Guidelines for Employing Persons with Cognitive Disabilities

All employees require some type of support to perform their jobs effectively. Those with cognitive impairments, however, may need more daily support from Human Resources (HR), supervisors and co-workers than other employees require.

HR can play a critical role in providing such support by implementing specific accommodations or by making adjustments to a job's processes so that employees with cognitive impairments can confidently and competently meet the requirements of their jobs. Examples of actions that HR professionals can take for employees with cognitive disabilities include the following:

- Provide technical aids such as software or equipment to enable communication with and by the employee.
- Encourage support by co-workers and supervisors.
- Enlist the services of an employment support agency such as Bloom Community.

To accommodate individuals' strengths and preferences effectively, the employer must be communicative and flexible.

Employment applications

To make the employment application process accessible to persons with cognitive impairments, the employer may have to make adjustments in the organization's application forms and procedures. It may be necessary to:

- Simplify and minimize wording on the job application form, provide forms with large print, eliminate jargon and complicated language and incorporate the use of pictures.
- Allow a candidate to submit an application online or to provide required information by telephone.
- Provide clarification and assistance as needed concerning information requested on the job application form.

An employment application should not include any questions whose answers would indicate an applicant's protected class such as age, race, national origin or disability. On application forms, as in interview questions, certain areas of questioning should be avoided, among them religion, disability, arrest record and year of graduation from high school or college.

Although many state and federal equal opportunity laws do not directly prohibit employers from asking such questions on an application, such inquiries could be used as evidence of an employer's intent to discriminate, unless the questions asked can be justified by a business purpose of the employer. Employers should proceed with caution when designing application forms. It is best to have forms reviewed by legal counsel before distribution.

Job descriptions

The American Disabilities Act (ADA) does not require employers to have job descriptions. However, employers that choose to have job descriptions will find that the ADA has a significant impact on format and content. Because the employment provisions of the ADA focus on *essential functions*, the employer must ensure that the job description covers all essential functions.

Recruiting

Opening up the organization's recruitment processes to people with cognitive disabilities enables employers to tap into a valuable source of potential employees. The following are some of the ways an employer can effectively recruit workers with disabilities:

- Posting open positions at job service or workforce employment centers.
- Contacting college and university career centers.
- Partnering with disability-related advocacy organizations.
- Including people with disabilities in diversity recruitment goals.
- Posting open positions or hosting tables or booths at disability-related job fairs.
- Establishing summer internship and mentoring programs.
- Posting open positions at independent living centers.

Accommodations

Employers are responsible for making reasonable accommodations to help a person with a disability apply for a job or help an employee with a disability perform the essential functions of a job. The purpose of accommodations is to improve the equity of the hiring process for applicants with disabilities and to help employees with disabilities perform the essential functions of the job.

Accommodations vary—just as people's strengths, work environments and job duties vary—and they demonstrate a commitment to a more equitable workplace. **They are usually inexpensive and easy to implement**. Types of accommodations for employees with disabilities include:

- Making existing facilities readily accessible and usable.
- Restructuring the job, modifying the work schedule or transferring the employee to an alternative vacant position.
- Acquiring or modifying equipment or devices; adjusting or modifying examinations, training materials or policies; and providing qualified readers or interpreters.

Employers sometimes perceive an employee or a potential employee with cognitive disabilities as somewhat difficult to accommodate in the workplace. This common misperception is based not on cost figures but on insufficient information about the types of resources available for accommodating persons with such disabilities. In fact, many accommodations can be made with simple, low-cost adjustments in the workplace or in work procedures.

Some of the accommodations that can be helpful regardless of the type of disability are related to the use of:
- voice equipment,
- communication boards and aids,
- signage,
- and other cues for facilitating spatial orientation and directions.

Other access needs for people who are cognitively impaired, however, are particular to the circumstances, such as the use of facilitators for people who are mentally disabled or the use of augmented communication for people who are autistic.

People with cognitive disabilities may have difficulty reading, writing, spelling, listening, speaking, thinking, performing sequential tasks, performing mathematical calculations or responding to directions.

Bear in mind, however, that many individuals with developmental and cognitive disabilities do not have limited intellectual functioning; in fact, they may have above-average intelligence but have difficulties receiving, processing or expressing information. Workplace accommodations should compensate for those functional limitations.

Accommodating the individual strengths of a person with a cognitive disability requires communication, flexibility and a variety of work method options. Using ergonomics and common sense as a basis for the design of individualized workstations is important. For example, for a person who has difficulty sequencing, color-coding frequently used forms may be helpful, or have daily job tasks outlined on a single sheet of paper posted at the workstation. Other people with cognitive impairments may prefer to hear information rather than to read it.

