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>> Bonnie Hoffman: Good afternoon everybody. We're going to go ahead and get started. Thank you for joining us for today's webinar, Fostering Disability Inclusiveness Inclusive Cultures and Workplaces. My name is Bonnie Hoffman. I am a white woman with short brown hair and glasses and today I'm wearing a light blue sweatshirt with NACDL's Scales of Justice logo. I serve as the Director of Public Defense for the National Association of Criminal Defense Lawyers and I'm excited to welcome everybody to today's program. This webinar is part of our Strengthening the Sixth Grant. Strengthening the Sixth is a part of the US Department of Justice's commitment to ensure core Sixth Amendment rights are protected by our legal system. Our partners for this work are the Association of Prosecuting Attorneys, the National Center for State Courts, and Research Triangle Institute International. On behalf of our entire team we're excited to be partnering with RespectAbility to bring you this program. This particular program today is going to include ASL interpretation. And we may take some brief pauses during the course of that to change out the interpreters. Right now I'd like to take a moment first and thank our interpreters for today's programs. We're really appreciative of you all being here today. We'll also be using live captioning for today's program. Anybody who wishes to access that service can enable the close captioning function. With that I'm going to take a few moments to introduce our speakers. I'm going to keep the intros really short they have a lot of content to provide us and I want to make sure we give them as much time as possible to speak with you. So today we are going to be joined by Graciano Petersen. Graciano is a Senior Director of Talent Culture and Training at RespectAbility where his work focuses on advancing equity and providing accessible opportunities for upscaling and advancement. And he's going to be joined by Eric Ascher. Eric is RespectAbility's Senior Associate of Communications and helps to develop and implement advocacy efforts in communication of various types. Eric has a critical role in ensuring that RespectAbility's marketing, and communications, webinars, and website, as well as their social media content is accessible. With that I'm going to turn everything over to Graciano and Eric. We hope you enjoy the program.

>> Eric Ascher: Thank you very much. I am going to share our slides. Welcome everybody. Very happy to have you here. So today's topic is Fostering Disability-Inclusive Cultures and Workplaces. And as Bonnie said, I'm Eric Asher. I'm the Senior Associate of Communications at RespectAbility. And Bonnie covered the gist of my bio pretty well actually. So I'm gonna turn over to Graciano and let him introduce himself.

>> Graciano Petersen: Hi everyone. Yes, I'm Graciano Peterson Vice President of Talent, Culture, and Learning here at RespectAbility. I'm a black man with a short curly hair, and wearing dark rimmed glasses and a gray floral kind of situation happening in the shirt today as well. I'll let Eric lead us through the first half of this.

>> Eric Ascher: And before I do, I'm going to describe myself visually. Thank you for the reminder Graciano. I am a white man wearing glasses with black hair that's sort of receding and alarmingly receding I would say. And our background has our RespectAbility’s tagline: "Fighting Stigma Advancing Opportunities" on it. So, in case you missed the first two events in this series, quick overview- who we are. So RespectAbility is the first diverse, disability-led nonprofit and our mission is to fight stigmas and advance opportunities so people with disabilities can fully participate in all aspects of community. And the photo on this slide is from an old RespectAbility event in 2019 on Capitol Hill. So, today's objectives. By the end of the session our hope is that you will be able to identify some action steps that you can take to foster inclusive employee development and advancement opportunities. Articulate the basics of reasonable accommodation processes for employees with disabilities. Support implementation of disability inclusion efforts within your organizations offices, agencies, and/or firms. Highlight the importance of intentional and inclusive marketing and communications practices as part of a larger disability inclusion strategy. And name at least three resources that can support you and your team in providing reasonable accommodations and fostering disability-inclusive cultures and workplaces. So we're gonna open up the chat. I'm just wanted to see get a pulse from everybody. How would you make an inclusive, a workplace inclusive? And I'm going to read some of what people put in the chat now. And before we go into a little bit more.

>> Graciano Petersen: What are some of the things that you look for, Eric in inclusive workplace?

