. We follow two of their suggestions to improve the acceptance of persons with disabilities: (a) educating to correct stereotypical beliefs about people with disabilities, and (b) highlighting an organization that has successfully integrated persons with disabilities. Second, McLaughlin, Bell, and Stringer's (2004) study focused on coworker acceptance and found that students in the sample who stigmatized hypothetical disabled coworkers were more likely to make discriminatory employment judgments about them and view reasonable accommodations as unfair. Our exercise and subsequent lecture (a) teach students the importance of focusing on the abilities, not disabilities, and the essential functions of the job, and (b) address the necessity of providing reasonable accommodations and discusses examples of such accommodations. It is our hope that addressing some of the specific variables mentioned in these two articles will lessen students' stigmatization and increase their acceptance of persons with disabilities in the workplace.

Finally, Hunt and Hunt (2004) describe the results of an educational intervention to increase business students' knowledge about persons with disabilities in the workplace. Their study measured the effectiveness of providing classes of students with an hour-long lecture that "was designed to address participants' knowledge and beliefs about people with disabilities" (Hunt & Hunt, 2004, p. 271). Our two-part intervention builds on their concept by preceding a lecture with a case that engages students in a selection decision that includes candidates with disabilities, provides examples that can be referred to in a lecture to help illuminate key ADA concepts, and encourages students to generate some of the myths concerning individuals with disabilities before a lecture begins.

In our search of the management education literature, we found no disability-focused cases designed for business students. Some management textbooks, however, provide exercises related to disability. Snell and Bohlander's *Managing Human Resources* (2013) provides a mini-case following their equal employment opportunity chapter that focuses on assistance animals in the workplace, an important but relatively narrow application of ADA. Nkomo, Fottler, and McAfee's (2008) experiential text *Applications in Human Resource Management* offers several mini-cases that deal with disability issues. Their short narratives, designed to be completed after students have studied the ADA, focus on cases that have come before the courts. Court interpretations of the ADA are important and engage students. However, the rulings in court cases of the future may differ under the Americans with Disabilities Act Amendments and clarification of who is disabled. There are also some texts (Canas & Sondak, 2011; Carr-Ruffino, 2010) designed for courses in diversity management that include an entire chapter on disability. Carr-Ruffino includes several

end-of-the chapter mini-cases in which students are asked to develop responses to specific disability scenarios. These texts are viable options for courses in human resources or diversity management.

Many managers are unaware of the requirements of the ADA, the advantages that disabled individuals can bring to the workplace, support resources and services, and the financial incentives that are available to employers who hire certain disabled individuals. Myths and misperceptions about the ADA and disabled individuals often play a role in employment decisions. Evidence of the effect of these biases comes from statistics that show that the employment of disabled individuals lags behind the non-disabled population. The topic of employment of the disabled is relatively neglected in the management literature, and the disability exercises we found all required the adoption of specific texts.

We address the need for a stand-alone, “classroom-ready” exercise focused on disability and designed for business students. The case engages students, gives them experience navigating a situation they are likely to face as managers, and helps them to appreciate how attitudes toward disability can influence a selection decision. We advocate a “first do, then learn” (Daft & Marcic, 2013) approach in which students are asked to resolve the case before learning about the ADA. This approach uncovers gaps in students’ existing knowledge, increases their curiosity and receptiveness to learning, and brings concrete examples to illustrate the ADA requirements discussed in the lecture. It is important to send future managers into the workplace armed with the knowledge to make legal and ethical decisions.

## THE EXERCISE: A CASE OF ABILITY AND DISABILITY

### Learning Objectives

After completing the case exercise students will achieve the following learning goals:

1. Demonstrate basic knowledge of the Americans with Disabilities Act and exhibit fluency in ADA terminology (disability, qualified individual, essential job functions, reasonable accommodation).
2. Understand, through case-based examples, how the ADA applies in an employment situation.
3. Understand that unsubstantiated attitudes can limit the employment prospects of persons with disabilities.

These learning objectives focus on addressing some of the fundamental causes of the underemployment of persons with disabilities: managers’ lack of knowledge about the ADA and unfounded stereotypical beliefs about persons with disabilities. In the lecture, we also provide an example of the possibilities by highlighting a company that has an exemplary record in disability hiring. We make students aware of the existence of resources, support services, and federal tax incentives available to employers. At the very least, we will send our graduates into

the workplace with a better understanding of the employment of persons with disabilities.

