



# **Discrimination Faced by People with Disabilities at the Workplace**

*A Qualitative Study by the Disabled People's  
Association (DPA) and  
the Institute of Policy Studies (IPS)*

## **Chapter 1: Introduction**

### **1.1 Background**

This research paper was undertaken by the Disabled People's Association (DPA) in conjunction with the Institute of Public Policy (IPS). DPA is an advocacy organisation that aims to be the voice of persons with disabilities; DPA members are persons with disabilities who give feedback on the quality-of-life issues which affect them.

Over the years, a key and recurring topic raised by DPA members has pertained to the difficulties they faced finding gainful employment, staying employed even after finding jobs, and the concerns and issues encountered at work directly related to their disability. Hence, the DPA felt it was timely to conduct a qualitative study on the topic of discrimination against persons with disabilities in the workplace.

Too often, however, the word 'discrimination' is used as a broad and abstract term. This study seeks to develop a more specific and concrete understanding of discrimination by documenting the various forms of discrimination experienced by persons with disabilities, as well as contextualising this concept within the employment narrative in Singapore. Besides anecdotal accounts, various surveys and reports have been highly suggestive of the existence of discrimination against persons with disabilities in the workplace.

One indication is the disproportionately low employment rates of people with disabilities compared to that of the overall population – "people with disabilities make up just 0.55 per cent of the resident labour force in Singapore. But 3.4 per cent of residents aged 18-49 here have a disability" (Kok, 2017). Coupled with the fact that over 97 per cent of the resident population is employed, this paints an even more dismal picture of the employment situation for the disability community. Indeed, "only one in 10 persons with disabilities is able to find work in the open market" (The Straits Times, 2017). Workers with disabilities are also more likely to be engaged in part-time and informal work, instead of being in full-time employment with its attendant increased stability and benefits.

### **1.2 Objectives**

The purpose of this research project is to understand the types of unfair treatment faced by people with disabilities in the workplace. It is the first step, and an important one, in affirming the problem exists and subsequently in clarifying the types and causes of discrimination.

Specifically, this research aims to:

- a. Understand the full range of discrimination people with disabilities face in the workplace, including previously unknown or invisible forms of discrimination.
- b. Explore the social, financial and economic consequences of such actions for the wellbeing of people with disabilities as well as co-workers and employers.
- c. Suggest strategic directions and recommendations for stakeholders to address and tackle discrimination.

### **1.3 Significance**

Being the first qualitative research of its kind, the goals and outcomes of the study would impact on the following areas.

a. **Theoretical and Empirical Contributions:**

The study takes on the fundamental task of identifying and clarifying the types of discrimination, which is particularly important as some forms of unfair treatment are completely invisible or fly under the radar in terms of corporate and public awareness. This will set the foundation for the next stage of conducting surveys to establish the overall magnitude of the problem. Findings from this study also aim to inform the advocacy efforts of the DPA. The insights on invisible or oft-overlooked forms of discrimination will also contribute to the general literature on social inclusion of people with disabilities in Singapore.

b. **Service Delivery:**

The DPA will engage with organisations that tackle unfair practices in the workplace in the following ways – to inform, consult, build consensus and co-create policies and services to address the issues unearthed. Specifically, the study will benefit the Ministry of Social and Family Development (MSF), the National Council of Social Service (NCSS), SG Enable and Voluntary Welfare Organisations (VWOs) serving people with disabilities in terms of having better knowledge and understanding of the various forms and causes of discrimination. This will help them improve their employment services for people with disabilities and take measures to prevent discrimination.

c. **Discrimination Legislation and Policies:**

The findings will also help the Ministry of Manpower (MOM) and the Tripartite Alliance for Fair and Progressive Employment Practices (TAFEP) explore and consider the feasibility of discrimination legislation or policies, and improve existing inclusion and diversity initiatives. The study will also inform the advocacy efforts of The Disabled People's Association (DPA) and other disabled people's organisations.

## **Chapter 2: Methodology, Data Collection, Respondent Profile**

To ensure the qualitative research was undertaken in a rigorous and unbiased manner, a research consultant from the Institute of Policy Studies (IPS) was engaged by the DPA to support the project. The IPS consultant provided training and advice on the design of the project, as well as the approaches and methods used in recruiting researchers and obtaining research data. These are explained in more detail below.

Researchers adhered to ethical standards prescribed by the National University of Singapore (NUS) Institutional Review Board. Participation information sheets and consent forms were provided to all respondents. Researchers also met with respondents to explain and describe the research as well as to answer questions. Informed consent was obtained from all respondents.

### **2.1 Participatory Approach**

A participatory approach, in the form of recruiting people with disabilities as co-investigators, was adopted for this research project. The reason for using this approach was to involve and, more importantly, empower persons with disabilities in the research process in encompassing and in-depth ways. Co-investigators – who are themselves persons with disabilities – engaged in the recruitment of respondents, undertook data collection and analysis, and disseminated research findings. Training people with disabilities as co-investigators also allowed for access to different disability communities, support groups, and networks of which these co-investigators were already members.

For example, a co-investigator, who is hard of hearing, could reach out effectively to members of the Deaf community, and who were then more forthcoming during interviews and in giving information. This was only possible because of his familiarity with the Deaf respondents as well as knowledge of sign language, their preferred communication mode. Likewise, a co-investigator, who has a physical disability, was able to build trust and rapport with wheelchair-using respondents, as they were less intimidated and more comfortable in the presence of a fellow wheelchair user.

This innovative approach, using co-investigators and researchers with disabilities in the research process, was a crucial means of enhancing the quality and authenticity of the responses, and, in turn, strengthening the veracity of the findings.

#### **2.1.1 Training of Researchers**

To ensure the research is predominantly owned and led by persons with disabilities, the DPA and IPS identified two co-investigators, two participant-researchers (i.e. individuals with disabilities who concurrently participated in the research as both a respondent and researcher), and nine research volunteers – the vast majority of whom have disabilities – to be trained over two sessions. The first session covered the study's objectives, approach and background, and how to properly recruit and seek consent from respondents. The second session focused on data collection methods, including soliciting journals, conducting interviews and facilitating focus groups. This was followed by role-playing sessions to enable the researchers to practise the techniques with the IPS consultant providing feedback.

The IPS consultant accompanied the co-investigators and participant-researchers for the initial round of interviews and focus group discussions, after which they had gained confidence in running the sessions independently. The researchers and consultant held weekly meetings to update one another on the progress and raise issues for discussion on the process.

## **2.2 Data Collection**

The three main ways in which raw data and responses were collected were via journaling, interviews and focus group discussions. These provided a range of input methods to cater to potential respondents' different comfort levels when recounting their experiences – remotely via writing online journals, one-to-one interviews, or discussions in a group setting.

### **2.2.1 Solicited Journaling**

Experiencing discrimination would probably be psychologically traumatic, as would being requested and having to recount such encounters. In view of the potential sensitivity of the topic, a journaling option was given to potential respondents, which provided an avenue for those who preferred to record their stories and feelings, diary style, or those who did not wish to be interviewed in person. Journaling also allowed them an opportunity to reflect upon these experiences at their own pace, time and comfort level.

A journaling template was provided to facilitate the reflection process. (Refer to Appendix A.) To ensure ease of use, respondents were encouraged to record their experiences via the template online, with a unique and access-restricted link assigned for each journal. They simply had to type in the online document, and not worry about saving or emailing it afterward (as these steps were automated). For respondents who were unable or unwilling to take part in journaling, they were invited to be interviewed instead.

The journaling process lasted one month; the weekly submissions were checked by the co-investigators and participant-researchers, who provided follow-up questions and comments where needed. Once the journals were submitted, the IPS consultant and researchers collectively assessed the completeness, concreteness and specificity of the responses. For each journal, the research team flagged areas in need of elaboration, further probing or clarification for follow-up.

Lastly, respondents who experienced forms of discrimination that were egregious, unique, or theoretically interesting, were invited to participate further via interviews or focus group discussions, with the aim of obtaining more details and exploring the incident in more depth.

### **2.2.2 Interviews**

Individual face-to-face interviews were conducted with journaling respondents who recorded abstract and general responses in their journals which required clarifications, or who were unable to attend the focus group discussions. Respondents whose journals required minimal elaborations were invited to focus group discussions to generate and validate hypotheses. (Note that not all journaling respondents invited to interviews or focus group discussions attended.) Transcripts of the interviews and focus groups complemented the journal entries.

Interviews were conducted with respondents who did not wish to take part in journaling or focus group discussions. For this group, the interviewer – either a co-investigator or a participant-researcher – arranged to meet them at the DPA office or at a venue of their choice to carry out face-to-face interviews. The interview question list used by the interviewers served as a guide to encourage the respondents to tell their stories. (Refer to Appendix B.) interviews were audio recorded or, in the case of respondents who use sign language, video recorded. Typed transcripts were then obtained from the recordings; for sign language users who were video recorded, they were able to check and approve the written versions of their interviews.

The research team read through the transcripts (after personal information had been removed) to identify and explain insights they felt were of interest to the study. The result of this process was a list of 'insight statements' that formed the backbone of the final report and analyses.

### **2.2.3 Focus Group Discussions**

Focus group discussions were made up of respondents from the journaling and interview groups (as detailed above) who were invited to take part, as well as respondents who were not part of those two groups. Some focus groups comprised respondents with different disabilities, while others were for respondents who shared a common disability; for example, there was a dedicated focus group session for respondents with mental illness, and another for those with Down Syndrome.

The discussion points used by the focus group facilitator served as a guide to encourage the respondents to tell their stories, and give feedback on others' experiences. (Refer to Appendix C.)

A focus group discussion session was also held for staff from agencies and VWOs which provide employment matching and support services for persons with disability. (Refer to Appendix D.)

Focus group discussions were audio recorded or, in the case of respondents who use sign language, video recorded. Transcripts were then obtained from the recordings.

### **2.3 Respondent Profile**

The study included insights from 52 respondents, 46 of whom have a disability and experienced unfair or discriminatory treatment in the workplace. The remaining six were social service professionals with direct work experience in matching persons with disabilities to jobs.

The following disability groups were covered in the study: physical disability, deaf or hard of hearing, mild to moderate Down Syndrome, chronic mental illness, Autism Spectrum Disorder, and visual disability.

These groups were excluded: persons with with severe to profound developmental disabilities who do not have the intellectual capacity to understand the reason for the research and the risks therein, and to provide assent for their participation.

For detailed information and breakdown on the number of respondents, their disability types, and the means of participation, refer to Appendix E.

For a short glossary and explanation of the disability terminology used in the paper, refer to Appendix F.

### **Chapter 3: What is Employment Discrimination?**

As perceived by persons with disabilities, discrimination appears in many guises and forms, and to varying degrees of severity. Obvious cases are those in which perpetrators play active roles, such as treating persons with disabilities differently compared to non-disabled colleagues, making the former the scapegoat for problems which were not their fault, and bullying behaviour such as personal attacks and public shaming. Discrimination also occurs in more passive ways or in less apparent forms. Examples include not responding to or ignoring disabled employees' legitimate work-related concerns or complaints, closing an eye to bullying or unfair behaviour inflicted upon them, and management not keeping their word pertaining to work-related matters.

There were cases of blatant discrimination or outright exploitation as detailed in this chapter, but the less obvious forms of discrimination are arguably of equal concern and as worthy of examination. When unfair treatment is not outwardly severe, as in paternalistic or patronising behaviour, or in the non-consensual sharing of employee's disability, they tended to be overlooked. The seriousness and impact of moderate discrimination are also inclined to be underestimated.

Not least, here, it should be noted that in exploring the types of discrimination present, there was a conscious attempt to get the respondents to think about why they had suffered such treatment, that is, the cause of the discrimination. The intention was to examine whether the discrimination they experienced stemmed directly from their disability, or if the discriminatory treatment could be due, partially or fully or indirectly, to other reasons or factors unrelated to disability. There could, for example, be underlying issues of personality clashes, racism, sexism, and ageism in play. Hence the respondents were asked to reflect on whether other possible causes or contributing factors exist, in the contexts and situations in which they experienced discrimination in the workplace. Responses are based on incidents of discrimination which respondents felt were directly or predominantly attributed to their disability, even after considering the role of other possible factors.

#### **3.1 Definition of discrimination in employment legislation**

Before delving into respondents' perceptions and conception of what discrimination in employment means to them, it would be pertinent to first examine how it is defined in the literature. Existing legislation will also be examined, with a particular focus on what constitutes discrimination in the employment laws of developed countries as they tend to have more commonalities with Singapore's socio-economic status.

Defining discrimination in legal terms consists of two main components: First, it must be clear which groups of people are to be protected against discrimination. In this case, the affected and protected group refers to persons with disability, which in turn requires 'disability' to be defined as well. Generally, in anti-discrimination legislation, disability is regarded as an inherent characteristic of the person, as with traits like gender and race. Next, to be deemed discriminatory in the eyes of the law, the actions, the types of discriminatory conduct and measures imposing disadvantages on affected persons need to be stated.

In some countries, determining whether discrimination has occurred involves comparing the treatment meted out to those who belong to protected groups (such as disability groups and ethnic minorities) and those who do not. If less favourable treatment is given to the protected groups,

discrimination has occurred. Examples of such legislation are the United Kingdom's Equality Act, Australia's Disability Discrimination Act (DDA), and Hong Kong's Disability Discrimination Ordinance.

In other countries, discrimination is defined more simply as treating, unfairly and differently, a person with disability solely because of the person's disability, without justifying such differing treatment. There is no comparison to or benchmarking against the treatment given to non-disabled persons in the same situation. Examples are the United States' Americans with Disabilities Act (ADA) and Japan's Act for Eliminating Discrimination against Persons with Disabilities.

Anti-discrimination laws may also identify the specific types of discrimination which are unlawful. The Equality Act, for instance, lists six types: direct, indirect, harassment, victimisation, arising from disability, and failure to make reasonable adjustments. The DDA, on the other hand, lists just two – direct and indirect discrimination.

It is helpful, at this point, to briefly cover and explain the main types of discrimination which exist under the various laws, and which are applicable to those raised by respondents in this paper. The provisions under the UK's Equality Act, among the most comprehensive of the laws examined, are used as the base here.

- a. Direct discrimination occurs when a person with disability is treated less favourably than others because of his disability.
- b. Indirect discrimination occurs when “a provision, criterion or practice is applied equally to a group of employees/job applicants, but has (or will have) the effect of putting those who share a certain protected characteristic (i.e. disability) at a particular disadvantage when compared to others in the group, and the employer is unable to justify it.”
- c. Harassment refers to “‘unwanted conduct’ that violates a person’s dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment”. Examples of such harassing behaviours, which can be verbal, written, or physical, are bullying, insults, threats, intrusive or inappropriate questions, and excluding a person.
- d. Victimisation occurs when an employee is adversely affected by or penalised for making an allegation of discrimination or whistleblowing on such occurrences.
- e. Discrimination arising from disability occurs when an employee “is treated unfavourably because of something linked with their disability.” Examples are “absence from work because of illness, problems with movement, difficulties with reading, writing, talking, listening or understanding.”
- f. Failure to make ‘reasonable adjustments’ or accommodations refers to failing to making “a change or adaptation to the working environment that has the effect of removing or minimising the impact of the individual’s impairment in the workplace so they are able to perform their job duties, or apply for a job, without being at a disadvantage.”



### **3.2 Serious forms of discrimination as perceived by respondents**

The types of discrimination experienced and recounted by respondents will now be considered. Most of these could be deemed to fall into one of the six categories of discrimination listed in the previous section. Some are more overt, such as personal attacks and verbal insults, while others are not obvious, such as patronising attitudes and behaviours. Note that one of the main types of discrimination, the failure to provide reasonable accommodation, is not listed below as it will be discussed in the next chapter.

