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Reasonable Accommodation For Workers Who Are Deaf: Differences in ADA knowledge Between Supervisors And Advocates

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Abstract

Despite the existence of the Americans with Disabilities Act (1990), workers who are deaf still struggle with reasonable accommodations in the workplace. The challenges relate, in part, to knowledge and training deficits among hearing supervisors. In order to understand the difference between supervisor knowledge and advocate knowledge around reasonable accommodation, focus groups were conducted with two populations: (1) supervisors in retail and food service who were all hearing, and (2) advocates engaged in training and education around deaf accommodation needs, who were either deaf or hearing. Findings identify similarities and disparities between the groups, highlighting that, while specific legal knowledge of reasonable accommodation may be low among supervisors, willingness to accommodate creatively and learn adaptive strategies is high among both supervisors and advocates. Working relationships that simultaneously foster familiarity with hearing loss and general collegiality contribute to understanding of reasonable accommodation. These insights may serve as guidance for the development of training tools and expand knowledge about deafness in the workplace.

Keywords: Deaf community, employment, legal issues, rehabilitation, accommodation

Introduction

Nearly a quarter century after the Americans with Disabilities Act (ADA, 1990) changed the employment landscape for people with disabilities, workers who are deaf¹ still struggle with reasonable accommodations². As of 2016, 52.1% of persons with hearing loss ages 21-64 were employed, compared to 74.8% employment among their hearing peers (Cornell University Employment and Disability Institute, 2018). Once on the job, other problems related to lack of reasonable accommodations often result. In 2016 alone, the U.S. Equal Employment Opportunities Commission (EEOC) processed 28,073 claims of workplace disability discrimination, including 167 merit resolutions of complaints related to hearing loss discrimination (EEOC, 2017).

Researchers on disability discrimination and deafness theorize that stigmatization of those who are “different” contributes to employment challenges (Southall, Jennings, & Gagné, 2011; Stokar, 2017; Yang et al., 2007; Zahari et al., 2010). Stigma is the human tendency to label people with noticeable physical or social difference as “other” (Goffman, 1963; Link & Phelan, 2001) and, by extension, make assumptions and judgements based on insufficient information (Gergen, McNamee, & Barrett, 2001). As such, hearing supervisors in the workplace may be unsure how to treat workers who are deaf in terms of social interaction and legally-mandated

¹ The word “deaf” is used broadly herein to describe individuals with hearing loss who communicate using American Sign Language. It encompasses persons who identify culturally as “Deaf” and those who do not, so as to be inclusive of all study participants.

² The word “accommodation” is defined by the Americans with Disabilities Act (1990) as “any change to a job, the work environment, or the way things are usually done that allows an individual with a disability to apply for a job, perform job functions, or enjoy equal access to benefits available to other individuals in the workplace.”

reasonable accommodations. Underestimation of worker ability and insufficient support for core functions of the job may be an outcome of this stigmatization.

The food service and retail are common employment sectors where accommodation needs arise for workers who are deaf and workers with disabilities (U.S. Department of Labor, 2016), as they present fewer barriers to access related to communication and level of education (Jasper & Waldhart, 2013; Carnevale, Smith & Strohl, 2010). As such, they have become common arenas for accommodation needs to present themselves—and correspondingly, common arenas for accommodation problems to occur. The challenge is partially related to supervisors' lack of information about what accommodations are, when they are needed, and how they can be provided (Haynes & Linden, 2012; Matejkovic & Matejkovic, 2008). Individuals who are deaf may use multiple forms of accommodation (e.g., writing, gesture, and sign language), but poor implementation by supervisors can become an added barrier to stigma or social bias that may already be present.

Advocates such as social workers and vocational rehabilitation specialists provide support to workers who are deaf and their supervisors. Support may come in the form of education and training, although the nature of support and education may vary based on the specificities of the work context. Additionally, advocates serve a broad spectrum of individuals with hearing loss, and may not necessarily be well-versed in the specific needs of retail and food service settings. For example, such workplaces may be faster-paced and may involve less access to technology than other settings such as offices. Additionally, retail and food service settings may be part of corporate chains with generic central training protocols. Although deaf-specific information is available through online clearinghouses such as the Job Accommodation Network (www.askjan.org) and the National Technical Institute for the Deaf's Center on Employment (www.ntid.rit.edu/nce), it is rarely included in proprietary corporate training modules for retail and restaurant workers.

When supervisors are missing reasonable accommodation information and advocates have expertise but do not know which topics should be shared with supervisors, workplace challenges arise. The current study aims to address the following question: In what ways does advocate knowledge of reasonable accommodations differ from supervisor knowledge of reasonable accommodations for workers who are deaf? For the purposes of this study, “knowledge” is operationalized as familiarity with individuals who are deaf, awareness of the features of the ADA, and experiential learning gained through use of accommodations. A clearer understanding of what supervisors need to know can inform new training strategies for advocates to use in improving on-the-job accommodations for workers who are deaf.

Background

While a great deal of research exists on employment metrics and outcomes related to the ADA, few studies have assessed accommodation knowledge possessed by supervisors in the workplace. Studies about managerial attitudes toward disability tend to focus on the hiring stage (Capella, 2003; Copeland, 2007; Jasper & Waldhardt, 2013, Southall, Jennings, & Gagné, 2011), or examine the corporations and chains that employ supervisors rather than the supervisors themselves.