### Overview

We developed a case scenario about hiring an entry-level accountant (see “The Employment Decision” in Appendix A) to introduce students to the challenges and concerns involved in the employment of individuals with disabilities. Implemented in its entirety, this exercise takes a “first do, then learn” approach that challenges students to make decisions required by Sarah (the hiring manager in the case). The case experience gives students an appreciation for the complexities of selection decisions and provides a context for the subsequent discussion of ADA and its application in work organizations.

*Target audience.* The “Employment Decision” exercise can be used with students enrolled in undergraduate or graduate courses such as Principles of Management, Diversity Management, Human Resources Management, Employment Law, Recruitment and Selection, or Business Ethics. An audience of practicing managers would also find this exercise useful as part of a training session. We describe the procedures that we used in presenting this two-part exercise in our Human Resources Management classes.

*Timing.* Instructors who use both the case and a subsequent class to discuss the ADA in detail will need to schedule two class sessions, one class for the case and one for the ADA lecture.

*Placement in course.* After experimenting with different timing for the case, we have chosen to present the case during the first class of the semester. This serves several purposes. First, it signals to students that they will be active participants in our classes. Often students expect to come to the abbreviated first class where the instructor goes over the syllabus and talks a bit, and they leave early. We want students to realize this may not be their typical course. The timing of the ADA lecture (see outline in Appendix D) in Human Resources (HR) classes is about 2 to 3 weeks after the course begins. We integrate the lecture into the section of the course that focuses on employment law and regulations.

*Teaching note.* When we used an earlier version of the case in conjunction with the topic of equal employment opportunity, students’ discussions seemed to reflect what they were supposed to think rather than what they might actually be thinking. Students did not seem to be bothered by the lag between the two phases, perhaps because we advised students that we would come back to the subject of employment of persons with disabilities and any lingering questions or concerns would be answered.

### Phase 1: The Case Class

*Preparation.* Before class, the instructor should make sufficient copies of the “Employment Decision” case (Appendix A) for each student as well as a scoring form (Appendix B) for each

group when the class is broken into small groups. No advance preparation is needed by students.

*Step 1: Prepare students for case (5 minutes).* Divide the class into small groups. We have found that groups of three to five students are most effective. Distribute the case to each student (Appendix A) and an evaluation sheet for each group (Appendix B) to help students structure their thinking about the candidates' qualifications and to note any concerns about the candidates.

*Teaching notes.* Emphasize to students that in evaluating each candidate, they should try to imagine the concerns that a supervisor like Sarah may have without regard to whether they agree or disagree with Sarah's concerns. This approach generated a number of possible myths and freed students to express concerns that they might have self-censored if they weren't instructed to channel Sarah. Also, being part of a small group defuses individual responsibility.

*Step 2: Students read and work on case (15 minutes).* Instruct students to read the case scenario individually and decide which candidate Sarah should hire. Once they have completed this individual phase, each group should select a recorder/reporter to fill out the candidate evaluation sheet and discuss each group member's candidate choice, reasons for choosing one candidate over the others, and Sarah's possible concerns. Tell the groups to be ready to share their decision, rationale, and concerns about each candidate.

*Step 3: Determine student choices and open discussion (10 minutes).* Poll the class to determine which candidate Sarah should hire and to determine which groups reached consensus. Ask proponents of each candidate to defend their decision.

*Step 4: Debrief (20 minutes).* Begin the debriefing by emphasizing that as prospective managers, students are likely to face the kinds of decisions that Sarah had to make, regardless of whether they pursue a career in HR or a functional area. Emphasize that it is important for managers to recognize how decisions based on stereotypes and incomplete or inaccurate information can result in negative outcomes, including rejecting the most qualified candidate for a position or opening the employer to a discrimination complaint. The following debriefing questions can provide a structure to the post-case discussion and set the stage for subsequent discussion of the legal and regulatory employment environment or the ADA in particular.

1. What should you consider when you are in the position of the hiring manager? During the discussion we often get to stress that many smaller organizations don't have HR departments and even when HR staff is available, hiring decisions are most often made by the immediate manager/supervisor. We get to reinforce student comments that hiring the best candidate is not easy; "real-life" hiring decisions are often nuanced and complex. Stress that it is important to understand legal and ethical obligations when the applicant pool includes diverse candidates. Emphasize that a future lecture

will cover the Americans with Disabilities Act and provide students with information they need to know.

2. What do you imagine are some of Sarah's concerns about each of the candidates? Typical concerns about the candidates include: Kevin won't stay around long, Sam may not be able to drive to client sites or client sites may not be accessible, and Pat may not be able to handle the pressure of tax season or is likely to become depressed again.

