

RESOLUTION 18

Unions Should Give People with Disabilities a Voice *and* a Face

Submitted by Department for Professional Employees, AFL-CIO
Amended by the Civil, Women and Human Rights Committee

TENS OF MILLIONS OF AMERICANS live with disabilities. More than 27 million of them are working age, and more than 2.7 million are veterans who receive compensation for service-connected disabilities.

Disabilities may be physical, psychological or cognitive. Their consequences are severe—lower educational attainment than people without disabilities, dramatically less likelihood of being in the workforce, a higher likelihood of unemployment, lower incomes and higher rates of poverty. According to the U.S. Bureau of Labor Statistics, while 65 percent of people without disabilities in the civilian labor force were employed, for people with disabilities the percentage dropped to 19.4.

People with disabilities face major obstacles to finding employment. According to a 2001 study by the Urban Institute, these obstacles frequently include a lack of appropriate jobs, a lack of transportation, a lack of appropriate information about jobs, inadequate training, fear of losing health insurance or Medicaid or discouragement from family and friends.

Accommodations can lessen or eliminate these obstacles. They range from accessible parking and public transit to elevators to flexibility in structuring work assignments and hours. However, many people with disabilities are afraid to ask for accommodations on the job for fear that employers will not hire them. They confront flawed and negative stereotypes about inconvenience, costs and risks of liability.

Despite the many obstacles that people with disabilities confront, in June 2009 almost 5.3 million Americans with disabilities were employed. Our unions and the AFL-CIO should step up our efforts to provide these workers visibility and a voice—a voice *and* a face. Disability rights are civil rights, and organized labor has long sought and fought for social justice.

On Oct. 6, 2008, Screen Actors Guild (SAG), American Federation of Television and Radio Artists (AFTRA) and Actors' Equity Association (Equity) launched a national campaign: I AM PWD, Inclusion in the Arts and Media of People with Disabilities. A project of their Tri-Union Performers With Disabilities (PWD) Committee, the campaign seeks to promote, in the entertainment industry, accuracy in portraying, inclusion of and access for people with disabilities. The campaign resonated immediately with other workers and unions. At the June 2009 General Board meeting of the Department for Professional Employees, AFL-CIO (DPE), SAG, AFTRA and Equity recommended broadening the initiative. The DPE General Board voted to urge the 26th Constitutional Convention of the AFL-CIO to endorse the I AM PWD campaign and to create a constituency group for workers with disabilities. That vote provided the seed for this resolution.

The Americans with Disabilities Act of 1990 (ADA) prohibits private employers, state and local governments, employment agencies and labor unions from discriminating against qualified individuals with disabilities in job application

procedures, hiring, firing, advancement, compensation, job training and other terms, conditions and privileges of employment. Even with such protections, workers fear disclosing disabilities, and employers often find ways around hiring and accommodating workers with disabilities. Many union contracts refer to the ADA, but years of bargaining for fair wages and working conditions have secured only minimal progress in employing workers with disabilities. In the performing and media arts, a disturbing trend of casting able-bodied performers for roles with a disability is coupled with discriminatory and exclusionary practices that make the attainment of jobs inaccessible for many performers with disabilities. For broadcast journalists, securing an opportunity to gather and report the news—especially an ability to cover more than the “disability beat”—is even more challenging. All of this makes it clear that broader action needs to be taken.

That broader action will include:

- The AFL-CIO and its affiliated unions endorse and will support the I AM PWD campaign and invite SAG, AFTRA and Equity to share its lessons. The AFL-CIO and its affiliated unions will make themselves a model by including people with disabilities in all discussions addressing diversity and by encouraging the labor movement at all levels to do the same. They will urge the government at the federal and state levels to collect accurate

data reflecting the makeup of the workforce by including the numbers of people with disabilities in their employ.

- Unions affiliated with the AFL-CIO are urged to ensure access to all union meetings by making the necessary and reasonable accommodations for people with disabilities to attend and participate.
- Unions affiliated with the AFL-CIO are urged to bargain to ensure that people with disabilities can request reasonable accommodations without the fear of losing their job for “inconveniencing” the employer; to free people with disabilities from real and virtual discrimination; and to allow people with disabilities to compete equally for job opportunities without facing bias or exclusionary practices.
- The Executive Council will consider within 12 months a proposal, submitted by advocates, for the establishment of a constituency group for people with disabilities, and include a special focus on veterans with disabilities.

Constituency groups provide a bridge for unions to diverse communities. They create and strengthen partnerships to enhance the standard of living for all workers and their families. For millions of workers, this new constituency group will provide not just a bridge and a partnership, but a promise of constructive change.