Paez (2010) assessed management knowledge and training on general disabilities and found that supervisors were neutral about the idea of hiring workers who needed accommodations, but were notably concerned about costs. Furthermore, only a few participants in Paez's study had formal knowledge of the ADA. More recent initiatives in the field of vocational rehabilitation have emphasized strategies for consultation, diversity training, and even funding provision by disability advocates (Hagner & Cooney, 2003), but these pertain primarily to severe disabilities with different needs from those who are deaf or hard of hearing; also, deaf-specific strategies are not highlighted.

Existing studies on supervisors working with employees who are deaf are outdated. A meta-analysis conducted six years after the passage of the ADA revealed notably low levels of awareness that assistive technologies existed (Dowler & Walls, 1996). Several training and integration programs in the United States and abroad have created food service employment niches for workers who are deaf, in which hearing supervisors at specific locations receive intensive training (Friedner, 2013; New Zealand Business, 2015), but these programs do not offer resources to general employers who may happen to hire workers who are deaf. Qualitative research conducted more recently with workers who are deaf and their supervisors revealed that supervisor-worker communication is amicable, but limited and infrequent (Stokar & Orwat, 2018). Rosengreen and Saladin (2010) also identified limited communication as a contributor to productivity loss, and Stokar and Orwat (2018) found that, despite positive intentions of hearing supervisors, workers who are deaf in the food service sector typically find the accommodations offered to be less than adequate.

Only a few studies have aimed to identify what kinds of knowledge supervisors want and need (Gilbride et al., 2003; Gold et al., 2012). Dong, Oire, Macdonald-Wilson and Fabian (2010) developed and validated the Reasonable Accommodation Factor Scale (RAFS), a questionnaire that compares stakeholder perspectives on the relative importance of different factors involved in the accommodation process. The RAFS does not focus on deaf-specific accommodations, but is a step in the right direction.

The nature of communication between supervisors and advocates of workers who are deaf varies highly, and current research does not reflect the differences in their knowledge sets and practices. There is insufficient information in the literature about how—and if—training and education on reasonable accommodations are used at retail and food service locations. Without this baseline knowledge, providing effective information to supervisors becomes an even greater challenge.

The current study aims to address the following question: In what ways does advocate knowledge of reasonable accommodations differ from supervisor knowledge of reasonable accommodations for workers who are deaf? Identifying these disparities may allow advocates to fill in gaps with existing training content.

Methods

The two primary groups impacting experiences of workers who are deaf on the job are supervisors and advocates. The nature of their communication with workers who are deaf—and

with each other—varies highly, and current research does not reflect the differences in their knowledge sets and practices. Even when training protocols and employment outcomes are known, there is insufficient information about how—and if—training and education on reasonable accommodations are used at retail and food service locations. Without this baseline knowledge, providing effective information to supervisors becomes an even greater challenge.

Recruitment

Two populations were sampled for this study: hearing supervisors in retail and food service sectors, and advocates serving deaf populations through direct service and community training. For inclusion in the sample, supervisors needed a direct working relationship with at least one worker who was deaf. The advocates could be deaf or hearing but needed to (a) work in an intermediation capacity between deaf employees and supervisors in the community, and (b) engage with the ADA as part of their role.

Since workers who are deaf create a low-incidence population and therefore difficult to identify (Giangreco, 2000; United States Department of Commerce, 2017), snowball sampling was utilized to recruit study participants. Professionals at well-known service centers for individuals who are deaf in Chicago and Northwest Indiana were contacted and invited to participate in focus groups. They then identified other professionals who provided training and resources for hearing members of the community in addition to deaf clients. They were also asked if they knew of retailers and restaurants in the region who employed workers who are deaf. Recruitment messages were also posted on social media sites catering to Deaf community members, but received no responses.

To recruit supervisors, snowball sampling was again conducted. After identifying known sites that employed workers who are deaf through professional networks, the researcher reached out to comparable businesses in the region based on suggestions and recommendations. The researcher also contacted employers with similar characteristics (such as other locations of the same chain of food retailers) without direct referrals and learned that they, too, employed workers who are deaf. Messages were also posted on social media sites for restaurant and retail business organizations on local and national levels, but did not receive any responses through these channels.

Data Collection

After receiving IRB approval, data was collected about reasonable accommodation knowledge and other workplace experiences along three primary dimensions: General familiarity with workers who were deaf, source and extent of ADA legal knowledge, and knowledge gained through reasonable accommodation implementation and other adaptations in the workplace (see question protocols in Appendices A and B). Small focus groups of approximately three or four participants per session were conducted in the Chicago Metropolitan Area and Northwest Indiana in the summer and fall of 2017. Small focus groups provide more opportunities for individual participants to speak and interact, compared with more traditional focus groups of a larger size, where some participants engage sparingly with the group (Marshall & Rossman, 2006). Small focus groups are also optimal for specialized participants who, as in the case of the food service

and retail sectors, have schedules that are difficult to accommodate (Denney, Aten, & Leavell, 2011).

