

~~SECRET~~
SENATOR BOB DOLE
THE DISABLED EMPLOYEE --STEP II
GALLAUDET COLLEGE
MARCH 22, 1978

I AM PARTICULARLY PLEASED TO PARTICIPATE IN YOUR WORKSHOP, "THE DISABLED EMPLOYEE --STEP II." BECAUSE UNTIL RELATIVELY RECENT TIME FEW PERSONS WOULD HAVE EVEN CONSIDERED THE POSSIBILITY OF HIRING A DISABLED EMPLOYEE, THE FACT THAT YOU ARE HOLDING SUCH A WORKSHOP IS A CLEAR INDICATION OF THE PROGRESS THAT HAS BEEN MADE IN THE EMPLOYMENT OF THE HANDICAPPED, AND A SIGN THAT INDEED DISABLED INDIVIDUALS ARE MOVING INTO THE WORKING WORLD.

ACCORDING TO ESTIMATE, THE NUMBER OF DISABLED AMERICANS HAS BEEN INCREASING. THE 1970 CENSUS SHOWED THAT 1 OF EVERY 11 AMERICAN ADULTS IS DISABLED. THIS REPRESENTS 9% OF THE ADULT POPULATION. MORE RECENT SURVEYS SET THE NUMBER AT 10% TO 11% OF THE POPULATION. EVEN THOUGH TODAY'S MEDICAL TECHNOLOGY IS EXTENDING THE LIVES OF A GREATER NUMBER OF DISABLED PERSONS, IT IS DOUBTFUL THAT MODERN MEDICINE DOES ANYONE A SERVICE IF, AT THE SAME TIME, PARTICIPATION IN SOCIETY IS DENIED TO THESE PERSONS.

WE HAVE NEGLECTED DISABLED AMERICANS IN THE SAME WAY THAT WE HAVE DENIED EQUAL OPPORTUNITIES TO OTHER MINORITY GROUPS. BY BEING BENEVOLENTLY AWARE OF THE HELPLESS HANDICAPPED AND TRYING TO HELP AS WE SEE IT FIT, WE ARE GUILTY OF AN EQUALLY RESTRICTIVE ATTITUDE.

WE MAY BE WELL-INTENTIONED BUT FREQUENTLY DO-GOOD WAYS
HAVE DONE NOTHING MORE THAN SLOW DOWN THE DISABLED IN
THEIR EFFORTS TO GAIN ENTRY INTO THE REAL WORLD OF TAXES
AND TIME-CARDS.

LANDMARK LEGISLATION

IN THE LAST FIVE YEARS, CONGRESS HAS PASSED LEGISLATION
OF TREMENDOUS IMPORTANCE TO THE HANDICAPPED. AS
YOU WELL KNOW, THE EDUCATION FOR ALL HANDICAPPED CHILDREN
ACT, P.L. 94-142, IS BASED ON THE THEORY THAT HANDICAPPED
CHILDREN DESERVE A FREE PUBLIC EDUCATION. BECAUSE HANDICAPPED
AMERICANS ON THE AVERAGE RECEIVE LESS SCHOOLING THAN DO THE
NON-HANDICAPPED, THIS BEARS DIRECTLY ON THE JOB MARKET.
BETTER EDUCATIONAL OPPORTUNITIES WILL ENABLE MORE HANDICAPPED
INDIVIDUALS TO BE TRAINED FOR TECHNICAL AND PROFESSIONAL
JOBS FOR WHICH THEY WOULD NOT HAVE QUALIFIED PREVIOUSLY.

OF EQUAL IMPORTANCE IS THE REHABILITATION ACT OF 1973. WHEN FULLY IMPLEMENTED, THIS PIECE OF LEGISLATION COULD EFFECTIVELY SERVE AS A BILL OF RIGHTS FOR DISABLED AMERICANS. BECAUSE IT OUTLAWS DISCRIMINATION AGAINST THE HANDICAPPED BY EMPLOYERS UNDER CONTRACT WITH THE FEDERAL GOVERNMENT OR RECEIVING FEDERAL ASSISTANCE, SCHOOLS, OFFICES, AND RECREATIONAL FACILITIES MUST PROVIDE SERVICES TO THE DISABLED.

THE LAW IS FAR REACHING IN ITS COVERAGE. ADMITTEDLY, IT WILL BE DIFFICULT TO ENFORCE IF AN EMPLOYER LOOKS AT IT SIMPLY AS A LAW FORCING HIM TO BUILD RAMPS AND WIDEN DOORWAYS. BUT THE LAW IS MUCH MORE THAN THIS, AND I THINK THAT THE EMPLOYER WHO WILLINGLY AND EAGERLY TAKES ACTION TO HIRE THE HANDICAPPED WILL BENEFIT IN THE LONG RUN. IN FACT, ALL OF SOCIETY STANDS TO BENEFIT.