The forms of discrimination which had adverse consequences for the victims, had deep emotional impact on them, or were perceived as especially unethical, were deemed by respondents as the most serious types. These mainly involved exploitation in the workplace or being oppressed by mindsets and attitudes which degrade their humanity.

#### **3.2.1 Blatant exploitation and maltreatment**

Being taken advantage of in unfair ways and being ill-treated are rather self-explanatory albeit abstract: What counts as blatant and what is maltreatment? Certain incidents which are shared by respondents, and as narrated below, will serve to clarify these points.

The first example pertains to Respondent 05 who recounted an unsavoury incident while working at a VWO with colleagues who have intellectual disability. At a sheltered workshop, a supervisor on a production line had not followed instructions and implemented his own method of packing, which resulted in errors in the end product. When the mistakes were discovered, instead of owning up, the supervisor said it was the fault of a worker under him, one who has intellectual disability and who was not aware of what had happened. The respondent witnessed this, alerted a senior staff and managed to absolve the unwitting would-be victim. As for why the colleague had been targeted, he opined: "Being someone who is unable to defend for himself, the worker with intellectual disability seemed to be a good target for someone to push the blame on."

Respondent P18 said she was overworked and underpaid for months, and suspected her employer was banking on the fact she was deaf and would endure the poor working conditions, hence the lack of care in how she was treated. She recounted her breaking point after repeated incidents of ill-treatment, and the employer's reference to her disability as a reason: "I was frustrated – why boss discriminate me? What I do wrong? Since first day, dislike me. Why? I been working hard to finish project, coordinate well with supervisor, but he can't learn to work with me. Boss say, you deaf, you finish the work now! I was so angry that I just go. I left."

Respondent 13 felt the sting of being regarded as having lower status compared to the other employees. He said: "They treat us as temporary job, temporary employee. Because they even...because they don't pay ... insurance all this, you know. That's why, they get all the employers to have this." In this case, the employers did not give full-time contracts to persons with disabilities, but only took them on temporary or contract-based terms to avoid paying for their insurance. Insurance for persons with disability costs more because insurance providers associated disability with greater health and safety risk. Furthermore, persons with certain types of disability are unable to be covered by insurance.

Respondent T29, SP1 said, from his experience, that some employment agencies arranged for workers with disabilities to be hired by companies on unfair terms, with regard to pay – "nearly half

of what their own in-house employees are paid”, and workload – the disabled employees had to do more work. He suspected this could only happen because the notion that for disabled persons, “all they need is a job, so you can pay them less and just give them a job” was entrenched and implicitly accepted by all parties, or at least by the employers and agencies if not the employees with disability.

### **3.2.2 Manipulation**

This is a more subtle type of discrimination which is less known and also not immediately obvious. Manipulation could be in the form of misusing the workers’ inherent qualities, such as public sympathy due to their disability, or being undermined by changes in working arrangements which seem innocuous but cloak the real intentions of the employers.

Respondent 06, who was working in a social enterprise, was unhappy as she perceived the organisation to be using the disability of the disabled employees as a sales pitch in its fundraising events and as a source of revenue. She felt it was demeaning as it aimed to tug at potential customers’ heartstrings and invoke their pity. She said: “I’m disappointed that they keep using ‘pity words’ to the customers of my disability.”

Respondent T29, SP3 felt that giving less desired and ‘unwanted’ jobs to persons with disabilities, in a way that made them feel forced to accept these jobs, was a form of manipulation. He said: “Actually, I think, over time, always, disability jobs revolved around.. most jobs that able-bodied don't want to work in. ... So they're always trying.. to manipulate their job to get, you know, disabled people to do it..”

Sometimes, unwanted workers are nudged out in discreet ways. An example was given by a VWO staff (T28) who cited her client, who was a part-timer, being given less working hours and, later on, not even told of a change in her work schedule. She felt the employer was attempting to make things difficult for the staff such that she would leave on her own accord.

### **3.2.3 Shaming and verbal putting down**

The following instances of verbal naming and public shaming were experienced by respondents as a direct result of their disability. These range from name calling to mockery of the victims’ traits related to their disability.

A shocking case of bullying was related by Respondent T29, SP4 with physical disability who had a distinctive walking style. When he was interning at a VWO serving persons with disabilities, he had chosen to return to a branch office after not coping well at the headquarters where he had earlier been transferred. Apparently, his manager did not take well to his decision and, in front of him and other colleagues, mimicked his gait to mock him.

Another case was that of a Respondent 10, who had taken on a job at a clinic, and underwent an unsolicited and insulting chat with her employer. She detailed the cringeworthy session: “First day of work. Boss had a talk with me in private, as I had disclosed my condition (depression) in resume. He told me straight ... he had doubt in hiring me because of my condition. He began to imply that with all the meds available at the clinic, he’s worried. Though he was hesitant to state the worries specifically. Then he began to ‘lecture’ in a sense (he’s a GP) that people with depression are, in a way, selfish, people like us need to look outwards instead of focusing on own issues.”

Respondent 02, who is deaf, was subjected to private shaming by colleagues who were unwilling to accommodate her slower mode of communication via writing. She said, “They ‘blamed’ me for asking them many questions and ... they called me ‘sotong’.”

In one of her jobs, Respondent 24, who has schizophrenia and depression, recounted being ticked off in public by colleagues, in front of customers, after making mistakes at work. In another, she said her superior was unsympathetic towards her despite knowing her disability: “.. my supervisor every morning was yelling at me, scolding me. Until I couldn’t take it.”

### **3.2.4 Disrespect, denigration and personal attacks**

Some respondents were on the receiving end of uncivil language and uncouth behaviour in the workplace. Such toxic incidents, as many of the affected respondents admitted, were psychologically upsetting and took a toll on their emotional equilibrium.

For instance, Respondent 18, who is deaf, said: “[The boss] had no patience in communication. After reading or writing what I wrote, he would throw the paper down and say aggressively, ‘What you talking about?’” Once, when she stayed late to complete work and requested to be allowed to have dinner first, she alleged that he shouted, “No! No eat. Finish work first!” and kicked her table in a fit of pique.

Respondent 01, who had difficulties fitting in socially with colleagues, recalled that they made jokes “about [his] failures and mistakes” and regarded him “more as [a source of] entertainment than their colleague.”

Respondent 06 was the subject of degrading remarks from her employer, a social enterprise which was supposed to provide jobs for persons with disabilities. She said she was hurt by such comments: “.. the employers said that if they never employ us, nobody will, and that we are begging for this job.”

For Respondent 30, he received curt and confrontational replies from his employer to his feedback on unfair treatment regarding promotion and pay issues: “If you’re not happy, you can always get a job elsewhere.” He felt there was an implicit understanding among the parties involved that he, the employee with disability, would find it difficult to find another job, and that was why the uncivil and aggressive tone could be used with impunity.

Respondent T30, SP2 related how the deaf employees at her company lacked a permanent place to store their belongings. She recounted how it affected one colleague: “..during her leave, things will change again without her knowledge, so she wasn’t informed, in the loop. Then she tried to find her things, it was all messed up everywhere. So she felt all the deaf workers were not important, basically they were treated like anyhow, they were treat like less important than everyone else.”

### **3.3 Moderate forms of discrimination as perceived by respondents**

Less serious forms of discrimination include negative attitudes of supervisors and colleagues towards employees with disability, such as treating them as social inferiors not deserving of the norms of respect or dignity accorded to others.

#### **3.3.1 Being disingenuous and breaking of promises**

Employers breaking of their word, paying lip service to promises, and misleading employees with disability were common issues faced by respondents.

Respondent 30, a wheelchair user, had worked for a number of years with an employer on the understanding she would be rotated to another department which was her area of interest after a certain duration. But she was eventually denied the transfer, supposedly because she was unable to fulfil one of the duties in the new position. She attributed the rejection to a lack of will and heart on the part of the company to do a simple redesign to the job scope. She recounted: "But the rest of the job, the majority of the job, I can do it. But they don't do it, they don't even think of that way! That means it shows that they are not sincere about hiring me. ...They should at least give me a chance to be interviewed!"

Respondent 13, who has physical disability, was dismissed just two weeks into a one-year contract. He had clearly indicated his limitations in his resume and during the interview, but after starting work, his boss expected him to take on tasks he could not physically handle. He felt it was unfair and recounted: "I can only do desktop work, programming, that's all. That's what I already told them already. They don't accept it later."

Respondent 06, who was in a social enterprise, was told during the interview that sales staff would be entitled to a certain percentage of sales proceeds achieved, and there would be staff benefits in terms of leave. Later she found otherwise: "Once I started working, they announced that the.. commission will be shared among all.. staff. Told me that i will have annual leave or medical leave. But till today, no such policy."

In another case (T30), the respondent had suggested having an awareness workshop to improve communication with the deaf workers within the company, "but in the end it didn't happen; they just skipped, passed (on) the idea."

#### **3.3.2 Breach of confidentiality**

Some respondents reported experiencing the trauma of having their privacy violated. Information about their disability or mental health condition were divulged to unauthorised persons without permission. This happened mostly to those with hidden disabilities who had made known their condition only to certain persons in their companies.

For Respondent 22, she had informed one colleague when trying to explain her bout of tiredness due to a relapse, but the private information was leaked to the rest of the company.

Respondent 08 reported that his lecturer revealed his condition to potential industrial attachment companies, which he felt ruined his prospects of employment.

### 3.3.3 Stereotyping and assumptions

Stereotypes of persons with disabilities related not only to the notion that they were unable to do certain tasks well or at all, but also on the nature of their characters, aptitudes and abilities based on minimal or one-off experiences with a member of the disability group. There were numerous cases of such stereotyping highlighted by the respondents.

For example, from her prior experiences, Respondent 02 expressed her concern that non-disabled people would base their impression of deaf person on a single negative encounter with a deaf person: "They think if one deaf person problem, they think all deaf people are like this person. Not fair to label us in this way. Why do to us? No different from hearing people who have similar problems." As the local deaf community is a small one, the worry that the entire community would be tarred this way was a real one. She added: "The companies should be educated that every disabled people are individuals. It does not mean that one person is 'lousy or having some cope problems', they assume the others to be same. Not true. Our attitude play important role that they should look at."

Respondent 12 highlighted the tendency by non-disabled people to compare persons with similar disability. When he approached his human resource department for help with his needs, he was unfavourably compared to another member of staff who had a similar disability and who could independently perform the function with which he needed assistance. He had to point out the common-sensical fact that wheelchair users were not a homogenous group: "[The other person] is sitting on a wheelchair. I am sitting on a wheelchair. Correct. But our medical diagnosis is not the same. The way we suffer from the disorder is not the same. Therefore, the way we perform, and what we can do, and how we can do [it] will differ."

The idea of persons with intellectual disability as being functionally unable to fit in the workplace was reflected in the case of Respondent T3, who narrated this initial, downbeat perception of her at the workplace (though she later came to be more accepted): "One of my colleagues treat me as really as Down's Syndrome's child. Working in an office... That's impossible. Because, Down's Syndrome, some can be, like, slow in their work, can't catch up, can't listen, can't follow instructions, will have mistakes, and not willing to learn. But, I'm not, um, offended them. I just... I accept because it's an office."

For Respondent T25, there were misunderstandings over her limited vision, which meant she had to use magnifier software and sit very close to the computer screen. She highlighted the lack of comprehension among her colleagues and supervisors on what she could and could not see, as well as her accommodation needs: "They don't know ... what is good partial field, they do not know what is bad partial field. They don't know, they don't understand. ... They find it weird when I look at the computer ... quite near ... they look at me as a slow worker, slow pace and ... basically whatever information that they want to disclose ... they trust more on the normal abled-body lah, not so much on me, because they feel that ... because of my impairment ... I cannot do that much.."

### 3.3.4 Paternalistic and patronising attitudes

A number of respondents felt that some co-workers, managers and even social workers put on a veneer of benevolence while interacting with them in patronising or paternalistic ways. This enabled the non-disabled parties to have ready excuses to treat the disabled workers less than ideally for apparently sound reasons. This led to some of them treating persons with disabilities as if the latter were incapable of making good judgements or decisions. Instead, they would dictate which tasks were admissible or suitable for the disabled workers, and which were not. The disabled person's belief that he is capable of performing the task was disregarded. Often, he was not even consulted at all.

This kind of attitude was common enough that almost every disability group had their own tale of woe to share. Respondent 02 provided an example of this widespread mindset. She said: "Deaf people have hard time to find jobs and we get rejected by the companies. ... They worry that they are over-concerned for our safety if we are given to work on marine or dangerous jobs. Society don't give us chance to prove our worth."

Respondent 16, a wheelchair user, also cited this rationale given to him for not allowing him to travel to meet clients: "[Employer said] 'You better don't, because you'll cause me trouble if anything happen to you... Your safety is our first priority, so we don't want you to do all these things.'" He had repeatedly tried to persuade his employers, but they remained unmoved.

Similarly, for Respondent 12, who has a physical disability, his employers would not assign him certain tasks, citing safety concerns or his apparent inability to undertake the work without first asking his opinion. However, he did not feel their reasoning was valid: "Yes, I know you're concerned for my well-being, but how can you decide whether to exempt me or not without even allowing me to try? Who are you to make that assumption for me?"

Respondent 04, who is deaf, struggled to gain the trust of her superiors in allowing her to take on more responsibilities. She concurred that employers often assumed too much: "... to ignore the PWD or to exclude the PWD from certain work activities just because they 'feel' that they cannot do and not willing to accommodate or have not let them tried it out first ... that is all about their perception."

Respondent 25, who has low vision, explained why she left a job – she had felt unappreciated and unvalued: "How can you see my capability when you keep on saying I ain't capable? And keep on looking at my disability. You keep on looking at my.. incapacibilities lah. 'You cannot see.' All my weakness, you only look at my weaknesses... and you don't want to look at my strength. So, what's the point of staying, right?"

Respondent 22 spoke of her anguish in being treated, in a negative way, as someone who is apart and alienated from colleagues at the workplace. She said: "Actually, I feel that we are just mentally ill. We also healthy people also. No need to draw a line so deeply lah. It hurts us a lot. Yah, so, the treatment they have for us, attitude, the way they talk to us, communicate with us, is very different when they find out that you are mentally ill patient."

On a different but related note, Respondent 10 felt that the employment placement and support services run by government agencies and VWOs had too low expectations of and targets for job

seekers with disabilities. She opined: “I’m sorry to say this, they recommend jobs that truly required no passion. Minimum wage. Like, any job is good, as long as you have one.”

### **3.3.5 Indirect discrimination**

Indirect discrimination occurs when a company policy, rule or practice applies to everyone in the same way, but has a more negative effect on some people than on others. Respondent 01 noted his company practice forbade employees from taking toilet breaks during working hours, and felt this rule was more disadvantageous for people with disabilities such as those with “physical deformities, all these bladder issues.”

### **3.3.6 Inaction**

Inaction on the part of superiors or management when a complaint is lodged by persons with disabilities also serve to degrade the legitimacy of their feedback. Colleagues and employers indirectly discriminate when they fail to act or respond to incidents of discrimination.

Respondent 19, who is deaf, went to her human resource department to ask for help in handling her colleagues who refused to write to her to communicate. She recalled the disappointing result, and which eventually led her to leave the company: “The HR just write down my complaint. No next step. When I quit, they ask why.. she just listen [and said], ok, thank you.”