The following are workplace modifications that may benefit people who are cognitively impaired:
- Work stations. Avoid isolating workstations. Minimize surrounding distractions such as clutter and noise. Provide adjacent space for the employee's instructor, job-sharing partner or job coach. Arrange materials and equipment in the order of their use.
- Computers. Cover or shield unneeded keys. Provide editing software and voice output with optical character recognition to "read" documents.

- Information displays. Clarify messages by using pictures, numbers and familiar symbols rather than words. Place labels and instructions as close as possible to the referred items. Provide digital clocks.
- Controls. Provide simple, logically arranged, clearly labeled controls. Avoid those with complex or multiple functions, and place shields or lockouts on controls not to be used.
- Seating. Provide clear instructions and, when necessary, assistance for adjusting the employee's chair.
- Storage. Keep labels clear and simple, and consider using familiar symbols in place of words. Avoid frequent reorganization of storage areas. Mark hazardous materials with a yellow-and-black striped warning tape.

Safety

At all times, but especially during emergencies, people must be able to find their way to their destinations with a minimum of help. Employees with cognitive impairments may have difficulty orienting themselves and navigating toward exits. To help make the environment accessible for such employees, consider modifications such as these:

- Use varying architectural materials and styles so that spaces do not all look the same. This makes identifying landmarks easier for everyone and is especially beneficial to people who have difficulty interpreting information.
- At points where a direction decision must be made, avoid similar-appearing choices. Instead, provide changes in lighting, texture, color and acoustics at transition points to differentiate direction options.
- Provide appropriate signage where it is needed. Graphics, especially international or other standard symbols, should be used whenever possible, and they should be accompanied by textual descriptions. Use familiar graphics and clear, simple language.
- Mark emergency equipment and evacuation routes conspicuously. Have plans in place for the evacuation of people with disabilities.

Supervision

A separate category of accommodations centers on supervisory procedures. Employers should ensure that their employees with cognitive impairments have easy access to supervisors. It would be worthwhile for the employer to provide guidelines for feedback on problem areas and to develop ways to deal with problems in their earliest stages.

Additionally, try to have an employee with cognitive disabilities work with a supervisor who is supportive and understanding. Also consider identifying other employees who are willing to provide help and support for an employee with a cognitive disability. Other methods of helping an employee with a cognitive impairment to do well in the workplace include recognition and positive reinforcement, as well as the availability of the services of an employee assistance program to help the person cope with matters such as stress and family issues.

Management Considerations

An individual's disability should not define the person any more than should age, gender, race or other personal characteristic. Current employees should be introduced to a new hire who has a cognitive impairment just as they would be introduced to any other new employee. An employee's disability—if it has been accommodated properly—is irrelevant to the person's function in the workplace.

Onboarding

The onboarding process can be made more accessible to a new employee with a cognitive impairment in numerous ways. If an employment support service has been used in the recruitment process, a professional from that service may be enlisted to come into the workplace to provide guidance on helping the employee move into the job. **Another approach—one that seems to work well for people with cognitive impairments—is to have the new employee shadow or be supported by a more experienced employee.**

If the onboarding process for an employee with cognitive impairments requires off-the-job training and assessment, the employer may want to consider adjustments such as:
- Putting people in groups that are smaller than usual.
- Asking questions orally rather than on written tests.
- Giving the new employee extra time to go through a training manual.
- Putting training materials in formats more accessible for the employee.
- Allowing a support worker to attend the training.

Similarly, implementing some of the following suggestions may help employees with cognitive impairments feel more comfortable in the workplace:
- When speaking to someone who has a cognitive disability, be alert to the person's responses, and adjust the method of communication if necessary. Keep in mind that some people may benefit more from simple, direct sentences or from supplementary visual forms of communication, such as gestures, diagrams or demonstrations.
- Repeat information by using different wording or a different communication approach if necessary, and allow sufficient time for the information to be fully processed and understood.
- Do not pretend to understand the person if you do not. Ask the person to repeat what he or she said.
- In conversation, people with some types of cognitive impairments may respond more slowly; remain patient, flexible and supportive by giving them additional time to process information and respond accordingly.
- Similarly, some people who have cognitive impairments may be easily distracted. Others, however, may be quite attentive.
- Do not expect all people to read well; some may not read at all.
- Be selective in job placement; try to match each person with work that best suits his or her individual skills, strengths and limitations.
- People with visual-perception problems may prefer spoken directions and may need extra time to complete assignments.