Four groups of hearing supervisors in restaurant and food retail and four groups of advocates who provided support and training related to deaf accommodation were conducted. Focus groups for supervisors were held in the back offices and breakrooms of retail establishments and focus groups for advocates were held primarily in conference rooms of nonprofit organizations.

The researcher, fluent in English and ASL, employed both languages as needed to collect information from the groups. A native English user, her ASL skills are credentialed through the nationally recognized American Sign Language Proficiency Interview, and she possesses over six years of experience as a direct service provider in vocational rehabilitation for individuals who are deaf. All groups conducted with advocates included communication in ASL and were video-recorded with participant consent. Three out of four such groups were conducted exclusively in ASL, and the fourth worked with a certified ASL interpreter, as not all advocates were fluent.

The recordings from these groups were translated into English and transcribed using Microsoft Word on a password-protected computer in a locked office. Once completed, a de-identified sample of transcript was peer-reviewed by a bilingual Deaf researcher, who affirmed accuracy and linguistic and cultural fidelity. The focus groups with restaurant and food retail supervisors were conducted in spoken English. With participant consent, they were audio-recorded and transcribed for analysis.

Analysis

Upon completion of data collection, transcripts were subject to open-ended qualitative analysis through a coding process using MAXQDA software, informed by grounded theory (Charmaz, 2000; Corbin & Strauss, 2008). As is common with grounded analysis, an initial round of open coding was conducted to establish parent codes and sub-codes (Saldaña, 2015). Parent codes were general, broader thematic designations, while sub-codes, highlighted more specific dimensions of themes. In total, fourteen parent codes and twelve sub-codes were identified.

After open coding was complete, a second round of axial coding took place to identify themes and illustrate relationships between conceptual themes (Corbin & Strauss, 2008). Axial analysis divided open codes into 8 Social/Attitudinal themes, 16 ADA law/accommodation themes, and 2 codes that straddled both categories. Findings then emerged from related themes within these groupings.

A lexical search was also conducted using each of the transcriptions. Lexical searches provide an added layer to content analysis of raw text in grounded theory research, particularly when inquiries center on participant knowledge of specific terms and ideas (Lai & To, 2015). Eight key terms were employed, and comparisons were made between frequency of usage by supervisors and frequency of usage by advocates. Together with emergent themes from the coding process, outcomes of the lexical search are discussed in the results section.

Results

Sample

Table 1.1: Participant self-reported gender, age, race, education, and hearing status

	Total(N=28)	Supervisors (n=14)	Advocates (n=14)
<i>Gender</i>	n (%)		
<i>Male</i>	7 (25%)	4 (29%)	3 (21%)
<i>Female</i>	21 (75%)	10 (71%)	11 (79%)
<i>Age</i>			
20-30	5 (18%)	4 (29%)	1 (7%)
31-40	10 (36%)	2 (14%)	8 (58%)
41-50	9 (32%)	6 (43%)	3 (21%)
50<	3 (11%)	2 (14%)	1 (7%)
Undisclosed	1 (3%)	-	1 (7%)
<i>Race</i>			
<i>White</i>	20 (72%)	8 (58%)	12 (86%)
<i>Black</i>	2 (7%)	2 (14%)	-
<i>Asian</i>	1 (3.5%)	-	1 (7%)
<i>Latino/Hispanic</i>	2 (7%)	2 (14%)	0
<i>Middle Eastern</i>	1 (3.5%)	1 (7%)	0
<i>Mixed Ethnicity</i>	2 (7%)	1 (7%)	1 (7%)
<i>Education</i>			
<i>HS Diploma</i>	3 (11%)	3 (21%)	-
<i>Some College</i>	5 (18%)	4 (29%)	1 (7%)
<i>2 yr Degree</i>	1 (3.5%)	1 (7%)	-
<i>4 yr Degree</i>	10 (35%)	5 (36%)	5 (36%)
<i>Graduate Degree</i>	8 (29%)	-	8 (57%)
<i>Undisclosed</i>	1 (3.5%)	1 (7%)	-
<i>Hearing Status</i>			
<i>Hearing</i>		14 (100%)	7 (50%)
<i>d/Deaf</i>		0	7 (50%)

Eight small focus groups were conducted with 28 participants. Participants ranged from 21-67 years old. Seventy-five percent ($n=21$) identified as female, and 25% ($n=7$) identified as male. The high number of female supervisors in the study is notable considering that, in the United States, men are employed as supervisors of retail sales workers at a significantly higher rate than women, by approximately 12% (U.S. Department of Labor, 2016).

Seventy-two percent ($n=20$) identified as White, with 28% ($n=8$) identifying with one or more other races. Levels of completed education ranged from high school diploma to graduate degree. All supervisor participants identified as hearing and worked at corporate chain retailers (>1000

employees) with the exception of two food service supervisors at independent employers (<100 employees). Advocates were divided evenly between hearing ($n=7$) and deaf ($n=7$) and were employed by either government-funded programs or private non-profits that received some government funding.

Advocate and Supervisor Knowledge

As previously stated, “knowledge” is operationalized herein as familiarity with individuals who are deaf, awareness of the features of the Americans with Disabilities Act (ADA), and experiential learning gained through use of accommodations. The following articulates focus group findings vis-à-vis these dimensions.

