1) Go to BlackBoard (http://blackboard.sc.edu).

3) My Courses HUMAN RESOURCE MNGT (FA12)

4) Go to left side in Course Management and scroll down to
   Click on Grade Center
   Full Grade Center

5) For each student (slide bar about 7/8 to the right)
   a. SafeAssignment Term Paper Draft Column
      i. Go to each cell and left click on drop down menu
      ii. Left click on Attempt
      iii. Matching %
   b. SafeAssignment Term Paper Column (THIS IS THE FINAL COPY)
      i. Go to each cell and left click on drop down menu
      ii. Left click on Attempt
      iii. Matching %
      iv. Left click on File
      v. Left click on Open
      vi. Check number of words in lower left of bar and place # here
      vii. Print copy of term paper
      viii. Staple term paper along with STUDENT SUMMARY PAGE
      ix. Verify References in Reference List and Body of Text
          1. List number of references ___________
          2. Number of references not in text or vice versa
   c. Term Paper References
      i. Go to each cell and left click on drop down menu
      ii. Left click on Attempt
      iii. References in Reference List of paper attached here; Number missing ___________
      iv. Number of references with references or footnotes or court cases ___________

6) Grade actual term paper ___________ /1800
Managing Employees with Mental Disabilities: Adhering to the Americans with Disabilities Act

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Abstract

The Americans with Disabilities Act (ADA) was enacted to protect individuals with physical or mental disabilities from discrimination in the workplace. Although the ADA has been claimed as successful, individuals, especially those with mental disabilities are still encountering discrimination. This paper will discuss the issues that individuals are facing and how management can focus on adhering to the ADA while providing these employees with reasonable accommodation and career satisfaction.
In July of 1992, the Americans with Disabilities Act (ADA) was enacted for employers of 25 or more people. Before the act became effective, individuals with both mental and physical disabilities faced discrimination when trying to find work and were labeled as unfit, crazy, slow, incompetent and even dangerous. These labels are not associated with that of an ideal or desirable employee so this makes individuals at a disadvantage when looking for work. The Americans with Disabilities Act protects qualified individuals with mental disabilities often face stigma from the public. They may be labeled as unfit, crazy, slow, incompetent and even dangerous. These labels are not associated with that of an ideal or desirable employee so this makes individuals at a disadvantage when looking for work. The Americans with Disabilities Act protects qualified individuals with disabilities. It is essential that managers are aware and follow the regulations and requirements set by the ADA when hiring and managing employees with disabilities.

Individuals with mental disabilities often face stigma from the public. They may be labeled as unfit, crazy, slow, incompetent and even dangerous. These labels are not associated with that of an ideal or desirable employee so this makes individuals at a disadvantage when looking for work. The Americans with Disabilities Act protects qualified individuals with disabilities. It is essential that managers are aware and follow the regulations and requirements set by the ADA when hiring and managing employees with disabilities. Even though many people have experienced much success in the last 20 years since the ADA went into place, many individuals still face issues of discrimination today, especially those with mental disabilities. Eight years after the ADA went into effect, 22 percent of employed individuals with disabilities claimed that they had encountered job discrimination. This percentage was down from 36 percent in 1996 but many individuals feel that they are at a disadvantage.

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Individuals with mental disabilities often face stigma from the public. They may be labeled as unfit, crazy, slow, incompetent and even dangerous. These labels are not associated with that of an ideal or desirable employee so this makes individuals at a disadvantage when looking for work. The Americans with Disabilities Act protects qualified individuals with disabilities. It is essential that managers are aware and follow the regulations and requirements set by the ADA when hiring and managing employees with disabilities. Even though many people have experienced much success in the last 20 years since the ADA went into place, many individuals still face issues of discrimination today, especially those with mental disabilities. Eight years after the ADA went into effect, 22 percent of employed individuals with disabilities claimed that they had encountered job discrimination. This percentage was down from 36 percent in 1996 but many individuals feel that they are at a disadvantage.
the hiring process. The ADA specifically defines a mental disability as, "a physical or mental impairment that substantially limits one or more of the major life activities of individual; a record of such impairment; or being regarded as having such impairment". (Keaty, Srivastava & Stewart, 2005) A mental impairment may include mental retardation, organic brain syndrome, emotional or mental illness, and certain learning disabilities. Psychiatric impairments are also included in mental disabilities but are not clearly defined. (Ledman & Brown, 1993) Examples of psychiatric impairments include bipolar disorder, depression, anxiety disorder, schizophrenia and personality disorders. (Keaty, Srivastava & Stewart, 2005) As stated above, simply having a mental disability does not mean an individual is protected by the ADA. For an individual to qualify, this impairment must limit a major life activity, including taking care of oneself, seeing, hearing, speaking, breathing, walking, learning, working or performing manual tasks. (Keaty, Srivastava & Stewart, 2005) All employers and their employees should be educated and trained for complying with ADA regulations because with 22 percent of the workforce currently disabled in some way they will likely be working with a co-worker, customer or supplier with a mental disability at some time. (Keaty, Srivastava & Stewart, 2005)

