



zoom

Ensuring the Inclusion of Persons with Disabilities in the Workforce

A Global Policy Review of Reasonable Accommodations



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Preface

Substantial reformatory legal and policy work is underway, both internationally and domestically, to recognise the rights and inclusion of persons with disabilities in societies at large. This broader legislative correction of historical discrimination against persons with disabilities—spearheaded by the efforts of forward-looking civil society groups, multilateral treaties and individual governments—has helped societies envision and build futures where humans live equitably among one another.

However, moving forward towards meaningful social inclusion of marginalised groups, requires re-examining the outcomes of policy work done so far. For example, labour is the cornerstone upon which economies run—the provision of dignified work and education has repeatedly been shown to improve the fortunes of individuals and countries. Studies specifically indicate that if fully integrated into the workforce, persons with disabilities can substantially increase these contributions to the exchequer.

Nevertheless, persons with disabilities remain consistently under-represented and under-utilised in workforces, whether in India or otherwise, depriving them of stable and meaningful livelihoods and incomes. Discrimination against persons with disabilities persists across spheres, whether in the educational institutions training young workers, or the actual workplaces employing them. Physical inaccessibility of workspaces, stigmatisation from peers, insufficient inclusion policies and programs, and indifferent employers remain non-partisan issues, raising their heads across different geographic and employment contexts. Well-intentioned laws, policies, and international agreements, are yet to comprehensively galvanise the transformation of inequitable societies into inclusive ones.

In light of these specific gaps, this report aims to provide a comprehensive policy review of the integration of persons with disabilities in global workforces. This moment in time, decades after the first disability recognition treaties were signed, marks an inflection point for countries, policymakers, and employers to reconsider whether their policies require reforming to improve the heterogeneity of workforces. With reviews of disability rights laws and policies from 20 countries and 49 companies respectively—steeped in the experiences of experts in disability inclusion—this report provides a snapshot into global attempts at enabling the inclusion of persons with disabilities into the workforce. Further, as populations contend with a remarkable wave of digital transformation, the authors delve into subtle yet impactful workplace accommodation policies that can remarkably improve the accessibility and inclusivity of workplaces.

Overall, this report hopes to shine light on the progress of disability inclusion in the workplace, and provide actionable steps employers and regulators can take to ameliorate current deficiencies. We look forward to it being used to advance India's ongoing commitment to building equitable and just societies that can be enjoyed by all of its citizens.

राजेश अग्रवाल, भा.प्र.से.

सचिव

Rajesh Aggarwal, IAS

Secretary



सत्यमेव जयते



आज़ादी का
अमृत महोत्सव

भारत सरकार
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Foreword

I am pleased to be introducing these seminal policy reviews by The Quantum Hub (TQH) and Youth4Jobs concerning the enhancement of workplace accessibility for persons with disabilities, through the provision of reasonable accommodations. I commend TQH, Y4J, and their partner Zoom, for their exhaustive research reports on this issue—which if tackled in the right spirit, can have immensely positive social and economic impacts on India.

It is well-known that persons with disabilities have, for long, faced institutional and social prejudices when it comes to obtaining meaningful employment, an issue that both reports rightly indicate happens both in India and abroad. This is despite overwhelming policy progress, both internationally and domestically, towards enshrining their rights and interests into employment-related laws. Studies consistently show that persons with disabilities working across sectors are often more productive than their peers without disabilities. India, and its business owners, stand to gain from the widespread meaningful employment of persons with disabilities.

The Hon'ble Prime Minister of India, Shri Narendra Modi, recognises this potential. In line with the principles enshrined in the Rights of Persons with Disabilities Act, 2016, the Government of India has undertaken multiple visionary initiatives to enhance the lives and livelihoods of persons with disabilities over the last decade. These include, but are not limited to, the **Sugamya Bharat Abhiyan**, which celebrated nine years in 2024, advancing accessibility for persons with disabilities. The government has also **increased disability reservation categories from 3 to 5**. In 2023, the **Scheme of Assistance to Persons with Disabilities for Purchase/Fitting of Aids /Appliances (ADIP)** achieved remarkable milestones, benefiting 2.91 lakh people with disabilities with assistive technologies.

However, while there is clear state action on making future societies and workplaces inclusive, achieving this vision requires sustained effort from all stakeholders involved. At this juncture, these reports fill significant gaps in our understanding of how to do so, by focusing on the provision of reasonable accommodations in the workplace, such as assistive technologies and flexible work arrangements. The emphasis on the latter is timely, given the growing importance of digital and hybrid work models, in Digital India. I extend my gratitude to the authors for their meticulous research and dedication to this cause, and am confident that their work will serve as an essential resource for advancing workplace accessibility and inclusion in India.

(Rajesh Aggarwal)

Secretary, DEPwD

10th February, 2025



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List of abbreviations

ADA	Americans with Disabilities Act, 1990
AR	Augmented Reality
CART Writers	Communication Access Real-time Translation writers
DEPwD	Department of Empowerment of Persons with Disabilities
DP Hanoi	Hanoi Association of People with Disabilities
EOP	Equal Opportunity Policy
ESCAP	UN Economic and Social Commission for Asia and the Pacific
GDP	Gross Domestic Product
ILO	International Labour Organisation
JEED	Japan Organization for Employment of the Elderly, Persons with Disabilities, and Job Seekers
NGO	Non-governmental Organisation
NSO	National Statistical Office
OHCHR	Office of the United Nations Commissioner for Human Rights
PwD	Persons with Disabilities
PWD Act	Persons with Disabilities (Equal Opportunities, Protection of Rights, and Full Participation) Act, 1995
RPWD Act	Rights of Persons with Disabilities Act, 2016
SIPDA	Scheme for Implementation of Rights of Persons with Disabilities Act
TAG	Technical Assistance Guidelines
UN	United Nations
UN CRPD	United Nations Convention on the Rights of Persons with Disabilities



Executive Summary

Ensuring Workplace Inclusion Through Reasonable Accommodations

Multiple legislative and policy reforms have been undertaken in the past decades, both domestically and internationally, to recognise and strengthen the rights of persons with disabilities. These efforts, although certainly not infallible, mark a first step towards addressing and redressing years of discrimination against persons with disabilities, by ensuring their inclusion and participation in society.

Many of these efforts zero in on promoting dignified and meaningful employment. However, global workforce participation presents a striking disparity: while persons with disabilities constitute 16% of the world's population, with 80% being of working age, only one-third actively participate in the workforce. This challenge is particularly acute in India, where official statistics from the late 2010s indicate that just 2.2% of the population has disabilities—a proportion significantly below global averages—of which merely one-fifth are employed. These statistics underscore the urgent need to address workplace accessibility and inclusion barriers.

Alongside the equity and rights-based concerns this situation raises, India also loses out from under-employing persons with disabilities—the economic case for inclusive employment is particularly compelling. Research indicates that countries can raise their GDP by three to seven percentage points by increasing the employment rate of persons with disabilities to match that of persons without disabilities. Despite common perceptions, workplace adjustments often involve minimal or one-time costs while yielding significant benefits in employee retention and productivity.

This report aims to address these gaps in inclusive employment, through a review of relevant global laws and policies. The report provides actionable recommendations to Indian employers and policymakers to better enable the employment of persons with disabilities through reasonable accommodations like flexible work and assistive technology. Our comprehensive research methodology encompassed analysis of laws and policies across 20 countries and regions, alongside workplace accommodation policies from 49 large private companies across 12 countries. This was supplemented by in-depth interviews from stakeholders and disability rights experts from nine countries, providing a robust foundation for our findings and recommendations.

Analytical Findings on Country and Company-Level Approaches to Inclusive Work

Analysis of country-level policies revealed varying degrees of policy maturity across jurisdictions. While eleven of nineteen surveyed countries provide explicit definitions of reasonable accommodation, only Australia, Estonia, and the United States have established specific parameters for assessing undue burden. The remaining eight countries mention “undue burden” without providing clear definitions, highlighting a critical gap in policy framework.

Further, state support mechanisms demonstrate diverse approaches to facilitating workplace inclusion. Several countries have implemented financial assistance through grants and subsidies, exemplified by Estonia's comprehensive program covering 50-100% of adaptation costs. Tax incentives for businesses, such as the United States' Disabled Access Credit scheme, and tax deductions for companies hiring persons with disabilities, as implemented in Kenya and the Philippines, provide additional support. Non-financial support mechanisms, including advisory services and training programs, complement these financial measures.

Corporate practices additionally reveal encouraging developments across multiple dimensions. Organizations have enhanced their recruitment and onboarding processes by providing screen readers and sign language interpreters during interviews, extending interview timeframes, and establishing partnerships with NGOs for effective job mapping. Infrastructure and technology accommodations include both physical modifications—such as height-adjustable desks and accessible restrooms—and digital accessibility features incorporating screen readers and magnification tools. Work arrangements have become more flexible, with companies offering customizable schedules, remote work options with setup allowances, and role modifications based on individual needs. While this report does not independently verify the implementation of these corporate practices, at the least, they illustrate the diversity of measures that can be taken to make workplaces more inclusive.

Recommendations Proposed for Policymakers and Employers

For policymakers, our recommendations focus on three key areas. First, financial and regulatory measures should include GST exemption for assistive technology and a revamp of the government's Scheme of Assistance to Persons with Disabilities for Purchase/Fitting of Aids /Appliances, to include modern devices and higher income eligibility. Second, the lack of reliable, up-to-date data on persons with disabilities—including their population, and workforce participation rates—hinders effective policymaking and impact assessment, highlighting the need for regular, detailed data collection at all administrative levels. Strong accessibility standards should also be mandated for public infrastructure. Third, support and awareness initiatives should be instituted to raise awareness of inclusive employment, while the pool of disability certification experts can be increased through empanelling private healthcare providers.

Employers are similarly provided with comprehensive solutions to enhance workplace accessibility. Setting employment targets aligned with sectoral requirements and developing clear accessibility policies can serve as the first step toward a more inclusive workplace. Creating accessible workspaces by adhering to universal design principles, providing appropriate assistive technologies, allowing flexible and remote work options, and implementing comprehensive recruitment processes are essential measures. Regular sensitization training and clear accommodation request procedures can further strengthen these efforts.

Success in creating truly inclusive workplaces requires coordinated efforts between government bodies, private sector employers, and civil society organizations. While technological advancements continue to offer new possibilities for workplace accommodation, sustained commitment from all stakeholders remains essential. Regular monitoring of implementation progress, adaptation of strategies based on outcomes, and continuous assessment of evolving needs will be crucial for long-term success.

The path forward requires integrating accessibility considerations into all aspects of workplace planning. While the initial investment in creating inclusive workplaces may seem challenging, the long-term benefits—both social and economic—make it an imperative for modern organizations and societies. This comprehensive approach, supported by clear policy frameworks and organizational commitment, will help create workplaces where persons with disabilities can participate fully and meaningfully in the workforce.

Chapter 1

Introduction

16% of the world's population, or 1 in 6 people, experience disability,¹ making persons with disabilities the world's largest minority group.² Additionally, 80% of them are of working age,³ yet only one-third are engaged in the workforce.⁴ In India, the National Statistical Office (NSO) estimated in 2018 that 2.2% of the population experiences disability,⁵ a figure significantly below the global average. Other surveys, such as the National Family Health Survey 2019, place the proportion even lower at just 1%. These significant underestimations stem from data being drawn from surveys that cover only a fraction of the population, coupled with the recording of a limited number of disabilities.⁶ The employment scenario in India is also concerning, with only 22.8% of persons with disabilities employed.⁷

In recent decades, the global attention on the economic activity of persons with disabilities has grown. The United Nations' Sustainable Development Goal 8.5 urges member states to provide productive and decent employment for persons with disabilities.⁸ Furthermore, the cause of employment of persons with disabilities received a fillip through the adoption of the United Nations Convention on the Rights of Persons with Disabilities (UN CRPD) in 2006. This convention called for the prohibition of discrimination based on disability in employment, and directed member states to uphold the rights of persons with disabilities to work and ensure that the labour market is open, inclusive, and accessible.⁹ Other international conventions bolstering disability-inclusive development over the last half-century are the International Labour Organisation (ILO) Vocational Rehabilitation Convention 1983, Incheon Strategy 2012 and Jakarta Declaration on the Asian and Pacific Decade of Persons with Disabilities 2023.¹⁰

However, capturing a complete and accurate picture of the economic activity of persons with disabilities remains challenging due to the evolving nature of disability as a concept. As a result, there is no single universally accepted definition of disability. Even the UN CRPD, a legally binding international agreement ratified by 186 nations,¹¹ refrains from providing a fixed definition. Instead, it defines persons with disabilities as those having long-term physical, mental, intellectual or sensory impairments, which in interaction with various barriers, may hinder their full and effective participation in society on an equal basis.¹² This definition reflects the human rights model of disability, wherein persons with disabilities are identified as rights-holders and the focus is on addressing barriers which restrict their enjoyment of human rights.¹³ This evolving understanding of disability has influenced policy frameworks worldwide. For instance, India increased the number of disability categories from 7 in the Persons With Disabilities Act 1995 to 21 in its Rights of Persons with Disabilities Act 2016.

However, despite the intensive policy focus on livelihood, persons with disabilities continue to face various barriers that adversely impact their capacity to secure decent work. One of the most significant barriers is limited access to education. In India, only 19.3% of persons with disabilities aged 15 and above have attained an educational level



of secondary school or higher,¹⁴ leaving them less skilled and employable. Additionally, the limited availability of modern assistive devices—due to their expensive nature and absence of a sustainable market¹⁵—further diminishes the employment prospects for persons with disabilities by preventing them from overcoming barriers that could enable them to work.

Informational barriers also play a role, as persons with disabilities often lack awareness of available job opportunities, and mostly employers are also unaware of the persons with disabilities available for work. For those who do find work, major challenges to sustained employment include inadequate accessible public transport, lack of accessible workplaces, and employers' unwillingness to accommodate their special needs.¹⁶ Stereotypes and misconceptions that associate unproductiveness with persons with disabilities, along with the notion of a heightened cost of employing them, present significant obstacles to their employment.¹⁷

Contrary to these widespread misconceptions, studies have found that persons with disabilities are capable of working across sectors and often out-perform their peers without disabilities in terms of productivity.¹⁸ Moreover, the cost of workplace adjustments is often negligible or involves only a one-time expense.¹⁹ The key to unlocking the potential of persons with disabilities lies in providing accessible workspaces, infrastructure, and assistive devices that can enable them to fully utilise their skills and talents.²⁰ As the digital economy continues to grow, accessible digital tools, assistive technology, and flexible work arrangements hold immense potential to support and increase employment for persons with disabilities.