Dimension 1: Familiarity with Individuals who are Deaf

Toward the end of assessing knowledge of reasonable accommodations for workers who are deaf, focus group questions first included an assessment of exposure to deaf populations in general (see Appendices A and B). The following findings describe baseline knowledge of deaf individuals possessed by supervisors and workers.

Supervisor experiences with deafness in the workplace were limited. Two supervisors had worked with workers who were deaf before their current employees, and two had managed workers with mild hearing loss. Several noted that they had never encountered any type of disability in the workplace. They all reported significant learning and development once a relationship was established with their current employee who was deaf. Three supervisors made parallels to hiring workers with intellectual or developmental disabilities but described their experience with workers who are deaf as being completely different. Supervisors were open about sharing what they did not know, and their language choices demonstrated salience of concept understanding but lack of familiarity with ADA terminology. Several supervisors referred to American Sign Language as “hand signals,” and others used the adjective “handicapped,” a term that is outdated both in law and in common parlance.

Exactly half of the advocates sampled in this study self-identified as Deaf³ or deaf. None lost their hearing at a late age, and all reported to be highly familiar with deaf employment issues, both from personal experience and by virtue of their roles in advocacy and education. The other half of the sample identified as hearing but purported extensive knowledge of individuals who are deaf through their professional roles. Several hearing advocates drew knowledge and expertise from work with the wider disability community, and one identified as a member of the disability community.

Many participants cautioned, however, that exposure to individuals who are deaf does not necessarily equip one to know exactly how workers who are deaf should be reasonably accommodated in every workplace. They described scenarios of supervisors doing well even when having limited exposure, and scenarios where those with extensive experience still

³ Deaf written with a capital “D” denotes a cultural identity characterized by social affinity and use of American Sign Language (Christensen & Delgado, 1993; Padden & Humphries, 1988; Sheridan and White, 2013) and does not always relate directly to physiological hearing loss.

encountering challenges navigating reasonable accommodation. For example, Jessica⁴, a Deaf advocate, recounted:

All deaf people you meet are not the same. Not the same. Believe me. Some interact just fine, some require more.

Sean, an advocate at a private non-profit, concurred:

From my experience, as a deaf person, there are three different kinds of deaf people. One is the over-doer. You know, they, they think the world owes them everything. One little things that happens at the job, or if they never hear back from an employer they automatically think that it's discrimination. Two is the clueless. They have no idea. It's, um, "How do I talk with someone/How do I talk to a co-worker? If I don't, what do I do if there is a meeting?" You know, those are the kinds that need help. And three is the independent people. They already know what to do. They have more common sense and they can pace themselves.

Commonalities: Both managers and advocates noted that, regardless of past experience or familiarity with workers who are deaf, attitudinal factors were critical. Both populations stressed the importance of not being intimidated by deafness as a new workplace variable, "afraid" or "awkward" with candidates who are deaf. The importance of openness to learning through new exposure was also stressed. As Ariela, a Deaf legal advocate, noted:

Assume the best of intentions...deaf and hearing. Just look at it in the most positive interpretation and go from there.

Ultimately, willingness to form social relationships and openness to learning made a positive impact on the development of accommodation knowledge at all sites.

Dimension 2: Knowledge of the ADA

General awareness. The second, more specific aim of focus group questions was to explore legal and logistical knowledge of reasonable accommodations held by the participants. The following findings describe baseline knowledge of the Americans with Disabilities Act (1990)—the essential framework for the provision of reasonable accommodations in the workplace—possessed by supervisors and workers.

The level of legal knowledge among supervisors—specifically familiarity with the ADA—was generally low. While all but a few supervisors ($n=5$) knew what reasonable accommodations were, they were unfamiliar with the language and technicalities of the law. Giselle, a retail shift supervisor with one long-time worker who is deaf, shared her perspective:

I never think of "accommodation" with the deaf people. The things we do are just instinct. You know, you can't page, so you text! People are just happy to help, but there's not legal framework, no.

⁴ All participant names used are pseudonyms.

Here, again, the social element of cooperation and collegiality in the workplace makes a stronger impression than awareness of uniform legal guidelines. When the components of the ADA were spelled out for one supervisor, she immediately said she knew it as what her corporate office referred to as “best practice” or “consistency.” Another said the legal guidelines were familiar to him as they relate to “affirmative action.” Yet another reported she was familiar with reasonable accommodations from being trained on the Health Insurance Portability and Accountability Act of 1996. Two management participants reported learning about the ADA through its functional government reporting arm the Equal Employment Opportunities Commission (EEOC) but knew it only by its acronym.

Regarding understanding what makes accommodations “reasonable,” most supervisors did not have direct insight nor did they draw from legal language. One store director recalled that accommodation was related to “something that, if provided, anybody could do the majority of the tasks,” which is similar to the ADA Title I definition of “qualified individual” as “an individual who, with or without reasonable accommodation, can perform essential functions of the employment position” (ADA, 1990, Section 101).