- People with auditory or perceptual problems may need to have directions repeated and may take notes to help them remember directions or a sequence of tasks. They may benefit most from watching a demonstration of a particular task. They may also require a longer training period than other employees.
- Treat adults with cognitive disabilities as adults and as unique individuals.

Performance management

Employees with cognitive disabilities are usually held to the same performance appraisal and performance management standards and procedures as those applied to other employees. However, to enable an employee with a cognitive impairment to achieve certain job performance goals, the employer may want to make certain modifications in the organization's policies and procedures on evaluation and performance monitoring. Such modifications to organizational performance management policies and procedures may include:

- Asking a support agency or other organization to help recast and further simplify the language of current forms or to make such forms accessible in other formats.
- Allowing an employee with a cognitive impairment to have a support worker or a colleague who acts as a "natural support" with them during performance-related meetings.
- Allowing extra time for performance-related meetings.
- Considering possible adjustments to enable a person with cognitive disabilities to achieve specific targets.

Discipline

Generally, dealing with any disciplinary problem with an employee who has a cognitive disability will be the same as it would be for any other employee. Like anyone else, people with cognitive disabilities can start having problems at work when upsetting circumstances develop in their personal lives. In those situations, support agencies, supervisors and co-workers can provide valuable support to help prevent a problem in one's personal life from undermining job performance.

Employers have a legal obligation to ensure that their policies and procedures—including those pertaining to employee discipline—do not place employees with cognitive disabilities at a substantial disadvantage. If such a disadvantage does arise, the employer may need to adjust current policies or procedures. When a disciplinary procedure has been invoked against an employee with a cognitive disability, the employer will need to make certain that any necessary reasonable adjustments have been made to demonstrate that the employee was treated fairly.

Employee Relations

The success of an introductory period for an employee with a cognitive disability may depend on how well the employee gets along with supervisors and co-workers. An employers' first step in providing a supportive and welcoming workplace is to educate themselves and their employees about cognitive impairments. This does not require a big budget; several resources are available for this purpose.

After the on-boarding period, **the attitudes and behaviors of co-workers and supervisors regarding an employee with a cognitive impairment can be crucial to whether the person remains employed**. Negative and unhelpful attitudes can undermine an employee's confidence and make it difficult for the person to demonstrate competence in the job.

Support from supervisors may take the form of giving instructions more than once, checking with the employee to make sure he or she has understood an instruction, and checking more frequently than usual that the employee is carrying out the task correctly.

Bloom Community has compiled suggestions from experts on ways that employers can help employees learn about cognitive impairments and how to treat their co-workers equitably:

- Provide training on cognitive impairments to dispel common misconceptions.
- Provide policies and guidelines on appropriate workplace conduct, including statements on discrimination, harassment and workplace bullying, and schedule regular sessions with employees to discuss those topics.
- Enlist the aid of a subject-matter expert to discuss cognitive impairments with employees.
- Provide sensitivity training for co-workers.
- Facilitate open discussions with workers, both those with and without disabilities, to encourage them to express their thoughts on cognitive-impairment issues and to develop strategies to deal with such issues.

Privacy

Employers must respect an employee's right to confidentiality about his or her impairment and any needs relating to it. Everyone is entitled to personal information being kept private. People with learning disabilities often have bad experiences in which personal information about them is not kept confidential, with such breaches sometimes resulting in harassment and abuse.

Harassment

Many people with cognitive disabilities are victims of harassment or bullying, and unfortunately this sometimes occurs in the workplace. The employer must clearly, emphatically and unequivocally communicate to all employees that harassment and bullying are unacceptable and will not be tolerated.

It is illegal to harass an applicant or employee because he or she has a disability, had a disability in the past, or is believed—whether correctly or incorrectly—to have a physical or mental impairment that is not transitory. Harassment can include offensive remarks about a person's disability, and it may be perpetrated by co-workers, a supervisor or even a non-employee such as a client or a customer of the employer.

Although the law does not prohibit simple teasing, offhand comments or isolated incidents that are not serious, harassment is illegal when it is so frequent or severe that it creates a hostile or offensive work environment or when it results in an adverse employment decision such as demotion or firing of the victim.

Bullying
Bullying behavior in the workplace can have significant and far-reaching consequences. The issue should not be addressed simply as a way to avoid lawsuits or unfavorable publicity. Instead, creating a zero-tolerance policy, providing education and training to the workforce, and establishing processes to deal with instances of workplace bullying are necessary to build a culture of respect that will allow employees to flourish and innovation to thrive.