Respondent 20, who was underemployed at his company, related how he had repeatedly appealed for an opportunity to expand his portfolio. He had approached both his immediate superior and the head of the company, and both had assured him they would look into the matter. But “nothing happened.” He, too, finally left the organisation.

## **3.4 Reviewing what discrimination means**

From the cases cited by respondents above, a definition of discrimination as perceived by them can be put forth – discrimination occurs when unfair treatment is meted out to a person with disability which is directly or indirectly linked to the disability alone; it is also present when a person with disability receives less favourable treatment, social respect and regard, and work opportunities compared to a non-disabled peer in the same position. This definition largely aligns with those articulated in the anti-discrimination laws explored earlier.

It should also be noted that discrimination exists on a spectrum, ranging from obvious forms to more insidious and invisible types. Discrimination which is explicit and out in the open (so to speak), such as harassment, may not necessarily be more serious than forms of unfair treatment which are more less overt, such as paternalistic or stereotyping behaviours on the part of employers. In fact, discrimination which are regarded as less severe are likely to be more pervasive and have adverse material impact on the victims.

## Chapter 4: Discrimination Across the Employment Journey

### Overview

Discrimination in employment against persons with disabilities is generally thought to occur only at the workplace, during the course of the daily work routine. It is assumed that the perpetrators are employers, superiors or colleagues of the victims. However, a more accurate portrayal of discrimination emerges when it is seen in the larger context, as a phenomenon that occurs throughout the entire employment journey.

This encompasses every stage of the employment process, ranging from discriminatory recruitment practices, lack of reasonable accommodation for persons with disabilities who are hired, unequal pay and working conditions, unequal or lack of career development opportunities, to unequal remuneration. It also spans less apparent aspects such as spatial and physical accessibility, communicative practices and collegial relationships.

Actions by different parties and stakeholders also affect the employment opportunities of persons with disabilities. For example, caregivers of and those in positions of power over those with disabilities (such as policymakers and employment placement officers) may steer them towards certain education and training choices, sometimes with adverse effects during and lasting long after employment.

In fact, the problem is so pervasive that almost no organisation or company is free from incidents of discrimination against job seekers or employees with disability. In fact, discrimination also occurs in places where it is least expected, and in organisations which are supposed to adhere to best practices, upheld as role models for inclusion, and therefore should know better. They include Disabled People's Organisations<sup>1</sup> (DPOs), Voluntary Welfare Organisations<sup>2</sup> (VWOs), government bodies, medical institutions and social enterprises that serve or hire people with disabilities. From the respondents' accounts, discrimination in employment matters had allegedly occurred at the Public Service Division (PSD), Institute of Mental Health (IMH), Singapore Association for Mental Health (SAMH), Bizlink and SPD among others. Details of incidents of discrimination at these organisations are discussed under other sections in this paper.

Lastly, it should be noted that most of the quotations by respondents, as presented in the following sections, are based entirely on verbatim transcripts of interviews or focus group discussions conducted verbally or using sign language (for deaf respondents who are sign language users). As such, the grammatical quality of the quotations are naturally not as polished as for written or pre-prepared responses; these should not be taken as an indication of the respondents' language ability or standard.

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<sup>1</sup> DPOs refer to organisations by people with disabilities for people with disabilities such as the Disabled People's Association and Handicaps Welfare Association. This does not mean that DPOs are necessarily superior or better compared to VWOs.

<sup>2</sup> VWOs refers to voluntary welfare organisations. Examples include SPD (formerly Society for the Physically Disabled) and Down Syndrome Association, Singapore (DSA).



#### 4.1 Pre-Employment

In Singapore, parents and guardians are legally responsible for the child or ward under their care till age 21, which give them disproportional power in shaping the educational choices and career paths initially taken by the person with disability. Even those who are older, in their early to mid-20s for example, are not financially independent and still rely on their families for support. But family members' decisions may not always be in accordance with the desires, aptitudes or preferences of the person with disability.

For example, Respondent 01, who has autism, related how his parents had deemed him less capable because of his disability. They dismissed his desire to undertake a course he was interested in; instead they pushed him to work in the family business. He recounted: "My parents literally dragged me to their company.. [they] refuse to support me through 'useless degrees' even ones like psychology which I can still do well."

While parents and guardians in general have good intentions for their child or family member with disability, it does not necessarily mean they are well-informed about their loved one's medical condition, abilities, needs and wishes. In fact, some persons with disabilities suffer from family members' ignorance, prejudice and discrimination. Besides inflicting emotional hurt, such negative attitudes also curb their aspirations and limit their future career options from the get go. One common issue highlighted by respondents is their family's low expectations of their educational and career prospects.

For instance, Respondent T29, P36, who has cerebral palsy, recounted her sibling's belief that she "should work in the call centre" as it was the ideal job for her, despite her aspiring to more. Respondent 35 arguably suffered worse, having to bear the indignity of being perceived and denigrated by his parents in the worst possible terms. According to him, their thinking was along the vein of "a disabled child is a useless child." Denigrations and other verbal and explicitly expressed slights from the person with disability's own family members understandably undermine their belief in their own capability and diminish their sense of self-worth. Besides the emotional and psychological toll on the respondents, this also impacts their career choices in the long run as then they start to internalise that they have an inherent lack of ability, or that they are only good enough for certain low-status and low-paying jobs.

A similarly prescriptive approach, at this early stage, by employment placement officers also results in restricting the person with disability's career options. Some respondents felt that they tended to be pigeonholed by service providers as ideal for specific jobs or best suited to certain industries, and were then steered towards these. Sometimes, they were pressurised to accept decisions on a take-it-or-leave-it basis. They often felt disempowered as they had little or no say in their choice of vocation, or were not given the chance to articulate their preferences.

Beyond the family, other respondents highlighted that most job-matching services seem to cater for those with lower educational qualifications or blue-collar positions. When they sought help from VWO or agencies, they were funnelled to certain jobs, or a limited range of jobs. As the alternative was unemployment, they felt compelled to accept jobs for which they were overqualified, or which did not match their skills or interests. This eventually led to underemployment and lack of fulfilment and satisfaction in their work. Illustrating this point was Respondent 33's experiences with job-matching agencies catering for persons with disabilities:

“[The VWO] and all... will tell you, we offer you a job. Please take it. Or else we cannot find.. another job [for you].”

On a similar note, Respondent 17 felt job-matching services were ineffective and lacking for those with higher educational qualifications or skills: “When I ask [*sic*] them my job expectations, they always tell me I am overqualified. So they always say, ‘I cannot help you, because your qualifications and expectations is high; I only can help disabled who cannot help themselves.’ Then I ask them in what terms they asking for. Then they say those disability jobs more like cleaning, F&B, cashier. If you want something ‘high’, you have to look for yourself. So I think, what is the point of asking them?”

One reason why this approach seemed to be commonly adopted by VWOs might be the funding model, which gauges the effectiveness of the programme based on the number of successful job placements alone, and excludes criteria such as job fit and client (employee) satisfaction or turnover. This might inadvertently have created a pathway to less desirable, low-status and low paying jobs for job seekers with disability, because such positions are easier to fill and fulfil the VWO’s performance quota.

#### **4.2 Recruitment Process**

Moving on to the first stage of the employment process – applying for suitable jobs and being shortlisted – many respondents said that they found it difficult to even get called up for interviews. A common belief was that the chances of getting a foot in the door of employment was diminished by their disability, specifically, by the prospective employer’s knowledge of this fact. Because of the difficulty in securing jobs on their own, almost all the respondents had previously sought or were then seeking help from job-matching agencies or services run by Bizlink, SPD, SG Enable, Institute of Mental Health, among others.

In some cases, there was no doubt the respondents were rejected solely because of their disability – the discrimination was direct, explicit and indisputable. An example was described succinctly by Respondent T29, SP4: “Some of them [employers and job agencies], when they heard that I have a disability, they just hang up the phone.” Another, a wheelchair user (P15) who turned up for an interview, recounted what was said to her face before being asked to leave: “No, no, no! Sorry, sorry. I didn’t know you are like that, handicapped.” There were more civil, though equally unfruitful, responses for Respondent T29, SP3: “Even I also call up, you know, advertisement also. Oh, yeah, yeah, we’re gonna employ you. Oh, then I... I have to be honest lah. I’m on wheelchair. Oh, sorry, cannot. The place is too narrow for you lah. So many excuses lah.”

That such blacklisting was occurring was reaffirmed by a VWO staff (Respondent T28, SP2), who was doing employment support work for clients with disability, and had experienced similar incidents. She had enquired, on behalf of her clients, about the openings advertised on online job portals. But when she revealed her clients are persons with disabilities, the prospective employers would then claim no vacancies were available.

Rejections can also be indirect, as in the applicant not getting the job because of the disability but are not told why or being given other reasons. Some respondents believed they were filtered out at the application stage when they disclosed their disability on their resume or on the application form. Others believed that they were rejected when they showed up at interviews with a visible

disability, or upon revealing their disability. However, unlike the explicit rejections in the examples presented in the preceding paragraphs, there is seldom definitive or conclusive proof for these claims, as employers would not explain their hiring decision or would cite other reasons for not hiring the respondents.

A persuasive indication that such discriminatory practices exist and might be rampant come from those with mental illness who, in their attempts to circumnavigate these barriers, inadvertently provided a test control. Some of them (Respondents 24, 26, T30, T31) said they had initially disclosed their disability in their resumes or application forms, and did not get interviews or job offers. When they started withholding disclosure of their disability, they subsequently succeeded in obtaining interview and job offers. For example, Respondent 24, who has mental illness, stated: “In my application form, the first time I declare, I didn’t get the job. So the second time I apply, I didn’t declare and I got the job.” Another respondent, who disclosed her mental illness at first and was verbally put down, claimed she never did face any cases of discrimination after that when applying for subsequent jobs: “Work-wise once off. Probably also because I never disclose my condition anymore after that.”

However, from at least one VWO staff’s perspective (Respondent T29, SP5), ignorance or uncertainty on the part of the employer is a valid reason to not consider persons with disabilities for jobs. In other words, he did not deem it a case of discrimination if employers choose not to hire persons with disabilities because they stated they do not have prior experience of working with such persons. He argued this is an understandable reaction when employers and staff do not know how to integrate or work with persons with disabilities. Without this knowledge, employers are naturally not confident that the person with disability can indeed work and contribute.

#### **4.2.1 The problem of disclosure**

It is pertinent, at this point, to look at the interlinked issue of having to disclose or share one’s disability during the employment process. This greatly concerned some respondents who strongly believed in the likelihood of such information being misused and abused. In other words, they thought it enabled discrimination by employers against job seekers with disabilities.

On the subject of revealing or sharing one’s disability during the employment process, there are two types of disclosures – mandatory and voluntary. In a mandatory disclosure, the job application form specifically asks for information pertaining to the applicant’s disability or medical status. Such requests are mandatory in nature; that is, the application form will state that the information is required, and any incomplete information given might result in the application not being processed, or that false information given, if discovered, would result in the termination of the employment of the successful applicant. In a voluntary disclosure, the employer does not require the job applicant to disclose his disability during the application or recruitment stages, and the applicant voluntarily does so.

Some job seekers with disability claim they would always reveal their disability, even if such knowledge is not sought by the employer. For this group, disclosure occurs either in the resume, application form or during the interview. They also tend to have disabilities which are visible and obvious, as when they are using wheelchairs (physical disability) or white canes (visual disability), or which cannot be hidden for long, as for those with hearing loss. Typical of such respondents are Respondent 19: “Yes, I always put ‘deaf’ [in both my CV and cover letter]” and Respondent 15: “In

my resumes, all, I put handicapped, hemiplegic, or left side is weak, or something like that.”

A few respondents opined that one’s disability should be disclosed as a matter of principle and for practical reasons. Respondent 14, who used to be in a senior position with the authority to hire, explained: “.. if you tell me that the person has a problem, at least I know how to be there to wait for him, to guide him and to support him. So some of these invisible illnesses are best known upfront, so that we know how to support, especially if it's to do with things like autism or ADHD... [so] I think you should tell, you should declare. It’s just that it shouldn't be the reason why you don’t get hired.”

Others adopted a different approach – they would not reveal their disability if this information was not sought for in the application form, nor would they indicate it on their resume. But if asked on the form or during the interview, they would then share the information. Among this group, some have visible disabilities, while others do not.

Lastly, a respondent with Down Syndrome opined: “For me, as a Down’s Syndrome, I want to keep it a secret, because I don't want people to find out that I have Down's Syndrome like them..” When asked if she would tell employers about her disability, her reply was: “I see no need to tell them that I’m a Down’s Syndrome.” This respondent had earlier said she was told she did not look like a typical person with Down Syndrome. Among other respondents with Down Syndrome, only one more replied to this query, and he felt differently: “Mine is from... since birth already noted.”

#### **4.2.1.2 Consequences and implications of disclosure**

For some people, especially those with less visible or hidden disabilities such as autism and mental illness, a consistent point of contention, and one about which they felt strongly, was the mandatory requirement in some job application forms to disclose one’s disability or medical condition. From their perspective, they are placed in an unfair and unfavourable position – being compelled to declare their disability and subjected to the stigma and discrimination that follow. If they do not wish to disclose their disability, they have to, in effect, forego the opportunity to apply for the position.

The point of contention is that their disability usually has no relevance to their suitability for the job, nor their ability to handle the scope of the work. Hence the requirement to disclose one’s disability or mental health status at the point of hiring is perceived to be unnecessary and oppressive. In addition, the Personal Data Protection Act (PDPA) requires parties who asked for such personal information to give notice of the purpose of collecting such data, and then to use the data only for the specific declared purpose. Yet, employers rarely articulate their rationale for wanting information about the job applicant’s disability or medical condition, and how these relate to the work scope. Some do not explain their rationale for collecting this data at all.

During a focus group discussion which comprised a support group for persons with mental illness, one respondent explained the moral dilemma and anxiety faced by those in his circumstances: “So when they actually go into that [job application form] column right, they freak out. And some of them just walk out of the... without attending the interview, because firstly they wanted to tell the truth, that they really have a mental condition, but then at the same time, the... because if they tell the truth, they might not get the job, and they might be judged.”

For those who found themselves repeatedly rejected, some felt they ended up being forced to withhold disclosure or falsely declare the absence of disability to improve their chances of merely securing an interview, much less actual job offers. In other words, they regard it as having no real alternative but to give false declarations or commit the sin of omission. Respondent 22, who has schizophrenia and depression, explained it this way: “I did not tell them my illness beforehand, so I hide the identity. I know it’s wrong, but because for the sake for a job and rice bowl, I hide my identity.” Respondent P26, who has schizophrenia, proffered a similar reason, which he indicated was common among members of the support groups he frequented: “That is when I attend those [mental illness] support groups, they tell us it’s all right not to disclose. Because the stigma thing is very strong, you see. ... They say to at least give yourself more chance. You don’t disclose, you will have more chance. You disclose, less chance definitely.”

From the responses garnered, it appeared this course of action is possible only for those with hidden disabilities such as mental illness, intellectual disability or autism. Some of them are able to pass off as non-disabled or without any medical conditions upon first impression; in fact, a number of them managed to conceal their disability from their employers over an extended period of time. Withholding disclosure of one’s disability might allow those with less visible disabilities to get in through the door, but it leads to an unintended and undesirable outcome: Since employers are not aware of the disabled person’s condition, accommodations would not be provided or offered at all. Some people with disabilities would not be able to cope with the physical demands or mental stresses of the work without accommodations, and this affects their ability to handle the tasks. They often ended up being terminated or resigning on their own accord. As a result, not sharing one’s disability could be self-defeating in the long run and harms both employer and employee.