IRONY IN ANDERSON ARTICLE

IN AN ARTICLE IN LAST SUNDAY'S PARADE MAGAZINE, JACK ANDERSON WROTE THAT "... MORE THAN 2 MILLION ABLE-BODIED MEN SPEND THEIR DAYS PUTTERING AROUND THE HOUSE AND HAVE NO INTENTION OF EVER GOING TO WORK."

FURTHER ON IN THE ARTICLE, ANDERSON WROTE THAT "THE DECLINING WORK ETHIC IS COSTING OUR NATION THE ECONOMIC SUPREMACY IN THE WORLD. ABSENTEEISM AND SUB-STANDARD PERFORMANCES, PARTICULARLY AMONG YOUNG WORKERS, IS A MAJOR PROBLEM." I FIND ANDERSON'S COMMENTS RATHER TELLING. THE TAXPAYER IS RIGHTFULLY INDIGNANT OVER A SYSTEM WHICH DOES NOT DISTINGUISH BETWEEN NEED AND AN UNWILLINGNESS TO WORK. YET, IRONICALLY THE DISABLED PERSON FINDS HIMSELF IN JUST THE OPPOSITE SITUATION.

SOMETIMES WANTING TO WORK, HE IS REMINDED THAT HANDICAPPED PEOPLE DON'T WORK, AND HERE'S YOUR SOLUTION. THIS SITUATION IS NOT ONLY WRONG MORALLY, BUT IT'S EXPENSIVE. IN FISCAL YEAR 1977, FEDERAL PAYMENTS TO DISABLED PERSONS TOTALED MORE THAN \$24 BILLION. HOW MUCH OF THIS WENT TO THE ABLE-DISABLED WHO SIMPLY WEREN'T ALLOWED A CHANCE TO WORK?

CONTRARY TO POPULAR BELIEF, WHEN GIVEN AN OPPORTUNITY TO WORK, HANDICAPPED PERSONS HAVE PROVEN TO BE HONEST, RELIABLE WORKERS.

DUPONT SURVEY

PROBABLY THE BEST KNOWN STUDY ON DISABLED WORKERS WAS DONE BY THE DUPONT COMPANY A FEW YEARS AGO. DUPONT IS OUR COUNTRY'S 16TH LARGEST EMPLOYER. THEY HIRE MANY DISABLED WORKERS, BASED ON THEIR EXPERIENCE THAT THEY ARE SUCH COMPETENT WORKERS AND THEREFORE A GOOD BUSINESS INVESTMENT. AT THE TIME THE SURVEY WAS CONDUCTED, DUPONT HAD 1,452 DISABLED EMPLOYEES SUFFERING FROM MANY TYPES OF HANDICAPS -- BLINDNESS, DEAFNESS, PARALYSIS, EPILEPSY AND HEART DISEASE.

THE RESULTS OF THE SURVEY CAN BE SUMMARIZED INTO
7 POINTS:

1) DURENT EXPERIENCED BY INTER-COMMUNICATIONS WITH
AND NO LAST TIME INJURIES.

2) ONLY MINIMAL PHYSICAL ADJUSTMENTS WERE REQUIRED, WITH
MOST EMPLOYEES NEEDING NO SPECIAL WORK ARRANGEMENTS.

3) 93% OF THE HANDICAPPED WORKERS RATED AS ONE OF BETTER
IN SAFETY RECORDS BOTH ON AND OFF THE BUS, IN FACT, MORE
THAN 50% WERE ABOVE AVERAGE IN SAFETY HABITS.

4) THE DISABLED DO NOT WANT SPECIAL PRIVILEGES, BUT ONLY
TO BE TREATED AS ANY OTHER EMPLOYEE.

5) 91% OF THE HANDICAPPED RATED AVERAGE OR ABOVE AVERAGE
ON JOB PERFORMANCE.

6) 93% OF THE HANDICAPPED RATED AVERAGE OR ABOVE IN JOB
STABILITY.

7) 70% OF THE HANDICAPPED HAD ATTENDANCE RECORDS WHICH WERE
AVERAGE OR ABOVE AVERAGE.

TO ME, THIS CLEARLY INDICATES THAT IT'S PROFITABLE TO PUT THE DISABLED INTO JOBS. YOU KNOW AS WELL AS I DO WHAT SOME OF THE PREJUDICES ARE AGAINST HIRING THE HANDICAPPED. LAST YEAR, AN ARTICLE APPEARED IN THE HARVARD BUSINESS REVIEW ON THESE MISCONCEPTIONS. THE ARTICLE CONCLUDED THAT HIRING THE HANDICAPPED MAKES GOOD SENSE WHEN THE ABLE-DISABLED ARE GIVEN JOBS SUITABLE TO THEIR SKILLS. EMPLOYEES WITH SUPERIOR WORK HABITS, LOW ABSENTEEISM, JOB LOYALTY, AND GOOD SAFETY HABITS MAKE FOR A PRODUCTIVE WORK FORCE.