To facilitate the employment of persons with disabilities, country-level laws and international conventions require employers to provide reasonable accommodations—modifications and adjustments that enable persons with disabilities to perform their jobs effectively without imposing disproportionate burdens on employers.²¹ Studies have shown that provision of reasonable accommodations in the workplace can improve employee retention, labour force participation of persons with disabilities, and boost their productivity and morale.^{22, 23}

Box 1. Origins of Reasonable Accommodation

The concept of reasonable accommodation originated in the United States Civil Rights Act of 1964 in reference to discrimination on the basis of religious practice.²⁴ It required employers to accommodate an employee's religious observance unless providing such an accommodation caused undue hardship to the employee. It was first applied in the context of disability in the US Rehabilitation Act of 1973.²⁵ This legislation aimed to ensure that individuals with disabilities had equal access to employment opportunities by requiring employers to make reasonable accommodations to enable them to perform their job functions.²⁶

The concept was further strengthened in the Americans with Disabilities Act (ADA) of 1990 which defined reasonable accommodation as:

- a) Making existing facilities used by employees readily accessible to and usable by individuals with disabilities; and
- b) Job restructuring, part-time or modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, appropriate adjustment or modifications of examinations, training materials or policies, the provision of qualified readers or interpreters, and other similar accommodations for individuals with disabilities.²⁷

Improving the employment rate of persons with disabilities is not only a matter of social justice but also of economic benefit. The ILO estimates that countries can raise their economic growth by three to seven percentage points by raising the employment rate of persons with disabilities to that of persons without disabilities.²⁸ Moreover, hiring persons with disabilities can build a company's competitive advantage by leveraging their unique skills, creating a more collaborative and productive workplace, and attracting investment and talent by being considered socially responsible.²⁹

While the signatories to the UN CRPD are required to mandate provision of reasonable accommodations in employment, 48% of the member states do not provide such a guarantee to workers with a disability.³⁰ Such guarantees are also a function of national income, with low and middle income countries usually falling short of providing full rights to persons with disabilities.³¹ An analysis of countries studied for this report shows that disability legislations often either lack specific provisions for accommodating the needs of persons with disabilities or exhibit a general lack of understanding of reasonable accommodations in employment.

In the light of these issues, this report seeks to review the policy landscape on reasonable accommodations for persons with disabilities in the workplace, particularly the provisions for assistive technology and flexible work arrangements. It studies laws and government regulations across 20 countries/regions from different income groups, and internal policies on workplace accommodations of 49 companies across the selected countries/regions.³² The primary objective of the research is to understand the policy landscape on reasonable accommodations, with a particular focus on India. Through a country-wise analysis and stakeholder consultations, the report presents best practices and recommendations for India to improve its policy design on making work environments more inclusive. We hope this research will help government, industry, and civil society stakeholders better understand the benefits of inclusive workplace accommodations and serve as a tool to advocate for policy changes.

Box 2. Assistive Technology and Flexible Work Arrangements

Assistive Technology: The World Health Organisation describes assistive technology as, "... an umbrella term for assistive products and their related systems and services. Assistive technology enables and promotes the inclusion, participation and engagement of persons with disabilities, ageing populations and people living with chronic conditions in the family, community and all areas of society, including the political, economic and social spheres. Assistive products can enhance performance in all key functional domains such as cognition, communication, hearing, mobility, self-care and vision. They may be physical products such as wheelchairs, spectacles, hearing aids, prostheses, orthoses, walking aids or continence pads; or they may be digital and come in the form of software and apps that support communication, time management, monitoring, etc. They may also be adaptations to the physical environment, for example portable ramps or grab-rails."³³

Flexible Work Arrangements: While there is no universally accepted definition of flexible working, it primarily refers to a model that offers employees autonomy over their work hours and location, departing from the traditional 9-5 office-based structure. It can involve flexi-time, where employees build up hours for time off, or hybrid setups that combine remote and office work. For persons with disabilities, flexible working is particularly relevant as it allows them to tailor work schedules around health needs, attend medical appointments without losing income, and reduce commuting stress. Additionally, remote work enables persons with disabilities to create accessible environments at home, enhancing comfort and productivity.³⁴

Box 3. Timeline of International Conventions

World Programme of Action Concerning Disabled Persons of 1982: An outcome of the UN International Year of Disabled Persons (1981), the Programme is a global initiative aimed at improving disability prevention, rehabilitation, and equal opportunities. It focuses on ensuring the full participation of persons with disabilities in social life and national development.

ILO Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983: Adopted in 1983, the Convention promotes equal employment opportunities for all persons with disabilities. It requires ratifying countries to implement laws and policies enabling persons with disabilities to secure, retain, and advance in employment, particularly in the open labour market, to support their social integration.³⁵ India has not ratified it.³⁶

UN Decade of Disabled Persons (1983-1992): This Decade was a time frame dedicated for governments and organisations to implement the World Programme of Action.³⁷

The Asian and Pacific Decade of Disabled Persons by the UN Economic and Social Commission for Asia and Pacific (1993-2002): Following the UN Decade of Disabled Persons, UN Economic and Social Commission for Asia and the Pacific (ESCAP) launched the Asian and Pacific Decade of Disabled Persons in 1992 to revitalise efforts in implementing the World Programme of Action. The initiative aimed to strengthen regional cooperation and promote the full participation and equality of persons with disabilities across the region.³⁸

UN Convention on the Rights of Persons with Disabilities 2006: The UN CRPD is an international human rights treaty that defines the fundamental rights of people with disabilities. Adopted by the United Nations in 2006, its purpose is to promote, protect, and ensure the full and equal enjoyment of all human rights and fundamental freedoms by persons with disabilities, while fostering respect for their inherent dignity. The Convention builds on decades of UN efforts to shift attitudes and approaches towards persons with disabilities, moving from a charity-based model to one that recognises their rights and agency.

Incheon Strategy 2012: The Incheon Strategy to “Make the Right Real” for Persons with Disabilities in Asia and the Pacific builds on the principles of the UN CRPD, the Biwako Millennium Framework for Action, and Biwako Plus Five, all focused on establishing an inclusive, barrier-free, and rights-based society for persons with disabilities. It introduced the first regionally agreed disability-inclusive development goals for the Asian and Pacific region and beyond. The strategy outlines 10 goals, 27 targets, and 62 measurable indicators to advance the social inclusion of persons with disabilities.³⁹

Jakarta Declaration 2023: It was adopted in 2022 as the successor to the Incheon Strategy. It reaffirms the commitment of ESCAP members to the 10 goals of the Incheon Strategy, aiming to empower over 750 million persons with disabilities in the region.^{40,41} The Declaration emphasises aligning national laws with the UN CRPD, promoting accessibility through universal design, encouraging disability inclusion in the private sector, and improving data collection to monitor progress.⁴²

Chapter 2

Methodology

This policy review was developed across four stages.

First, a detailed literature review of all laws and policies pertaining to persons with disabilities in India and 19 other countries/regions was conducted. International treaties on the rights of persons with disabilities were also studied. This desk research aimed to capture the common and differentiating factors between countries' approaches to accommodating persons with disabilities at the workplace. Multiple government sources were studied to identify their definitions of disability, and specific clauses concerning providing persons with disabilities with reasonable accommodations like assistive technology and flexible work. These include country laws and policies, country submissions to the Office of the United Nations Commissioner for Human Rights (OHCHR), government guidelines, and government websites. Reports by the UN, European Union, and other country-specific reports were studied, and stakeholders were also consulted (see Annexure 2 for full list of countries and laws surveyed).

A separate literature review was also conducted to identify concerns surrounding the implementation of disability-related laws in the countries chosen for this report.

Second, a detailed review of the workplace accommodations policies of large and privately-owned companies from across the world was conducted. The businesses surveyed were typically multinational corporations, or diversified domestic businesses. These companies were chosen as they were more likely to have publicly available information on their disability-related policies. The research sought to identify best practices for reasonable accommodations across the services and manufacturing sectors in India and abroad. 49 companies from 12 countries were identified, and their reasonable accommodation policies were examined to identify specific company measures to aid assistive technology and flexible working requirements. A full list of the companies and brief overviews of their respective accommodations is available in Annexure 4.

Third, to assess the implementation of countries' disability laws, in-depth stakeholder consultations were held with experts in nine countries. These experts were from government, civil society, academia, and legal backgrounds, and had deep expertise in strengthening and advocating for disability employment rights in their home countries. The consultations helped identify common implementation issues faced across jurisdictions that impact the accommodation and employment of persons with disabilities in the workforce. They also shed light on additional literature, including policy instruments and laws, deployed by countries to help improve the penetration of persons with disabilities in the workforce. A full list of the stakeholders consulted (barring those who wished to remain anonymous) can be found in Annexure 3.

Fourth, based on the desk research and stakeholder consultations, a detailed list of recommendations and best practices was collated. These evidence-based recommendations will be used when advocating with public and private institutions for improved reasonable accommodation policies for employees with disabilities in India.

Contours of the study: Multiple system-level accommodations can be introduced to create conducive environments for persons with disabilities. This report has avoided delving into these broader recommendations, and tailors its findings to the context of workplace adjustments for persons with disabilities instead.

Additionally, establishing contact with our selected stakeholders for the implementation-related consultations proved difficult, due to low response rates and language barriers. This report, therefore, relies on a limited sample of stakeholder responses, that represent only a limited set of country-level experiences (for full list, see Annexure 3). Additionally, while a plethora of experts and documents exist across jurisdictions, language barriers prevented the researchers from fully engaging with these resources.

Further, we did not conduct substantive company-level consultations, as obtaining independent verification on company policies proved to be difficult.

A note on language: This report follows the “Disability-Inclusive Language Guidelines” issued by the United Nations under its “United Nations Disability Inclusion Strategy” launched in 2019.⁴³

Chapter 3

Disability Rights in India: The Policy Landscape

Historical context

The policy impetus for disability legislation in India can be traced back to the disability rights movement that began in the 1970s, gaining momentum in subsequent decades. Although this movement was in its infancy, it primarily advocated for comprehensive, rights-based legislation to protect and strengthen the economic and social rights of persons with disabilities.⁴⁴ Despite the power to legislate on matters concerning persons with disabilities being entrusted to state governments,⁴⁵ there was a lack of proactive measures from them, leading to the absence of any disability legislation in India at that time.⁴⁶

Simultaneously, the disability rights movement gained significance on the global stage, with increasing dialogue around understanding disability and improving the socio-economic status of persons with disabilities. Among the key initiatives by the UN in the 1980s was the World Programme of Action Concerning Disabled Persons of 1982. This global strategy encouraged governments to legislate on the prevention of disabilities, the rehabilitation of persons with disabilities, and the provision of equal opportunities for them.⁴⁷ To ensure timely action, the UN proclaimed 1983-1992 as the Decade of Disabled Persons,⁴⁸ emphasising the improvement of educational and employment opportunities for persons with disabilities, raising financial resources, and enhancing their participation in society.⁴⁹

To further these efforts, the UN ESCAP announced the Asian and Pacific Decade of Disabled Persons (1993-2002) in 1992. The theme of this decade was the promotion of full participation and equality of persons with disabilities in the Asian and Pacific region. The document outlined twelve major policy categories, including training persons with disabilities for gainful employment, fostering a culture among employers to encourage job adaptations and worksite adjustments, and formulating plans for assistive devices.⁵⁰

Persons with Disabilities Act, 1995

As a member of ESCAP, India enacted the Persons with Disabilities (Equal Opportunities, Protection of Rights, and Full Participation) Act in 1995 (PWD Act) to align with the Proclamation on the Full Participation and Equality of Persons with Disabilities in the Asian and Pacific Region. Although disability is constitutionally a state subject, the union government has predominantly driven the efforts in this area. To implement this international commitment, the union government invoked Article 253 of the Constitution of India, which authorises legislation to give effect to international agreements. This underscores the important role of international treaties and conventions in shaping national policies.

The 1995 Act recognised seven disabilities: blindness, low vision, cured leprosy, hearing impairment, locomotor disability, mental retardation, and mental illness. Consequently, it defined persons with disabilities as those suffering from at least 40% of the listed disabilities. The Act was the first in India to recognise the right of persons with disabilities to equal employment and promotion opportunities in government jobs. To facilitate this, it introduced a 3% employment quota in government establishments, with 1% each reserved for persons with blindness or low vision, hearing impairment, and locomotor disability or cerebral palsy. Additionally, it required governments to incentivise both public and private employers to ensure a 5% composition of persons with disabilities in their workforce,⁵¹ although a timeline for fulfilling this had not been prescribed.

However, the Act had several shortcomings. It recognised only a limited number of disabilities, reflecting a narrow understanding of disability prevailing at the time. By setting a 40% threshold for disability, it excluded those with less than 40% disability from its benefits and rights. Furthermore, the Act lacked provisions for reasonable accommodations, which are essential for creating an inclusive environment. It also placed no obligation on the private sector to employ persons with disabilities. Moreover, the Act was based on the medical model of disability, which considers a person's impairments as the source of their disadvantages, focusing on "curing" these impairments, rather than addressing social and environmental barriers.⁵²

Rights of Persons with Disabilities Act, 2016

The Government of India enacted the Rights of Persons with Disabilities (RPWD) Act in 2016 to fulfil its obligation after ratifying the UN CRPD. The RPWD Act marked a significant departure from the PWD Act of 1995. Firstly, in defining a person with disability, the Act shifted from the medical model to the social model of disability.⁵³ This shift to the social model adopts a civil rights approach, focusing on addressing societal, attitudinal and structural barriers to promote inclusivity.⁵⁴ While the 40% threshold for exercising rights and accessing benefits remains for persons with disabilities, the 2016 Act introduces the term "benchmark disability" to refer to those with at least 40% disability.⁵⁵

Box 4. Definition of Persons with Disabilities Over Time

1995: The Persons with Disabilities (Equal Opportunities, Protection of Rights, and Full Participation) Act defined a person with disability as *a person suffering from not less than forty percent of any disability as certified by a medical authority.*

2016: The Rights of Persons with Disabilities Act defines a person with disability as *a person with long-term physical, mental, intellectual or sensory impairment which, in interaction with barriers, hinders his full and effective participation in society equally with others.*

Secondly, the number of recognised disabilities was increased from 7 to 21, with additions such as specific learning disabilities, speech and language disabilities, and acid attack victims.⁵⁶ This broader definition reflects a more inclusive understanding of disability, however, there is still much ground to be covered. Additionally, the Act mandates the provision of reasonable accommodations in government establishments within the employment context, and the denial of such accommodations is considered discrimination,⁵⁷ aligning with the principles of the CRPD.