One such case was Respondent 24 who was caught in a cycle of short-term job stints – she had successfully secured jobs without disclosing her mental illness to employers and colleagues, but did not last long at each workplace because of performance issues arising from her disability. She needed the understanding and accommodation of her colleagues and superiors that her occasional bouts of tiredness was due to her medication, but this was not forthcoming as they were unaware of her disability.

However, asking whether disclosure of disability should be done away with or made optional should not obscure the root problem here – rejection of applicants with disability by employers is not due to the disclosure requirements per se, but because employers are not ready to hire them. Other reasons why employers refuse to consider, or outright reject persons with disability range from ignorance and fear, to bias and prejudice. The consequence is the same in both cases – applicants with disability are not given an equal opportunity to be considered for the job.

#### **4.2.2 Inappropriate interview questions**

A few respondents recounted how they faced inappropriate, degrading or disrespectful questions during interviews. For instance, Respondent 10, who has mental illness and applied for a job in a medical setting, was subjected to the following questions: “Will you be violent? Will it be safe to let you work in environment with access to medicine and drugs?” This revealed a prejudicial assumption of the applicant’s supposed propensity for violence and which was unwarranted. In a similar case, Respondent 26, who had disclosed his mental illness, said the first question posed to him was: “What happen when you relapse? Tell me what happens when you relapse?”

Another example of an inappropriate interview session pertained to the irrelevancy of the questions to the job requirements. Respondent 14, who was recovering from a stroke, recounted: “They [the interviewers] start asking questions which normal interviewer won't ask. Like, can you stay till seven, eight o'clock at night? So I'm like, normal human being work till five, six o'clock.” She felt this line of questioning had to do with the interviewer's notion she was lacking in physical stamina, rather than a legitimate examination of her work aptitude. Such lines of questioning indicates that inclusive and empathetic HR practices are lacking. Not only is this unnecessarily uncivil, it also discourages applicants with disability during the job search process.

#### **4.2.3 Only good enough for 'bad' jobs?**

Another form of discrimination occurs when people with disability are hired only when employers are in need of manpower for undesirable or unattractive jobs which they struggle to fill. This is a form of exploitation and also might lead to ghettoisation of certain jobs for workers with disability.

For example, Respondent 26 highlighted how members of his support group for recovering patients with mental illness were relegated to having to take on telemarketing work, a job he claimed “the normal [non-disabled] people won't want.” He elaborated: “So, somehow, this is something like, reserved for us lah. Those recovered patients lah. Those who have difficulty working in a normal outside society job lah.”

Some realised they were among the last in the pecking order when it comes to getting a job. Respondent 01 said of his job application experience: “When they see that I have autism, [I] spoke to one mid-tier accounting firm who happens to be HR. He says you're not.. don't think we will hire you.. will hire your other classmates first.” He subsequently discovered his batch mates from his course had secured jobs before him. In the same vein, regarding his stint as a freelance tutor to students with autism, he mused that his own autism and understanding of how to teach his students effectively had given him an advantage, albeit in a backhanded manner: “Students' parents see me as the last resort when their usual tutors do not work. I am seen as a second-tier failsafe option.”

#### **4.3 Unequal remuneration, rewards and recognition**

Even when persons with disability succeed in getting the job, many find themselves at a disadvantage or unequally treated in various ways. One is being paid less for doing the same work or, sometimes, even doing more work as their non-disabled peers. Wage disparity between employees with disability and their non-disabled peers in the same organisation is a quantifiable dimension of discrimination. But to claim discrimination is at play here could be difficult to substantiate decisively as wage information is often unavailable or not easy to unveil. Most respondents did not have direct access to this information, though many of them suspected they were paid below the market rate or less than colleagues doing comparable work.

Nevertheless, some did manage to obtain information on this or make reasonably accurate guesses through various means, such as comparing their remuneration against industry standards or sharing pay information with colleagues. This issue appears to be a common one which affects most of the disability groups, including respondents with physical disability, those with autism, as well persons with mental illness, deafness and visual impairment.

Among those who stated they were not given equal pay for equal work was Respondent 18, who is

deaf and worked in a company with both deaf and non-disabled employees. She said there was a “pay difference; hearing colleagues get higher, according to market rate. But deaf colleagues, enter work start low(er).” Another deaf respondent, P2, only found out she had been underpaid when she joined another company and was told her expected salary, aligned to her former employer’s offer, was “lower than the market rate.”

Some staff from service providers felt this was the most serious form of discrimination, in that employers tended to underpay their employees with disability, even after supposedly taking into account their skills and experience which should have put them on par with others. As one of them put it (Respondent T29): “.. when we bring our clients to interview, they always give the lowest range, you know.” He felt it was “of course not fair” as the employer was biased in assessing the employee’s capability and giving too much weight to the disability. This seemed to evoke the strongest outrage among this group, perhaps due to the clear-cut discrimination and consequences for the clients who receive lower pay than non-disabled peers doing the same work. Others, though, stated their clients received reasonable and competitive wages.

#### **4.3.1 Why respondents accepted lower pay**

Respondent 43, who has mental illness, encountered this type of unfavourable treatment when she applied for a supported employment position for which a fast food chain had partnered with the support centre serving her. Knowing that she has a disability, the company offered her an hourly rate of \$5.50, which was far lower than the \$6.50 to \$8 being given to other employees. This was despite her considerable prior experience in the industry. Though she felt it was not a fair offer, her counsellor urged her to accept it as the “[counsellor] wants me to work so that I won’t think too much.”

Respondent 25, who has low vision, described herself as being “severely underpaid” for her qualifications and work performance in her jobs. When asked if she was satisfied with her pay, she stated: “I have to what, because I need the job.” And in explaining why she did not ask for a higher and fairer pay, her response is telling: “.. no argue, I cannot, I dare not, it’s not that I cannot, I dare not argue, because of my disability, so what, whatever they give, for me, I have to gain their trust first.” This particular sentiment is repeated by various respondents in different contexts, though there is a common thread running through them, as could be seen in subsequent accounts.

A deaf person, Respondent 20, had a slightly different take on this. He said a key reason he was hired for various jobs was due to his willingness to accept a relatively low salary, which was not in line with market rates: “I [took a] cut in pay, willing to accept low pay. Although I’m a degree holder, but low. ... I ask for the lowest pay and only then can get employed.”

#### **4.4 Unequal or unfairly onerous work conditions**

Some respondents stated that, compared to their non-disabled colleagues, they were treated unequally or unfavourably in various ways. Unequal conditions cited range from a lack of clarity of their job scope, dishonest employers, and social exclusion by both colleagues and employers. Not being given reasonable adjustments in the working environment, work scope and operational procedures was another key issue which kept coming up. However, the extent of unfair treatment being explicitly linked to the respondent’s disability or medical condition varies.

#### **4.4.1 Lack of reasonable accommodation**

The concept and provision of reasonable accommodation is a crucial one in enabling people with disabilities to function effectively at work. However, employers might be excessively rigid in their work practices and adhere strictly to standard operating procedures or established policies, but at the expense of disabled employees' needs and welfare. Employers might also not understand why they should redesign job scopes or provide flexible working arrangements in terms of timing, place, space and preferred mode of communication. They might also neglect to allow employees to explain and negotiate working arrangements to better support their needs. As a result, some employers provide accommodations which are less than ideal, in token form and at the employers' convenience. In the worst cases, some do not provide any accommodation at all. Such accommodations, as shown in the accounts in this section, are often inexpensive ones or easy to implement with some thought and input. Hence, it is a concern employers might not be aware of or taking this issue seriously.

##### **4.4.1.1 Lack of job redesign and modifications**

At times, companies could be resistant to making changes, even minor ones, to enable their disabled employees to cope or work better. Respondent 12, who has physical disability, had struggled with meeting quotas in his work. He devised a solution to address this issue, involving a different way of sending him database information. But when he proposed this to his superiors, it was rejected. He recounted with exasperation: "The [company] said, well, this is how our system works. So if they are not able to think of ways in which to redesign his job scope to help him to be more productive, what can I do? The redesigning of job scope is... is not happening. I mean, we talk and we preach about redesign job scope, try to do it better... Yes, but what is happening?" For him, it was a recurring problem and the reason his contracts at various companies were not renewed – they did not want to tweak established work procedures to accommodate his needs.

##### **4.4.1.2 Inflexibility in work schedules**

Flexible working schedules or shifts are a common request by respondents, but this is also seldom granted by their employers. In Respondent 24's case, the company was made aware of her mental illness, but insisted on having her maintain her punishing schedule when she started feeling unwell. Her request to negotiate a different working arrangements were rejected. Eventually she had to resign as the physical and mental stresses of the job overwhelmed her.

Respondent 13, who has physical disability, needed a longer time to walk from the bus stop to the company premises. When he tried to ask for a slightly later starting time, which he would make up for by ending work later, his request was rejected. He was eventually terminated after coming in late for work multiple times.

In the case of Respondent 21, a registered nurse who has mental illness, she had been given the doctor's endorsement to be allowed a more structured working schedule. This was to accommodate her medication needs in view of her diagnosis. But though she offered to step down from her managerial position to facilitate this, she was not given permission to and was instead given an unfavourable appraisal subsequently. Also not offered any accommodations for her mental condition, she was upset and demoralised, and eventually resigned.



#### **4.4.1.3 Non-inclusive design in physical environment**

Another oft overlooked accommodation is the physical design and layout of the workplace. Modifications and adjustments in this aspect to suit the employee with disability, though usually easy and cheap to implement, are seldom considered. Besides the common scenario of the workplace premises not being wheelchair friendly (and which was cited by wheelchair users), there are other spatial and design accommodations which come up for other kinds of disabilities.

For example, Respondent 01 prefers a quiet working environment as he has problems focussing in noisy places. But he was situated in the middle of the office and not relocated despite his request. He said: "I prefer quieter spots.. Never allowed the opportunity to sit in a quiet corner. Sensory overload affected my work performance."

Similarly, Respondent 03, who is deaf, had her request to sit in a better location ignored: "I do not like facing the wall. If colleagues tap me, it will give me a fright. Sometimes I waved [to] my colleagues (I thought they were with me), In the fact when I turned my head to left side, I realised they were not with me. The reason is that I could not hear them making a move out."

#### **4.4.1.4 Communication woes: My way or no way**

Communication challenges plagued many respondents with hearing loss, but this also impacts on respondents with other disabilities as well. For instance, Respondent 01 who prefers written correspondence in the office, experienced a communication breakdown with his senior colleague who refused to write and "only preferred to communicate with [me] via verbal means."

Respondent 14, who had speech and mobility difficulties, said that after her stroke, "I couldn't perform all my roles in its totality because I couldn't talk properly at the time. But given time and support, I could." However, she was not given the opportunity or accorded the patience to prove that she could. Instead, during meetings, she was told by her superior "not to say anymore because he finds it very difficult to understand what I am saying and I'm struggling to say." This left her devastated and depressed, and she felt useless as she was unable to lead meetings, a core part of her senior-level position.

For respondents who are deaf, this was a recurring and constant issue. Respondent 17, who is deaf but is able to understand speech with hearing aids, said: "I need people to be patient with me. I think incidents happen because of my ear abnormality. I don't have a normal ear like others. People, once they see me, when they talk to me, I told them please talk loudly so that I can hear you. But when you see (gestures to his eyes and then to his ear, shakes head), 'I talk to you so loud, must shout? Very troublesome, I don't want to talk to you anymore.' ... (They) feel very frustrated, later tell manager, 'Why this fellow don't understand me?'" Some of them were upset with colleagues who insisted on verbal communication, as in wanting them to lip-read what was said, which they were unable to do well or at all. The alternative communication mode the deaf workers requested for – writing – was ignored or brushed aside. One of them explained this sentiment in a resigned manner: "They think it is waste of time to write on the paper as it is generally more comfortable for them speak faster." Some were even told to do what they were physically unable to – understand speech: She exclaimed: "... they expect me to hear. To practice hearing. I told them I deaf. Cannot practice hearing. They still don't listen to me."

Rude and insensitive ways of communicating was another bane cited by some. Respondent 19

related the incivility she endured at work: “My boss sit behind, then she shout at me, shout shout shout, bang table.. colleague tell boss nicely, don’t shout, just tap my shoulder. But still don’t listen, still shout.”

Employers were also generally unwilling to pay for interpreters or note-takers for deaf employees for internal meetings or to attend external courses. The deaf employees were either excused from meetings or had to depend on ad hoc solutions such as getting written summaries after the meetings. Respondent 20, who was caught in this plight, recalled: “In lunch meeting, no interpreter. The meetings very important, update on project progress, or where need help. But I was ignorant of these. There were lots discussion. I asked colleagues to tell me what’s going on, but they say it’s not important, nothing to do with you. So I was like, huh, how, like that. I want to be involved, but can’t. Just sit there.”

Respondent 07 was even inexplicably told by her management to stop teaching sign language to her colleague, which restricted her ability to communicate easily.

Respondents with Down Syndrome (T32), who have intellectual disability, also brought up issues with the way they were communicated to and addressed. They generally indicated they wish to be treated in a respectful manner that is and not be seen solely in terms of their disability. As one said: “The part when my colleagues told me that I am Down’s Syndrome, I feel hurt.” Two of them also related their discomfort and dislike of a trainer who scolded them instead of adopting a more gentle tone like the other trainers.

These show that the importance of communicating with employees with disabilities in respectful and appropriate ways should not underestimated, as that can have a knock-on (secondary or indirect) effect, for good or bad, on their job satisfaction, performance and willingness to work past issues and stay on in the job.

#### **4.4.1.5 Accommodations which went awry**

Some forms of accommodation, while seemingly good-hearted and generous, could be unintentionally oppressive if they are done in a tokenistic manner or without further critical thought. Employees with disabilities might be beholden to the goodwill of colleagues and employers, who might turn out to provide accommodation only at their own convenience. Having a standard procedure, such as providing accessible toilets and ramps (for those on wheelchairs), is not enough. Employers also need to take into account their changing needs or when unexpected circumstances arise. Some employers hire people with disabilities without fully preparing to accommodate them, thinking that routine ways of doing things will work well enough. But this might not be true – the speed and priority of accommodation is critical for a person with disability, because without such accommodation, they cannot work effectively, or cannot work at all.

For an example of superficial accommodation, Respondent 06 in a wheelchair had to use an accessible toilet, which broke down. However, it was not repaired by his company, until he made a complaint to an external party. Fixing the facility was apparently not viewed as a priority by the employer, despite his clear need for a functioning toilet. Another instance was equally unfair – Respondent 12’s company had retrofitted a toilet, using a government grant, to be wheelchair accessible. It broke down one day and repairs took longer than expected. He was told by the management that he would be on leave for the duration of the repairs, but discovered, to his

dismay, that his salary had been deducted as he was deemed to have been on unpaid leave.

#### **4.4.1.6 What accommodation could and should be**

Thus, job modification and accommodations may not inherently be beneficial for persons with disabilities if implemented merely for the sake of it. These should be done in consultation with the employee with disability and, where necessary, a vocational social worker who could facilitate or guide the discussion. The ultimate purpose of which should be maximising the employee's potential, and not hinder the employee with a disability from doing work.

Respondent 23 made a similar point in arguing for flexibility and a more holistic approach to work-life other than number of hours and face-time in the office: “.. from what I personally encountered.. the bigger problem that I encountered personally is that employers expect you to put in the same kind of work as everybody else, that is the best for the company and expect you to do the same, even if you are unable to catch up as to their expected standard. They don't accommodate. ... If you want to increase productivity, we should stop focussing on longer and longer works hours and banning people from having breaks. They should instead focus on.. the results they produce, not on the work they do.”