*Teaching notes.* (a) As concerns are articulated, briefly discuss whether each concern has a basis in fact. If the concern is likely to be false, for instance, that Sam can't drive, correct Sarah's misperception. If appropriate, tell students that Sarah's concerns merit further discussion, which will take place in the ADA lecture. We return to these concerns during the lecture, which results in a rich discussion about ADA's application in hiring situations and provides an opportunity to clarify important ADA concepts. (b) Sam and Pat are gender-ambiguous names, and we often have the occasion to ask students why they assume that all the candidates were male. Are there some gender stereotypes about accountants that influenced them? How might such gender stereotypes interfere with a selection decision? (c) It is important to stress that many of us have limited exposure to persons with disabilities. Unfamiliarity may lead to discomfort. Because of this limited exposure many of us may not be aware of adaptive devices that can help to overcome limitations.

3. What can managers do to make sure their decisions are based on factors that are job related? Recognize your biases and focus on ability rather than disability. Be aware that assumptions about what individuals with disabilities can and cannot do can be a source of discrimination. Rely on accurate job descriptions that specify duties and responsibilities that are essential job functions and provide accurate job specifications.

*Teaching notes.* This is a good time to introduce specific terms related to the ADA, for example, "essential job functions" and "reasonable accommodation."

4. What salient learning points do you take away from this exercise? Use student feedback to "set the stage" for a subsequent lecture/discussion on the ADA. Instructors may also assign an out-of-class task such as writing a reflective essay including, for example, what the student has learned and what questions or areas of confusion remain.

## Phase 2: ADA Lecture

At the beginning of the lecture, we briefly reviewed the candidates from the case and anchored much of the lecture material around the case details. (See subjects covered in lecture in Appendix D. The PowerPoint presentation is available by contacting the authors.) Possible connections include the following:

- Ask students, “What were the essential functions of the accounting job?”
- Disclosure of disability is in a candidate’s hands. Not every applicant chooses to disclose a disability or, if disabled, ask for an accommodation. You may want to ask students about the wisdom of Sam’s and Pat’s decision to disclose in interview. What is appropriate to ask when a candidate has an obvious disability?
- Reasonable accommodations: Use Sam and Pat to talk about the kinds of accommodations that could be made and where to find information about accommodations and to discuss the legal meaning of the term and employers’ responsibilities.
- Visible and invisible disability: Point out that Kevin (who appeared not to have a disability) might actually be disabled, to discuss the fact that not all disabilities are visible.

## Results

At the beginning of the case class, we administered a pre-quiz; in the class after the lecture, we conducted a post-quiz. Although the questions in the two versions were rearranged, they were the same in the pre- and post-quizzes. (See Appendix C for the pre-quiz.) Over the course of several semesters, we solicited and used student feedback to revise the quiz questions for clarity, as well as to revise the case. The results we report here are based on the latest iteration of the exercise. Upon completion of the second phase of the exercise, we compared pre-quiz and post-quiz scores for students who attended both sessions, and reviewed the qualitative comments. Results of the quiz indicate that students did make progress toward achieving the learning objectives 1 and 3; they showed improved knowledge of the Act and who is covered by it and increased fluency in ADA terminology, as well as a better understanding of the impact of unsubstantiated attitudes on the employment prospects of persons with disabilities. In three sections scores rose from 79% to 95%, from 69% to 86%, and from 71% to 82%. A comment echoed by several students included: “The first time [referring to the pre-quiz administered in the first class session] I felt I was just guessing but today [taking the post-quiz] I felt that I knew each answer.”

Students’ comments also indicated that referring to the case during the lecture provided a more applied framework for discussing essential job functions and reasonable accommodations. Students recalled the details of the case, which led to a richer discussion of the ADA. Our experience confirms that concrete examples improve learning. For example, one student’s comment reflects what others said, when this student wrote that [the case] “made me more aware of exactly what is and what is not covered by the ADA” and “helped me to get a better understanding of what being disabled actually means.” Finally, this comment seems to support framing the lecture in terms of the case: “It helped a lot b/c [*sic*] I was thinking about

the case during the lesson, it was easier to remember what the ADA says.”