At several chain retail sites, all reasonable accommodation requests—for everything from pregnancies to back injuries to deafness—are handled entirely by a corporate office. Store supervisors become aware of a request and pass it up the chain. Two supervisors stated that, though they were in charge of implementing accommodations, all costs and invoicing were handled by an off-site corporate office. As such, supervisors have little reason to become familiar with the ADA itself. Chester, a senior supervisor in food services, explained:

We just call the home office and they arrange the [ASL] interpreter. You just let them know in advance. They also take care of the invoice. We don’t have anything to do with that.

Overwhelmingly, results indicated that supervisors were implementing and understanding reasonable accommodations, but they were unaware of specific stipulations coming out of the ADA. Several supervisors did say that, whether official ADA labels were used or not, all supervisors at their site had familiarity with ADA content. Whether aware of a larger legal context, they understood its relevance to their workplace.

Advocates were, by virtue of their professional and personal experiences, very well-versed in reasonable accommodations as specifically defined by the ADA. Unlike the interviewed supervisors, who had one or two workers who are deaf, advocates reported that working with individuals who are deaf continuously increased their accommodation knowledge. The majority ($n=11$) also worked with other disability areas to which the ADA applies, such as physical and psychiatric disabilities.

Several advocates ($n=5$) encouraged workers who are deaf to use specific ADA terminology when requesting accommodations, going so far as to help them write letters to their supervisors using legal language. Unlike supervisors, some advocates ($n=3$) stressed the importance of documentation related to reasonable accommodations, especially after casual requests are not

granted. Kelly, a counselor and advocate who has been deaf her entire life, articulated this process:

I tend to be general unless the person denies my rights, then I tend to show them the law. If there's no issues, I'm fine just do my best to gesture and get by...but if they start refusing compliance, I will refer to the law.

At the same time, there was a sentiment that legal training should not be overly-prescriptive, as needs and requirements change based on the specificities of the workplace. Despite high levels of legal knowledge, three advocates described their roles as continuously evolving. As Sherry, a nonprofit advocate, put it:

I'm still learning, too. Because it's always changing. There are amendments to the ADA, and people find loopholes, find a way to circumvent. So it's always an ongoing process.

Commonalities: To explore the issue of language around reasonable accommodations and ADA issues, a lexical search was conducted on all the focus group transcripts for this study (Table 1.2). Pragmatic words like “learn” and “training” were evenly used by both supervisors and advocates, but words such as “law,” “accommodation,” and “ADA” arose exponentially more often in advocate focus groups.

Table 1.2: Lexical search results for focus group transcripts

Word	Supervisors Mentioned	Advocate mentioned
Law	3	34
Legal	1	13
ADA	19	38
Accommodat*	48	111
Policy	5	2
Reasonable	7	25
Learn	20	36
Train	58	56

* Multiple suffixes of the root word were included in the search (ex: learn, learned, learns, learning).

Source of reasonable accommodation knowledge. Most supervisors ($n=8$) stated that, if they received any information at all about reasonable accommodations, it was during their own new employee orientation. Disability accommodations were just one of many topics covered. Supervisors from two sites reported annual refresher courses that were short, computer-based modules accompanied by quizzes. At sites where corporate offices or off-site human resources handled reasonable accommodations, training was usually minimal, and mixed in with other procedural features of employment law.

Generally, however, initial reasonable accommodation knowledge came with the first employee needing accommodation. Generally, when reasonable accommodations mandates have a face and a name, knowledge of and adherence to guidelines is soon to follow. Three supervisors reported that new hires who were deaf were already connected to support services through nonprofit

agencies for job placement assistance; others made arrangements for themselves with Sign Language interpreting agencies. Both services were a first exposure for supervisors. Retail supervisor Fatema explained:

It started with [a worker who was deaf]. She said she would be bringing a job coach with her. And we said, "That would be great!" And the coach explained the accommodation to us, as far as the services. And how the process worked. And then after that, it always been going back and forth with [the worker] if she needed something.

Other supervisors listed an unusual assortment of sources for their reasonable accommodation knowledge. Among them were news programs, YouTube videos demonstrating signs, sign language vocabulary apps, and, popularly, "Switched at Birth," a fictional ABC Family television show that featured characters who were deaf. One supervisor had taken an ASL class before and learned about Deaf culture and adaptation, but did not feel what she learned was directly applicable to most situations. One retail site had an ADA Assist Line available to employees t advertised in the break room. Two supervisors reported bringing reasonable accommodation questions to higher-up supervisors at other sites, but even they said the occasion almost never arose.

Compared with supervisors, advocates had significantly more formal training. Three participants in the sample had law degrees, and others received formal training in current and past advocacy positions; one worked on a team for 20 years with an attorney who was deaf. For the most part, advocates who were deaf themselves learned from personal experiences in high school, college, and the workforce. As Ariela put it, "Growing up as a deaf person, you become aware of what your rights are."

Commonalities. Both supervisors and advocates reported that almost all of their knowledge about reasonable accommodations resulted informally from direct experience. Daily interactions yielded a great deal, while both supervisors and advocates were quick to mention that supervisors are unaware of community-based services offered by advocates. Several agency-based advocates pointed to public vocational rehabilitation services, which are usually provided by the Department of Health and Human Services in each state. Vocational rehabilitation services authorize and deliver the majority of funding and implementation services for reasonable accommodations related to hearing loss. One advocate working as a vocational rehabilitation subcontractor noted,

I think [supervisors] think [advocates] have all this wealth of the money, and we get provide all the services. I don't think they really understand where it comes from or really care to. As long as it's being provided. They don't really invest the time in understanding what our roles are.