#### **4.4.2 Social exclusion**

For many respondents, communication barriers pertain to the lack of a common or cohesive working language in the workplace and leads to exclusion in the social sphere. Respondent 02, who is deaf and only has written knowledge of English, struggled to work well with non-Singaporean colleagues whom she found uncooperative. She also found herself being ignored whenever she asked for clarifications or instructions. She commented: “Since they are foreigners, we have communication barrier due to their weak command of English language and their attitude is different from the local colleagues’. It is more comfortable to chat with the local ones than the foreigners.”

For another, Respondent 22, though she was on medication for schizophrenia, she was initially doing well at work. She had not disclosed her disability to anyone at work. But struggled with stress when she was promoted to manager, and confided in a colleague. When word spread about her condition, she found herself an outcast and given the cold shoulder, as she recounted: “When I didn't tell them this condition, they can accept. Then when I tell them about the condition already, they start to give me different kind of attitude and different kind of treatment.” This alienation from her team mates psychologically affected her to the extent her condition worsened, and she finally decided to resign.

Staff from service providers (T28) also raised this issue without prompting. According to one of them, a client found herself socially isolated at work; she was never asked to go for lunch together with her colleagues. Another client was left out from an informal WhatsApp group which his coworkers were in. They felt the lack of a social network or weak social ties within the workplace was a serious disadvantage for their clients, as it affected their ability to forge friendships, emotional ties and “let off steam” in the workplace. At its worst, workers with disabilities found themselves in a cycle of dropping out of jobs because of these interpersonal stresses and issues.

Being excluded socially does not always meant being shunned in an obvious manner. There are more nuanced forms of social exclusion which might not have been intended, as could be seen in

the case of Respondent 15, a wheelchair user. She recounted how, during most of her stints as a receptionist with various companies, she was asked to man the phone line during lunchtime. Because of her relatively limited mobility and longer time needed to make her way around outdoors, it was taken for granted by management and colleagues that was the optimal arrangement. Her colleagues would buy food for her on their way back to the office, and then she would eat at her desk. She explained she had initially agreed because she felt obligated to: "They are so kind to employ me, so I just sacrifice some of my lunchtime." But when asked if non-disabled colleagues would have agreed to this arrangement on a permanent basis, she asserted: "No. They will take turns. Definitely!" She was also unhappy about missing out on the social interactions with colleagues in a more relaxed and casual lunchtime setting.

Besides the unpleasantness and emotional anguish of being socially excluded, other aspects of social distancing also affects work performance in a material way. For instance, a few respondents (Respondents 08, P25, P26) reported that colleagues do not share essential knowledge or advice with them in work-related matters. Respondent 08 relates a typical situation: "Colleague who was supposed to train me did not do his part."

#### **4.4.3 Dishonest or unethical employers**

Sometimes, employers do not necessarily discriminate directly against employees with disabilities per se; rather, they make use of various loopholes to benefit in various ways from the hiring of workers with disabilities. Others take advantage of the vastly unbalanced power relationship between themselves and the employee with disability to exploit the latter.

For example, unethical employers would make use of employees with disabilities for their own business or commercial interests, by taking advantage of various government quotas and schemes meant to aid Singaporean workers and workers with disabilities. He recounted his experience with a job at a restaurant which was facilitated by a VWO providing employment matching and support services. The VWO had proposed paying an allowance of \$4 per hour and requested the restaurant to match that. But the boss of the restaurant offered to pay only his CPF and provide free meals because, as the respondent explained: "Firstly, I'm a Singaporean, so by paying my CPF, he gets to employ foreign workers." He also suspected the restaurant would have benefited from the Special Employment Credit scheme, and to his demerit.

A lack of clarity in the job scopes of workers with disabilities and unclear communication are problems which expose them to uncertainty and also unfairly bear the responsibility for mistakes made at work, though no direct fault of theirs. Although this may be a problem that applies to all employees in general, the disability community is more susceptible and the impact greater. Unclear or changing job scopes affect more badly this group of employees because of the need for accommodations and job modifications. In such a high-stake relationship for employee with disability, these need to be done right at the outset.

For example, Respondent 06, who worked with fellow colleagues with disability for a social enterprise in a sales capacity, said: "We were never told to find our own customers until the day i started work." P2, who is deaf, had a similar gripe: "They did not guide me well. And their introduction was not clear. It seemed that they did not bother to answer my questions when I was not sure. ... They just gave me the task without the instruction."

#### **4.5 Unequal or lack of training opportunities and career progression**

The lack of opportunities for taking on more work responsibilities, promotion and climbing the career ladder was a burning issue for most respondents who cited it as one of their biggest causes of annoyance. A number were underemployed and doing less than they were able to right from the start, while others were disappointed to be assigned lesser duties when they had come on board expecting to be assigned work which matched up to their skills and knowledge. Some respondents were assigned entry-level, basic or unrelated tasks for prolonged durations during their employment, despite their qualifications.

One example was Respondent 04, who has hearing loss, in an accounting position. She lamented: “I had been assigned very basic duties. ... I had heard from other colleagues that my manager seem to be overloaded and I should help, but actually, he never delegated much to me. Being able to handle complex accounting transactions is the opportunity that was not given to me.”

Respondent 20, a tertiary-trained engineer who is deaf, did data entry work and other simple tasks for five years, though he had been hired in a professional role as a quantity surveyor. He said his superior had admitted: “I don’t know how to give you work.’ That’s why all the data entry and other unimportant work give to me.” As a result, his progression up the ranks was slow compared to colleagues, and eventually stalled. He said: “My colleagues much faster. ... Because they can speak very well. While I can’t.”

##### **4.5.1 Safety concerns or crisis of confidence?**

Misguided concerns on the part of employers about safety issues or scepticism about their ability to undertake tasks also posed an obstacle for some respondents. Because of such fears on the part of employers, their job scopes were modified or limited compared to non-disabled colleagues, such that it resulted in the unintended consequence of diminishing the value of their work.

For example, Respondent 02 said: “I felt that they changed the tasks I had. Perhaps, because they might think I am not good at doing some of the tasks. Because they feel that I cannot do anything as they did not instruct clearly. Needed to know what to do by asking them, but they seemed that they did not want to write anything. They told me off as if ‘go away’.”

Respondent 16, who had stroke and is a wheelchair user, had asked to take on a larger and more advanced scope in the form of a sales role – this, however, would require him to travel to meet clients. His request was turned down, the reason being concern for his safety while on the move. But he had asserted he was an independent traveller and that safety was not an issue as most places were accessible. He felt that he was not given adequate opportunities to prove his ability, and that the company “actually restrict, put a lot of barriers in front of me that for me to advance my career... You stop me to doing this, stop me from doing that.” As a result, he felt he was stagnating in a lower level, office-bound position and was also unable to increase his salary.

Respondent 04 found herself sidelined, ostensibly because she was unable to take phone calls. Prior promises by her superiors that she would be given the chance to handle extra job responsibilities were not fulfilled. Instead, her non-disabled assistant, who she had trained, leapfrogged her and took on the additional duties as the assistant could handle phone queries from suppliers. What was galling to her was the fact she had been using alternative forms of communication with suppliers without any issues. On this incident, she reflected: “I think that not

being given the opportunities to perform or being sidetracked is the worst [and most] unfair treatment for me. Can do more [and] willing to contribute more toward the company's growth, but not given the opportunities."

#### **4.5.2 Unequal training opportunities and career progression**

Persons with disabilities received fewer opportunities to attend training or courses on the basis of their disability, which resulted in slower career progression. Such practices not only damage the career prospects of people with disabilities but also the company as a whole, because of the failure to maximise the potential of its human capital. With their qualifications and/or previous work experience, persons with disabilities could have taken on larger roles and more advanced, higher-skilled tasks, but were not allowed to or never given the chance to prove themselves. When their skills and abilities are under-utilised, the company do not reap the full benefits of employees' expertise.

In Respondent 01's case, the employer, who was aware of his disability, denied him the opportunity to undergo training to become a chartered accountant, and did not give a clear explanation beyond saying he was "not suitable."

For Respondent 20, who required a note-taker or sign language interpreter to access courses, was not provided these services and noted: "I feel the worst discrimination is opportunities not given. When I ask, can I do this? The answer is, cannot, cannot. Or I ask, can I take this course? The answer is, cannot, [because] cannot communicate, and cast you aside. Most of the time, I get bypassed. ... When company offer list of courses or events to attend, they never invite me; they give to everyone else."

The case of Respondent 38, who is blind and has a Master's degree, was a particularly egregious one. According to him, he had been recommended by his manager to be promoted to a supervisory position, and which was at first accepted by the head of the organisation. However, this decision was later reversed by the head who allegedly told him: "We cannot give you the promotion because you cannot see." Instead, the position went to a newly hired staff who had less education and experience. This pattern was repeated after the supervisor left the organisation and the replacement turned out to possess only secondary education. The respondent also highlighted the fact he had to work under these two supervisors and write their reports for them as they lacked the language skills to do so. He reflected: "So, you know, the idea is that because you cannot see, so you cannot be promoted. Your role is just always to play a supportive role."

One troubling consequence of denying employees with disability equal opportunities using business or safety-related reasons (which seem legitimate on the surface) is that they might internalise such rationales and come to believe in their inferiority or lack of suitability when it is not actually the case. Safety concerns are also difficult to dispute or disprove on the part of the employee with disability, which further strengthen the employer's hand.

#### **4.6 Unfair dismissal and treatment when leaving employment**

Some respondents claimed they were dismissed from their jobs without any justification or without going through proper procedures. The minimum requirement of providing a proper reason for the termination and communicating this to the affected employee was not met. Others experienced badly managed exit processes. Some examples of unfair termination are cited below

Respondent 01, who was asked to quit on the spot after he had requested time off to leave earlier to attend a function. No reason was offered other than a vague statement of him not being a fit for the company. Although relations had been strained over the previous months, to the respondent, it was still a sudden and unexpected turn of affairs.

Sometimes, the termination appeared to be arbitrary or on the spur of the moment. An example was Respondent 13, a stroke survivor with mobility issues who had successfully navigated an interview, a technical test and received the job offer. After signing the letter of appointment, he had gone to the toilet and slipped along the way, hitting his knee. Apparently, this was witnessed by a staff member and reported to the management. The respondent was then informed he had been let go from the job with immediate effect, with no reason given at all.

Also distasteful was having colleagues seeking, usually in an indiscreet manner, to be rid of an employee with disability and expressing relief when that materialised. Under normal circumstances, they might have expressed regret. But not in the case of Respondent P14 who felt pushed out; as she noted: "My supervisor was very happy 'cause he wanted me out. Because he felt I was not being.. I was not whole. So he wanted me out."

## Chapter 5: Causes, Effects & Concepts of Employment Discrimination

Previous chapters established that discrimination occurs throughout the employment journey, and that there are different forms of discrimination which exist on a spectrum. This chapter consists of three parts. It examines why discrimination occurs; looks at the effects of discrimination on affected individuals, organisations and society; and lastly, attempts to provide insights into how the pertinent framing of the concept of discrimination could inform relevant approaches to tackle the issue.

Early research studies on discrimination are grounded in conflict theory (e.g., Blumer 1958; Blalock 1967, 1982; Reskin, 1988; Martin 1992; Jackman, 1994; Tomaskovic-Devey, 1993; Tilly, 1998). According to this theory, those who benefit from systems of inequality protect their privileges by using the resources they control to exclude and exploit members of subordinate groups. However, conflict theoretical approaches contain several limitations. They overlook the social psychological and cognitive processes through which group motives give rise to outcomes that preserve group interests, as well as the variation in employment discrimination across contemporary workplaces.

The following sections adopt the social cognitive theory to frame the discussion on the causes of discrimination. Based on this theory, much discrimination stems from cognitive processes that occur regardless of individuals' motives. These social psychological and cognitive processes are activated by organisational arrangements and social structures in society (Baron and Pfeffer, 1994). Thus, understanding the factors leading to discriminatory behaviour necessitates a close examination of the complex inter-relationships between the individual (referring to both the discriminator and the discriminated), organisations and society.

### 5.1 Causes of Discrimination at the Individual Level

#### 5.1.1 Cognitive factors

According to social cognitive theory, discrimination stems from normal cognitive processes that occur regardless of individual's motives or desire (or lack of desire) to do harm. People automatically categorise others into in-groups and out-groups. Categorisation is accompanied by stereotyping, attribution and evaluation biases which, in turn, introduce bias into perceptions, interpretations and evaluations of persons with disability. Left unaddressed, these can produce outcomes that perpetrators neither intend nor recognise.

**5.1.2 Social Categorisation:** The categorisation of people into in-groups and out-groups is a rapid, automatic, non-conscious process (Reskin, 2000). Categorisation into in-groups and out-groups is often based on disability because it is perceived as a primary identifying characteristic of a person – a master status – and which have long been the base for differential treatment (Hughes, 1945). Overt forms of discrimination such as social ostracism, as mentioned in the earlier sections, are behavioural manifestations of this cognitive bias. As Respondent 22 put it aptly, “They [the colleagues] want to show that you are you, I am I, we are no longer us.”

**5.1.3 Stereotyping:** An inevitable concomitant with categorisation, stereotypes are unconscious habits of thought that link personal attributes to group membership (Reskin, 2000). Once the observer notices that the individual belongs to a stereotyped group (especially an out-group),



characteristics stereotypically associated with the group are activated in the observer's mind (Bodenhausen, Macrae, & Garst, 1998). These stereotypes influence the observer's behaviour and judgement regarding the "target" who becomes the object of scrutiny.

Many respondents shared that they were stereotyped in negative ways, as being incapable of having a job or performing certain tasks. For example, Respondent 20 said, "[Colleagues] were ignorant of my abilities... and allocated unimportant tasks to me to complete, including photocopying sets and binding them for colleagues." Respondent 04 shared a similar experience: "There [were] rumours that I was not able to handle certain job functions due to [my] inability to answer phone calls." Respondent 25, who has a visual disability, said, "[Colleagues] feel that because of my impairment, I cannot do that much." Respondent T32, SP5 was told by her colleague that people with Down Syndrome (like her) are "slow in their work, can't catch up, can't listen, can't follow instructions, will [make] mistakes, and not willing to learn." In addition, many respondents with mental illness were labelled "violent" and "crazy". During interviews, a common question faced by Respondents 10, 22, 23, 24, 26 and 47 – who had declared their mental illness on their job application forms – was whether they would be violent. Respondent 10's integrity was further impinged on when the interviewer asked if he could be trusted in a work environment with access to prescription drugs and medication.

The cognitive processes involved in stereotyping make stereotypes tenacious. People unconsciously pursue, prefer, and remember information that supports their stereotypes; they conversely ignore, discount, and forget information that challenges such stereotypes (Fiske, 1998). The lack of prior interaction or sustained and meaningful engagement with employees with disabilities facilitate this process. A few respondents reported that they were the first person with disability to be employed at their respective organisations, or the first person with a disability with whom their colleagues had interacted. Respondent 16 said that his employers "lack the knowledge and exposure because they [have] never work[ed] with... fellow colleagues with disabilities before." Similarly, Respondent 20 claimed that her colleagues were ill-informed about mental illness and the work of the Institute of Mental Health (IMH), simply because they did not know anyone with mental illness except her. Respondent 25 shared a similar sentiment: "They were not really exposed [to] disabilities...I was the first disabled person that they employ[ed]... They don't know, they don't understand."