## DISCUSSION

One of the things we were most pleased about was the positive reaction we got from starting our classes with a case. Taking this approach signaled immediately that students would be actively involved in the class, and emphasized our commitment to disability issues. Students were enthusiastic about the timing and seemed genuinely interested in making the right decision, perhaps because it was an entry-level position and many of them were close to entering the job market. Student feedback immediately after the first class session included comments such as “It was a good way to start off the class because it opens up your mind when you realize there are many things you are unaware of in this discipline,” and “Before Monday [the day of the first class] I had thought of disability only in the physical sense but now I realize a majority of disabilities are not physically seen.” In one class, a student stayed after dismissal to express sincere appreciation for addressing the subject of disability. The student’s mother is disabled and has had difficulty finding a job. Even though the case and lecture occurred within the first few weeks of class, in an end-of-the-semester reflection, many students mentioned employment of persons with disabilities as one of the most important things they had learned in the Human Resources class.

We found that separating the case and the material on equal employment opportunity worked well for us in Human Resources classes. When we used an earlier version of the case in conjunction with the topic of equal employment opportunity (EEO), student concerns about the candidates were more “politically correct” and “legally appropriate” concerns that seemed to reflect what Sarah, the supervisor in the case, *should think* rather than what she *might actually be thinking*. Introducing the case before the topic of EEO legislation facilitated discussion of reactions to applicants with disabilities and surfaced some of the common myths about hiring persons with disabilities.

This exercise can be adapted to a variety of subjects and time allotments. Instructors could use the case alone or to frame a lecture about ADA, or augment the case and lecture with the pre-test, post-test, or both. We have also included the quiz (Appendix C) that we used to assess student learning. We found that administering the pre-quiz made us and our students aware of their knowledge gaps. This helped us realize some of the points we needed to explain and emphasize in the lecture. We realize that the content and emphasis of the lecture might change based on the subject matter; for example, a lecture in a business ethics class may focus more on issues such as stakeholders and on the bases for ethical decision making and less on the ADA.

The candidate scenarios we provide can be modified to reflect current issues or specific types of disability of interest to the instructor or students. For instance, we developed a fourth

candidate scenario involving a returning veteran with posttraumatic stress disorder (PTSD) that can be substituted for one of the other candidates with a disability (see Henry the alternative candidate in Appendix A).

There are many examples of companies that are doing a good job of hiring workers with disabilities. Explaining what an exemplary company does can open students up to possibilities they never imagined. In our lecture we like to highlight Walgreen's, which built state-of-the-art distribution centers, the first in Anderson, SC, and the second in Windsor, CT, designed specifically with the intent of hiring people with disabilities. Process and technology designed with that intent in mind have improved the working lives of all employees and improved center efficiency (Cann, 2012; Wells, 2008). Statistics from the South Carolina center indicate that 40% of employees have disclosed disabilities.

We realize that our work has limitations. Although we saw improved quiz scores and received favorable student comments, it would be ideal to have control group(s) to test the results of using the case alone and an ADA lecture alone. This was not possible, given the limited number of classes and students we teach. Nonetheless, our qualitative feedback from students provides persuasive evidence that the exercise effectively increases students' knowledge of the ADA, helps them to recognize myths and unfounded attitudes about people with disabilities, and provides meaningful experience in applying the ADA to a "real-life" employment situation.

Instructors who want to further enhance student learning about disability could use some additional resources, as one of us, who participated in a campus grant on disability, had an opportunity to do in a recent semester. A speaker, who had worked as a job coach, came to class and provided examples of employer reluctance to hire disabled individuals and accommodations that allowed those individuals to succeed at their jobs. Examples that challenged students' preconceived notions of employment possibilities included a blind receptionist and a sight-impaired cabinetmaker. Referring to the visit by the speaker, one particularly insightful student commented that he learned that limitations often reside in the imagination of the person viewing someone with a disability rather than in the reality of the person with the disability.

In addition to having a speaker in class, students were given the option of attending showings of two documentaries, *Lives Worth Living* (Neudel, 2011) and *Wretches and Jabberers* (Wurzburg, 2010), and writing a one-page reaction paper for extra credit. Students' reactions to the films were overwhelmingly positive. *Lives Worth Living* focuses on the disability rights movement and the prolonged struggle leading to the passage of the ADA. Several students commented that they were astonished to learn about this piece of history for the first time, especially in light of the publicity and widespread educational focus placed on other aspects of the civil rights movement. *Wretches and Jabberers* follows two autistic men as they travel

the world advocating for changes in perceptions about autism and intelligence. Reaction papers indicated that just watching Larry and Tracy changed many students' perceptions of autism and developed their empathy.