The RPWD Act also addresses employment more comprehensively. It prohibits discrimination based on disability in public employment and requires employers to provide a barrier-free workplace.⁵⁸ The reservation in government jobs was increased to 4% for persons with benchmark disabilities, with the existing sub-categorisation retained and an additional 1% for people with intellectual disabilities.⁵⁹ The Act continues to require governments to incentivise the private sector to ensure at least a 5% composition of persons with benchmark disabilities in their workforce.⁶⁰ However, this obligation towards the public sector employers has been dropped in the 2016 Act. Moreover, all employers, both public and private, are now mandated to publish an Equal Opportunity Policy (EOP), which should outline their commitment to a non-discriminatory work environment, provision of assistive devices, workplace accessibility, and identification of suitable posts for persons with disabilities.^{61,62}

To achieve the goal of inclusive development and promote the employment of persons with disabilities, a multi-sectoral approach is essential. Accordingly, the RPWD Act emphasises accessibility provisions in the built environment, transportation, information and communications, and the adoption of appropriate technologies and systems.⁶³

Scheme for Implementation of Rights of Persons with Disabilities Act

The Scheme for Implementation of Rights of Persons with Disabilities Act (SIPDA) is a central sector scheme that was first formulated to implement the PWD Act of 1995 and was revised in 2016 to align with the RPWD Act. The primary objective of SIPDA is to provide financial assistance and logistical support to various implementing agencies for the effective execution of the RPWD Act.⁶⁴ While the scope of this scheme is broad, this report focuses on its employment-related provisions.

The Revised Incentive Scheme for Providing Employment to Persons with Disabilities in the Private Sector, listed under SIPDA, includes several key provisions:

- Private employers are exempt from depositing Employees' Provident Fund and Employees' State Insurance contributions for employees with disabilities. Instead, the government, through the Department of Empowerment of Persons with Disabilities (DEPwD), will make these contributions for 10 years.
- The scheme is applicable to all employees with disabilities, regardless of a wage or salary ceiling.
- If a private employer hires persons with disabilities as apprentices and employs them after their apprenticeship period, the stipend during the apprenticeship period will be covered by the DEPwD.
- The scheme also emphasises raising awareness and sensitising industry associations like the Federation of Indian Chambers of Commerce & Industry, Confederation of Indian Industries, Associated Chambers of Commerce & Industry of India, among others, and organising job fairs periodically.

Analysis of Policy Design and its Implementation

This section provides a comprehensive analysis of the Indian policy framework concerning persons with disabilities, focusing on two key aspects: a) the design of the policies, and b) the effectiveness of their implementation.

Design Aspects

Definition of Reasonable Accommodation

The RPWD Act, 2016, in alignment with the UN CRPD, introduces the concept of reasonable accommodation as "necessary and appropriate modification and adjustments, without imposing a disproportionate or undue burden in a particular case, to ensure to persons with disabilities the enjoyment or exercise of rights equally with others."⁶⁵ However, the Act does not define what constitutes a "disproportionate or undue burden," an integral component of reasonable accommodation. This lack of clarity creates ambiguity in interpreting the reasonableness of accommodations, leaving room for discretion by employers. As a result, both employees with disabilities and employers are uncertain about the extent to which accommodations can be requested or provided.⁶⁶

Lack of Examples and Guidelines for Reasonable Accommodations

While the RPWD Act mandates the provision of reasonable accommodation in government establishments, it falls short of contextualising reasonable accommodations specifically for employment.⁶⁷ Adaptations are needs-based and vary depending on the individual and the essential requirements of the job. The absence of detailed guidelines on the types of accommodations that can be provided for different disabilities creates uncertainty in how to address the needs of employees with disabilities. Drawing on best practices from other countries could help address this gap. For example, South Africa has developed instructional and implementation guidelines that assist employers, employees, trade unions, and persons with disabilities in understanding employment-related legislation. These guidelines offer a tentative list of possible reasonable accommodations and include comprehensive, situation-based examples to illustrate their application.⁶⁸

Box 5. Technical Assistance Guidelines on the Employment of People with Disabilities (South Africa)

To elucidate the concept of reasonable accommodation and assist both employers and employees with disabilities, the Technical Assistance Guidelines (TAG) provide a list of measures which can be included under reasonable accommodations. These are:

- Assistance in making the workplace more accessible based on the kind of person's limitations and needs - for example, amongst others, removal of physical barriers and access to information and technology (equipment and software)
- Workstation modifications
- Adjustment to work schedules
- Adjustment to the nature and duration of the duties of the employee at work, either on a temporary or permanent basis
- The reallocation of non-essential job tasks and any other modifications to the way the work is normally performed or has been performed in the past.

These examples of reasonable accommodations are substantiated by a comprehensive list of situation-based solutions. Two of such cases are provided below for better understanding.

Case 1: A highly skilled computer technician who has a hearing impairment needs to communicate telephonically with others.

Solution: The individual benefits from sound amplification technology. The phone systems at the work environment, along with portable earphones for the computer technician's cell phone, were furnished with appropriate devices to amplify the sound.

Case 2: A radio broadcaster/announcer who is blind is required to read the newswire material.

Solution: The employer purchased a high-speed Braille printer that allowed the newswire material to be read by the announcer.

Source: Technical Assistance Guidelines on the Employment of Persons with Disabilities.

Focus on the Public Sector; Neglecting the Private Sector

The RPWD Act places most of its obligations on government establishments, with limited focus on the private sector. For instance, the requirement to provide reasonable accommodations and create a barrier-free work environment applies only to government establishments.⁶⁹ Similarly, the employment quota is mandated exclusively for government jobs, with no equivalent requirement for the private sector.

However, the private sector is not entirely excluded from the RPWD Act. Private employers are required to identify posts suitable for persons with disabilities, provide assistive devices, and create a conducive environment to enable them to perform their duties effectively. These obligations must be documented in the EOP.^{70,71} Nevertheless, the Act fails to specify the standards for such accommodations in the private sector and does not establish a robust grievance redressal mechanism to address potential issues.⁷²

Continued Reliance on the Medical Model for Employment Quota

Despite the UN CRPD's emphasis on the social model of disability, the RPWD Act continues to rely on the medical model when it comes to granting rights and benefits to persons with disabilities. To qualify for such rights, a person's disability must be one of the 21 disabilities listed in Schedule 1 of the Act. Moreover, employment benefits, including the quota, are available only to persons with at least 40% disability, categorised as "benchmark disabilities." This legal responsibility to provide employment benefits extends only to those with benchmark disabilities, and even in the private sector, the emphasis is on hiring persons within this specific category.

The United Nations has raised concerns about this approach, cautioning against the need for multiple assessments and certifications to access services and government benefits,⁷³ rather than considering the functional limitations of a person with disability.⁷⁴ Additionally, by creating this category, the government limits the reservation benefits to a subset of persons with disabilities, rather than addressing the needs of the entire gamut of the population of persons with disabilities.⁷⁵

Implementation issues

While the RPWD Act of 2016 represents a significant step forward, its implementation has been fraught with challenges and remains dismal across India.⁷⁶ Several key issues hinder the employment of persons with disabilities despite the provisions of the Act.

Non-Compliance with Employment Quotas

Despite the reservation policy and employer responsibilities, persons with disabilities continue to face significant barriers in accessing the labour market, resulting in persistently low employment rates. Various statistics, both public and private, highlight this issue. For example, an analysis by *The Economic Times* in 2023 found that only five out of 50 companies had more than 1% of employees with disabilities on their payrolls, with four of these being public sector companies.⁷⁷ Similarly, a NASSCOM survey of 224 formal sector companies in 2023 revealed that 87% had fewer than 2% of employees with disabilities.⁷⁸ Government establishments, legally mandated to reserve 4% of jobs for persons with disabilities, also fail to comply with this requirement, as evidenced by reports of unfilled vacancies and surplus positions.⁷⁹ Nevertheless, the RPWD Act has helped partially dismantle discriminatory practices, leading to a slow but gradual increase in the representation of persons with disabilities in public employment.⁸⁰

Inadequately Accommodating the Needs of PwD

The RPWD Act requires government employers to provide reasonable accommodations and a barrier-free work environment for persons with disabilities,⁸¹ but its implementation remains weak. Consultations with government representatives revealed that the state's focus is mainly on making buildings accessible. However, these efforts are largely confined to wheelchair accessibility, and progress in other important areas remains minimal. Public sector employers are often deficient in conducting proper job-mapping processes,⁸² which results in improper assignment of roles for persons with disabilities in the workplace. This inadequate accommodation frequently relegates them to lower-level positions, reinforcing the perception that persons with disabilities are incapable of performing tasks effectively. Additionally, the government does not provide state-of-the-art assistive devices, such as motorised wheelchairs, which could enable persons with disabilities to function on par with persons without disabilities.⁸³

Although the law does not explicitly define what constitutes a "disproportionate burden" in the context of reasonable accommodation, this ambiguity is not the primary reason why employers fail to accommodate the needs of persons with disabilities. Feedback from stakeholders suggests that India's cultural and legal environment has yet to internalise and enforce disability-related requirements effectively. As a result, employers often neglect to provide necessary accommodations. Furthermore, the absence of a robust grievance redressal mechanism discourages persons with disabilities from filing complaints, and poor compliance with the EOP further exacerbates these challenges.⁸⁴

Lack of Measures to Make Workplaces Accessible

The RPWD Act mandates that the built environment be made accessible, but this requirement is often ignored.⁸⁵ Many workplaces, especially in the private sector, remain inaccessible to persons with disabilities, which can be attributed to a lack of awareness, inadequate sensitisation, and insufficient budgetary allocations.⁸⁶ Moreover, accessibility efforts tend to focus primarily on locomotor and visual disabilities, neglecting other types of disabilities.⁸⁷ While retrofitting existing buildings can be costly, employers have also failed to implement cost-effective accessibility improvements, such as visual tools for speech transcription and reading tools.⁸⁸ The NASSCOM survey conducted in 2023 indicated that 52% of organisations have taken steps to improve accessibility for persons with disabilities through technological interventions, such as text-to-speech web accessibility.⁸⁹ It should be noted that the firms surveyed belong to the formal sector, with almost half being IT and software companies which are likely to be better equipped to implement accessibility measures.

Insufficient incentives for the private sector

The government offers incentives through SIPDA to encourage private sector employers to hire at least 5% of their workforce from persons with benchmark disabilities. However, these incentives are neither substantial enough to motivate employers nor easy to access due to cumbersome processes and bureaucratic hurdles.⁹⁰ Moreover, although the need for tax incentives, which could offer considerable financial relief to employers, is recognised in SIPDA, the government has yet to provide such tax breaks. Additionally, public sector departments often fail to maintain data on the employment of persons with disabilities in the private sector or conduct surveys to assess the extent of employment. An audit in Karnataka revealed that the state government had not conducted awareness workshops to sensitise industry associations about the Act's provisions and available incentives.⁹¹

Weak Enforcement and Compliance

The implementation of the RPWD Act varies widely across states, with some governments showing delays or complete non-compliance. For example, a recent compliance report found that several states had not appointed State Commissioners.⁹² These commissioners play a crucial role in monitoring the Act's implementation, addressing the concerns of persons with disabilities, and recommending corrective measures.⁹³ The absence of State Commissioners signals poor enforcement of the RPWD Act.

In Rajasthan, the state policy on disabilities has not been updated to reflect the RPWD Act of 2016.⁹⁴ Audits in the state revealed significant delays in providing rights and entitlements to persons with disabilities. For instance, the government did not notify updated employment reservations or relaxations in the upper age limit until 2021, denying persons with disabilities access to these benefits.⁹⁵ Similar delays in compliance have been observed in other states, such as Karnataka, where persons with disabilities were denied employment opportunities due to the non-identification of suitable posts.⁹⁶

Paucity of Certification Specialists

The RPWD Act's reliance on the medical model of disability requires persons with disabilities to obtain certification from an appropriate authority to qualify for benefits. However, there is a shortage of professionals capable of evaluating disabilities, making the certification process both inaccessible and time-consuming.⁹⁷ For example, a 2023 audit report from Rajasthan noted that over 31% of 9.85 lakh applicants were still waiting for their certificates, with many applications pending for more than a year.⁹⁸

In summary, while the RPWD Act has established essential frameworks for reasonable accommodations, implementation challenges reveal a deeper issue: India is struggling with the fundamental problem of integrating persons with disabilities into the workforce. The significantly lower labour force participation rate of persons with disabilities compared to persons without disabilities highlights a systemic problem.⁹⁹

The concept of reasonable accommodations has yet to gain traction in India. The government's focus remains largely on addressing physical accessibility issues rather than catering to individual needs. It is important to recognise that while accessibility measures are crucial, they should not overshadow the need for reasonable accommodations. Accessibility typically addresses barriers faced by specific groups within the larger population of persons with disabilities, whereas reasonable accommodations are tailored to meet individual needs.

Uncovering the Employment Problem of Persons with Disabilities

As we shift to examining the challenges faced by both employers and persons with disabilities in securing and retaining employment, it becomes evident that these root causes must be addressed to improve employment outcomes. Identifying these deep-seated issues will help us understand the systemic barriers that prevent persons with disabilities from entering and staying in the workforce, paving the way for more effective solutions.

Challenges Faced by Persons with Disabilities

Inaccessible Education System: India's education infrastructure remains largely inaccessible and non-inclusive, deterring families from sending children with disabilities to school and preventing them from obtaining quality education.¹⁰⁰ According to the NSO Report of 2018, only 19.3% of persons with disabilities had completed secondary education or higher.¹⁰¹ This lack of educational attainment often results in persons with disabilities being unqualified for higher-paying jobs. While some non-governmental organisations (NGOs) and government programs offer skill training, these are typically short-term and do not align with labour market demands. Additionally, enrollment in government skill training programs for persons with disabilities fell by 99% between 2019-20 and 2021-22, with only 246 individuals receiving training in the latter year.¹⁰² This educational gap significantly impacts labour market outcomes, as employment rates and job skill levels are closely linked to educational attainment.

