

# Disability Inclusion Network

## Inclusive Recruitment and Interviewing Guide



## Preface

This guide was developed to help assist and guide agencies, recruiters, hiring managers, and supervisors on best practices when it comes to hiring people with disabilities.

This guide gives a basic overview of disability, the Americans with Disability Act (ADA), and the reasonable accommodations process with examples of reasonable accommodations, unconscious biases, and resources to stay updated on changes or recommendations to inclusion in hiring practices.

This is meant as an overview and is not an exhaustive list of what you can do to be more inclusive of people with disabilities in your agency and in your hiring practices. Remember the Americans with Disabilities Act provides the minimum standards for you to meet; you are encouraged to go beyond them and be innovative on being more inclusive.

If you have any questions about this guide or if a link is not working, please contact the [Disability Inclusion Network \(DIN\)](#).



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## What is a Disability

According to the Americans with Disability Act (ADA), a disability is an impairment or condition (physical or mental) that can significantly limit a major life activity.

### Examples of What is Considered a Disability

- Autism Spectrum Disorder
- Autoimmune Disorders (Lupus, Rheumatoid Arthritis, HIV/AIDs, Psoriasis etc....)
- Blindness or low vision
- Cancer
- Cardiovascular/Heart Disease
- Celiac Disease
- Deaf or Hard of Dearing
- Diabetes
- Gastrointestinal Disorders
- Intellectual Disability
- Missing or Partially Missing Limbs
- Nervous System Conditions (Migraines, Parkinson's, Cerebral Palsy, etc....)
- Psychiatric conditions (Depression, Anxiety, Bipolar disorder, Schizophrenia, Personality disorder, PTSD, etc....)

### The Americans with Disability Act (ADA)

The Americans with Disability Act (ADA) was signed into law by former President George Bush on July 26, 1990. The ADA law closely models the Civil Rights Act of 1964, providing civil rights for people with disabilities. This law prohibits discrimination against people in all areas of public life which includes work, school, transportation, and private places that are opened to the public. There are five sections within the ADA law.

1. Title I [Employment](#)
2. Title II [State and Local Government](#)
3. Title III [Public Accommodation](#)
4. Title IV [Telecommunications](#)
5. Title V [Miscellaneous Provisions](#)

## The American with Disability Amendment Act (ADAA)

The American with Disability Amendment Act ([ADAA](#)) was signed into law by former President George W Bush Jr. in 2008.

The ADAA made significant changes to the original ADA's basic definition of "disability" as an impairment that substantially limits one or more major life activities. It added protections for those who have a history of an impairment or might be regarded as having such an impairment. The changes were applied to all sections of the ADAA.

## **Who is Covered Under the ADA**

It is important to note that in the context of the ADA, "disability" is a legal term and not a medical term.

The ADA defines persons with disabilities as individuals who have:

- A physical or mental impairment that substantially limits one or more major life activities
- A record of such an impairment; or
- Been regarded as having such an impairment

Those covered under the ADA can include people who have a record of a disabling condition but are not experiencing symptoms in the moment –such as those with a history of mental health, multiple sclerosis, cancer, Crohn's Disease, and many other conditions.

## ADA Definition of "Regarded as Having a Disability"

The [ADA](#) also protects the rights of those who do not have a disability but are regarded by others as having a disability, or those who may have a relationship or association with someone who has a disability.

Congress included this element in the ADA's definition of "disability" to protect people from discriminatory actions based on "myths, fears, and stereotypes" about a disability that may occur even when a person does not have a substantially limiting impairment. "Regarded as" cases focus on the employer's subjective perception of the individual, rather than on the individual's actual abilities.

An example of where someone could be "**regarded as having a disability**" might be where an employer finds out their employee was hospitalized for heart palpitations and was having trouble breathing. If the employer were to force the employee to resign because of this knowledge, the employer has violated the ADA because they regarded the employee as disabled and discriminated against them.

### ADA Definition of "Major Life Activities"

According to the ADA, major life activities are those functions that are important to most people's daily lives. Examples of major life activities are breathing, walking, talking, hearing, seeing, sleeping, caring for oneself, performing manual tasks, and working. Major life activities also include major bodily functions such as immune system functions, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

### What is Not Covered Under the ADA

Congress created an exception for impairments that are both transitory and minor. The ADAA defines a transitory impairment as one that has an actual or expected duration of six months or less, but it does not define the term "minor."