Other potentially useful follow-on exercises that can reinforce students' learning include asking students to simulate the experience of a mobility-impaired or sensory-impaired person over the course of a day on campus and then reflecting on how it felt. Many students know someone with a disability and interviewing that person can yield additional insights. Finally, taking advantage of (or requiring students to locate for themselves) current books, movies, or television programming that provides perspectives on disability can help students broaden their understanding. One book recommendation is Brian Castner's (2012) account of his illness and recovery as a veteran with post-traumatic stress disorder in *The Long Walk: A Story of War and the Life That Follows*. As of this writing, suggested television programs include *The Good Wife* (where Michael J. Fox plays an attorney with Parkinson's disease—his own diagnosis in real life) and several programs scheduled for the 2013–2014 television season. These shows include *Ironside*, which is built around a detective who uses a wheelchair, and *The Family Guide*, with a blind father. Other characters with disabilities who are or were regulars on television include Max Braverman on NBC's *Parenthood* who has Asperger's syndrome, a character on Fox's *Glee* who uses a wheelchair, the lead on Fox's *House* who uses a cane, a character on CBS's *CSI: Crime Scene Investigation* who uses prosthetic legs, and a woman on Fox's *Raising Hope* who has Alzheimer's disease (Heasley, 2011).

This case and lecture emphasize the responsibility of managers to consider disability in the context of an employee's ability, provide students with experience applying the Americans with Disabilities Act to a situation likely to face them as managers, and emphasize how attitudes toward disability can influence a selection decision. We know that one classroom exercise educating a limited number of students cannot affect dramatic changes in the employment prospects of persons with disabilities. However, we hope that these aspiring managers will be better prepared to act legally and ethically when they make hiring decisions, especially when applicant pools include qualified persons with disabilities. More idealistically, students who are aware of the challenges facing people with disabilities, their positive work attributes, and the support and tax incentives available to employers are better positioned to become advocates for the employment of persons with disabilities.

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## APPENDIX A: THE EMPLOYMENT DECISION

As Sarah prepared for her meeting with Jim, the General Manager, she debated for what seemed the 100th time who to hire for the vacant position in her department. The entry-level position for a staff accountant specified that a college degree and one to two years experience were required. Additional requirements included willingness to work long hours especially during tax season, excellent communication and interpersonal skills, attention to detail, and willingness to travel (approximately 20% of working time mostly to visit client sites within driving distance). All of the candidates say they are willing to work long hours and travel, but Sarah has found that some new employees find meeting these job demands more challenging than they anticipated. In addition, a CPA license was preferred. The last several weeks had been grueling for Sarah between managing the day-to-day tasks of her job and interviewing what felt like an endless stream of applicants. “Finding the best person for the job sure has gotten harder,” she thought to herself as she walked down the hall to Jim’s office. “I certainly hope the candidate I choose will not only be able to do the job but also stick around for awhile”—a reference to the frequent turnover that had disrupted her department’s ability to meet deadlines.

“Hi Sarah,” Jim said as she sat down in front of his desk. “Have you made an offer yet to fill that accountant position?”

Sarah sighed, “Jim, there’s no shortage of applicants but finding the best person is proving to be difficult! I’ve narrowed the pool to three finalists—all of them meet the qualifications we included in our job posting, but I’m just not sure which one is the best match. To complicate matters more, two of the three finalists have disabilities, and I can’t help being concerned. Our workload is so heavy; I can’t afford to have any extra problems. I’m swamped as it is.”

“Give me a quick summary of each applicant, and maybe we can jointly come to a decision,” Jim suggested. So Sarah laid out the following profiles:

**Kevin:** Graduated from college with a degree in accounting and has two years of experience, hired as a full-time employee after completing an internship while a college senior, is preparing to take the first part of the CPA examination in the next six months, wants to relocate to our area. Seems very enthusiastic and self-confident. In fact, 5-year goal is to move to a supervisory or management position in a smaller firm or, perhaps, join one of the largest accounting firms as a consultant.

**Sam:** Currently employed as an accountant with three years of experience with one of our smaller competitors; college major was business administration, but studying for a master’s degree in accounting and considering obtaining a CPA license. Uses a wheelchair as result of diving accident as a teenager and has some mobility impairment in arms as well. Said the only accommodation needed would be an office arrangement that enabled use of a wheelchair. We already have reserved parking spaces for people with disabilities, and the building has an elevator so getting in and out of the building shouldn’t be a problem, unless of course the elevator goes on the blink, which it does now and then. Had a great sense of humor and told me that most important objective is a long-term position in an organization that offers a career. Doesn’t seem to be interested using the job as a stepping stone to another job somewhere else.