**5.1.4 Evaluation Bias and Attribution Bias:** Stereotype-based expectations influence the way in which observers assess the targets' performance and account for their successes and failures (Crocker, Major, & Steele, 1998). When the actions of a person with disability conform to their expectations, they tend to attribute such behaviour to stable, internal propensities such as work (in)ability. These stereotype-based expectations breed biased attributions (Reskin, 2000). For example, persons with disabilities are stereotypically not expected to perform well at their job, resulting in ready and convenient explanations for their failures or when they fell short – that they lack the requisite ability (an internal trait), and are likely to fail again in the future. In contrast, their counterparts without disabilities are treated in a more forgiving manner; they are given the benefit of doubt or accorded more chances when they make mistakes at work.

A case in point was Respondent 01 who was fired, allegedly due to his poor work performance. But he surmised that his autism was "used as the perfect reason because [he] faced even more limitations in employment." Respondent 13's work contract was terminated immediately after a company employee witnessed him slipping and falling in the office toilet, and which was the sole

reason for his sacking. Respondent 23 reported that he was “singled out for punishment for even the most minor things all the time” while his colleagues – none of whom have a disability – were able to escape punishment for their mistakes. When Respondent 47 made errors at work, her colleagues attributed blame to her mental illness.

**5.1.5 Prejudice:** Left unchecked, these unconscious biases – stereotypes, evaluation bias and attribution bias – may coalesce into a more general form of prejudice.<sup>3</sup> A person may have knowledge of a stereotype but do not endorse the stereotype or accept that it is valid (Devine, 1989). On the other hand, individuals whose personal beliefs overlap substantially with the stereotype may become prejudiced. Such was the case for some employers and colleagues who endorsed negative stereotypes of persons with disabilities, while ignoring, discounting and forgetting conflicting information about their positive traits and work ability.

The case of Respondent 14 illustrates this phenomenon. The respondent had performed well at work and was promoted. Shortly after, she unfortunately had a stroke, which led to oral communication problems and affected her presentations during senior management meetings. Her supervisor felt “uncomfortable”, as she put it, and advised her not to speak during meetings, though leading and taking verbal charge during meetings was a major part of her work. Feeling devalued, she decided to leave. She said that her supervisor was “very happy” about her resignation “because he felt... [she] was not whole.”

In another instance, Respondent 18, who is deaf, was doing a project and worked well with the supervisor who was happy with her performance. Yet, according to her, her boss treated her unfavourably compared to the other employees, as he “had no patience” and was reluctant to write to her to communicate. She said, “I feel insulted. I worked hard but no reward. Never praise me. What kind of boss is he?”

And for Respondent 20, she had proven herself, rose quickly at her job and enjoyed good relations with her co-workers. However, all this was upended by her colleagues’ discovery of her depression and subsequent shunning of her. Respondent 44, who had a similar experience, surmised the behaviour of his colleagues towards him as stemming from a specific reason: “When they learn that you have schizophrenia right, whatever good record you ever had with them, whatever good experiences you had with them, is all gone.”

## **5.2 Effects of Discrimination at the Individual Level**

At the level of the individual, discrimination imposes costs in terms of poor mental health, loss of trust in people and organisations, diminished self-worth and financial instability. The impact of discrimination also goes beyond the individual and intrudes more broadly into the workplace.

### **5.2.1 Negative Impact on Self**

For many respondents, discrimination took a toll on mental health. Several with chronic mental illness reported that their condition deteriorated. Respondent 01 said that his depression and anxiety disorder grew worse. Respondent 08, Respondent 14 and Respondent 21 had suicidal

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<sup>3</sup> Prejudice refers to an unreasonable negative attitude that does not get readily modified when exposed to new and conflicting information (Fishbein, 2002; Thornicroft, Rose, Kassam, 2007).

ideation. Respondent 22, who has depression, had a relapse and was institutionalised at IMH for a week. Respondent 08 and Respondent 20 experienced depression.

Effects on mental health were long-lasting for some individuals who experienced particularly traumatic incidents. Respondent 08's blood pressure remained high after an incident of discrimination. Respondent 22 continued to visit IMH for medication and said that each time she received an injection, she felt pain "physically, emotionally and mentally." Respondent 23 reported suffering from recurring nightmares. Respondent 24 was so emotionally scarred by her experience that she became fearful of returning to work.

For others, discrimination diminished their sense of self-worth. Respondent 01, Respondent 20, Respondent 16, and Respondent 26 reported feeling "worthless" or having "low self-worth". Respondent 01 said, "I just doubt myself. I feel as if much of my energy has been sapped by setbacks because no matter [what] I do, [it's] not good enough." Respondent 16 said, "I'm not that so-called productive in this company.. and not being made to a full use of my skill and my knowledge in the company." Respondent 10 and Respondent 22 felt "ashamed" of themselves.

Some respondents lost their ability to trust others, which made social interactions fraught experiences. Respondent 13 became distrustful of small and medium-sized enterprises where he had encountered severe discrimination: "I don't like to join anymore. Not secure." He felt bigger companies had better staff welfare and human resources policies and was more inclined towards them. After experiencing an incident of discrimination, Respondent 22 preferred to work alone or in a silo, and not as part of a team. She explained, "I don't dare to trust people anymore.. I don't like to mingle with friends anymore. I look for jobs that I work alone, so I don't need to worry too much about how they feel, how I feel."

Discrimination also affected their ability to support themselves financially. Voluntarily or involuntarily leaving a job as a result of unfair treatment resulted in loss of future earnings, promotions and upward mobility for some respondents. Respondents 12 and 14 reported having financial woes as a result of leaving their jobs due to discrimination, and having difficulty finding new ones. Respondent 22 landed her family in debt because she was unable to pay the utilities bills. In addition, Respondents 16 and 38 said the lack of career development opportunities restricted their income growth.

Whether due to unconscious bias or active prejudice, discriminatory behaviour translates to unequal opportunities or a lack of opportunities for people with disabilities in the workplace. Non-prejudiced responses can be learned, and can also serve as acceptable alternatives to unconscious responses when interacting with persons with disabilities. (Devine, 1989). Thus, discrimination against people with disabilities that stems from unconscious bias should not be seen as acceptable or permissible, especially when these have important material consequences for them.

### **5.2.2 Vulnerability: Fear of reprisals, unbalanced power relationships, lack of know-how in getting help**

Compared to their counterparts without disabilities, persons with disabilities generally appear to be more vulnerable to discrimination by unethical employers and colleagues. Many spoke of feeling a

general sense of helplessness, resulting in inaction and passiveness. They were willing to tolerate unfair treatment because they feared

losing their jobs and existing support from perpetrators if they raised the matter. Some respondents attributed the nature and prevalence of discrimination partially to the vastly unbalanced power relationship between themselves and employers, which appears more lopsided than for non-disabled persons. In contrast to their vulnerability, they perceived the companies and organisations which employed them as entrenched in positions of power and holding most of the cards in the relationship.

Further reinforcing this impression was the fact a number of respondents used the same or similar phrases – “don’t want to burn bridges” (both in English and Mandarin) – to explain their reluctance to pursue avenues for redress in incidents of discrimination, even in extreme cases in which they were unjustly terminated or felt forced to resign. Respondent 22 echoed this typical view: “Actually I wanted to, to get back all my rights and things like that, but I don’t want to worsen the case.” The following illustrates the frequency and range of this particular sentiment.

Respondent 01 said, “At that point of time, I just wanted a job so whatever emotions that came to me, I just ignore them.. If you need a job, give up your dignity. You don't have anything, so you just work.”

Respondent 33 rationalised his compliant behaviour: “We all disabled. We dare not to voice out. We want to safeguard ourselves... We want to save ourselves. I have to play safe... I want that job. I want to live. I want to work. I want to carry on [in] this job... If I make [a] complaint, then I don't know where... would my next job be like?”

Respondent 12 did not voice his displeasure about being subjected to unfair treatment as he felt that “those with disabilities are always a little more dependent on some people... I need to continue to have good terms with people because when I am in the office, and when I have issues, I’m dependent on them. I have to have a good relationship.”

Respondent 23 said, “[My superior] can do anything to me, whatever she wants, but I can’t touch her.”

Two respondents shared their experiences on this during a focus group discussion and explained their passive stances thus: “.. we don't have the courage to do so ah. ... We just accept it as what it is” and “We don't want the conflict to reflect badly on us as employees. ... [We will be seen as] the cause of the conflict in the end.”

Respondent 12 put it in terms of interdependency: “I need to be in the good books of everyone in the office ... because one way or another I will need some help from them. ... I need to continue to have good terms with people because when I am in the office, you know, and when I have issues, I'm dependent on them.”

Of particular concern were those who were so used to discrimination at work that the notion of addressing, or at least responding to, the issue failed to cross their minds at all. When probed for suggestions on how she would deal with similar incidents of discrimination, Respondent 24 replied she had not given it much thought, and Respondent 25 simply said she did not know. Respondents

were also less able to protect themselves because of their lack of awareness and knowledge of employment rights. For example, Respondents 15, 20 and 24 had heard of the Tripartite Alliance for Fair and Progressive Employment Practices (TAFEP), but were unaware of what it does. Respondent 20 assumed that TAFEP focused only on elderly workers, while Respondent 25 had no knowledge of TAFEP at all.

Some respondents were unaware of the various employment programmes that could enhance their employability, or were uncertain about the type of accommodations required to meet the needs arising from their disability. Respondent 04, for example, did not know about the Open Door Programme (ODP) though it could have made a difference for her in obtaining accommodation at work. At the time of her employment, Respondent 24 was uncertain of her mental illness, its symptoms, as well as how her colleagues and employers could help her manage the condition. For those who were aware of the programmes and the accommodations they require, some did not communicate their needs to employers, or did not know how to do so, or assumed there was no need to. For instance, Respondent 13 assumed that his prospective employer was aware of the programmes available to help modify the workplace and make it physically accessible to him, and thus did not mention it during the interview.

### **5.3 Causes of Discrimination at the Organisational Level**

The cognitive processes discussed above directly influence an individual's propensity to discriminate. The work environment, however, can either counter or permit the effects of these habits of the brain. This section looks at organisational factors which permit cognitive biases: These include an absence of a formalised evaluation system, lack of accountability in decision-making, and a culture of productivity in the workplace.

#### **5.3.1 Absence of Formalised Evaluation System**

As mentioned above, stereotyping and its concomitants distort the way in which employers interpret and judge the behaviour of their employees with disabilities. Consequently, performance evaluations that are based on unstructured observations are particularly vulnerable to cognitive bias (Fiske, Bersoff, Borgida, Deaux, & Heilman, 1991).

Two respondents reported being unfairly assessed and were dismissed by their employers. Respondent 01 was abruptly told to quit because the organisation had deemed him unsuitable for the job. He was given no other explanation. Respondent 08 had a similar experience; he felt his employers were not being "honest" with him about his work performance when they told him to leave due to his alleged "performance inadequacy". He remarked, "They just [said] that I didn't make it but the thing is that they weren't clear about it." That employers' evaluations of employees' work performance were subjected to cognitive bias was a sentiment shared by employment placement officers. Speaking about a client who had received negative feedback about her work performance, Respondent T28, SP6 claimed that the criteria with which her client's performance was evaluated had been unclear and "subjective".

#### **5.3.2 Lack of Accountability**

The biasing effects of stereotypes and other cognitive distortions on evaluative judgements could be reduced if decision makers knew they would be held accountable for the criteria they use to make decisions and for the accuracy of the information upon which they base these decisions (Salancik and Pfeffer, 1978; Tetlock, 1992; Tetlock & Lerner, 1999). Anti-discrimination and

affirmative action laws and regulations are examples of mechanisms which hold organisations responsible for fair recruitment practices, composition of job assignments and dismissal.

By the same token, the absence of accountability permits evaluators to make judgements and decisions based on unstructured observations without fear of backlash. Respondent 46 felt that victims of discrimination have no legal resource if employers violate the provisions laid down in the Employment Act. Having worked in the Human Resource (HR) department, Respondent 14, shared that HR staff would know how to discriminate, without being exposed, during the hiring process by exploiting loopholes in the TAFEP guidelines: “We can explain 101 things as to why we cannot hire you...I’ll just say you don’t fit the culture, [and] you can’t fine me.” On those who acquired their disability while in employment, she added, “There are no policies on how to help someone [with disability]...The policy is ‘Let’s get rid of them’... for both private and public companies.” Her sentiment was shared by Respondent 12 who pointed out the lack of existing guidelines on how local SMEs can integrate persons with disabilities in their workplaces. Respondent 38 highlighted that professionals, such as executives, are not covered by the Employment Act and they cannot approach the Ministry of Manpower (MOM) for assistance when faced with such issues.

### **5.3.3 Culture of Productivity**

Another causal factor is the non-accommodating culture of organisations that justifies exclusionary behaviour based on economic reasons. The sharing of several respondents suggested that their employers embraced norms that prioritised revenue and profits over the rights of employees.

Respondent 04 was passed over for promotions despite her nine years’ service because, compared to her colleague, she was unable to “get the work done quickly”. Respondent 20’s employer refused to engage a sign language interpreter when he realised the company had to pay for such services. For Respondent 21, despite informing her employer that she was unable to commit to longer working hours due to the symptoms of her mental illness, the employer insisted on sticking to the original schedule and told her to “stop being so fussy.”

Furthermore, several respondents reported that their coworkers did not slow down to accommodate their needs – efficiency was valued as an important trait in the workplace. For Respondent 23, who has autism and requires regular breaks during the work day, this accommodation was not acknowledged by his employer who expected him to work continuously. He said, “..they only care about efficiency, [and] they mistake working long hours [as] efficiency.” Respondent T29, SP3 shared a similar sentiment: “everybody is just pushed towards one goal in Singapore – that’s making money... Humanity is basically killed by your bills.” Respondent 03 reported that her colleagues were “too busy” to properly explain her job responsibilities. Respondent 04, who is hard of hearing, found it challenging to be included in conversations at her workplace. She commented, “It is human nature that people want to talk naturally and not slow down.”

### **5.4 Effects of Discrimination at the Organisational Level**

Discriminatory treatment reduced the job performance of the affected persons. As mentioned in the earlier sections, several respondents received little or no opportunities to develop work-related skills and build supportive relationships within the organisation compared to their fellow employees. Respondent 01’s talents were not utilised by the company as he was denied the opportunity to undergo training to be a Chartered Accountant. Respondent 04’s manager refused

to entrust her with more duties despite her willingness to take on larger responsibilities. These lost opportunities might have degraded their ability or motivation, or both, at work and thereby reduce the effectiveness of their job performance. According to the human capital theory, differences in employment opportunities are directly attributable to differences in productivity. As people advance their education, knowledge and skills, their productivity increases. Conversely, the lack of opportunities results in inefficiency and lowered productivity.

Impaired mental health is also likely to incur organisational costs in that it might lead to absenteeism and other withdrawal behaviours. The various examples of respondents leaving organisations in response to their declining mental health as a result of being discriminated against have been identified in the earlier sections. Two cases are highlighted here. Pressured to take on longer working hours by her occupational therapist and employers, Respondent 24 became mentally exhausted and decided to quit. Social exclusion by her colleagues worsened Respondent 22's depression and she subsequently left the company.

Other organisational costs include poor morale, camaraderie, and teamwork which in turn affect productivity. Respondent 12's morale was badly affected when his bosses excluded him from team-building activities without first seeking his opinion. Upon finding out that Respondent 22 has depression, her colleagues ostracised her at work. They refused to cooperate with her, affecting operations at the accessories shop where they worked.

## **5.5 Causes of Discrimination at the Societal Level**

At the societal level, there are four main forces that contribute to persistent discrimination in the workplace: narrowly focused support and unintentional biases from Voluntary Welfare Organisations (VWOs); inadequate government policies and programmes; negative media portrayals of persons with disabilities; as well as cultural and societal influences.