EMPLOYMENT INCENTIVES

THE GOVERNMENT TOOK STEP 1 BY WRITING AND APPROVING THE RECENT LAWS. THERE ARE A FEW MORE THINGS WE SHOULD DO TO FACILITATE THE MOVEMENT OF HANDICAPPED WORKERS INTO THE JOB MARKET. TWO YEARS AGO I SUCCESSFULLY INTRODUCED AN AMENDMENT TO THE INTERNAL REVENUE CODE TO ALLOW EMPLOYERS TO COUNT AS A DEDUCTION THE COSTS INCURRED IN MAKING THEIR BUSINESS PROPERTY ACCESSIBLE. I WAS HOPEFUL THAT THIS TYPE OF INCENTIVE WOULD BE PRODUCTIVE. UNFORTUNATELY, THE IRS REPORTS THAT FEW PEOPLE HAVE INQUIRED ABOUT THE PROVISION, AND THEY FEEL IT IS NOT BEING USED. I'D LIKE TO HEAR FROM EMPLOYERS WHAT TYPES OF INCENTIVES NEED TO BE OFFERED FOR HIRING THE DISABLED.

FROM THE DISABLED INDIVIDUAL'S POINT OF VIEW, MANY TIMES HE IS FORCED TO CHOOSE BETWEEN EMPLOYMENT AND MEDICAL ASSISTANCE. THE SOCIAL SECURITY ACT DEFINES DISABLED AS THE INABILITY TO ENGAGE IN ANY "SUBSTANTIAL GAINFUL ACTIVITY."

... OF PARTIAL EMPLOYMENT ACTIVITY OF INDIVIDUALS OF ALL AGES AND SEXES. THEREFORE, A DISABLED PERSON IS ELIGIBLE FOR SUPPLEMENTAL SECURITY INCOME IF HE EARNS LESS THAN \$200 MONTHLY AND IS ELIGIBLY ADJUDICATED AND THE MAXIMUM FOR ADJUDICATION AFTER THE 3-MONTH TRIAL WORK PERIOD, WHICH EVER IS APPLICABLE TO THE INDIVIDUAL'S MEDICAL STATUS AND EMPLOYMENT AND REMAINS...

JAVITS DOLE BILL

... IN MANY INSTANCES, THE COST OF MEDICAL TREATMENT EXCEEDS THE WORKER'S SALARY. WHEN THIS HAPPENS, THE INDIVIDUAL MUST CHOOSE BETWEEN REMAINING IN WELFARE OR MAINTAINING AND RUNNING UP MEDICAL BILLS. DISABLED PERSONS SHOULD NOT HAVE TO CHOOSE BETWEEN TWO NECESSITIES - EMPLOYMENT AND TREATMENT.

LAST MONTH, SENATOR JAVITS AND I INTRODUCED A BILL, S. 2505, WHICH WOULD ALLOW DISABLED WORKERS TO REMAIN ELIGIBLE FOR MEDICAID IF THEY MET THEIR STATE'S "MEDICALLY NEEDY" PROVISION AFTER MEDICAL EXPENSES WERE SUBTRACTED FROM INCOME. THIS WOULD ALLOW A PERSON TO QUALIFY FOR MEDICAL EXPENSES IN CERTAIN CASES, IRREGARDLESS OF THE \$200 MARK. IN MOST INSTANCES, IT IS THE MEDICAL BENEFITS, NOT SSI, WHICH THE DISABLED EMPLOYEE CANNOT AFFORD TO LOSE.

KANSAS PROJECTS

THESE ARE THE TYPES OF CHANGES WHICH I THINK WE NEED TO ACHIEVE. IF YOU HAVE OTHER SUGGESTIONS, I'D LIKE TO HEAR THEM. I KNOW THAT WE'LL BE ON THE RIGHT TRACK WHEN WE GET DISABLED PERSONS INTO EMPLOYMENT. WICHITA, KANSAS CAN BOAST OF HAVING ONE OF THE COUNTRY'S MOST PROGRESSIVE TRAINING PROGRAMS AT CENTER INDUSTRIES.

CONCLUSION

BOTH CENTER INDUSTRIES AND THE MENNINGER PROJECT ARE EXAMPLES OF SUCCESSFUL EFFORTS TO BRING HANDICAPPED WORKERS INTO THE LABOR FORCE. BECAUSE THESE AND OTHER EXPERIENCES ARE PROVING SO POSITIVE, EMPLOYERS SHOULD BE ENCOURAGED AT THE PROSPECT OF A RELATIVELY UNTAPPED LABOR MARKET. WE SHOULD LISTEN TO THOSE WHO HAVE WORKED WITH THE DISABLED AND WHO HAVE SEPARATED FACTS FROM FEARS.

THERE IS NO WAY I CAN REALLY CONVINCe EMPLOYERS THAT HIRING DISABLED EMPLOYEES IS A PRODUCTIVE, EFFICIENT BUSINESS PRACTICE. THEY WILL HAVE TO CONVINCe THEMSELVES. I CAN, HOWEVER, SHOW YOU WHAT THE RECORD REFLECTS, AND ENCOURAGE EMPLOYERS TO LET HANDICAPPED EMPLOYEES HAVE A CHANCE TO PROVE THEIR CAPABILITIES.