Attitudinal Barriers: Persons with disabilities frequently encounter barriers in the workforce due to negative attitudes and preconceived notions about their productivity. Misconceptions, societal prejudices and stereotypes view them as objects of pity and focus on their disabilities rather than their capabilities, thereby limiting job opportunities.¹⁰³ Additionally, a lack of awareness and sensitivity among co-workers about different disabilities and how to interact with persons with disabilities creates a hostile work environment, which can impede job performance.¹⁰⁴

Inadequate Job Mapping and Inappropriate Assignment of Work: Improper assessment of the abilities of persons with disabilities, including the effective use of assistive technology, often results in them being assigned to low-paying, junior roles regardless of their qualifications.¹⁰⁵ The study by NASSCOM referred to previously found that 88% of persons with disabilities occupy junior roles, with their presence diminishing at higher organisational levels.¹⁰⁶ Inappropriate job assignments can exacerbate disabilities and lead to job losses, further entrenching persons with disabilities in lower-tier positions.¹⁰⁷

Absence of Redressal Mechanism: In cases where persons with disabilities are denied their legal rights of obtaining employment and reasonable accommodation, the lack of a robust grievance redressal mechanism prevents them from seeking redress or initiating changes in employer practices. This absence not only hampers their right to livelihood but also perpetuates ineffective employer practices.¹⁰⁸

Limited Accessible Transportation: Inadequate accessible transportation services pose significant challenges for persons with disabilities commuting between home and work.¹⁰⁹ The perceived additional cost of providing transport services for persons with disabilities may discourage companies from hiring them, further limiting employment opportunities.

Inaccessible Workplaces: Many workplaces lack accessibility features required by persons with disabilities. Accessibility needs vary by disability; for instance, wheelchair users require broad doorways, ramps, and accessible toilets, while individuals with visual impairments may need braille signage, tactile markings, and screen readers. The lack of awareness about necessary adaptations often results in workplaces that inadvertently exclude persons with disabilities. According to a survey of 206 companies by Randstad, accessible toilets and technological accommodations were present in less than 25% of workplaces in India, highlighting a significant gap in creating inclusive environments.¹¹⁰

Challenges Faced by Employers

Limited Talent Pool: There is a significant gap between the available talent pool of persons with disabilities and the requirements of the job market.¹¹¹ This disparity often discourages employers from hiring persons with disabilities, as they perceive the cost of training and integrating these individuals as an additional financial burden.

Inadequate Accessible Infrastructure: Despite the RPWD Act's mandate for accessible buildings, infrastructure often remains unprepared for persons with disabilities. The government has not sufficiently publicised guidelines on how to make buildings accessible, hire persons with disabilities, or prepare organisations for their inclusion.¹¹² There is also a lack of understanding regarding reasonable accommodations among employers, particularly in public employment. While features like ramps and Braille signs may qualify as reasonable accommodations, their implementation is inconsistent. Some central public sector units provide assistive devices like screen readers or wheelchairs, but these measures are often superficial and limited in scope.¹¹³

Limited Understanding of Skills and Needs of Persons with Disabilities: Employers may hold unconscious biases or misconceptions about the productivity of persons with disabilities, fearing they will face performance difficulties.¹¹⁴ A lack of understanding about how to leverage technology and other accommodations to support the abilities of persons with disabilities prevents employers from fully utilising their skills. This gap in knowledge leads to missed opportunities to benefit from the diverse talents of persons with disabilities.

Employers' Expectations About Costs: There is a prevalent belief among employers that hiring persons with disabilities is more costly, particularly due to the expenses associated with providing accommodations and supervision.¹¹⁵ This perception of high costs associated with adapting the work environment to meet the needs of persons with disabilities often deters employers from hiring them.

The Case for Employment and Reasonable Accommodations for Persons with Disabilities

As previously discussed, persons with disabilities face a significantly lower labour force participation rate due to various barriers. The ILO estimates that globally, seven out of ten persons with disabilities are economically inactive, meaning they are neither employed nor actively seeking employment.¹¹⁶ The lack of remunerative work places them at a heightened risk of falling into a poverty trap, where disability and poverty create a vicious cycle. Poverty often exacerbates disability, and vice versa, leading to social and economic exclusion.¹¹⁷ Breaking out of this cycle is exceedingly difficult without meaningful employment opportunities.

Employment is crucial for social inclusion, particularly for integrating persons with disabilities into the open labour market. It is not just about earning income but also about realising one's potential.¹¹⁸ Increased employment for persons with disabilities can enhance their financial independence, enable them to build social networks, and result in a profoundly improved quality of life. Beyond financial benefits, the ability to earn a living instils a sense of dignity and empowerment, helping persons with disabilities transition from societal marginalisation to active citizenship.

Reasonable accommodations play a vital role in facilitating the integration of persons with disabilities into the workforce by removing societal barriers and allowing them to leverage their skills and talents to the best of their abilities. By ensuring equitable opportunities, reasonable accommodations uphold principles of equality and non-discrimination. Advances in technology can enable persons with disabilities to explore various work areas and acquire new skills. For instance, braille keyboards, sign language interpreters, and speech-to-text software can greatly assist individuals with hearing impairments in performing their job duties effectively.

The benefits of employing persons with disabilities extend beyond the individuals themselves; they positively impact businesses and the economy as a whole. The ILO estimates that increasing the employment rates of persons with disabilities to match those of individuals without disabilities could boost a country's Gross Domestic Product (GDP) by three to seven percentage points.¹¹⁹ Additionally, research highlights several advantages of hiring persons with disabilities, including higher retention rates, reduced recruitment and training costs, improved attendance, and

better performance on repetitive tasks.^{120,121} An inclusive workplace also attracts a broader customer base, including persons with disabilities and their allies.

Contrary to the common misconception that workplace adjustments are prohibitively expensive, studies from the US reveal that 58% of such adjustments incur no cost, and 37% involve only a one-time expense.¹²² Many accommodations involve simple modifications, such as altering job tasks or providing flexible working hours, which are cost-effective or free. Furthermore, making workplaces accessible holds value for all employees, not just those with disabilities, enhancing overall workplace functionality and inclusivity.¹²³

Box 6. Best Practice: Lemon Tree Hotels

Lemon Tree Hotels stands out as a leader in disability inclusion, growing from just two employees with disabilities in 2007 to 19-20% of its 5,500-strong workforce by 2018,¹²⁴ though this number declined to 284 employees by 2021.¹²⁵ The company employs individuals with a wide range of disabilities, including speech and hearing impairments, physical handicaps, intellectual disabilities, and acid attack survivors.

Key strategies include customised training, such as Indian Sign Language for hearing-impaired employees, job mapping to align tasks with employees' abilities, and testing training methodologies before scaling them nationally. The company also partnered with NGOs for specialised training and recruitment of persons with disabilities.

Outcomes

- 50% lower attrition for employees with disabilities
- 15% increase in operational efficiency
- 96% employee engagement among employees with disabilities
- Recognized and rewarded for its inclusive practices^{126,127,128}

Chapter 4

Global Policy Review

This chapter reviews country-level policies on reasonable accommodations for persons with disabilities in the workplace. The aim is to understand how different countries approach this concept and identify best practices in policy design that could help address gaps in India's current framework, ensuring it better serves the interests of persons with disabilities.

The policy frameworks of 20 selected countries/regions are assessed based on four key parameters:¹²⁹

- a) Definition of reasonable accommodation;
- b) Presence of a framework for assessing reasonable accommodation;
- c) Examples of reasonable accommodation, particularly the provision of assistive technologies and flexible working arrangements; and
- d) State support for employers in implementing reasonable accommodations.

These parameters allow for an evaluation of the clarity in policy design, the understanding of reasonable accommodations by all stakeholders, and the incentives or support provided to employers for implementing workplace accommodations for persons with disabilities.

Some countries provide additional guidelines or programs on their respective government websites, which may not be fully captured in this review, particularly for non-English-speaking nations. Additionally, due to the unavailability of official legislation, such as Brazil and Turkey's bare acts, this study relies on secondary sources including country submissions to the OHCHR, reports, and stakeholder consultations.

Definition of Reasonable Accommodation

Although all the countries and regions in the study's sample have ratified the UN CRPD, their definitions of reasonable accommodation in national legislation often differ from the one provided in the UN CRPD.

11 countries provide a definition of reasonable accommodation. These include Australia, South Korea, EU, Brazil, Indonesia, Malaysia, South Africa, Turkey, Jordan, India, and Philippines. While some countries such as Malaysia, India, and Philippines have adopted the precise definition of reasonable accommodation included in the UN CRPD, others address the concept differently. For example, South Korea accounts for the nature and degree of one's disability, and gender while assessing the requirement of workplace accommodation. Jordan, on the other hand, defines reasonable accommodation in relation to the changes in the environment or timings of work.

Box 7. Definitions of Reasonable Accommodation

South Korea: "Reasonable accommodation" means any or all human and material arrangements and measures that will lead persons with disabilities to participate in activities on an equal basis with persons without disabilities, including convenient facilities, equipment, tools and services designed to take into account the gender of a person with a disability, as well as the type, degree and nature of a disability."¹³⁰

Jordan: "The alteration of the environment or time-related conditions within a specific context of time or place to enable the person with a disability to practise a right and freedom, or to gain access to services on an equal basis with others."¹³¹

Some countries place the responsibility of providing reasonable accommodations on employers without explicitly defining the term in their legislation.¹³² Among these are Canada, Estonia, Japan, the Netherlands, the United Kingdom (UK), China, Kenya, and Vietnam. While these laws may not offer a precise definition of reasonable accommodation, they often outline key elements of workplace accommodations.

For example, the UK specifies three key requirements for employers obligated to provide reasonable adjustments:

- a) Addressing disadvantages emanating from organisational practices;
- b) Removing, altering, or providing a workaround for physical barriers; and
- c) Providing auxiliary aid to employees with disabilities.¹³³

In China, employers must ensure suitable working conditions and adapt the workplace and equipment to meet the needs of employees with disabilities. Similarly, Vietnam mandates that employers provide accommodations related to working conditions, tools, and occupational safety, and further requires a proper job mapping process before assigning tasks to workers with disabilities.

Box 8. Countries Requiring Employers to Provide Reasonable Accommodations Without Defining it

China: *“Enterprises and institutions where persons with disabilities work shall provide appropriate working conditions and labour protection based on the characteristics of disabled workers, and shall make renovations where necessary on workplaces, work equipments and life facilities in light of their actual needs.”*¹³⁴

Vietnam: *“Employment of disabled people*

1. *Employers shall provide reasonable accommodation with respect to working conditions, working tools, and occupational safety and health measures that are suitable for disabled employees and organise periodic health check-up for disabled employees.*
2. *Employers must consult with disabled employees before deciding on matters of relevance to the rights and interests of disabled employees.”*¹³⁵

*“Employment for persons with disabilities: Institutions, agencies, organisations, enterprises and individuals employing persons with disabilities must place them in suitable jobs and ensure reasonable accommodations for employees with disabilities.”*¹³⁶

Among the countries reviewed, Canada, Estonia, and Japan explain the concept of reasonable accommodation across multiple sections of their respective laws. In Canada, Section 5 of the Employment Equity Act (1995) mandates that employers identify and remove barriers stemming from their employment practices and policies, and make accommodations for persons with disabilities in the workplace. The subsequent section further clarifies this duty by limiting the responsibility to the point where providing accommodations would cause undue hardship. Together, these sections offer a comprehensive view of the employer’s obligations regarding reasonable accommodations.

Box 9. Canada’s Explanation of Reasonable Accommodation Across Sections

Canada: Section 5. *“Every employer shall implement employment equity by*

- (a) identifying and eliminating employment barriers against persons in designated groups that result from the employer’s employment systems, policies and practices that are not authorised by law; and*
- (b) instituting such positive policies and practices and making such reasonable accommodations as will ensure that persons in designated groups achieve a degree of representation in each occupational group in the employer’s workforce that reflects their representation in the Canadian workforce.”*

Section 6. *“Employer not required to take certain measures: The obligation to implement employment equity does not require an employer*

- (a) to take a particular measure to implement employment equity where the taking of that measure would cause undue hardship to the employer;*
- (b) to hire or promote persons who do not meet the essential qualifications for the work to be performed;*
- (d) to create new positions in its workforce.”*

Note: “designated groups” include women, Aboriginal peoples, persons with disabilities and members of visible minorities.¹³⁷

Finally, the United States, despite not ratifying the UN CRPD, offers examples of what may qualify as reasonable accommodations without explicitly defining the term. The ADA of 1990 outlines that reasonable accommodations can include making existing facilities accessible for persons with disabilities. It also provides examples of flexible work arrangements and the provision of assistive aids to help employees with disabilities perform their jobs effectively.

Box 10. U.S. Examples of Reasonable Accommodations Without a Formal Definition

Section 12111(9) of the ADA, 1990 defines reasonable accommodation as:

“The term “reasonable accommodation” may include:

- a) making existing facilities used by employees readily accessible to and usable by individuals with disabilities; and*
- b) job restructuring, part-time or modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, appropriate adjustment or modifications of examinations, training materials or policies, the provision of qualified readers or interpreters, and other similar accommodations for individuals with disabilities.¹³⁸*



Framework for Assessing Reasonable Accommodation

The “reasonableness” of any accommodation depends on whether it imposes a disproportionate burden on the employer.¹³⁹ Therefore, it is essential to clearly define what constitutes a disproportionate burden and establish a framework for assessing it. This clarity is crucial for both employers, who need to accommodate the needs of persons with disabilities, and employees, who request such accommodations.

Among the countries reviewed, eight—South Korea, the UK, China, Indonesia, South Africa, Jordan, Kenya, and Vietnam—do not mention disproportionate burden in relation to reasonable accommodation. However, South Africa provides specific criteria for assessing appropriate accommodations in the workplace:

- a) Accommodations must eliminate barriers that prevent a qualified individual from performing their job;
- b) Accommodations should grant people with disabilities equal access to the benefits and opportunities of employment; and
- c) Employers can adopt the most cost-effective accommodation measures, as long as they align with the first two criteria.¹⁴⁰

While this approach offers some guidance, it lacks a robust and measurable framework for determining reasonable accommodations.

Conversely, eight countries—Canada, Japan, the Netherlands, the EU, Malaysia, Turkey, India, and the Philippines—refer to undue burden but do not provide a specific definition. Additionally, while our stakeholder interactions suggest that Brazil does not explain disproportionate burden, it is unclear whether this concept is even mentioned in its legislation.

Out of the countries reviewed, only three—Australia, Estonia, and the US—provide some determinants for assessing undue burden. The parameters identified across these countries include:

- Impact of the disability on the person requesting accommodation
- Nature and cost of the accommodation
- Financial resources available with the organisation
- Availability of financial assistance to the organisation
- Size, functions, and structure of the organisation
- Impact of the accommodation on workplace operations

While these parameters provide useful guiding principles for assessing the reasonableness of an accommodation, they are not exhaustive and can be tailored to individual cases as needed.