**Pat:** Currently unemployed—resigned from a small accounting firm about a year ago. Worked at that firm for five years, the first three as a staff accountant and the last two as senior staff accountant; obtained a CPA shortly after graduating with a business degree with an accounting concentration. When I asked about the recent gap in employment history, indicated that resignation was voluntary resulting from a series of significant personal losses and the need to undergo treatment for severe depression. However, now fully recovered, on medication, and continuing to see personal physician on a regular basis. Very pleasant and polite. Assured me that physician has cleared a return to work and very ready to resume career. May need to leave work early on occasion for medical appointments.

**Henry (alternative candidate can be substituted for Sam or Pat):** Currently unemployed and very willing to talk about the reason. Henry graduated magna cum laude with an accounting degree from a highly respected university six years ago and spent three years immediately after graduation working for a large accounting firm and obtaining his CPA. He returned to the firm after an 18-month deployment to Iraq, but had trouble adjusting to civilian life. Henry said he was let go from the firm because he had difficulty leaving his house which caused his work attendance to suffer. He was subsequently diagnosed with posttraumatic stress disorder and has been receiving treatment. He was very energetic and said that the best thing that has happened to him was getting his service dog, Baxter, who was along at the interview. Henry was positive that with Baxter at his side, he was ready to return to work and he told me that his physician has also cleared him to work. Sarah noted that Henry served as a platoon leader in Iraq.

**APPENDIX B: EVALUATION SHEET**

	Degree/Exp	CPA	Interpersonal	Concerns	Other factors
Kevin					
Sam					
Pat					

**APPENDIX C**

**HUMAN RESOURCES MANAGEMENT NAME \_\_\_\_\_**

A brief questionnaire follows. Please choose the best answer to each question.

The first question is multiple choice.

- \_\_\_\_\_ 1. How familiar would you say you are with the Americans with Disabilities Act?
- a. Not familiar at all
  - b. Know a little bit
  - c. Know a moderate amount
  - d. Know a lot
  - e. Have expert knowledge

The remaining questions are True/False.

- \_\_\_\_\_ 2. A person must have an obvious physical impairment or deformity to be considered disabled under the Americans with Disabilities Act.
- \_\_\_\_\_ 3. Reasonable accommodation for a disabled individual may include job reassignment; provision of technical aids; or providing special furniture, for example to accommodate a wheelchair.
- \_\_\_\_\_ 4. A qualified individual with a disability is one who with or without reasonable accommodations can perform the essential functions of the job.
- \_\_\_\_\_ 5. Employers are required to provide any accommodation a disabled employee requests.
- \_\_\_\_\_ 6. Individuals with HIV or AIDS are covered under the Americans with Disabilities Act.
- \_\_\_\_\_ 7. Current users of illegal drugs are covered under the Americans with Disabilities Act.
- \_\_\_\_\_ 8. The presence of a physical disability in itself is sufficient evidence to provide protection under the ADA.
- \_\_\_\_\_ 9. According to the ADA, job applicants with a disability can only be required to pass a medical examination after a job offer is made.
- \_\_\_\_\_ 10. The ADA requires employers to give preference in hiring to qualified persons with disabilities.
- \_\_\_\_\_ 11. Customer disapproval and potential loss of business can be considered an undue hardship under the Americans with Disabilities Act.
- \_\_\_\_\_ 12. An individual who is using crutches because of a broken leg would be considered disabled under the Americans with Disabilities Act.
- \_\_\_\_\_ 13. One reason employers do not hire disabled individuals is because they believe providing

accommodations is expensive and creates undue hardship.

\_\_\_\_\_ 14. Some of the disadvantages of hiring individuals with disabilities are that they are absent more often and increase an employer's health insurance costs.

\_\_\_\_\_ 15. If someone is regarded as having a disability, they are protected under the Americans with Disabilities Act.

Answers: 2-F, 3-T, 4-T, 5-F, 6-T, 7-F, 8-F, 9-T, 10-F, 11-F, 12-F, 13-T, 14-F, 15-T

#### APPENDIX D: OUTLINE OF LECTURE

Reasons to focus on disability

Brief recap of case, job requirements, and candidates

ADA (essential functions, definition of disability, reasonable accommodation)

Who is not covered?

Reasonable accommodations

Undue hardship

Changes because of ADAA

Employment statistics for persons with disabilities

Myths and facts

Incentives and resources

What employers should do to comply with the law

An example—Walgreen's

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