When vocational rehabilitation services were mentioned during the study, one supervisor, Scott, expressed surprise: "I never knew such a thing existed". Another said, without knowing that vocational rehabilitation is expressly for these purposes:

It would be nice to have a community-based resource. Either a class, or even just a phone number or service provider to call if you had questions about interpreters or needed to book one.

While the majority of participants endorsed personal exposure and on-the-job experience as the most optimal ways to acquire reasonable accommodation knowledge, supervisors expressed strong receptivity toward connecting with advocates (and formal vocational rehabilitation services), and advocates expressed enthusiasm about offering their services whenever requested.

Costs of Reasonable Accommodations

No supervisors in the study discussed costs of reasonable accommodations as burdensome or prohibitive. Many mentioned simply referring requests to corporate offices; others were aware of costs and how they were paid but said it fit unproblematically into the budgets of their stores. All requests mentioned by supervisors were approved. One supervisor at a chain grocer, Lupita, said that when ASL interpreter requests for meetings were sent to corporate decision makers,

They just hand us the credit card. Like, “Here's the card,” or “Take care of it.” So, I think that, you know, it really isn't a thought.

The majority of supervisors simply said reasonable accommodation requests that cost money have never been used at their sites, since creative, cost-free communication solutions were regularly employed. Several remarked, however, that should the need arise, they would “take care of it.”

Advocates generally did not view the cost of reasonable accommodations as a barrier in the workplace. They noted that they periodically encountered employers who made assumptions about *potential* costs, but they rarely encountered situations where costs were actually burdensome or employers decline to pay. Lindsay, a vocational rehabilitation contractor, stated:

A lot of employers get lost; it's like they think it's gonna be so expensive, but then it's so simple... I mean some accommodations are just so minor there's no significant cost or impact to the job.

The issue of transitioning from vocational rehabilitation office support to independently providing accommodations was addressed by several advocates. Though most workplaces are unaware of state-based vocational rehabilitation funds available by federal mandate to support workers who are deaf (United States Rehabilitation Act, 1973), those that do get reasonable accommodation costs covered by vocational rehabilitation funds may express disappointment when public monies are discontinued, and they must manage the cost themselves. Advocates reported that the amount of money is almost never cited as challenging; rather, it is just a bit of a shock when they suddenly have to request and coordinate accommodations without assistance.

Despite costs being heralded by past research as a major barrier to the employment of deaf and disabled individuals, neither supervisors nor advocates cited it as a significant issue. Supervisors often never dealt with it, either because the types of accommodation they used were free, or

because their corporate offices handled them entirely. Various advocates ($n=4$) noted that, in the context of larger business operations, occasional reasonable accommodation costs presented no significant financial burden, especially for chain retailers and restaurants.

Dimension 3: Reasonable Accommodation Uses and Innovations

The third dimension of focus group questions was collection of data on knowledge gained through implementation of reasonable accommodations. The following describes how participants used reasonable accommodations and the lessons learned through on-the-job adaptations and innovations.

While some believe that the use of an ASL interpreter is considered a primary reasonable accommodation utilized by deaf workers, supervisors reported a wide range of simple, effective, cost-free communication strategies employed in the workplace. The physical, repetitive nature of retail and food service work (e.g. shelving, organizing, cataloging, cleaning) may have made these strategies possible in ways that would not work in other industries. Among the most common were note writing, gesture, physically demonstrating tasks, speechreading, and the use of smartphones (both for texting and for finding videos of ASL signs). A few supervisors ($n=5$) reported that the deaf workers themselves taught colleagues and supervisors basic signs, and some work sites even created their own signs for specific people, equipment, and tasks. Two reported that deaf workers wore pins beneath their name badges indicating that they were deaf to alert customers. In general, the participants reported a great deal of improvisation took place when it came to reasonable accommodation provision. Two shift supervisors at different retailers echoed this sentiment:

Toya: Sometimes I'll page over the intercom, "Bring me [worker who is deaf]" and someone will go and get him for me. The other team members don't mind. Sometimes we forget and page him over the intercom anyway [laughs].

Samantha: We're just going. Just like, hey, a team member needs this, whatever to make them comfortable, I think we just do it. We don't really think twice about it.

While improvisation and simple strategies likely would not work equally well across employment sectors—particularly those with a high level of interpersonal dialog or reading and writing—they indeed have found success in the retail environment.

Advocates generally agreed that creative solutions for reasonable accommodations were often more practical and effective than resorting to more formal modifications. They encourage supervisor-worker communication through writing, gesture, and the use of technology. Several ($n=3$) used the term "thinking outside of the box" to describe their general approach to reasonable accommodation training and education, as illustrated in an anecdote from Deaf advocate Sean:

"Oh! I didn't think of that!" That's what supervisors would say. I would often educate them on how to communicate with the deaf person using gesture. For example, if you wanted them to pick up a cup. How would you pick up a cup to drink? They would grab a

cup and put it to their mouth. And I'm like, "there you go! You just learned your first word language. Sign language!" So, I always think of something that's very simple and that applies to the work. And they like those ideas.