Examples of Reasonable Accommodation

Examples of reasonable accommodations act as a valuable guide for employers, especially those who may not be familiar with disability-related needs or the environmental barriers that can impede the functioning of individuals with disabilities. These examples also highlight the capabilities of persons with disabilities by showcasing how accommodations can enable them to perform effectively.

As this report focuses on reasonable accommodations through the lens of assistive technology and flexible working conditions, we have categorised the examples into these two types of accommodations. It is important to note that these examples are derived solely from the reviewed policy documents. Additional details may be available on country-specific websites, which are not included in this section.



Table 1	
Examples of assistive technologies:	Examples of flexible working arrangements:
<ul style="list-style-type: none"> • Screen readers and enlargement programs • Braille devices • Magnifying readers • Print-to-voice converters • Sign language interpreters • Qualified readers or taped texts for individuals with visual impairments • Mobility aids such as wheelchairs, canes • Workstation modifications • Acquisition or modification of equipment and devices • Software adaptations • Prosthetic devices and orthoses 	<ul style="list-style-type: none"> • Changes in working hours • Modification of work duties in terms of nature and duration of tasks • Changes in location of work (eg., remote work) • Part-time or modified work schedules • Flexible work schedules (while meeting work time requirements)

Countries like South Africa and Estonia provide context-specific examples of workplace accommodations to guide employers in supporting persons with disabilities.

South Africa’s Technical Assistance Guidelines for the Employment of Persons with Disabilities offer practical examples. One such case involves assistive technology for a call centre consultant with a physical disability who struggles with typing at speed. The solution provided is to allow the consultant to use a mouth stick or voice input/output system based on preference, enabling them to meet the required typing speed.¹⁴¹

The Estonian Unemployment Insurance Fund website illustrates workplace-related technical aids for persons with disabilities through pictorial examples, such as:

- Step boards for individuals with shorter stature
- Screen readers for people with visual impairments, allowing them to work with paper-based materials
- Digital magnifiers and screen magnification programs
- Chair lifts for individuals with mobility impairments.¹⁴²

State Support for Employers in Implementing Reasonable Accommodations

To help minimise the financial burden on employers, many countries offer various forms of assistance to support their obligation of offering reasonable accommodations. These measures include financial assistance in the form of subsidies and grants, tax incentives, and non-financial support such as counselling, training and guidance for employers.

Subsidies/ Grants

The Unemployment Insurance Fund of Estonia provides financial support to employers for making workstations accessible to persons with disabilities, including those working from home. Employers can receive reimbursement covering 50% to 100% of the costs incurred in adapting workstations. Additionally, the Fund offers assistive devices free of charge to employees with disabilities, which they can use throughout their employment at a given workplace.¹⁴³

In Australia, the government supports employers in providing workplace modifications and assistive technology for persons with disabilities through the Employment Assistance Fund. This fund covers the costs of necessary adjustments, such as purchasing equipment, making modifications, or accessing relevant services.¹⁴⁴

In contrast, the UK provides direct financial support to persons with disabilities through the Access to Work grant, rather than offering it to employers. This publicly funded employment support programme helps persons with disabilities secure and sustain employment by covering the costs of workplace accommodations. These can include assistive aids, workplace adaptations, or the provision of a support person to assist with communication at work.

Additionally, the Access to Work grant supports flexible working arrangements, such as hybrid work, by providing resources for working from multiple locations or from home, either part-time or full-time.¹⁴⁵

Tax Incentives

The US offers the Disabled Access Credit scheme to help small businesses comply with the ADA, 1990. This tax credit is available to businesses with gross receipts of USD 1 million or less in the previous taxable year or those employing no more than 30 full-time employees. The credit covers 50% of eligible access expenditures that exceed USD 250, up to a maximum of USD 10,250 per tax year. Eligible expenses include:

- Acquiring or modifying equipment or devices to accommodate employees or customers with disabilities;
- Removing barriers that prevent individuals with disabilities from accessing or using the business's facilities;
- Providing qualified interpreters or other methods to make audio materials accessible to individuals with hearing impairments;
- Offering qualified readers, taped texts, or other solutions for individuals with visual impairments.¹⁴⁶

Kenya and the Philippines offer tax deductions as incentives for hiring persons with disabilities and making workplace modifications to accommodate them. Interestingly, the provisions in both countries are quite similar: employers can claim a 25% deduction from taxable income on the salaries and wages paid to persons with disabilities, and a 50% deduction from net taxable income for expenses related to improving or modifying facilities to provide reasonable accommodations.^{147,148}

Non-Financial Support such as Counselling and Guidance

Many employers often lack the knowledge needed to create a disability-inclusive workplace, particularly regarding different disabilities and the appropriate accommodations.¹⁴⁹ To address this gap, several countries offer advisory services to help employers understand how to better support employees with disabilities.

In Australia, for example, employers receive guidance on the mutual benefits of flexible work arrangements for persons with disabilities. The advice includes practical examples of flexible arrangements, such as allowing extra breaks to manage fatigue or pain, offering flexible working hours, permitting paid and unpaid leave, enabling remote work, and implementing job-sharing arrangements with a co-worker.¹⁵⁰

Similarly, Japan provides support through the Japan Organization for Employment of the Elderly, Persons with Disabilities, and Job Seekers (JEED). JEED lends assistive equipment to organisations free of charge for a fixed period. To ensure that the equipment is well-suited to both the work environment and the specific needs of employees with disabilities, JEED offers counselling services to guide employers in selecting the most appropriate tools.¹⁵¹

This chapter shed light on the policy designs of various countries regarding reasonable accommodations and the state support mechanisms available to employers in implementing these workplace adjustments. While it does not assess the effectiveness of these policies, the review provides valuable insights into global best practices that India could consider when shaping its own policy framework.

Chapter 5

Company Policies on Reasonable Accommodations in the Workplace

Both secondary research, and stakeholder consultations undertaken for this report, have observed that there tends to be a lack of awareness among employees with disabilities and their employers on how to reasonably accommodate the former at the workplace.^{152,153,154,155,156}

For example, at the very outset, companies must understand that different types of disabilities require different kinds of accessibility measures, explained Sangita Thakur, Founder Ashtavakra Accessibility Solutions Pvt Ltd, when interviewed for this report. “A wheelchair user requires ramps, accessible washroom facilities, and doors or passageways of a certain width, etc. A hearing impaired individual would require a closed-captioning technology, an interpreter, because not everyone in the workplace would know sign language. A visually impaired person would need the workplace to have braille signs, screen readers, etc.”¹⁵⁷

While some companies have specific accommodation policies and technologies that managers are simply unaware of, others are yet to kickstart the inclusion process.¹⁵⁸ This state of affairs contributes to the larger and undesirable phenomenon of persons with disabilities being underemployed in the global workforce.¹⁵⁹ “Most companies are not aware of how to create a disability inclusive workplace—[for example] what are the physical requirements, like accessibility, software, inclusive building design, etc. and what workplace adjustments [to ensure inclusivity], need to be made,” added Aradhana Lal, Senior Vice President - Sustainability and ESG at Lemon Tree Hotels, when interviewed for this report.¹⁶⁰

In this context, analysing corporate policies can help identify best practices when it comes to the reasonable accommodation of employees with disabilities that other companies may wish to adopt themselves. Further, it also helps identify the many subtleties of employment-related inaccessibility that companies can attempt to avoid.

This chapter undertakes such a study, by examining the publicly available reasonable accommodation policies of 49 large and privately-owned companies across the world (see Annexure 4 for the list of companies surveyed), operating across the manufacturing and services sectors. The chapter first deals with the nuances of assistive technologies provided to employees with disabilities. It then proceeds to analyse the specifics of flexible work arrangements provided by companies. Both these reviews are juxtaposed against primary and secondary research concerning the usefulness of assistive technologies and flexible work for employees with disabilities.

It is acknowledged that this is a limited analysis based entirely on publicly available corporate documents. Extensive company-level consultations were not held, as obtaining independent and uncompromised verification on the success and failures of reasonable accommodation policies for employees with disabilities proved difficult. Due to



these factors, an evaluation of whether policies that appear perfect on paper are actually implemented well to the benefit of employees with disabilities is impossible. Therefore, this chapter strives neither to provide hard criticisms, nor glowing recommendations of the selected companies' performances when it comes to the implementation of their policies on disability-related matters. It instead reveals broad practices, technologies, and people management techniques that can be adapted by interested parties in their own workplace environments.

1. Assistive Technology

1.1. Adjustments While Recruiting: Improving The Accessibility Of Entering The Workforce

Setting the context

As has been described elsewhere in this report, assistive technologies are products or devices that assist an individual's functioning across multiple vectors, including communication, mobility, vision, hearing, and more. In the process they help enable the improvement of the person's health, and inclusion and participation in social activities.¹⁶¹

The lack of accessibility and reasonable accommodations provided during recruitment and in the following stages may be a potentially significant factor hindering the entry and permanent integration of persons with disabilities into the workforce. "Companies claim they want to include persons with disabilities," said Stella Camlot Reicher, Partner at Brazilian law firm SBSA Lawyers, when consulted for this report. "But, when they advertise a position, they are still not doing it in an accessible manner. So, from the very beginning employment processes are not really being designed according to a genuine commitment to promoting inclusion in the workforce."¹⁶²



Literature from the Philippines additionally recounts how this relationship unfolds, through the example of inaccessibility in the country's civil service entrance examinations, which especially impacts hearing impaired candidates:

*"One respondent shared that, persons who are Deaf and hard of hearing have low passing rates in the Civil Service Exam. One respondent noted, "There is FSL [Filipino Sign Language provided], but the grammar [of the sign language] is Sign Exact English (SEE). [However] They [candidates with disabilities appearing for the exam] are not using SEE. The passing rate of persons who are Deaf [sic] in the Civil Service is only 0.001%. How can they pass the Civil Service Exam if the proper grammar and writing is not taught to them?"*¹⁶³

Additionally, inaccessibility during hiring can also inevitably lead to candidates with disabilities being unfairly rejected for job postings, with long-term negative effects on the overall employment of persons with disabilities in the workforce. For example, the Kenyan telecom operator Safaricom failed to integrate its testing platforms with software that would enable a visually-impaired candidate (Wilson Macharia) to complete the interview's technical round. Safaricom used the lack of software to reject Macharia's application, despite its promise to make the accessibility software available to him. A Kenyan court, in the landmark case *Macharia v Safaricom*, would go on to rule in favour of the employer, a verdict that has been subjected to some scholarly scrutiny.¹⁶⁴

Given the prevailing stigma and discrimination persons with disabilities face, such recruitment processes can contribute to a sense of 'othering', leading to low self-esteem. Persons with disabilities participating in a 12-person qualitative research study from South Africa noted that "people with disabilities are sort of an afterthought" in recruitment, with others adding that they started to believe that they "don't have a place at the workplace".¹⁶⁵ To that end, the provision of adjustments in the early stages of job procurement, can prevent gatekeeping, and support the fair and full evaluation of candidates with disabilities, at par with candidates without disabilities.

Global examples of accommodations

Companies like Microsoft (USA) encourage applicants to request reasonable accommodations, such as the use of assistive technologies, during interview processes. This includes requesting screen readers or braille keyboards, sign language interpreters, or the use of personal devices to complete technical exercises. Microsoft also recommends requesting CART (Communication Access Real-time Translation) writers, which are speech-to-text translators. The interview process may also include adjustments for the candidate with disabilities, like extended interviews, and longer breaks between each stage of the interview. Once hired, Microsoft also offers accessibility partners to assist those with visual impairments navigate built infrastructure.^{166,167,168} Google (USA) offers a similar set of accommodations for candidates too.^{169,170,171} Media conglomerate Bloomberg (USA) additionally offers provision of documents in alternate formats, as well as changing the application process to suit the needs of the candidate.¹⁷²

A review of the employment of persons with disabilities from Indonesia additionally observes that companies are often unaware of how to begin recruiting persons with disabilities. The report emphasises the critical role that third parties (such as NGOs, training institutes, and more) can play in bridging this gap. In partnership with employers, these institutions “can provide information and understanding when the company recruits persons with disabilities, even during the recruitment process (including preparation and during interviews).”¹⁷³

Similar practices have been taken up by Indian hotel chain Lemon Tree Hotels, when conducting job mapping exercises, which help employers understand the kinds of jobs that a person with a specific disability may be suited for, and the adjustments required. “This is done in collaboration with our NGO partners who are trained in disability inclusion. Their job coaches and special educators come to our hotels to do the job mapping process together with our Operations Team,” explained Aradhana Lal, Senior Vice President - Sustainability and ESG at Lemon Tree Hotels.¹⁷⁴ “It also involves determining what kind of tech support (assistive technology) is required for a particular person with a disability to perform that job well.”