### **5.5.1 Voluntary Welfare Organisations**

Some respondents felt that VWOs contribute to discrimination in some ways. Besides prejudice and stigmatisation, there is also unintentional discrimination. According to some respondents, there are VWO staff who have the attitude that they know what is best for clients and do not take into account the client's feedback. Nor are other, larger aspects of the work environment that determine workplace satisfaction, such as job accommodation, attitudes of coworkers, and client readiness taken into serious consideration.

For example, an employment placement officer matched Respondent 19 to a job in which the employer lacked understanding about deafness and the appropriate methods of communication. To determine a company's readiness to hire a person with disability, Respondent T28, SP5, an employment placement officer, reported that he would assess the HR managers, the management, and line managers. His focus was on the upper management, but this overlooked the equally important role of colleagues, alongside whom the client would work, in building a supportive work environment. Respondent 43 claimed that most clients with mental illness were unable to hold jobs for a long period of time because the agency staff failed to provide orientation programmes to ease them into the workplace.

Furthermore, several respondents reported that they received inadequate support from social service professionals – such as social workers, occupational therapists, employment placement

officers – in mediating the discrimination they experienced. Respondent 06 felt that her social worker was rather passive and could have done more to address the unfair treatment she faced; one example would be to help her speak to the boss. Some fared worse. For instance, Respondent 24's occupational therapists were not interested in hearing about her workplace issues at all; they cut the conversation short and hung up the phone.

Here, the case of social service professionals who advised their clients to keep their jobs despite encountering unfair treatment is examined. According to Maslow's hierarchy of needs, the basic human needs must be satisfied in a strict sequence as follows: Physiological, Safety, Love/Belonging, Esteem, and Self-Actualisation (Maslow, 1943). Based on this theory, the social service professionals had appropriately prioritised their clients' physiological needs (ie. income for basic needs like food and shelter) over more intangible, higher-level needs (such as self-esteem, dignity or feelings of self-worth). However, this approach oversimplifies human needs and only focuses on one element of the clients' problems. Others, such as psychoanalyst Carl Jung, have argued for the greater importance of the reverse order – respect should come first for the needs to be effectively met (Jung, 1976). Respondents also felt their opinions and feelings should be respected and taken into account when being dispensed advice. Respondent 24 informed her occupational therapist that she was unable to cope with the working conditions, but the latter insisted that she stayed on with the job for the income. The rationale of making a living as the overarching criterion for the worth of a job was echoed by Respondent T28, SP4, an employment placement officer. When her client shared about the unfair treatment she faced at work, Respondent T28, SP4 advised her client to keep the job because “she needs the money.”

Of special concern is the alleged lack of empathy and “heart” on the part of some social service professionals, as reported by respondents. Instead of investigating the reasons behind their clients' inability to hold their jobs for a sustained duration, the staff would “blame” or “punish” the clients. Respondent 24 claimed that her occupational therapists were unable to see things from her point of view. Respondent T29, SP3 felt that his employment placement officer was biased towards employers. When Respondent 33 wanted to resign from a job secured by an employment placement agency, the employment placement staff blamed him for not doing his best and said, “The disabled [are] not reliable.” Respondent 43 witnessed a staff finger-pointing and shouting at a client with mental illness for not keeping his job. She also shared that the staff would lock up clients who absconded from work in a “prison cell” with “only one cubicle and a bed”, and crudely reject any reasons given by the clients for not wanting to continue with the assigned jobs.

One reason for such styles of managing clients appeared to be linked to the organisation's performance evaluation system. Some social service organisations use Key Performance Indicators (KPI) to measure staff performance; such key indicators usually focus on the total number of clients successfully trained and matched to a job. Consequently, these social service professionals may attempt to match their clients to any jobs in order to meet their KPIs, sometimes at the expense of their clients' welfare, because the clients might not be equipped with appropriate skills and knowledge to do the job being assigned to them. As Respondent 43 said, “Some of [the professionals] have so much expectations [from their] clients just to meet their KPI that clients actually go back to (being institutionalised) again.” This sentiment was echoed by other respondents – Respondents T29, SP3 and SP9 believed that their service providers did not respect the wishes and interests of clients, but were more concerned with meeting their own work targets.



Persons with disabilities may also feel uncomfortable with social service professionals assigned to their cases, and thus choose not to divulge or share information about the harsh treatment they face at work. When asked why she did not to share her concerns with her workplace trainer, T32, SP5 said, “He will give a lot of excuses. I don’t like it.” When the affected persons did not share their experiences, , the unfair treatment they faced at work would pass unnoticed and un-rectified.

### **5.5.2 Government Policies and Services**

Several respondents perceived government initiatives to be severely lacking in terms of building a supportive work environment and tackling workplace discrimination. Singapore has signed and ratified the United Nations Convention on the Rights of Persons with Disabilities on 30 November 2012 and 18 July 2013. However, Respondent 08 perceived the document to be a “paper tiger” without teeth: “It has not changed anything for me or the ASD/ADHD community.” He noted further that most official government-funded services and programmes are targeted at those with more severe disability, and less on those with low to moderate disability. Respondent 14 reported that she had a high position in the organisation and so was not covered by the trade union and TAFEP. Respondent 18 felt that TAFEP’s incentive-based approach of “praising” and rewarding companies with certificates has no real benefit for disabled employees; her own social enterprise where she worked had received a TAFEP commendation certificate, but she felt it did not make any difference in combating discrimination. Respondent 23 opined that TAFEP has limited jurisdiction in dealing with workplace discrimination.

### **5.5.3 Negative Media Portrayal**

Negative media portrayals of persons with disabilities, especially those with mental illness, contribute to and reinforce stereotypes of persons with disabilities. Respondent 08 said that newspapers cast people with disabilities in a bad light. Respondent 22 lamented that those with mental illness are often depicted as “crazy” and “violent” by television programmes, conveying to the public an inaccurate and negative picture of those with this condition.

### **5.5.4 Culture and Societal Influences**

A company’s culture is often influenced by the country from which it originated and the laws present in that country. Many Multi-National Corporations (MNCs), especially those from home countries with anti-discrimination laws, have explicit mentions of “equal opportunity” employment practices and aspirations of diversity in the workplace stated in their formal, published human resource (HR) statements. For example, the United States’s Americans with Disabilities Act legislates specific protections and measures to ensure equal opportunities for those with disabilities in the workplace. This may explain why Respondent 35 found it easier to get a job with a US-based company, as well as his subsequent positive feelings towards the company. The presence of inclusive HR policies in MNCs indicates the important role of legislation in cultivating a mindset of inclusivity among employers and colleagues.

Several respondents highlighted the different treatment they received at local companies versus multinational corporations (MNCs), with the former being less inclusive compared to MNCs. Respondent 35 was unable to find employment with local companies, but was eventually hired by a US-based company which he felt “valued” him. While working in an MNC, Respondent 12’s colleagues would send him text messages to ask whether he had taken his lunch and checked in on him whenever he was away from his desk for an unexpectedly long period of time. These forms of showing care and concern, he said, were not adopted by colleagues in a local company.

## 5.6 Concepts of Discrimination: Consequences and Implications

As shown earlier in this chapter, at the individual level, there are many forms and causes of discrimination. People are influenced by cognitive factors such as social categorisation, stereotypes, and other forms of biases in their behaviour towards others. This points to one way to tackle discrimination – by ‘correcting’ or changing the belief systems of individuals who harbour such cognitive biases. However, discrimination is not purely an individual construct, but also consists of deeper structural causes. The earlier sections on discrimination at the organisational and societal levels indicate that it occurs in more pervasive and systemic ways, beyond the level of the individual perpetrator. Stigma, for instance, could be defined, more narrowly, as a prejudicial attitude, but it could also reflect a broader social process in which cognitive, attitudinal, behavioural and structural elements interact to create and perpetuate social inequities, discriminatory treatment and disadvantage people with disabilities (Stuart 2006). Since discrimination stems from larger structural causes as well, it is neither sufficient, nor effective to focus only on mitigating measures targeted at the individual who harbours malicious intentions or wrong-minded notions about persons with disability.

What is also essential and equally important is reforming the broader system of rules, norms, and incentives that contribute to discrimination against persons with disability. In other words, in addition to services providing interventions for individuals, modifying societal norms and systematic behaviours are necessary as well. After all, measures such as providing services to train and job-match persons with disability are limited in their effectiveness if societal perceptions and attitudes remain unaccepting or ignorant of them. This also aligns with the social model of disability, which states that disability is not inherent in a person; instead a person is disabled because of physical, attitudinal and psychological barriers around him. To take an example, a wheelchair user is not disabled due to the fact he is physically unable to move independently, but because of external obstacles. These can be in the form of physical form, such as flights of stairs, or mental models, such as prospective employer’s negative mindset towards disability, that a person in a wheelchair is ‘abnormal’ and unfit for the job.

To reflect this holistic approach, the following definition of discrimination could be adopted: “Discrimination is caused by a combination of vulnerability that is exploited intentionally, opportunistically or unintentionally. Discriminatory behaviours might be reinforced by policy context (for example, the lack of adequate legislative protections), organisational incentives (such as the profit motive of companies and even of VWOs beholden to certain KPIs), or the broader, prevailing culture in which the person with disability is immersed (such as the lack of adequate understanding and empathy, and a lack of respect or desire for diversity and inclusion).”

Such a definition allows for the recognition of the diverse ways in which people with disabilities are made vulnerable and deprived of equal rights not because of any inherent shortcomings on their part, but because of external factors. In turn, this leads to the acknowledgement that such vulnerabilities exist and those who fall within vulnerable groups are in especial need of protection. Vulnerable persons are those with a greater likelihood of being denied adequate satisfaction of certain legitimate claims, and therefore such persons deserve special attention, care or protection (Tavaglione et al 2015). It is in this sense that employees with disabilities are vulnerable in the workplace— the likelihood of equal opportunity and fair treatment is low, so they deserve special attention and protection. This approach also recognises that discrimination falls along a spectrum. Some incidents of discrimination are intentional and malicious, others are unintentional

and indirect, but the end result is the same – harm is inflicted. Therefore, it is important to include and categorise types of discrimination that result from ignorance, or from well-meaning but misguided assumptions, as a form of discrimination too. This concept has, in fact, been recognised by various anti-discrimination laws and defined accordingly.

In addition, it acknowledges that there is interaction between individual cognition, attitudes and behaviours with structural elements (Stuart 2006, Link & Phelan 2001), and avoids the pitfall of framing the issue largely as an individual tragedy and interpersonal problem. Because of the common assumption that most employers are discriminating out of fear or ignorance, the reality of discrimination stemming from malice and based on prejudice is often overlooked. Addressing this would require certain countermeasures and protections such as legislation and penalties, beyond the current focus on public education and incentives. To put it another way, using ‘carrots’ (for example, financial incentives) works well with those who are merely uninformed and would do the right thing if educated. But ‘carrots’ have no effect on those who engage in conscious maltreatment of their employees despite knowing better, and having no ‘stick’ to beat them which only allows such instances of discrimination to persist and fester.

## **Chapter 6: Why discrimination is hard to detect**

Many forms of discrimination may go unnoticed due to their very nature. As a result, some employers are able to discriminate with impunity because of the difficulty in detecting them. For example, some kinds of discrimination are overlooked as they are not commonly recognised as such, or because those on the receiving end do not speak up (except in special circumstances such as during the interviews conducted for this paper). It is also possible that artfully crafted justifications or plain ignorance on the part of both perpetrators and victims allow discrimination to escape detection. This chapter looks at the factors which make discrimination a hidden phenomenon which is difficult to clarify or prove.

### **6.1 Salary disclosure rules and norms**

Wage differentials are not easily detected by employees with disabilities because salary benchmarks may not be available, while salary non-disclosure rules and norms prevent them from finding out whether they are being underpaid. Persons with disabilities may be kept in the dark when they are paid less than the market rate, or less than their non-disabled colleagues doing comparable work. In fact, some of our respondents reported wage differentials and attributed it to disability discrimination.

For example, Respondent 02 found out that she had been underpaid in a prior job only after she moved on to a new company where that employer informed her that her previous salary was lower than the market rate. This is consistent with research that shows wage differentials between employees with disabilities and those without (Mann & Wittenburg, 2015; DeLeire 2001). However, it is important to disentangle the wage differences linked to productivity differences alone from those arising exclusively from discrimination (Malo & Pagan 2012). In other words, it is possible the disparity in pay is due to the different amount or quality of work produced by employees with disability compared to their colleagues, and not because of the disability per se.

Non-disclosure rules and privacy norms ensure that salary information remains difficult to access. Pay confidentiality rules help employers avoid workplace conflict resulting from possible jealousies and strife in the workplace amongst employees who may observe wage differentials, but without possessing the full information necessary to evaluate the justifications (Bierman & Gely 2004: 178). Some employees also support these rules, citing privacy reasons, because they are concerned that it might lead others to think less well of them or jeopardise their especially favourable salary (Bierman & Gely 2004: 176).

However, such rules and norms largely protect employers' interest and highly paid individuals and not employees generally. This is so well-recognised that the National Labor Relations Act (NLRA) of the United States has a clause to protect the rights of employees to engage in "concerted activity for the purpose of...mutual aid or protection" and the federal courts there have regularly held that discussions among employees regarding their wages represent the "protected concerted activity" per section 7 of the NLRA (Bierman & Gely 2004: 168-9). In effect, the NLRA outlaws the pay secrecy and confidentiality rules commonly imposed by companies.

## **6.2 Ignorance about rights and unfair treatment**

Sometimes discrimination is hard to detect simply because the disability of the person prevents recognition of unfair treatment when it happens. For example, Respondent 05 recounted how the supervisor of a production line of workers with disabilities had made a mistake resulting in items being placed in the wrong boxes. Instead of owning up to his error, the supervisor blamed it on a worker with intellectual disability who did not know what was happening, much less understand that he was being accused of making the mistake, and was therefore not able to defend himself. The worker would have been unfairly maligned if the respondent, who was working in the same organisation, had not reported it to senior management and their occupational therapist. As the respondent put it, “the worker with intellectual disability seemed to be a good target for someone to push the blame on”. From this case, it indicates that employees with cognitive impairments may not even realise it when they suffer unfair treatment.

Ignorance about what counts as appropriate work or a reasonable workload within their job scope also caused some to remain oblivious to the fact they were being unfairly treated. Respondent 33 recounted witnessing a case of a team of employees with disabilities (who have either Down Syndrome and hearing loss) at a supermarket being taken advantage of, in that they were ordered to do more work, and more physical tasks, by their non-disabled colleagues. He said of the victims, “They don’t know how to complain...they thought that’s their duty, you see”. When asked whether any labour union had ever helped to advocate for their rights, one replied, “.. as I’m a handicap, I never join union.” Workers with disabilities are, of course, eligible to become union members, but he had somehow acquired the notion that such workers had fewer rights and were not even eligible to join a labour union.

Many people with disabilities, after experiencing similar incidents repeatedly, have come to accept such treatment as the norm or as reasonable. However, not so susceptible to this mode of thinking were those who acquired disability later on in time, when their subsequent treatment by the company stood in stark contrast to the way the company had treated them before they acquired the disability. An example is one respondent who had extensive work experience in factories and in managerial roles, before he had a stroke mid-career and became a wheelchair user. After that, despite explaining to his boss that he was able to undertake a higher level work scope such as liaising directly with and meeting clients, he was not allowed to do so. Instead, he was limited to home-based and desk-bound work, making him immensely aggrieved.

