

#ManifesteInclusion



Working Group « Internationalisation of disability policies » Focus on the USA

April 22, 2024

Speakers

- **Charles-Edouard Catherine**, Director of Corporate & Government Relations at the National Organization on Disability
- **Mindy Henderson**, Vice President of Disability Outreach and Empowerment at the Muscular Dystrophy Association
- **Dr. Katrina Hermetet**, Director of the Neurobehavioral Health Division at Akron Children's Hospital
- **Nicholas Iadevaio**, Vice President of Diversity, Equity, and Inclusion at L'Oréal in New York

> [Watch the replay](#)

Meeting summary

This meeting took place as part of the “Internationalization of disability policies” working group of the Inclusion Manifesto. The four speakers are American experts on disability in business in the United States and they give an overview of how disability in business is perceived and managed in their country.

1) Perception and Legislation on Disability in the United States

Perception

- **Mindy Henderson, Muscular Dystrophy Association**
Though there's great compassion in the US for people with disabilities, the country is behind the curve about their inclusion in the workplace. They still lack representation within the work environment.
- **Dr. Katrina Hermetet, Akron Children's Hospital**
Words are important in the perception of disability in the professional environment. Through the years, the words “awareness”, “tolerance” and “inclusion” have been used to talk about disability. However, using “advocacy” shows that the person with disabilities is not only included into the conversation, but it also gives them the opportunity to lead by placing the narrative into their own hands.
Furthermore, invisible diagnoses or multiple disabilities are still often misunderstood by employers and colleagues.

Legislation

- **Mindy Henderson, Muscular Dystrophy Association**
The American legislation on disability is based on three laws: The Rehabilitation Act, The Fair Labor Standards Act (FLSA) and the Americans with Disabilities Act (ADA).

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- **Charles-Edouard Catherine, National Organization on Disability**

The FLSA, though seen as progressive in the 1930s, set a negative message for decades, allowing companies to pay people with disabilities much less than able-bodied individuals (“sub minimum wage”). The ADA in 1990 was a step forward. However, some companies still do not implement it.

2) Retention in Employment and Support

Create a safe environment

- **Nicholas Iadevaio, L’Oréal**

Companies should develop cultures that are supportive of everyone to give them the ability to do their job well and reach their full potential.

- **Dr. Katrina Hermetet, Akron Children’s Hospital**

Dr Maslow’s hierarchy of needs: before reaching the top need (achieving self-actualization), companies need to set up foundational support for their employees with disabilities (safety and physiological support) so that they have a sense of belonging.

Provide accommodations

- **Mindy Henderson, Muscular Dystrophy Association**

The word “accommodation” is not appropriated. “Success enablers” should be used instead as they apply to everyone, disability or not. Companies need to look at what they can do to help their employees do their job to the fullest.

- **Charles-Edouard Catherine, National Organization on Disability**

Companies are often afraid of the cost of accommodations but on average, they cost \$500 or less (flexible time, quiet workspace, screen reader...). They should preferably be offered during the onboarding process to build mutual trust between the employee and the company.

Use internal and external tools

- **Nicholas Iadevaio, L’Oréal**

L’Oréal has 15 Employee Resource Groups (ERGs) in the US whose aim is to foster different dimensions of diversity within the company. They amplify opportunities to raise more awareness, support development for people in these dimensions and encourage allyship.

- **Dr. Katrina Hermetet, Akron Children’s Hospital**

Using surveys to collect feedback from employees can help improve their work environment.

- **Mindy Henderson, Muscular Dystrophy Association**

Companies should set up trainings that incorporate diversity and bring speakers who represent diversity in all its colors.

DEI programs (diversity, equality, inclusion) and CEO commitments can also be significant tools, as long as companies back them up with actions.

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- **Charles-Edouard Catherine, National Organization on Disability**
NOD can provide companies with a survey called “Disability employment tracker” (list of practices and accommodations).

3) Disclosure Statement and its Processes

Differences between self-identification and self-disclosure

- **Charles-Edouard Catherine, National Organization on Disability**
Self-identification: Companies that are federal contractors are required to track the ratio of employees who self-identify as people with a disability. To do so, employees voluntarily and anonymously fill up a form.
Self-disclosure: When an employee chooses to advocate their disabilities within the workplace, often during the accommodation process.

The disclose process

- **Dr. Katrina Hermetet, Akron Children's Hospital**
Using the word “disclose” implies that you are hiding something while “advocacy” is about making a statement for oneself and everyone living with the same diagnosis. One’s decision to disclose their disability is up to their sole discretion. However, the ADA precludes employers from asking questions about disability to their employee, and the Health Insurance Portability and Accountability Act (HIPAA) forbids them to communicate with healthcare facilities without the explicit rights given by that individual.

How to facilitate the disclose process

- **Dr. Katrina Hermetet, Akron Children's Hospital**
People often reveal their disabilities when they ask for accommodations. However, they should feel safe to do so. The way to start that conversation is to make a work environment that allows people to bring their whole self to work, including their medical diagnosis and their disabilities (language used in the employee handbook, the art around the office, the communication around accommodation, etc.)
- **Nicholas Iadevaio, L’Oréal**
Senior leaders who disclose and talk about their disabilities play a significant role in the number of disclosures in their company. L’Oréal’s executives are directly involved in ERG activities, and it has enhanced their impact.
L’Oréal has a program called “Break the silence” to help create conversations on diversity via articles, videos or panels. It has noticeably increased people's willingness to disclose their disabilities.
- **Charles-Edouard Catherine, National Organization on Disability**
To improve their disability inclusion strategy, companies can take part into a community such as the NOD’s Leadership Council. It allows them to talk to other companies, learn from their experience and share their successes and failures.

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- **Mindy Henderson, Muscular Dystrophy Association**

People with disabilities need to be more present in the media, in entertainment and in marketing. Therefore, companies should include them in their marketing strategies, in their ads and in their imprinted materials so that their employees with disabilities feel seen and represented (trickle-down effect).

Tracking self-identification and disclosure

- **Nicholas Iadevaio, L'Oréal**

L'Oréal has an employee engagement survey every year with questions about diversity, inclusion and engagement. The results are used as quantifiable proof to see progress and are communicated to the leaders.

- **Charles-Edouard Catherine, National Organization on Disability**

NOD has created a free resource, the disability employment tracker, to assist companies with their disability inclusion strategy (nod.org).

NOD also encourages nonfederal contractors to measure their self-identification rates to check the results of their inclusion culture and if their employees feel comfortable enough within their company to self-identify or disclose.

4) Recruitment & Partnerships

- **Mindy Henderson, Muscular Dystrophy Association**

There are companies that specialize in matchmaking employers and job seekers with disabilities. They facilitate the recruitment process to help the candidate feel safe to mention if they need success enablers to do their job.

Furthermore, the key for the employer is to show openness and transparency throughout the whole recruitment process and create a safe environment so that the candidate feels a sense of belonging.

- **Nicholas Iadevaio, L'Oréal**

L'Oréal is being proximate to the communities of difference and the untapped communities to recruit people such as veterans.