1.2. Furniture and Infrastructure as forms of Assistive Technology

Setting the Context

The lack of accessible infrastructure across society (and within companies) is an issue significantly hindering the employment of persons with disabilities across the world, whether in India,^{175,176,177} South Korea,¹⁷⁸ Vietnam,¹⁷⁹ or any other country surveyed for this report. Estonia observed similar concerns in its 2015 submissions to the United Nations’ Committee on the Rights of Persons with Disabilities. These documents cited survey findings suggesting that the biggest infrastructural issues hindering workplace access are “expensive and insufficiently available transport (11% of working disabled people) [sic] and difficulties with accessing or entering the workplace (10% of working disabled people) [sic]”.¹⁸⁰



Without built infrastructure that is accessible by design, persons with disabilities may find working from home a more suitable option—particularly as this work style gained traction during the coronavirus pandemic (2020-2022). For example, a 2023 survey studying the experiences of 1,500 employees with disabilities requesting workplace adjustments in the United Kingdom found:

“Employees used terms such as the pandemic “revolutionised” work for them or that work during the pandemic was “FANTASTIC”. The reasons generally given was that, although some reported working longer days when working from home, they felt they could do this because they had more energy that was not being taken away by long stressful commutes or navigating the poor accessibility of their wider working environment. Many employees also reported a better work-life balance and improved energy during this time.”¹⁸¹

Global examples of accommodations

While companies may not be able to control the accessibility of public transportation, there are infrastructural steps that they can take to improve the workplace and transportation experiences for employees with disabilities. For example, some government resources^{182,183} from global jurisdictions see modified furniture adapted to the needs of persons with disabilities as a form of assistive technology. These furniture types can include height-adjustable adaptive desks that can be manually raised or lowered based on the person with disability's need.¹⁸⁴ Similarly, mobility support could comprise providing wheelchairs and modified vehicles for persons with disabilities,¹⁸⁵ and ensuring that infrastructure is navigable for these equipments (through the provision of ramps, lifts, and dedicated parking spaces for employees with disabilities).¹⁸⁶

To that end, Indian technology major Infosys offers golf carts, manual and motorised wheelchairs, and “comfortable” workstations to employees with disabilities, aside from other assistive devices.^{187,188} South Korean electronics company Samsung claims to have built accessible parking lots and restrooms, utilising braille in elevators, and using buses with low-floors.^{189,190} USA-based technology firm LinkedIn streamlined similar infrastructural adaptations such as providing mobility support and physical desk set-ups.¹⁹¹ American pharmaceutical manufacturer Pfizer and Indian payments company PayTM offer similar adjustments as well.^{192,193}

Retailer Walmart (USA) also offers various assistive adaptations to make the retail infrastructure more accessible for employees with disabilities. For example, retail workers are allowed to procure a stool to sit on while working, and can also use assistive devices like walkers, canes, and oxygen tanks while working. Walmart may even consider purchasing the following equipment for retail employees with disabilities to help them work: magnifying glasses, ergonomic chairs and keyboards, recording devices, gel wrist pads, floor mats, foot stools, or non-latex gloves, among others. Additionally, employees at Walmart's main corporate office can utilise a small battery operated fan or a personal white noise machine.^{194,195}

The technology services and consulting firm Accenture (USA) provides “disability prevention” infrastructure for employees, which includes ergonomic seat cushions, blue-light blocking glasses, and anti-fatigue mats. Accenture also offers “wellness” rooms for employees to take breaks in. For employees with disabilities looking for mobility solutions, it developed the “WeWalk Smart” cane that attaches to the white cane traditionally used by the blind to navigate their surroundings. The “smart” attachment helps in detecting obstacles, is integrated with Google Maps, and can also be paired with the user's phone.¹⁹⁶

In the case of travel for employees with disabilities working at the United Kingdom's branch of the HSBC bank, infrastructural travel-related accommodations are also provided. For example, in the event of work-related travel, employees will be picked-up and dropped-off at their house, using low floor cabs. Air travel will be provided if road/rail travel is inaccessible, and accessible hotels will be booked if available. Personal attenders may also travel alongside the employee.^{197,198} Similar practices are followed by Finnish phone manufacturer Nokia¹⁹⁹ and American technology firm Oracle.^{200,201}

1.3. Inclusivity By Design: Creating Engineered Devices for Employees with Hearing Impairments

Setting the context

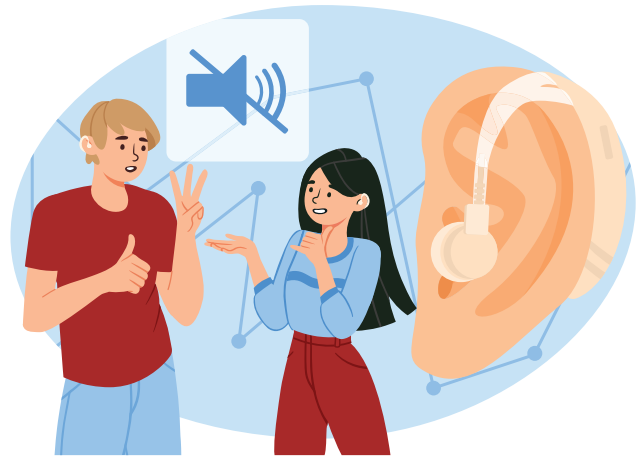
As the introduction of this report has already observed, persons with disabilities remain less visible in the workforce across global jurisdictions, compared to persons without disabilities. For example, in the case of Vietnam, in 2016, only 32.76% of persons with disabilities were employed as compared to 83.2% of persons without disabilities, a statistic attributed to, among other things, the lack of occupational safety and accessibility for employees with disabilities.²⁰²

The nature of these disabling barriers or conditions varies, and can often present itself in subtle ways that persons without disabilities may be unable to grasp. “Suppose I'm a person with a hearing impairment,” explains Danie Marais, Senior Manager, Projects and Programmes, at South Africa's National Council Of and For Persons with Disabilities, when interviewed for this report. “I'm functioning well now, because it's quiet here, but as soon as there are people shouting and screaming, and talking all at once, that would be the disabling aspect in my life...The environment and the attitude of a person, all of those things are the disabling barriers.”²⁰³

Persons with disabilities may also put up with a lack of safety and accommodation at the workplace due to the lack of employment options available to them. For example, a review from South Korea examined how workplace disability infrastructure affects job retention prospects for persons with physical impairments. It found that a majority of the 1,023 persons with disabilities surveyed wished to retain their current jobs in the future, irrespective of the accessibility of their workplaces, due to the “high level of unemployment among disabled [sic] population”.²⁰⁴

Global examples of accommodations

These trends indicate that to build inclusive workplaces that retain employees with disabilities, companies may have to actively analyse how their “general” work systems impact the health and wellbeing of this group, and adapt them accordingly. Following this insight, some larger companies operating in specialised sectors claim to have invested in procuring and/or developing engineered devices to support the interests of their employees with hearing impairments.



For example, Brazilian mining company Vale S.A. noted that the signals sounded at its units during emergencies were not picked up by the company’s deaf employees (who constitute 5.4% of its workforce, or around 2,700 employees). Vale S.A. subsequently developed a watch-like device that can be worn on the employee’s wrist. During emergencies, the watch emits a vibration while displaying an “evacuate” message, as well as the need to assemble at a meeting point. The company claims that the watch helped it “eliminate [employee-related] accidents and fatalities in operations”.²⁰⁵

Similarly, the technology services and consulting firm Accenture (USA) provides hearing impaired persons with noise-cancelling headsets, and portable speaker phones with high definition audio.²⁰⁶ The company also installs sound metres and issues noise guides to monitor the office’s noise levels and raise awareness of its impact on the workplace.²⁰⁷

1.4. Adapting Computer Systems: Simple Adjustments For Employees With Visual Impairments

Setting the context

Employees with visual impairments require specific types of assistive technologies and accommodations to be able to work well. Without these adjustments, their ability to work productively and consistently is hampered, impacting their probability of retaining employment in the long-run. For example, persons with visual impairments participating in a South African research study observed that they once waited three months for an updated voice-to-reader software. In the absence of it, the participant was unable to work properly during this period.²⁰⁸

This phenomenon is not limited to South Africa alone. A study focused on understanding the inclusion of persons with disabilities in India, through interviews with 30 persons with disabilities, reported that companies were defaulting when it came to providing assistive devices such as screen readers, and using accessibility features like closed captioning.²⁰⁹ A study from the Philippines added that many companies do not have policies on the provision of audiovisual aids, and other technological adjustments. The review added that “most persons with disabilities believe that online jobs are the most convenient form of employment because of the work-from-home set up, which helps them avoid inaccessible facilities.”²¹⁰

Global examples of accommodations

Making small and affordable technological adjustments can help improve the accessibility of work for persons with visual impairments.

For example, alongside screen readers, Amazon (USA) also records the use of “magnification tools”²¹¹ as a solution for employees with disabilities, which may be particularly useful for employees with low vision. These features magnify the contents on a computer screen whose size cannot be easily increased otherwise—this includes elements like menus, toolbars, and graphics. Mouse and text cursor changes can also be made to improve their visibility. These tools may also offer screen tinting or colour inversion services to reduce straining of the viewer’s eyes.²¹²



American pharmaceutical major Pfizer also uses colour filters (available in software programs produced by Microsoft).²¹³ Switching on these filters changes the screen’s colour palette, helping the viewer distinguish between elements that may otherwise only be differentiated by colour.²¹⁴ These features can be useful for employees with visual impairments, including low vision, or colour blindness, who may otherwise be unable to grasp the meaning of specific colours used on a screen.²¹⁵ Pfizer also uses the Immersive Reader tool (available in software produced by Microsoft) which, aside from providing text-to-speech services, also improves the readability of information. This can be useful for employees with learning disabilities.^{216,217}

Amazon (USA) also offers voice dictation software as a workplace adjustment.²¹⁸ In these technologies, human speech is captured by computers and then converted into a machine-readable language for processing. At a larger level, disability rights groups note that these technologies have helped persons with limited vision or physical mobility, use their phones, computers, and televisions with relative ease. This function can be especially useful in workplace settings, where substantial amounts of digital communication are required to execute job functions.²¹⁹

The technology services and consulting firm Accenture (USA) also provides AR (or augmented reality) glasses to employees with mobility disabilities to work comfortably.²²⁰ These glasses “capture the physical world and then integrate digital content (for example, 3D models, images, or videos) into the scene, blending digital and virtual worlds”.²²¹ Early research suggests that such devices can improve the mobility of persons with disabilities, especially those with low vision.²²²

However, such adjustments are not always a panacea for employees with visual impairments, and extra human resources may still be required to ensure support for the employee. For example, a study from Brazil records the experience of a civil servant, Marco, who has low vision, and the difficulties he faced during the pandemic:

“He relies on accessibility resources such as screen reader apps and “supported employment” if needed. One of Marco’s colleagues is his “support person” and assists him when technology cannot. Once everything moved online, he had to invest his own money to continue to do his job from home. Still, they were not enough. In his house, Marco did not have access to the “human resource of accessibility,” which allowed him to perform under the same conditions as his colleagues. Marcos’s right to count on a support person to read what the software cannot, for example, was not factored in for this new reality.”²²³

To that end, companies may also need to factor in personnel who can help employees with visual impairments navigate assistive technologies. For example, technology companies like Google (USA) also offer personal care assistance as a form of assistance to employees with disabilities, alongside the provision of visual support and CART captioning²²⁴, among other services. Government resources from the USA define personal assistance services as those provided to persons with disabilities to help assist them with tasks they would perform if they didn't have a disability. This could be provided for personal tasks (such as eating or using the bathroom), or professional tasks (such as business-related travel, communication, reading, or writing).²²⁵ American technology company Oracle also offers support animal access for persons with disabilities at the workplace, alongside interpreter services.^{226,227}

1.5. Virtual Meeting Adjustments: Making Conversations Accessible For Employees with Disabilities

Setting the context

Surveys examining the lives of employees with disabilities in the United Kingdom (with 14,491 respondents) found that work from home adaptations, such as the use of video and phone calls, made conversation-heavy tasks more accessible for them. These technologies reduced sensory overload, and the need to navigate inaccessible infrastructure to reach the workplace for in-person conversations. Further, the closed captioning of video calls, through the provision of live subtitles, makes it easier for employees with hearing impairments to follow the conversation.²²⁸

Global examples of accommodations

Similar solutions have reportedly been adopted by multiple organisations surveyed for this report. For example, computing major Intel (USA), along with many other surveyed USA-based companies, incorporates assistive technological measures into its everyday operations—the company's virtual meeting software have recording options, transcription services, and closed captioning available in multiple languages.²²⁹ Kenyan telecom operator Safaricom also uses "subtitles/closed captioning as a minimum standard during online meetings".²³⁰

Reports suggest that transcriptions of audio and visual recordings can be of particular use to employees with hearing impairments, by helping them comprehend the full range of discussion. Optimising these transcripts with screen readers can further support employees with visual impairments, or reading disabilities (such as dyslexia), as this allows the speech to be read out. Further, transcribed content can also be provided in multiple languages, as mentioned above, or in different scripts, such as braille. This can help employees with disabilities page through the meeting's discussion in a language and format that they are most comfortable with.²³¹

However, while these features are often built into specialised meeting softwares, companies may have to guide unaware employees on how to enable these features. They should also deploy them in a manner that is amenable to conditions some employees with disabilities may face. For example, a 2023 study from the UK examining the experiences of persons with disabilities requesting accommodations reported that employees without disabilities were still adapting to using the accessibility features built into video conferencing software. As a result, employees with disabilities had to wait months before they could partake in meetings fully. Additionally, the increased load of virtual meetings during the day contributed to fatigue for employees with specific conditions. Clear guidance on how to operationalise accessibility within everyday practices can help mitigate such issues.²³²

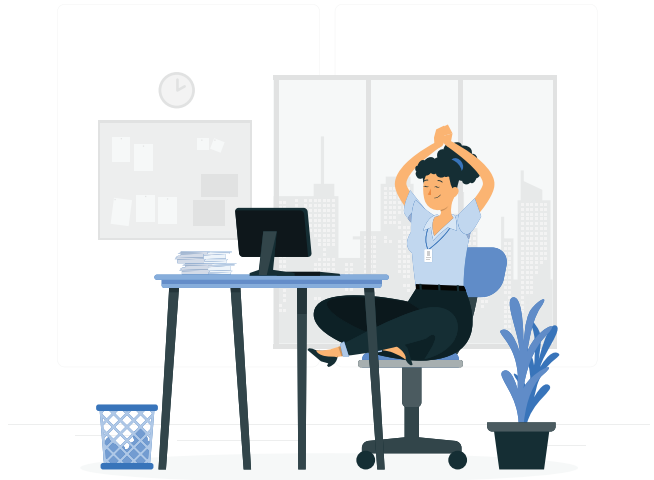


2. Flexible Work

2.1. Remote and flexible work

Setting the context

Academic research broadly finds that remote and/or flexible work—which became increasingly popular during the coronavirus pandemic—can be beneficial for employees with disabilities as it removes multiple inaccessible barriers to work. Estonia’s 2015 submissions to the United Nations’ Committee on the Rights of Persons with Disabilities cited secondary literature that helps define what a flexible working style might look like. Persons with disabilities surveyed required “transport assistance (41% of the respondents on the survey) and flexible starting and ending times of work hours (23%), a possibility to distribute their workload across days as needed (20%) or a possibility to take rest breaks during the work at the time they need it (19%).”²³³



Early iterations of this work style picked up pace during the pandemic, with some positive impacts on persons with disabilities. For example, a 2021 study from the United Kingdom studying the experiences of persons with disabilities found that “some disabled [sic] people reported that their employment had improved as they now work from home and/or can work flexible hours. This has improved well-being by increasing the control disabled people [sic] have over their lives and condition or illness. Some disabled [sic] people also reported feeling safer in their own home than having to travel to work.”²³⁴