Examples of conditions that have been found to meet both elements of the "transitory and minor" consideration include:

- Broken finger
- Broken bones that healed within two months

- Dehydration episode lasting only a few hours
- Injuries from a car accident that were recovered within a week

## **Reasonable Accommodations**

Reasonable accommodations are modifications or adjustments to the application or hiring process, to the job, to the way the job is done, or to the work environment that allows a person with a disability who is qualified to perform the essential functions of that job and enjoy equal employment opportunities. Accommodations are considered “reasonable” if they do not create an undue hardship or a direct threat to others.

### Examples of Reasonable Accommodations

- ASL interpretation
- Accessible documents
- Alternate workspace lighting
- Use of adaptive software such as a screen reader or voice recognition
- Flexible schedule
- Longer breaks
- Alternate work schedule

Reasonable accommodations enable people with disabilities to perform their essential job functions efficiently. Reasonable accommodations may also be necessary to assist a person with a disability to apply and interview for a job.

[Ask Jan](#) provides great examples on what type of reasonable accommodation may be beneficial for different types of disabilities. The [NW ADA Center](#) provides a range of services and resources to assist employers through the reasonable accommodation process. If you are interested in learning more about reasonable accommodations, view DIN’s [webinar on reasonable accommodations](#).

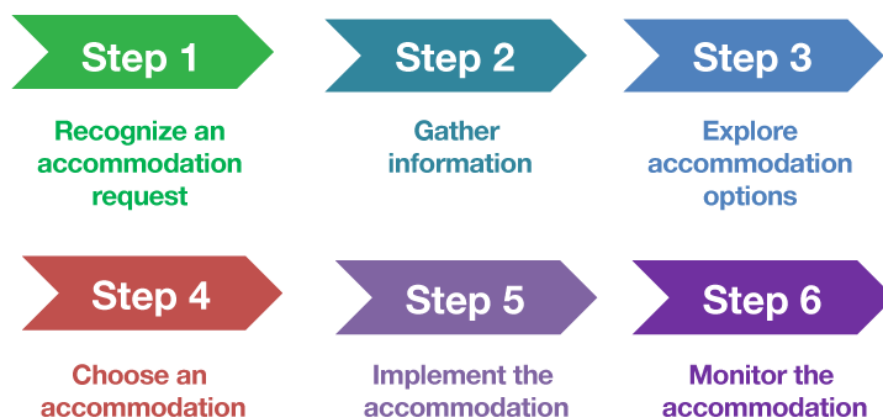


## Interactive Process

An employer must engage in an interactive process with an employee to determine the best way to accommodate their disability in the workplace. A well-conducted interactive process helps both employer and employee by helping them arrive at the best solution that allows an employee with a disability to work effectively. Effective accommodations are individualized to the employee's unique needs and preferences for being able to accomplish their specific work tasks with highest efficiency. Everyone's experience of disability is unique, as are the accommodations that allow for equitable working conditions.

The Interactive Process includes these steps

- Analyze the job and determine its essential functions
- Identify job-related restrictions and limitations due to disability
- Identify possible accommodations
- Assess the feasibility of providing these accommodations
- Implement the accommodation that provides the highest effectiveness and efficiency to the employee in conducting their essential job tasks
- Regularly monitor and follow up with those involved to determine the effectiveness of the accommodation



*Each step requires careful documentation.*

Image found from: The standard "[Practical Ways to Improve Your ADAAA Documentation](#)"

## Digital Accessibility

It is important to note the 1973 Rehabilitation Act [Section 508](#) pioneered what is considered a reasonable accommodation in terms of equal access to electronic data and information technology. Section 508 of the Rehabilitation Act requires federal agencies to develop, procure, maintain, and use information and communications technology (ICT) that is accessible to people with disabilities - regardless of whether or not they work for the federal government. The US Access Board established the Section 508 standards that provides the requirements for accessibility.

The Section 508 standards have become dated as technology evolves. The [Web Content Accessibility Guidelines \(WCAG\)](#) are considered more up-to-date standards to strive for in building electronic applications, websites, **documents** (PowerPoint Word Documents, Excel etc...) Documents, and interactive electronic forms that are universally accessible for people with disabilities.

For Washington State agencies, [OCIO Policy 188](#) addresses state requirements and expectations for accessible electronic systems, documents, and websites. **DIN** has a training on how to make documents accessible. Please reach out if you are interested in taking this online training.