Unlike supervisors, advocates did stress caution around assuming that an informal reasonable accommodation is effective. While supervisors reported things were "smooth" if they did not receive feedback from workers who were deaf, several advocates mentioned that workers who are deaf were often intimidated about sharing concerns when an accommodation was less than sufficient. They noted experiences where this lack of self-advocacy led to problems with job performance and even job loss and stressed that supervisors should be aware that workers who are deaf might actually want a more formal reasonable accommodation but are too afraid to request it.

Commonalities: Both supervisors and advocates acknowledged that the overwhelming majority of reasonable accommodations provided in the workplace are simple, creative, and informal. They encouraged employing these modifications whenever possible but acknowledged that more formal accommodations like ASL interpreters and transcription services might be needed at times. A key theme with both groups was striking a balance between having high levels of confidence in workers who are deaf while being vigilant about when accommodation may not be optimally meeting a need.

In summary, distinct differences were found between supervisors and advocates regarding knowledge of reasonable accommodations. Supervisors, in general, had low exposure to individuals who were deaf before their current work situation, and while they had a strong functional understanding of reasonable accommodations, they were less familiar with legal guidelines and terminology put forth by the ADA. In contrast, advocates were members of the Deaf community and/or had high levels of exposure to deafness, and possessed a more formal, legally-based knowledge of reasonable accommodations. Regarding perspectives and priorities on how to implement reasonable accommodations, however, supervisors and advocates had a great deal in common, such as endorsing the same functional strategies and sharing many of the same ideas.

Discussion

The findings of this study shed light on knowledge possessed by supervisors and advocates about reasonable accommodations for deaf workers. In general, functional strategies and casual adaptations were discussed far more often than the fine points of legal definitions and ADA guidelines.

Attitudes and Social Relationships Support RA

Advocates generally stressed how much easier accommodation becomes when both individuals who are deaf and individuals who are hearing connect on a personal level. Supervisors overwhelmingly concurred that reasonable accommodations became easier as team members became more familiar with each other. They shared many anecdotes about daily greetings, inside jokes, and general friendly rapport. Relationships, as such, became a tool that helped supervisors

meet worker needs even when their legal training on reasonable accommodations was limited. Even those who initially expressed reticence about interacting with a worker who is deaf came to hold the individual in high regard, and did not mind using daily, informal accommodation. The fact that both advocates and supervisors affirmed that, with a little modification, workers who are deaf are productive and loyal suggests that social factors extending beyond legal reasonable accommodation training were at play.

Interpersonal exposure and regular use of reasonable accommodations seemed to remove a great deal of stress from the working environment. Reasonable accommodations become an unconscious part of the routine, and workers who are deaf become fully assimilated with every other worker. A comment from one supervisor, Scott, encapsulated this idea: My guy, he's got what it takes, he just can't hear. So big deal. You know? If that's all I have to do to keep a good employee, that's cool.

Open-mindedness and willingness appear to be more important to the successful use of reasonable accommodations than any amount of specific ADA knowledge or training. Advocates want supervisors to be open-minded about giving reasonable accommodations a try, and supervisors want to expand the culture of willingness to their retail and food service peers, stressing that anyone can get accustomed to small workplace changes. Both groups agreed that pushback against the idea of reasonable accommodations is always counter-productive. Interestingly, though age was not a variable specifically explored in this study, advocates found open-mindedness to be more common among younger supervisors than older ones. This may be because the increase in mainstreaming of students who are deaf and students with disabilities in the American public education system since the 1990s has led to greater exposure for hearing, non-disabled individuals. Ideas about diversity in general have become more widespread with the pervasiveness of social media, which may also contribute to open-mindedness. Supervisors agreed that attitude and willingness were critical but felt that it also hinged on the character and personality of individual supervisors. In any case, social connection superseded procedural training in nearly every situation.

Legally-Centered Training May Not Be Necessary

There are many examples in the disability advocacy arena of the ADA being the only means of enforcing workers' rights to reasonable accommodations. In this study, however, supervisors largely did not receive a great deal of formal training on the specificities of the ADA. Even advocates in the study reported relying primarily on their own professional experiences rather than workshops they had taken. The curious presence of reasonable accommodations without formal training raises questions not only about the utility of legal training, but about the utility of social factors (e.g. relationships, open-mindedness, pragmatism). If the former is not present, can the other take its place? If neither is present, will the reasonable accommodation rights of workers be denied?

When informal reasonable accommodation is ineffective or requests for reasonable accommodations in the workplace are denied, relying on the legal provisions of the ADA is the best—and often, the only—recourse. However, it is worth exploring whether socially-driven, site-specific problem solving accomplishes similar outcomes to submitting documentation of the

letter of the law. Technically, informal reasonable accommodations are formal reasonable accommodations, in that the only thing the ADA specifies is that accommodation enables “effective communication” (ADA, 1990, Title II). Thus, training managers to implement simple changes is the same as asking them to comply with reasonable accommodations as specified by Title III of the ADA. If supervisors do not know the best way to contract ASL interpreters but choose to learn ASL themselves, advocates might affirm that the outcome is the same so long as the worker who is deaf finds this support effective.