Critically, studies from Australia surveying 1,000 people observe that adjustments like flexible working hours, which can be instrumental to improving the work experience of persons with disabilities, typically cost companies “nothing and benefit all employees, not just people with disability.” For example, while those surveyed were generally unaware about workplace adjustments, around 40% said they had already felt the benefits of flexible work.²³⁵

Global examples of accommodations

As indicated, including these new-aged working styles in the Human Resources policies of companies can help improve the inclusion and retention of employees with disabilities, as well as persons without disabilities who are caring for persons with disabilities within their own homes. For instance, as part of its benefits package, the Australian branch of software company Atlassian offers employees a monthly allowance for remote work. Employees also have the option to work out of the Atlassian office nearest to their location during this period. Atlassian additionally offers flexible work hours, adding that it doesn’t “expect a typical 9 AM - 5 PM schedule to work for everyone”.²³⁶



Similar flexible work policies have been adopted by the Indian technology services and consulting firm Tata Consultancy Services,²³⁷ and American pharmaceutical manufacturer Pfizer,²³⁸ which additionally offers modified breaks too. Disability resources from the United States of America suggest that modifying when breaks are taken, or allowing additional breaks, can comprise a form of reasonable accommodation under federal disability laws. For example, longer breaks can be broken down into smaller segments that are distributed across the day. Or, employees with disabilities can be provided with additional time for breaks too.²³⁹

Companies often also adjust the work schedules of employees with disabilities around the contingencies of a disability, although this requires careful management. “Staff members [in our organisation] disclosed that they’ve got psychosocial impairment,” explained Danie Marais Senior Manager, Projects and Programmes, at South Africa’s National Council Of and For Persons with Disabilities. “We are very flexible in our working hours. So, if they can only come in at 11 o’clock, for example, we don’t mind at all. If you are willing, then you can maybe work into the evening for a couple of hours [to make the time up], or over the weekend. But, the thing is a reasonable accommodation must come from both ways. It must be reasonable for the employer and for the employee. And you do get some people that abuse it. You can easily see when it [the work pace] forms a pattern. For example, if that person is not at the office every Monday, or every Friday, then it’s not reasonable anymore; there is something else going on. So, you need to manage it extremely well.”²⁴⁰

Similar practices are followed by Indian technology firm Wipro,²⁴¹ Finnish phone manufacturer Nokia,^{242,243} and American pharmaceutical manufacturer Pfizer.²⁴⁴

2.2. Finding suitable positions for persons with disabilities

Setting the context

In a recent survey of 224 companies operating in India, only 50% reported identifying appropriate roles for persons with disabilities, and providing training and modified work norms (including flexible work) for them. This is even though the same survey found that 75% of the companies had equal opportunity policies in place.²⁴⁵

This deficit of appropriate and modified roles being afforded to persons with disabilities may inhibit their ability to succeed in the workplace in the long-run.

In the UK, a survey evaluating the experiences of persons with disabilities, found that only 25% of persons with disabilities and their carers felt they had similar promotion opportunities compared to other colleagues. The report added that this highlights the need to “improve support for disabled [sic] people to start or stay in work, [and] to create more inclusive workplaces where disabled [sic] employees have equal chance to progress.”²⁴⁶

Global examples of accommodations

To this end, some companies have made broader public commitments when trying to ensure meaningful employment for persons with disabilities. Indian payments company PayTM notes that not all categories of jobs (such as field roles) may be suitable for employees with disabilities, and in such scenarios, the company will “use its best efforts to offer skilled and qualified candidates other roles as appropriate.”²⁴⁷

On the other hand, Indian technology firm Infosys is more explicit in its public commitments as to how it assigns suitable roles for employees with disabilities. For example, employees with hearing impairments are placed in all available positions barring those involving speaking on the phone to clients, employees, or vendors. Similarly, employees with visual impairments are placed in business and support roles with pre-existing reasonable accommodations in place. Infosys also assists employees with disabilities with identifying their next assignment and/or available opportunity.²⁴⁸

Similar practices are also visible in Vietnam. “IntelLife, a Vietnamese trading and service company, owns workshops for sewing, handicrafts and the TokyoLife retail chain,” explained Lê Thị Dịu from the Vietnam-based Hanoi Association of People with Disabilities, when interviewed for this report. “Since 2018, IntelLife has partnered with DP Hanoi [or the Hanoi Association of People with Disabilities] on the “Joining Hands for Community” project in Hanoi. Currently, over 145 employees with various disabilities, primarily physical and hearing impairments, work at IntelLife. Persons with disabilities are assigned suitable positions such as tailors and crocheters at the workshops, HR staff at the office, or store workers at the stores based on their abilities. Deaf or mute workers are mostly trained for roles in sales, goods-care, or warehousing.”²⁴⁹

The Sri Lankan technology firm John Keells IT took a more structured approach to finding opportunities for employees with disabilities:

“...The organisation launched its PWD [sic] policy, in January 2023, a phased-out roadmap that includes the appointment of Supported Employment Officers, identification of job roles in all our sectors which can be fulfilled by those within the diverse disability categories with reasonable accommodation, and making the necessary infrastructure changes required, to make our physical and digital spaces accessible...”²⁵⁰

When it comes to relocating and transferring employees for new roles, Birla Group, the Indian manufacturing conglomerate, generally provides employees with disabilities with first preferences during their transfer, posting, promotions, or allotments of residential accommodations.²⁵¹ Indian energy major Reliance Power prioritises internal transfers when considering transfer requests, taking into account the nature of the employee’s disability and the company’s manpower requirements.²⁵² Indian technology firm Infosys adds that it considers the condition of the applicant or employees’ disability before determining their work location.²⁵³

2.3. Leave policies for employees with disabilities

Setting the context

Employees with disabilities may also require extended and/or flexible leave policies to attend to their individual conditions. While some companies broadly publicly commit to providing extra leaves for disability-related reasons (like Indian technology firm Wipro²⁵⁴), or guarantee salary payments during disability-related sick leaves (like South Korea car manufacturer Kia²⁵⁵), others have published detailed public resources on their policies.

Global examples of accommodations

For instance, the financial conglomerate CitiGroup (USA), provides employees and managers with a detailed overview of its leave benefits for employees with short-term disabilities and long-term disabilities. Under this scheme, employees receive a portion of their regular salary as short-term disability benefit while they are on disability-related absences from work.²⁵⁶

Indian technology services firm Infosys, on the other hand, clearly states that extra disability-related leave will be treated as an authorised and unpaid absence.²⁵⁷

Conclusion

This chapter has covered various prevailing practices employed by global corporations to support the inclusion of employees with disabilities, specifically in the context of assistive technologies and flexible working arrangements. The need for practices like these was contextualised through the use of primary and secondary research. These findings may prove useful for stakeholders looking to identify, analyse, or adopt accessibility practices prevalent in global workplaces.

Aside from the trends outlined in this chapter, a few other observations were visible in the sample set. Firstly, some companies only made brief public commitments to provide reasonable accommodations at the workplace. Additionally, the sub-distinction between assistive technologies and flexible work arrangements chosen for this report is more scholastic than rooted in reality. Most companies do not make this distinction, and instead broadly commit to reasonable accommodation itself. It may be the case that differentiated and detailed policies exist internally, however, are yet to be made public by companies. If this is the case, then this may prove to be disadvantageous to prospective candidates with disabilities, who may require access to this information when deciding whether to apply to a company or not.

Secondly, while making reasonable accommodation commitments, some companies do not specify what employees with disabilities can ask for, when they can ask for it, or the procedure for it. No threshold is specified for the kinds of “undue” accommodations employers can refuse.

Thirdly, as is evident from the length of the chapter’s sub-sections, companies were generally far more descriptive about the kinds of technologies they offered employees with disabilities. Sections dedicated to flexible and modified work were far more limited. Additionally, companies based in America and operating in the technology sector, tended to be the most descriptive about the services they were providing candidates and employees with disabilities.

A limitation of this chapter, however, is that the companies surveyed were typically large, multinational corporations with vast resources, and higher likelihoods of publishing their disability-related policies online. Small, or even medium-sized firms, were not taken into consideration. Therefore, the kinds of accommodations detailed in this chapter may not be representative of the full spectrum of cost-effective accommodations that can be leveraged for persons with disabilities.

This is especially important given that academic studies from across countries, and particularly developing countries, reveal that employers often balk at providing reasonable accommodations out of the fear that they are too expensive.^{258,259,260,261,262,263,264,265,266} As has already been noted, this deprivation of accessibility only worsens the unemployment and underemployment of persons with disabilities worldwide. Recommendations on how financial burdens, both perceived and real, can be eased on employers are provided in Chapter 6.

Chapter 6

Recommendations

This study was initiated with the aim of identifying policy provisions for reasonable accommodations for persons with disabilities in India and other countries, with a focus on replicating good practices within the Indian context.

However, through our research and extensive discussions with experts and stakeholders, it became evident that India is still addressing basic accessibility issues, and the conversation around reasonable accommodations has not yet gained significant traction. Additionally, Indian policies are not exhaustive in their delineation of what reasonable accommodations mean. They offer even less attention to specific examples of assistive technologies and flexible work arrangements that can be deployed to improve the work experiences of employees with disabilities.

Therefore, the following recommendations address a twofold issue—facilitating employment of persons with disabilities through proper implementation of the RPWD Act, and advancing the discourse and implementation of reasonable accommodations in the workplace. The recommendations provided are catered to two sets of stakeholders: policymakers who can change national or state-level policies concerning persons with disabilities, and employers with the power to make their workplaces accessible to persons with disabilities.

For Policymakers

1. Enhancing Access to Assistive Technology

- **Exempt Assistive Technology from Goods and Services Tax (GST):** The high cost of assistive technology often places it out of reach for many persons with disabilities, perpetuating financial hardship and limiting access to essential tools for independence. By zero-rating the supply chain of assistive technology under GST, the government can effectively lower its cost, making these devices more affordable and accessible.
- **Revamp the Assistance to Persons with Disabilities for Purchase/Fitting of Aids/Appliances (ADIP Scheme):** To improve the reach and impact of the ADIP Scheme, the government could consider expanding its coverage to include a wider range of modern assistive devices that better align with the needs of persons with disabilities. Additionally, the current income eligibility ceiling of ₹30,000 per month,²⁶⁷ which is too low to enable many individuals to afford essential assistive devices, should be raised. This adjustment would allow a larger segment of the population to benefit from the scheme, thereby enhancing its effectiveness in providing crucial support to persons with disabilities.

Box 11. Assistance to Persons with Disabilities for Purchase/Fitting of Aids/Appliances (ADIP Scheme)

The ADIP scheme provides modern, certified assistive devices to people with disabilities, supporting their physical, social, and psychological rehabilitation. By making these aids accessible, the scheme aims to reduce disability-related challenges and expand educational and economic opportunities. Among its key eligibility criteria, the scheme caters to citizens with a benchmark disability of 40% or higher and a monthly income not exceeding ₹30,000. All 21 disabilities covered by the RPWD Act are included under this scheme. For assistive devices priced under ₹30,000, the scheme offers financial assistance of up to ₹15,000. The DePWD maintains an expert committee that periodically reviews and recommends appropriate aids for different disabilities.

2. Data Collection

- **Improving Data Collection for Evidence-Based Policy Making:** A lack of reliable, up-to-date data on persons with disabilities—including their total population, labour force participation, and gender composition—hinders a comprehensive understanding of this community and weakens the foundation for effective policy-making. To address this gap, there is an urgent need for periodic data collection at the national, state, and district level that captures key disaggregated metrics such as type of disability and socio-economic indicators. This data is essential not only for shaping well-informed policies, but also for evaluating the impact and effectiveness of existing schemes.

3. Incentivising Employment of Persons with Disabilities in the Private Sector

- **Guidebook for Implementing Reasonable Accommodations:** The government could consider developing comprehensive guidelines on implementing reasonable accommodations, particularly focusing on assistive technology and flexible work arrangements. These should include specific examples and relevant sector-specific recommendations, outlining steps to ensure inclusivity and accessibility across all stages of the employment process. The guidelines should also provide clear principles for assessing disproportionate burden, enabling employers and employees with disabilities to better understand the scope of reasonable accommodations.
- **Streamlining the Incentives for the Private Sector:** The Revised Incentive Scheme for Providing Employment to Persons with Disabilities in the Private Sector under SIPDA offers some financial benefits to employers.²⁶⁸ However, stakeholder consultations reveal that the process to access these benefits is time-consuming, bureaucratic and mostly offline, discouraging employers from availing them. Simplifying this process requires a thorough identification of the above listed bottlenecks and targeted solutions to address them, ensuring that the scheme achieves its intended impact of promoting inclusive employment.

4. Certification Specialists

- **Expand the Pool of Disability Certification Specialists:** To ensure that the process of obtaining disability certificates is both timely and accessible, it is essential to address the shortage of qualified specialists, especially at the district level. The government should consider partnering with private institutions to supplement existing public resources. This can be achieved by empanelling accredited private healthcare providers and authorising them to issue disability certificates. Clear guidelines and periodic audits can be established to maintain quality and prevent misuse. Such partnerships can significantly reduce delays in obtaining certificates.

5. Developing Accessible Physical Environments

- **Compliance with Universal Design Principles:** Public infrastructure should be designed in accordance with the principles of universal design, which would ensure that environments are inherently accessible and usable for all individuals to the greatest extent possible, without requiring adaptation or specialised design.²⁶⁹ Currently, India lacks mandatory accessibility standards, as the Ministry of Social Justice and Empowerment is in the process of drafting new rules. This follows the Supreme Court's decision to strike down Rule 15 (1) (accessibility standards) in the *Rajive Raturi* case in November 2024 on the grounds that it was self-regulatory rather than mandatory.²⁷⁰

- **Establishment of Accessibility Audit and Certification System:** The government can establish an accredited body to conduct systematic accessibility audits of public spaces and workplaces. While mandatory for public spaces, private employers could voluntarily seek certification through this authorised body, providing a standardised way to assess and recognise compliance with accessibility standards.
- **Ensuring Accessible Educational Institutions:** Public and private educational institutions must prioritise physical accessibility to guarantee that no student with a disability is denied their right to education. The government could consider mandating accessibility as a criterion for accreditation by regulatory bodies such as the National Council for Educational Research and Training, University Grants Commission, All India Council for Technical Education, etc. While inclusive education is equally important, the subject falls out of the ambit of this report.

6. Training and Capacity Building

- **Long-term Awareness and Sensitisation Campaigns:** There is a need for long-term, sustained awareness and sensitisation campaigns on various types of disabilities, the principles of accessibility and inclusion, the concept of reasonable accommodation, and legal responsibilities of employers regarding accessible workplaces. These efforts should also highlight the abilities of persons with disabilities by showcasing success stories and case studies from public and private employers, as well as the civil society.