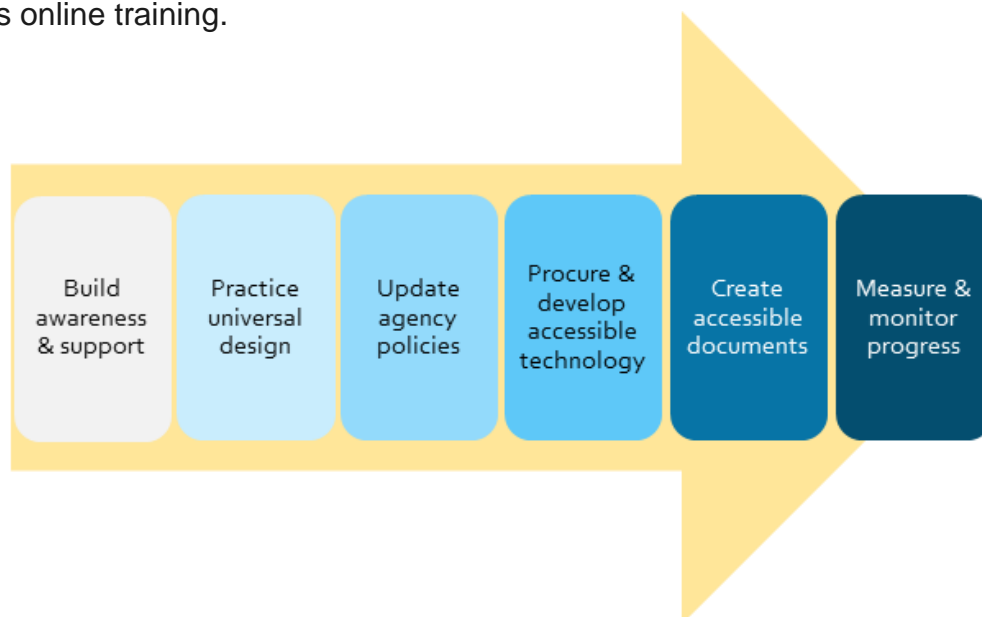


Image found from: [Section 508 road map](#)

## Employment

People with disabilities have the highest unemployment rate in the nation.

According to the 2020 [Disability Compendium](#), only 38.9% of people with disabilities are employed. The [U.S Bureau of Labor Statistics](#) shows that for 2021, only 31.4% of people with disabilities between ages 16-64 were employed, compared to 72.5% of those without disabilities. Among persons with a disability, the jobless rates for people who are Black, or Hispanic were almost double the rates for people who are White or Asian. In 2019, [Statistics](#) show that 25.9% people with disabilities were living in poverty, which is more than double the rate for those without a disability.

According to [Ability Magazine](#), employment rates vary by type of disability. Employment rates are highest for people with hearing (51.0%) or visual disabilities (41.8%), and lowest for people with self-care (15.6%) or independent living disabilities (16.4%). In Washington State the number of people with disabilities within the traditional working age range of 18-64 is approximately 480,000 people, representing 10.4% of the general population in the same age range.

There are approximately 67,000 Washington State employees, and, statistically, if every state employee were to disclose their disabilities there should be approximately 7,000 to have a disability. Currently only 3.5% of state employees are disclosing their disability, or roughly 2,200 that have disclosed. That either means that almost 70% of state employees are uncomfortable disclosing their disability, or barriers are keeping people with disabilities from being hired as state employees (or both).

As the data indicates, there is a significant employment gap for those with disabilities. The data also suggests that individuals may not disclose their disabilities at work. The reason for not disclosing a disability can be out of a personal sense of privacy and out of fear of jeopardizing their job.

There are many ways that we can increase employment for people with disabilities, including exploring how workplaces can be more inclusive and provide a sense of belonging for people with disabilities; by looking at unconscious bias in our hiring and recruitment practices; by providing a wide range of ways that we interview; and by ensuring that electronic data systems and the workplace environments are truly accessible.

### Implicit or Unconscious Bias

Many of us hold implicit biases, which are often referred to [unconscious bias](#), that we are not fully aware of – which is why it is called unconscious bias. So, what exactly is an implicit or unconscious bias?

According to Renee Navarro Vice Chancellor at [University of California San Francisco](#), “Unconscious biases are social stereotypes about certain groups of people that individuals form outside their own conscious awareness. Everyone holds unconscious beliefs about various social and identity groups, and these biases stem from one's tendency to organize social worlds by categorizing.”