Hiring Individuals with a Mental Disability

The Americans with Disabilities Act protects employees that are qualified for a position, during the application and hiring process. The act specifically address this by stating, "no entity shall discriminate against a qualified individual with a disability because of the disability of such individual in regard to job application procedures, the hiring, advancement, or discharge of employees, employee compensation, job training, and other terms, conditions, and privileges of employment. (Keaty, Srivastava & Stewart, 2005) Therefore, if an applicant or employee is fully qualified for a position, an employer cannot allow the fact that an individual is mentally
disabled hinder any decision when it comes to the situations listed. If the employer does not realize the an applicant has a disability than he/she cannot ask questions unless the employee says he/she has a disability or needs reasonable accommodation. (Keaty, Srivastava & Stewart, 2005) The employer can ask the employee to demonstrate particular tasks (with accommodations, if needed) relating to job functions. Once a disability is revealed, whether direct or indirectly by asking for reasonable accommodations, then an employer may request documentation of the impairment and its affect on major life activities. (Keaty, Srivastava & Stewart, 2005) The employer may also ask what reasonable accommodation the employee may need to perform job functions. (Keaty, Srivastava & Stewart, 2005) Once an employment offer is given, a medical exam may be given if all employees of the same job category are given the same exam. The results of the exam may not disqualify any applicant. (Keaty, Srivastava & Stewart, 2005)

Providing Reasonable Accommodations

An essential part of managing employees with mental disabilities is providing them with reasonable accommodations. All employers with 15 or more employees are required by to make reasonable accommodations for employees with a mental disability unless the employer can prove that doing so would be financially costly, cause undue hardship or would change the operations of the business. (Scheid, 1998) Rybski explains that businesses that hire mentally disabled employees should find ways to match the particular individual to a job. Employers should value these employees and not see them as a burden or handicap. (Scheid, 1998) The Americans with Disabilities Act does not clearly define reasonable accommodations but such accommodations may include, flexible work hours, part time work schedules, use of job coaches, job sharing, breaking up existing tasks into similar tasks, and allowing unpaid time off for
difficult times or doctor’s appointments. (MacDonald-Wilson, Rogers, Massaro, Asya & Tim, 2002) Employers can assign employees to simple jobs, that are low stress and aren’t as fast pace. This will allow the employee to stay engaged and lessen the risk of distraction. (Hessi, 2001) Over 79 percent of businesses surveyed, reported that making reasonable accommodations was affordable and didn’t come as a large cost to the business. In conclusion, 70 percent of employers reported that they were satisfied with there employees with mental disabilities and their production. (Scheid, 1998) If businesses take a proactive attempt to invest time and reasonable accommodations to employees with mental disabilities than it is highly likely that they will be satisfied with the production of this employee. The employee will also be more likely to feel fulfilled by their work and will continue to produce efficient work. (MacDonald-Wilson, Rogers, Massaro, Asya & Tim, 2002).

Summary

The Americans with Disabilities Act was enacted to protect qualifying workers from discrimination from employers but it has also allowed many people to enter into the workforce and have pride in what jobs they can do. It is important that employers invest in management and educate them to comply with ADA regulations. Employers should be proactive when it comes to providing employees with reasonable accommodations so that the employee can be as productive as possible.