## **6.3 Pseudo-legitimate reasons by businesses, internalisation by people with disabilities**

Discrimination may remain undetected due to the ease of finding seemingly valid business-related justifications for not hiring, not promoting, or not giving more opportunities to persons and employees with disabilities. For example, employees with disabilities may not be given an opportunity to face customers in frontline or service roles, supposedly due to accessibility or efficiency reasons. Or, Respondent 14 said, employers may argue that the person did not “fit into the company culture” as one of “101 reasons” why they were unable to hire the candidate. Business requirements which seem legitimate on the surface and intangible factors such as “organisational culture” become convenient justifications for the employer’s discriminatory decisions. These seemingly defensible stances are not easy to argue against or dispute. It is only when undertaking thorough critical thinking about the rationales offered, and exposing them as flimsy or tenuous, that discrimination becomes more evident.

More worrying is that some persons with disabilities have come to accept unsound accounts of

their disabilities and normalised bad treatment. Worse, they have even internalised disability stereotypes and attributed blame upon themselves in not being able to be hired or do certain tasks effectively. In effect, this means that they consider that the unfair treatment and actions inflicted on them are not discriminatory, but rather are understandable and acceptable reactions to their disability. For instance, Respondent 22, who has schizophrenia and depression, blamed herself for revealing her condition to a colleague who subsequently leaked it to the rest of the team, resulting in her being rendered a social outcast by them. The fact that her trust and privacy was violated, and that her colleagues did not behave rationally and succumbed to the fear of mental illness, did not diminish her guilt. She was too ready to feel she was somehow at fault.

When this happens, people with disabilities become complicit in the act of discrimination. In this sense, they have internalised unsound assessments of themselves as valid and not discriminatory. The case of Respondent 26 illustrates this mindset. The respondent had a downbeat view of the employment prospects of his peers with mental illness, as well as the type of jobs they are able to handle. He regarded telemarketing as a lowly paid and undesirable job, yet one which people with mental illness should feel grateful to have a chance to apply for, simply because of the relative lack of competition and greater ease of getting hired. This brief opinion of himself and peers with the same disability said a lot: “Frankly speaking, mental patients can’t contribute much...they can’t go and do a top job.”

#### **6.4 Silence out of fear, embarrassment, or even gratitude**

Discrimination is also prone to slip under the radar because the vast majority of the victims keep silent and do not take any action to assert their rights or halt the ill-treatment. When conditions becomes intolerable for those who experience unfair treatment, many simply leave the job instead of seeking recourse. This may be due to the fear of reprisals upon those who speak up. As Respondent 14 said, it might be perceived as a “way of sabotaging people” if a complaint is made alleging discrimination. Another reason might be the local culture of maintaining outward harmony, being non-confrontational and not showing negative emotions publicly.

Also not to be understated is the desire to maintain relations with those in positions of power at all costs, even if the goodwill is not reciprocated, or at least not offend them. One of the more common reasons cited for inaction or passive acceptance was not wanting to “burn bridges”. Others felt embarrassed and humiliated, and escalating matters, which would only bring more attention to their plight, was the last thing on their mind. In fact, some refused to share such incidents with others because it would make them “lose face” as Respondent 01 stated. Yet others thought that pursuing the matter would not be effective or serve any purpose. They felt powerless and also did not feel they has a strong case, lacking clear proof of wrongdoing on the part of their employers; some did not know how to proceed.

More surprising are those who did not want to “make trouble” for employers because of their gratitude for being given an opportunity to work, notwithstanding the subsequent less-than-ideal treatment in the workplace. They had silently tolerated unfair treatment by their direct supervisor or colleagues to avoid disrupting the collegiality of the work environment. An example was cited by Respondent 15, who was expected to work throughout lunch. She explained why she was willing to accept this: “I need the job to support my mother, to support my family... give and take... they are so kind to employ me, so I just sacrifice some of my lunchtime”. Others, such as Respondent 06, were self-sacrificing in another way. They said they did not raise incidents or patterns of unfair

treatment because their companies had a social mission which they believed in, and they wanted to support the cause.

### **6.5 Informal means of coping are not officially documented**

Even when people with disabilities responded to discrimination, they mostly resorted to informal means of coping and rarely pursued formal means of recourse. Most respondents shared their experiences or sought advice from friends, families, trusted colleagues and social service professionals. Formal methods, for example, filing a complaint through official channels such as the Ministry of Manpower (MOM), senior management or human resource department, were rarely used.

A few did escalate matters, such as Respondents 03 and 18, as their cases pertained to clear-cut issues such as underpaid or unpaid CPF and wages, so they sought the help of MOM and also enlisted family members (as liaisons) to help them resolve the matter. Since informal actions seem to be seldom documented, they do not help bring to light cases of discrimination to the authorities or employers. While workers with disabilities may feel more comfortable with these coping strategies or felt these are sufficient, it ironically makes discrimination harder to detect and record.

## Chapter 7: Recommendations

In the previous chapters, the findings of these issues, based on respondents' interviews and focus group discussions, were presented and analysed – what the types of discrimination are, where it occurs during the employment journey, what causes it, why it is difficult to detect, as well as the concepts and approaches pertaining to discrimination. A working definition of discrimination was also proposed in the immediately preceding chapter.

The concluding chapter builds on these and, based on the insights and problems identified, puts forth recommendations to address the most urgent issues and mitigate the most serious ones. Working upwards from the individual level to the role of companies and VWOs to possible governmental measures, the following recommendations are meant to present general outlines of feasible solutions to tackle discrimination in the workplace, at various stages of employment, and vis-a-vis different stakeholders. It also provides a launchpad for in-depth discussions, critiques and further studies on this topic.

### 7.1 People with disabilities, caregivers and families

Within the family setting and at the individual level, there is room to better prepare and equip the job seeker with disability for the employment journey ahead.

- a. For persons with disability at the pre-employment stage, it is important to provide their families and caregivers with balanced and accurate information about their condition or disability, and to minimise stigma and shame. Families and caregivers should not harbour unnecessarily pessimistic expectations about their abilities and employment prospects, or to subsequently shackle their prospects because of misplaced concerns and fears. Such educational and informational outreach could be undertaken by disability VWOs, special education schools and official agencies such as SG Enable.
- b. Those looking for jobs, or already in employment, can benefit from workshops aimed at building their social skills and self-acceptance, and learning how to combat self-stigma. Currently, this kind of training is already being provided to a certain extent (such as preparing for interviews, presenting one's best self, etc), but their content and effectiveness can be further reviewed and psychosocial aspects incorporated. Involving peers with similar disabilities who have done well in their careers and who possess first-hand experience in navigating the potentially treacherous waters of employment would also be helpful.
- c. It is equally important to ensure that workers with disability are aware of the relevant employment laws and rights, understand what discrimination is, and how to identify cases of employment discrimination. It is also useful for them to pick up self-advocacy skills, such as knowing what they can do about instances of discrimination via the currently available avenues and mitigation measures. Workshops and orientation courses can be designed to empower workers with disability by making sure they receive all relevant information pertaining to their employment rights.



## 7.2 Companies and Employers

It is increasingly common for MNCs and large companies or organisations to have explicit HR 'diversity and inclusion' policies to promote fair and equal treatment of employees with certain characteristics such as disability or being from minority groups (which causes them to be more vulnerable to discrimination). This is an encouraging trend, but there is no standardised policy which applies to all employers, nor are there enlightened policies universally present. On their own, or in consultation with national labour and employment-related bodies (such as MOM, TAFEP and SG Enable), employers can be encouraged and educated to undertake the following measures which directly addresses the issues raised by respondents.

- a. During the hiring process, employers and HR professionals should ask job applicants for accommodations which they require, rather than compel them to 'disclose' their disability. In addition, employers should only request the applicant's disability status if they can explain the relevance of this information to the job, and indicate the accommodations they are willing to make for the different forms of disabilities.
- b. Employers can work with HR professionals and job-matching practitioners on a process to ensure, from the outset, that the employee with a disability is aware of, and agrees to, the job scope which should be clearly stated and defined.
- c. The provision of accommodations should be done in consultation with the employee with disability and facilitated by a vocational social worker if necessary.
- d. Within the company, there should be outreach and educational initiatives (in the form of workshops, orientation sessions, etc. for superiors and colleagues to understand the necessity and impact of accommodations on the productivity and retention of staff with disabilities.
- e. A formalised and transparent evaluation process, in which an employee with disability is assessed holistically and based on his work performance, should be implemented. Evaluation should be supported by documentary and other forms of evidence. This is to ensure that employees with disability are fairly assessed in their work performance.
- f. Employers and HR professionals can establish and implement HR procedures relating to allegations of discrimination made by staff with disability. These procedures should guarantee the confidentiality of the affected worker as well as the impartiality of the investigation process and speedy settlement of the complaint.

## 7.3 VWOs and Employment Placement Agencies

VWOs play an important role for many persons with disability in providing employment-related training, counselling, job-matching and support services. The following recommendations seek to address the gaps identified by respondents and improve the organisations' services.

- a. VWOs can review how they assess employers' readiness to hire employees with disability in terms of knowledge and understanding of the disability, the adjustments needed and level of commitment. They can work with employers on an action plan to accommodate the needs of the employee on a sustainable and long-term basis.

- b. There should be more attention paid to social and interpersonal issues such as collegial relations between employers and employees. VWOs can work with employers on how new employees with disability can be better socially integrated.
- c. VWOs can assist employees with disability to specify the kind of accommodations required and the support or resources available on the part of the employer, so that prospective employers can better assess the feasibility of hiring and anticipate any issues that may arise. [L] [SEP]
- d. VWOs can conduct a client-centric and holistic assessment that includes aptitude, preferences, and values assessment, instead of only looking at qualifications and work experience. The client's personal preferences should be accorded equal importance, or at least taken into account instead of being ignored. Clients should be given the opportunity to find work within the entire range of jobs they are interested in, instead of being restricted to certain fields. [L] [SEP]
- e. There should be regular follow-ups with clients who have been successfully placed in jobs, and particular attention given to their level of job satisfaction, as well as their psychological and emotional well-being in the workplace. [L] [SEP]
- f. VWOs can also assist employees with disability to identify and understand how to make use of the feedback and grievance procedures at their workplace.
- g. VWOs can consider conducting qualitative and quantitative research on the competency of staff, and the effectiveness of their services. This would bring to light under-served needs and identify clients who fall through the cracks in the existing system and processes. [L] [SEP]

#### **7.4 Government**

Ideally, an official governmental task force or Parliamentary Committee can be established to study the necessity of enacting a Disability Discrimination Act. Many developed countries, such as Australia, Japan and the European Union member states, have enacted anti-discrimination legislation to support people with disabilities in employment and accord them protection from discrimination. "The philosophical roots of contemporary anti-discrimination legislation are in a social model of disability that views disability as the product of society's attitudinal and structural barriers, rather than the result of an individual's physical or mental impairment" (Stuart 2006: 524) This also takes into account that discrimination stems from larger structural causes in how rules, norms and incentives at the workplace have come about and become entrenched, and that the cause of discrimination is not confined to the individual's cognitive biases and resulting propensity to discriminate.

If the authorities deem legislation mandating detailed provisions and penalties pertaining to employment discrimination as casting too wide a net or too large a leap at this stage, a more limited approach in the form of mandatory guidelines can be deployed instead. This would serve to curb the more egregious forms of discrimination and those which clearly stem from unfair practices. To take an example in Singapore, companies which terminate pregnant employees without just cause, or which put up job requirements based on race or religion without justification are subject to punitive measures and required to undertake remedial action. In the same way,

there should be a framework of deterrence, supported by penalties, to reduce the prevalence of discrimination against people with disability in the workplace. Some possible scenarios and guidelines are listed below.

- a. Companies which ask job applicants to disclose their disability should be required to show they need this information in order to provide accommodations, or show they are committed to making adjustments to the physical environment or to provide services when requested. Alternately, employers should only be allowed to ask about job applicants' disability status if they can explain the relevance of this information to the job, and also need to indicate the accommodations they are willing to make for different forms of disabilities. This is to prevent disability disclosure (imposed by employers) being used as a way to avoid hiring persons with disability.
- b. HR practitioners and HR management curriculum can be mandated to include diversity and inclusion content which provides an adequate understanding of disability issues. Research has shown that participatory research helps HRM practitioners overcome personal biases and prejudices towards people with disabilities (Hidegh & Csillag 2012).
- c. Wage information should be made more transparent to prevent employers from exploiting employees with disability by underpaying them. An independent party such as TAFEP can be tasked to monitor the offer and payment of fair wages.
- d. Companies need to establish effective feedback mechanisms, as well as complaint and grievance procedures to enable employees to raise or flag practices which are discriminatory or exploitative. Procedures and mechanisms should be clear and convenient to use, made known to employees, and kept confidential.
- e. Employees with disability, who are to be effectively protected by the above guidelines, should have recourse to an external arbitration or mediation body, if they feel they did not obtain a fair hearing or settlement via the company's internal complaint process.
- f. As the funding body, the government can review the KPIs and outcome indicators set for VWOs and how the effectiveness of job-matching programmes is assessed. This is to avoid skewing the definition of 'success' to mean a larger number of job<sup>[SEP]</sup> matches, rather than sustainable ones. After all, it is difficult to argue that a higher number of job matches which is followed by a higher turnover rate is a desirable outcome. Instead, more meaningful outcome indicators can be included to guide the work of social service practitioners, such as the client's job satisfaction level, duration of job stint, improvement or stabilisation in the client's general functioning and emotional wellbeing, and acquisition of new skills and knowledge.
- g. MOM can review the insurance requirements for persons with disability in the workplace, as this may affect whether a person with a disability is hired on a full or part-time basis, as opposed to being employed on a contract or temporary basis.<sup>[SEP]</sup>
- h. In the same way that gratuitous use of racist language and actions are regulated (and disallowed) on local media, the Info-communications Media Development Authority (IMDA)

can look into establishing a code of standards or conduct, aligned with the social model of disability, for media reportage on persons with disability.<sup>[1][2]</sup>

## **Concluding Thoughts**

To recap, this paper takes an initial exploratory look at three key areas pertaining to discrimination against persons with disability in the context of employment. Firstly, it examines the types and causes of discrimination. It then tracks the whole employment journey and analyses the impact of the actions of various actors along the way. Lastly, it proposes measures to tackle the discriminatory practices identified. The paper has two distinctive and innovative qualities. It probably constitutes the first research done on this topic, and it is also almost certainly the first to use a participatory approach in which the principal investigators and interviewers are members of the group under investigation, ie. they are themselves persons with disability and members of the disability community in Singapore.

The qualitative nature of this research paper and the relatively small sample size from which it drew could be cast as limitations, but these aspects may, conversely, also be seen as strengths. The anecdotes from the respondents, who hail from across the disability spectrum, reflected arguably more candour than would be usual for a research project. This is due to the participatory approach which cultivated trust and encouraged in-depth sharing. It has also thrown into sharp relief certain issues which had not previously been highlighted or explicitly noted. An example is the psychological impact of discrimination on the employment prospects of persons with disability – respondents cited feelings of inferiority, resignation or unworthiness which put a brake on their efforts and hopes for their careers, regardless of their actual ability and potential.

In addition, there is much sense in conducting a quantitative study into this topic as well, to complement the upcoming national census in 2020 which will, for the first time, include the collection of disability-related data (“Census to help target disability services”, Straits Times, 24 April 2017).

The analysis and insights presented here are, of course, not the final word on the subject. There is room and scope for more to be done in this sphere. We hope this paper will spur further research on and attention to employment, employability and other quality-of-life issues which affect persons with disability.

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