How does unconscious bias affect hiring people with disabilities? According to [Ability Magazine](#), over a third (36%) of people think of disabled people as not as productive as everyone else. That unconscious bias against disabled people appeared to be higher than any other social group, with higher levels of bias than on the basis of gender or race.

### Examples of Implicit Biases

- Assuming that the person with a disability is not qualified or simply cannot do the job
- Assuming that the cost of reasonable accommodation will be too high
- Job descriptions that include extraneous requirements which are not necessary such as:

- Lifting 40lbs
- Requiring a driver license
- Sitting 90% of the time
- Bending at the waist
- Viewing disabled people as pitiful or inspirational
- Allowing office spaces or policies and procedures to be inaccessible
- Having expectations for eye contact into interview scoring
- Presuming who does and does not need accommodations without an interactive process
- Giving people with disabilities different assignments based on what is believed they can and cannot do
- Using your own experience to imagine that you couldn't do a task if you had a disability, and ignoring that a person with a disability likely has multiple adapted or different ways of accomplishing that same task

## Removing Bias in Recruitment and Hiring

To mitigate the implicit or unconscious bias in recruitment and hiring requires a commitment to being inclusive for people with disabilities. It may also require updating policies and practices within your agency. [Ask JAN](#) provides a great guide on the business case and how to plan to be more inclusive.

## How You Can Avoid Bias During Interviews

Disability bias can creep into your interviewing process of recruitment, hiring, and even promoting without a person realizing it, as it is often subtle. This article from DDI has talks about the five biases that affect hiring decisions and the article offers great suggestions on how to overcome implicit bias [How to Overcome Implicit Bias in the Hiring Process](#). There are many ways to avoid bias creep here are a few examples

- ADA training for employees helps your company be inclusive of the disability community.
- Reasonable accommodation training

- How to handle mental health (concerns about mental health are not an auto-disqualifier for a job)
- Accessibility testing
- Disability inclusion in the workplace training
- Overcome denials that biases do not exist within the workplace and work to overcome them daily and hold people accountable

### How to Locate and Recruit Talented Employees with a Disability

There are many networks and resources available to [reach skilled individuals with a disability](#). Agencies like the [Division of Vocational Rehabilitation](#) and the [Department of Services for the Blind](#) can help you identify talent and can support the employer and employee through the accommodation process.

The [Supported Employment in State Government \(SESG\) Program](#) allows state agencies to hire individuals who require long-term supports without impacting FTE limits.

Recruitment tools that are designed to connect individuals with a disability to employers include the [Talent Acquisition Pool \(TAP\)](#) and the [American Association of People with Disabilities Jobs Board](#).

A local [Disability:IN Washington State](#) affiliate can connect you to a larger peer employer network with information and support for employment and disability. The [Ask Earn](#) website provides additional recruitment resources and considerations.

### Examples of Recruitment and Hiring steps:

- Request formal or informal briefings with many of the above organizations to review your agency's current and future job openings, position descriptions, selection processes, recruitment literature, and opportunities for formalizing arrangements for referrals of applicants
- Participate in career fairs targeting individuals with disabilities, including veterans with disabilities
- Engage current employees or an employee resource group (ERG) as referral sources and ask for referrals who would make good job candidates
- Include employees with disabilities on company recruitment teams
- Leverage resources that identify job applicants with disabilities, including databases of individuals with disabilities who previously applied to the company but were not hired

### Screening Candidates

Screening and reviewing potential candidate applications is often conducted by Human Resources, or through computerized AI. You are encouraged to review your screening and reviewing process to see where people with disabilities may be getting lost in the process.

Questions to consider asking yourself about your screening and reviewing process include:

- Is your online application process accessible and can individuals with disabilities easily access it? How do you know?
- Are certain requirements truly required (e.g., is a valid driver's license really needed)
- Is **lived experience** included and valued in the screening and interviewing processes

- How are you integrating any partner agencies into your application and interview process? (The [NW ADA Center](#) or [Governor's Committee on Disabilities and Employment](#) can assist to ensure questions are inclusive)
- Have you sought feedback from individuals with a disability about your application and interview process?
- Is there way for candidates to provide feedback on the interviewing process?
- Do the employees who manage this process have access to disability awareness and etiquette training and do they understand the goals for this program?
- Do applicants have the opportunity to self-identify as an individual with a disability at every step of the application and interview process?