The primary risk with advocates recommending social or informal accommodation strategies in lieu of formal ADA training is that employers and supervisors may start to devalue the ADA. The law is the only enforceable method of assuring reasonable accommodations, and without this powerful precedent, workers may struggle and supervisors may be open to potential litigation. The key, then, is developing advocacy approaches that incorporate both legal and social information.

Site-Specific, Person-Specific Learning Is Key

To address the idea of combining legal and social approaches, one major idea borne out by the results of this study is site-specificity. Every worker is unique, and every workplace is also unique. Workers and supervisors possess personalities and relationships that help them solve problems in ways that can be neither pre-planned or prescribed. The ADA, like most legal documents, is a set of enforceable rules subject to variable interpretations and circumstances. It is left intentionally vague in order to navigate innumerable unpredictable situations. Supervisors in this study provided a great deal of anecdotal information about how reasonable accommodations function in their own work environments, mostly discussing the habits and personality traits of their workers who were deaf. Advocates provided anecdotes on how they trained supervisors to respond to the specific worker they were assisting, in relation to the site-specific tasks they needed to perform.

Adaptation to specific environments and different needs of workers who are deaf makes site-specific education necessary. In lieu of creating materials educating supervisors about the ADA in general, training should involve site-specific, hands-on, employee-led guidance. Indeed, findings suggest that without site-specific knowledge and suggestions from stakeholders (hearing supervisors and workers who are deaf), effective accommodation might not be possible.

Study Limitations

This study had several limitations. Because individuals who are deaf comprise a relatively low-incidence population and are under-represented in the American workforce, the sample size was relatively small. Low-incidence populations also tend to have relatively few subject matter experts. As such, the researcher was known to several participants from previous contexts. Their familiarity with each other may have impacted the nature of responses to focus group questions or impacted their willingness to participate in the study.

Additionally, social desirability may have impacted the sample, skewing it moderately toward supervisors who have had positive experiences with accommodating workers who are deaf. No

participants in the sample mentioned ADA complaints filed internally or with the EEOC. Workers and supervisors scathed by unsuccessful attempts at reasonable accommodations are less likely to have consented to participate. Furthermore, the focus group questions themselves were open-ended and general (Appendices A and B). No question in the protocol explicitly asked about breakdowns and failures in the accommodation process. In this way, the study does not fully encompass the spectrum of challenges faced by workers who are deaf.

Recommendations for Future Research and Practice

Future research and practitioner intervention in the area of reasonable accommodation knowledge should involve direct contact between advocates and supervisors, and should be tailored to specific work sites and worker characteristics. Different as they may be, descriptive data articulating site-specific strategies can guide advocates in development of reasonable accommodation training and assistance strategies. Conversely, a quantitative study to collect data across all locations of a corporate entity might also provide insight on issues of reasonable accommodation knowledge. As many participants mentioned the involvement of corporate offices with separate human resources branches, it would also be valuable to collect data from corporate employees tasked with providing/paying for reasonable accommodation at various branches.

Effective advocacy strategies must involve both legal and social information so that reasonable accommodations are organically generated and practical. Above all, opportunities for individuals who are deaf and individuals who are hearing to connect meaningfully and address workplace challenges collectively should be created.

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Appendix A

Supervisor Focus Group Question Protocol

1. What is your general experience working with a deaf *employee*?
2. What is your general experience with other *employees* with disabilities?
3. What is your general experience with *customers/guests* with disabilities or hearing loss?
4. What do you know about the Americans with Disabilities Act (ADA)?
5. When you think of it most generally, how do you define “reasonable accommodation”?
6. How, if at all, were you educated about reasonable accommodation in the workplace?
7. What is your experiences with advocates and trainers who assist deaf individuals?
8. What things do you find easy about providing accommodation for deaf workers
9. What things do you find challenging about providing accommodation for deaf workers?
10. Please share your thoughts about *costs* of accommodation.
11. When you’re not sure what to do in an accommodation situation, what/whom do you consult?
12. Do you communicate with your deaf worker(s) about reasonable accommodation?
13. What resources would be helpful for you to improve knowledge of reasonable accommodation for deaf workers?
14. Anything else you would like to share on this topic?

Appendix B

Advocate Focus Group Question Protocol

1. What is your general experience working *supervisors* of deaf employees?
2. What is your general experience with *supervisors* of employees with other disabilities?
3. What is your general experience with *employees/jobseekers* with hearing loss?
4. What do you know about the Americans with Disabilities Act (ADA)?
5. When you think of it most generally, how do you define “reasonable accommodation”?
6. From where do you draw your information about reasonable accommodation in the workplace?
7. From where do you think supervisors usually draw their information about reasonable accommodation in the workplace?
8. What things do supervisors usually find easy about providing accommodation for deaf workers?
9. What things do supervisors usually find challenging about providing accommodation for deaf workers?
10. Please share your thoughts about *costs* of accommodation
11. How do you think deaf workers can best convey their accommodation needs to supervisors?
12. What resources would be helpful for *supervisors* to improve *their* knowledge of reasonable accommodation for deaf workers?
13. Anything else you would like to share on this topic?