Box 12. Government Awards for Private Companies (Indonesia)

The Indonesian government provides incentives in the form of awards to both public and private sector employers who actively promote employment opportunities for individuals with disabilities. These awards recognise and highlight the efforts of organisations in fostering inclusive work environments. By showcasing their commitment to diversity, companies enhance their public image and reputation. Additionally, inclusive workplaces contribute to higher employee morale and satisfaction, and tend to foster greater employee loyalty and retention, as employees often feel more valued and engaged in inclusive organisations.^{271,272}

For Employers

1. Transparent Provision of Reasonable Accommodations

As has already been highlighted by this report, the provision of reasonable accommodations like flexible work policies, and assistive technologies, can have subtle yet profound impacts on the accessibility and inclusivity of workplace environments. While offering the provision of assistive technologies and flexible work options, companies can also endeavour to publicise the kinds of accommodations they can and cannot offer, alongside internal procedures to be followed when requesting the same. They could additionally cover the company's policies on disability-specific leave and/or flexible working arrangements.

Table 2 outlines the various kinds of assistive technologies and flexible work arrangements, identified during the course of this report, that companies may wish to consider implementing.

Table 2: Assistive technologies and flexible work arrangements used by companies surveyed for this report.

Concern	Solution(s)
Accommodating employees with visual impairments with suitable assistive technology	Provision of assistive technologies like: <ul style="list-style-type: none"> • Screen readers • Braille keyboards • CART (Communication Access Realtime Translation) writers • Providing all forms of documentation and communications in accessible formats • Using magnification tools • Using screen tinting or colour inversion service • Using colour filters • Lifts with braille engravings
Accommodating employees with hearing impairments with suitable assistive technology	Provision of assistive technologies like: <ul style="list-style-type: none"> • On-site sign language interpreters who can translate content into sign language • Developing safety/warning systems that are not audio dependent for Deaf employees • Transcription services for video conferencing
Accommodating employees with locomotor disabilities through assistive technology and infrastructure adjustments	Provision of assistive technologies like: <ul style="list-style-type: none"> • Height adjustable adaptive desks • Wheelchairs • Mobility assistance through the use of golf carts and similar vehicles • Buses with low floors • Accessible bathrooms • Ramps • Wide doorways • Lifts with buttons at an accessible height • Dedicated parking spaces for persons with disabilities • Ergonomic chairs and keyboards
Broader accommodations that support persons with varied types of disabilities, including neurological, physical, and more	<ul style="list-style-type: none"> • Wellness and quiet rooms • Accessibility partners/support animals to navigate built environments
Offering flexible work for employees with disabilities	Offering flexible work arrangements like: <ul style="list-style-type: none"> • Monthly allowances for remote work • Flexible work hours • Adjustment of work to accommodate the specific needs of persons with disabilities • Suitable work for persons with disabilities based on their abilities • Consideration of disabilities when planning transfers • Customised/specialised leave policies for employees with disabilities

2. Recruitment-Related Processes

- **Organisation-Specific Employment Targets:** To foster an inclusive workplace, organizations can develop supportive employment strategies for persons with disabilities. This approach could involve setting inclusive hiring goals that are thoughtfully designed to reflect the organization's unique context, such as its specific work areas, current economic landscape, and strategic objectives.²⁷³
- **Job Mapping:** Proper execution of job mapping should be undertaken while hiring persons with disabilities to assess their skills properly, identify their need for assistive devices, and assign them tasks according to their abilities. Additionally, to help create a level recruitment field, employers can also ensure that all aspects of the recruitment process are accessible—ranging from job applications, to career portals, to applicant tracking systems, to physical interview sites. Third-party organisations trained in disability inclusion can assist in enabling these processes.

3. Developing Transparent Institutions for Employees with Disabilities

- **Recognition and Incentives for Exemplary Accessible Workplaces:** In addition to the existing National Awards,²⁷⁴ industry associations of employers could consider introducing a Disability Access Rating for workplaces, administered by an independent accreditation body. This rating, awarded to compliant member organisations, would evaluate and recognise workplaces based on their compliance with existing accessibility laws and their efforts to foster inclusivity. Such accreditation may help candidates with disabilities make informed decisions when choosing organisations to apply to. Additionally, for both public employers and privately-owned listed companies, earning such a rating would serve as a valuable incentive allowing them to showcase the recognition as a “badge of honour” in their annual reports and corporate communications.
- **Making Workplaces Accessible:** Employers specifically building new workspaces should ensure that their buildings are developed based on universal design principles or, in other words, are accessible by design. Standards that can be followed include the Harmonised Guidelines & Standards for Universal Accessibility in India.²⁷⁵ This can preemptively mitigate the need for employees with disabilities to request accommodations, by including their needs from the get-go.
- **Sensitising Organisations through Disability Cells:** In order to create proactive organisational culture towards accessibility, companies can consider instituting cells led by an employee with a disability. This cell can take the lead in sensitising departments and workstreams on accessibility and inclusion for employees with disabilities. The disability cell's functions could include co-producing documentation and internal policies, with relevant departmental support, on a range of topics impacting the workplace experiences of employees with disabilities, including:
 - **Inclusion Policies:** Disability cells can publicise its employees' code of conduct, or anti-discrimination policy, or Diversity, Equity, and Inclusion policy, and any grievance redressal mechanisms listed under these policies for employees with disabilities.
 - **Career Developments:** Policies on work-related travel, transfer, and relocation policies for persons with disabilities can additionally be considered to ensure that the long-term career paths of employees with disabilities are appropriately supported and adjusted.
 - **Workplace Accessibility:** Checklists of accessibility features built into software packages that should be switched on to support employees and prospective candidates with disabilities. These can be circulated amongst persons with and without disabilities to help familiarise them about how to operationalise these features and when. In the Indian context, the IS 17802 accessibility standards²⁷⁶ developed by the Bureau of Indian Standards—which specify how to make content accessible for persons with disabilities—can be adhered to.

- **Shifting the Norms of Organisational Culture:** Disability cells, in cooperation with relevant departments and third-party organisations, can also undertake hands-on initiatives to help sensitise employees without disabilities on why accessibility and inclusion are fundamental to the workplace. This could take the form of *Disability Equality Training*, and etiquette manuals for employees on how to engage with employees and prospective candidates with disabilities (and their concerns) in a courteous and respectful manner.

Moving ahead

The comprehensive review of disability rights policies and corporate practices across twenty countries reveals both the challenges and opportunities in creating inclusive workplaces for persons with disabilities. While India has established essential frameworks through the RPWD Act of 2016, implementation remains a significant challenge, particularly in the realm of reasonable accommodations.

The research highlights that successful integration of persons with disabilities into the workforce requires a multi-faceted approach. Policy makers must strengthen implementation mechanisms, provide clear guidelines, and create meaningful incentives for private sector participation. Employers must develop transparent accessibility policies, implement comprehensive recruitment processes, and create truly inclusive work environments through appropriate assistive technologies and flexible arrangements.

The economic benefits of employing persons with disabilities are clear, with potential GDP gains of three to seven percentage points. Moreover, the cost of workplace adjustments is often minimal or involves only one-time expenses, contrary to common perceptions. The success stories of companies implementing inclusive practices demonstrate that accommodation of persons with disabilities is not only socially responsible but also commercially viable.

Moving forward, the focus must be on enforcing existing legislation while fostering a culture of inclusion. This requires sustained effort from all stakeholders - government bodies, private sector employers, and civil society organisations. Only through such coordinated action can India create a workforce where persons with disabilities can participate fully and meaningfully, contributing to both economic growth and social progress.

The recommendations provided in this report offer a roadmap for various stakeholders to improve workplace accessibility and inclusion. Success will require sustained commitment, regular monitoring, and adaptation of approaches based on outcomes and evolving needs of persons with disabilities in the workplace.

Annexure

Annexure 1. The 21 Disabilities Recognised by the RPWD Act, 2016²⁷⁷

1. Locomotor disability
2. Muscular dystrophy
3. Leprosy cured
4. Dwarfism
5. Cerebral palsy
6. Acid attack victim
7. Low vision
8. Blindness
9. Deaf
10. Hard of hearing
11. Speech and language disability
12. Intellectual disability
13. Specific learning disability
14. Autism spectrum disorder
15. Mental illness
16. Chronic neurological conditions
17. Multiple sclerosis
18. Parkinson's disease
19. Haemophilia
20. Thalassemia
21. Sickle cell disease

Annexure 2. Laws and Policy Documents Reviewed for this Study²⁷⁸

Country	Document
Australia	Australia Disability Discrimination Act, 1992
	Australia Fair Work Act, 2009 (Volume 1)
Brazil	Brazilian Inclusion Law, 2015 ²⁷⁹
	Quota Law, 1991
Canada	Employment Equity Act, 1995
	Canadian Human Rights Act, 1985
	Accessible Canada Act, 2019
China	Protection of Persons with Disabilities, 2008
	Regulations on the Employment of Persons with Disabilities, 2007
Estonia	Occupational Health and Safety Act, 1999
	Equal Treatment Act, 2009
India	Persons with Disabilities Act, 1995 (repealed)
	Rights of Persons with Disabilities Act, 2016
	Rights of Persons with Disabilities Rules, 2017
	Scheme for Implementation of Rights of Persons with Disabilities Act, 2016
Indonesia	Law on Persons with Disabilities, 2016
Japan	Act to Facilitate the Employment of Persons with Disabilities, 1960
	Act for Eliminating Discrimination against Persons with Disabilities, 2013
Jordan	Law on the Rights of Persons with Disabilities Act, 2017
Kenya	Persons with Disabilities Act, 2003
Malaysia	Persons with Disabilities Act, 2008
	Press Release by the Malaysian Employers Federation (Nov 14, 2023)
Netherlands	Act on Equal Treatment on the Grounds of Handicap or Chronic Illness, 2003 (also known as the Disability Discrimination Act)
	Additional resources ²⁸⁰ : <ul style="list-style-type: none"> • Euroblind: Netherlands • European Commission. Country report non-discrimination: Transposition and implementation at national level of Council Directives 2000/43 and 2000/78 – Netherlands 2022 • Netherlands Institute for Human Rights: Inclusion of persons with disabilities in the labour market • Netherlands Institute for Human Rights: Submission to the Office of the United Nations High Commissioner for Human Rights (2016)

Country	Document
Philippines	Magna Carta for Disabled Persons, 1991
	Implementing Rules and Regulations of Republic Act 10524 (An Act Expanding the Positions Reserved for Persons with Disability)
South Africa	Employment Equity Act, 1998
	Employment Equity Amendment Act, 2022
	Code of Good Practice on Employment of Persons with Disabilities, 2015
	Technical Assistance Guidelines on the Employment of People with Disabilities
South Korea	Act on the Prohibition of Discrimination Against Persons with Disabilities and Remedy Against Infringement of Their Rights, 2007
	Act on the Employment Promotion and Vocational Rehabilitation of Persons with Disabilities, 2010
Turkey	Law on Disabled People, 2005
	4857 Labour Law
	Amendments to the Turkish Disability Law in 2014 ²⁸¹
United Kingdom	Equality Act, 2010
United States	Americans with Disabilities Act, 1990
Vietnam	Law on Persons with Disabilities, 2010
	Labour Code, 2019

Annexure 3. List of Stakeholders Interviewed for the Study

Country	Name	Designation/Organisation
Brazil	Stella Camlot Reicher	Partner, SBSA Lawyers
Estonia	Kadri Palk	Policy Officer, Estonian Chamber of Disabled People
India	Aradhana Lal	Senior Vice President – Sustainability & ESG, Lemon Tree Hotels Limited
	Jayna Kothari	Co-founder, Centre for Law and Policy Research
	Krithika Sambasivan	Lead, Disability Research, Pacta
	Sandeep G R	District Magistrate, Sagar, Madhya Pradesh
	Sangita Thakur	Founder, Ashtavakra Accessibility Solutions Pvt. Ltd.
	Shashank Pandey	Lawyer and Founder of Politics and Disability Forum
Japan	Nagase Osamu	Professor, Ritsumeikan University, Kyoto; Co-chair, East Asia Disability Studies Forum; Vice-Chair of Japan Disability Forum; Board Member of Japan Society for Disability Law and Japan Society for Disability Studies.
Netherlands	Name withheld on request	
Philippines	Name withheld on request	
South Africa	Danie Marais	Senior Manager, Projects & Programmes at the National Council of & for Persons with Disabilities
	Lebogang Boya	Senior Manager, Projects & Programmes at the National Council of & for Persons with Disabilities
United Kingdom	Name withheld on request	
Vietnam	Lê Thị Dịu	Hanoi Association of People with Disabilities

Annexure 4: List of Companies Surveyed for Chapter V

As part of the study, we surveyed all publicly available documents on reasonable accommodations offered by the following companies. For a complete list of documents surveyed, visit <https://thequantumhub.com/>

Company	Country
Atlassian	Australia
Commonwealth Bank	Australia
Embraer	Brazil
Vale S.A.	Brazil
Huawei	Canada
Thomson Reuters	Canada
Nokia	Finland
Bayer	Germany
Accenture India	India
Bajaj	India
Birla Group	India
HCL	India
ICICI Prudential	India
Infosys	India
Nestle India	India
PayTM	India
PwC India	India
Reliance Power	India
TCS	India
Tech Mahindra	India
Wipro	India
Mitsubishi	Japan
Nissan	Japan
Safaricom	Kenya

Company	Country
Hyundai	South Korea
Kia	South Korea
Samsung	South Korea
John Keells IT	Sri Lanka
TSMC	Taiwan
HSBC	United Kingdom
Vodafone	United Kingdom
Accenture	USA
Amazon	USA
American Express	USA
Apple	USA
Bloomberg	USA
Citibank	USA
Google	USA
Hewlett Packard	USA
HSBC	USA
Intel	USA
LinkedIn	USA
Meta	USA
Microsoft	USA
Oracle	USA
Pfizer	USA
Walmart	USA
Zoom	USA

Endnotes

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- 279 Since the bare act was unavailable in English, we relied on Brazil's submission to the Office of the United Nations High Commissioner for Human Rights on compliance with the UN CRPD.
- 280 Owing to unavailability of legal documents on the matter, reports by EU and other public sources were referred to.
- 281 Information taken from Turkey's submission to the Office of the United Nations High Commissioner for Human Rights.



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