## Interviewing

Conduct interviews with applicants who have a disability in a manner that emphasizes abilities, achievements, and individual qualities. Conduct your interview as you would with anyone. Never assume that just because an applicant has a disability that they will not be able to perform certain job functions.

Keep in mind that you cannot legally ask an applicant if they have a disability, but you can ask if they are able to perform a job with or without accommodations. Remember that there may need to be adjustments and accommodations to make the interviewing process itself accessible.

## Tips For More Accessible Interviewing

- Offer topics and questions ahead of time
- If conducting multiple rounds of interviews, conduct the initial round of interviews in a remote setting
- Incorporate examples of work, projects, and hands on tasks into questions
- Allow for a 'pre-interview orientation session'



- Ensure that ASL interpreters are scheduled for the interview at least two weeks in advance, and ensure the interview panel understands how to interact with the applicant in an interpreted [in-person](#) or [remote](#) interview setting
- Ensure any documents or tools used in the interview are accessible for the applicant
- Ensure significant time is given to respond
- Consider whether pre-employment testing is necessary
- Limit the number of interview questions
- Ask the candidate how they can perform certain tasks
- Providing enabling tools/resources such as screen readers, job coaches and interpreters during the interview

You may need to be socially aware. Even though the candidate may not have chosen to disclose their disability in the hiring process, you may notice discomfort on the part of the applicant and can adjust how you ask questions. [Disability etiquette](#) in interviewing is highly important in making the candidate feel relaxed during this process.

### Things to Consider When Interviewing

- Neurodiverse candidates may take longer to consider how to answer questions, so be patient before jumping in to clarify or prompt.
  - Avoid letting small social missteps impact your decision making as [Neurodiverse people](#) do not always follow social norms.
- Candidates with speech-related disabilities may need questions phrased so that short answers can be given. An example of this might start with a closed-ended question, and then followed up by a more open question to get more detail.
  - Start with closed-ended question:  
"You were a tax accountant in ABC Company for seven years. Is that correct?" (Answered by a "yes" or "no").
  - Followed by a more open-ended question:  
"Tell me more about your seven years of experience as a tax accountant"

for ABC: what were your most interesting challenges?" (Confirms the information and invites the person to provide more details.)

- When interviewing candidates with physical disabilities ensure that physical and environmental obstacles are removed, and that seating is such that the interview panel is at eye level with the candidate.
- Candidates with mental health conditions can be distracted very easily so it is important to minimize distractions while interviewing (unless a person prefers a type of fidget device, which should be allowed while interviewing).
  - Ask interview questions at a moderate pace and give enough time to answer.
  - You might consider sending out an email a few days ahead of a scheduled interview to tell the candidate who will be interviewing them.
  - Introduce the interviewing panel ahead of time. For those with mental health conditions, the prospect of having a long conversation with someone we don't know is daunting at best – and can leave those with mental health conditions feeling catatonic at worst.
- Give detailed instructions for interview day such as where someone can park, bus routes, and clear signs where a person needs to go to check in for the interview.
- Make sure that virtual platforms are all working
- Interviewing those with developmental/intellectual disabilities keep in mind that developmental disabilities is an umbrella term that includes many types of disabilities such as autism, traumatic brain injuries, cerebral palsy, Intellectual disability etc. How you approach your interview will need to be tailored to that person's needs. You can read more on this at [American Association on Intellectual and Developmental disabilities](#). Here are some brief examples listed down below
  - Be prepared that the interview process may require additional time and patience
  - Identify yourself clearly to the person being interviewed. Explain to the interviewee everyone's role and reason for being present at the interview

- Use your usual tone and volume of voice
- Make every effort to keep your language simple and clear
- **Do not** ask questions about their disability, but rather about skills
  - Tell me about your skills and how they will allow you to perform this job
  - Tell me about projects that you have worked on

For additional information on interviewing applicants with disabilities, including the items listed above, you may visit the following online resources:

- Job Application/Interview Stage Dos and Don'ts from [askjan](#):
- Focus on Ability: Interviewing Applicants with Disabilities: [Department of Labor](#)
- Job Applicants and the Americans with Disabilities Act: from the [EEOC](#)
- Accessible and Authentic Interviews for Candidates with Disabilities [From Ask EARN](#)
- Appropriate interview questions: from the [NW ADA Center](#)

There are many ways that you can integrate inclusion in recruitment, screening, interviewing, and hiring practices for those with disabilities. We hope that you look at current policies and procedures at your agency and develop best practices for inclusion. In addition, we encourage you to look at your agencies overall culture when it comes to disabilities inclusion and challenge your workplace to create an environment where those with disabilities feel safe to disclose their disability, have universal access be the standard, develop trainings on accessibility, ableism, and disability etiquette. Be the change agent at your agency.

## Conclusion

Thank you for your interest in this topic. Please feel free to email [Disability Inclusion Network \(DIN\)](#) with further questions.

We are available to give presentations on a variety of disability topics such as history of the civil rights movement for people with disabilities, ableism, disability justice, intersectionality, hiring, and data on disabilities. Contact us at the link above if you would be interested in scheduling.

Please consider attending our monthly meetings – which are open to allies and people with disabilities in Washington State Employment. We frequently cover topics and have presentations regarding a variety of disability related issues. For example the Washington State Office for the Deaf and Hard of Hearing came and conducted a workshop that let hearing people experience some of the challenges the Deaf and Hard of Hearing community deal with on a daily basis.

Information on our meeting schedule and signing up for our event notices are available on our website – [Disability Inclusion Network \(DIN\)](#).

## Additional Resources for Recruiting

### Online Job Boards:

- [What Are Job Banks | CareerOneStop](#) – basics of job boards
- [Getting Hired](#)- post openings, seek Career Seekers with Disabilities who match openings, and other employment resources
- [Talent Acquisition Portal](#) (TAP)- online job board of vetted job seekers with disabilities including Veterans; opportunity to post jobs; access to a resume database, compliance, and application reports (including hires)
- Research local organizations that host job boards such as: [Jobs Board | Work Without Limits](#) run by Work without Limits in MA

### Resume Database:

- [TAP](#): once employer establishes an account, will have access to an online resume database of vetted job seekers with disabilities from 80 state Vocational Rehabilitation agencies across the country
- [Disability:IN Resume Databases](#): resumes include students, recent graduates, and experienced professionals with disabilities who participate in our “Inclusion Works” and “NextGen Leaders” programs

### Organizations:

- [Advocations – Not Able to Notable](#) boutique staffing firm, serve professionals with disabilities and employers who want to hire them
- [Bender Consulting](#) - mission is to recruit and hire people with disabilities for competitive career opportunities in the public and private sectors.
- [The Spectrum Careers](#) Job placement assistance for people on the spectrum
- [Specialisterne USA | Employ Different Thinking](#) - Technical services are customized depending on the local business needs, the profiles of the Specialisterne consultants and the specific services offered by each Specialisterne branch

- [Veterans Career Program \(pva.org\)](http://pva.org) Paralyzed Veterans of America's Veterans Career Program, formerly known as PAVE, provides FREE employment support and vocational counseling assistance to ALL veterans, transitioning service members, spouses, and caregivers

### Career Fairs:

- [Equal Opportunity Publications - Career Expos Exhibitor Intro Page \(eop.com\)](http://eop.com)
- [Virtual Career Fair - Bender Consulting Services, Inc.](http://benderconsulting.com)
- [GettingHired Virtual Career Fairs](http://gettinghired.com)

### Sourcing Partners:

- [Rochester Institute of Technology/National Technical Institute for the Deaf, Center on Employment](http://rochesterinstituteoftechnology.edu): assist deaf and hard-of-hearing students, graduating students and alumni with their job search and works with employers to facilitate hiring of highly qualified students and graduates
- [American Job Centers- Business Services](http://americanjobcenters.gov): assist employers to recruit, hire, and retain job seekers with disabilities; locations nationwide, a part of DOL; can post jobs; search database of job seekers; access hiring events
- [the NET | csav](http://netcsav.com) (NET): assigned Business Consultants in every state; single point of contact to connect with qualified applicants, resources and support services in local area, multi-state, or national marketplace.
- [Workforce Recruitment Program-](http://workforcerecruitment.com) offers employers the opportunity to post permanent and temporary positions, qualified students with disabilities

## Videos on Inclusive Interviewing Practices

1. Inclusive interviews [at a Glance](#)
2. Interviewing [candidates with mobility disabilities](#)
3. Interviewing [candidates with cognitive disabilities](#)
4. Interviewing [candidates with vision disabilities](#)
5. Interviewing [candidates with hearing disabilities](#)
6. Unconscious bias: [stereotypical hiring practices](#)
7. Things people with disabilities [wish you knew](#)
8. Inclusive [career placements](#) for people with intellectual disabilities
9. HR [mock interview](#) for individuals with autism