>> Eric Ascher: Well things are popping up now so I don't need to answer that. Listening, recruitment, asking team members what would help them feel included, providing accommodations, universal design. All these are good answers. Refraining from making assumptions about people. Asking people what they want and need to feel welcome. That's a very good one. Universal design of course. Helps to be friendly and a good listener. Yep, all of these are very good answers. So everyone has some good ideas. So let's move on to the next slide. And you can keep putting things in of course. But here are some basic steps for creating an inclusive workplace. First- recruit candidates from a diverse pool, including candidates with disabilities. Second- create a welcoming workplace where employees feel comfortable disclosing their disabilities and requesting accommodation. You want employees to request accommodations if they need them because that's what makes that enable them to do their best work. And of course, ensure that all events and social media posts are accessible and inclusive of people with disabilities. Which is one way that you can attract diverse staff, board members, and volunteers. So one of the big things, the most important things, is that you work with people with disabilities to do this work. Because we know works best for us. We must move toward a model that focuses on inclusivity, intersectionality, and eliminating barriers created by societal choices. And the solutions to all of these problems must be led by people with diverse identities, backgrounds, and disabilities, because again we know what works best for us. And on this slide is a photo of RespectAbility's senior management team in Los Angeles. So I'm going to turn it over to Graciano now to go over some tips for organizations and employers. Oh wait, no. Sorry. I was, I still have a few more slides that I'm taking care of. So be transparent about inclusion. The message that all people are of equal value, and must be respected and treated fairly, must be communicated from the top. The leadership of the organization needs to be talking about this issue. And attract clients with disabilities by making your efforts towards inclusion readily available and easy to access. Again, don't hide it. Be public about your efforts for inclusion. And so couple things from the American Bar Association recommends. Acknowledge the issues. Assess your organization’s culture, philosophy, and history. Define your goals. Evaluate your policies, protocols, and practices. Invest in education, trading guidance and support. Change your policies and practices. And track your progress. And one acronym that we use at RespectAbility is SMARTIE, which is make sure you're setting goals that actually work. So SMARTIE stands for- Specific, Measurable, Achievable, Relevant, Time-Bound, Inclusive, and Equitable. Goals that you can actually achieve and that you can hold yourself accountable for. Some goals that you can suggest include using free accessibility tools and practices to ensure that your online events are screen reader accessible and have captions. I'll get into that a little bit more later in this presentation. And one easy to meet goal is ensuring that all in-person events you hold are in fully accessible meeting spaces. And this doesn't just mean that they can get in. Means they can use the bathroom, they can fully participate. So anyone would just make sure that is fully accessible. Universal design as people the chat mentioned. And ask clients about any disability accommodations needs. Again another thing is always ask people what they need to fully participate in any event. And now I will turn it over to Graciano. So I'm gonna turn my video off and Graciano take it away.

>> Graciano Petersen: Absolutely so we want to make sure that we're able to recruit diverse talent and well, you know, how do we really go about doing that and why is that what might that be important. We'll take a look at the next slide where we have a study that was done by Accenture, Disability: IN and American Association of People with Disabilities. And in this really comprehensive study, it talked about what they identified as the disability inclusion advantage, right. And the study was really well organized and it followed some companies for about four years. And what they decided and recognized after they identified these companies was that a few of them they could be included as Inclusion Champions because they worked really hard to make sure that they were thinking about how they can have really diverse talent in their employment pools. And so with that, what they found is that those Inclusion Champions were able to have really high performance in certain areas, right. If they were able to embrace the talent of workers with disabilities, what they got out of it was two times higher income, 30% higher economic profit margin, and up to 30% less staff turnover, right. And this is just really impactful information to see that's happening if we leverage the idea of using more people with disabilities in our workforce. Let's sort of unpack that a little bit more as we move forward here to our next slide, right. If we think about how we recruit talent with disabilities, we are recruiting people who really are an untapped talent pool who are who remain incredibly loyal to your organization, right. They're really creative, they love to solve problems, and they have to obviously solve problems sometimes for themselves because of how disabling society can be to them, right. Because they've had to solve the problems that society has like put in their way of being able to navigate spaces and places, and different things. They're actually really creative and solutions-oriented individuals that like the work that they do and enjoy doing that work and staying at companies longer. So I think it's important for people to really think about, you know, when you're recruiting talent with disabilities you're really making a long-term investment into those people and into those roles. So if you're thinking, "Boy, how do I even do this? How do I get to, how do I get there?" There are some really great resources available to teach you what you don't know about that recruitment. If it's new to you, if you're just getting onto this disability inclusion journey, you don't, you want to make sure that you're thinking about including these resources and following them to help you on that journey, right. Because we were not the first. We were definitely not, we're not going to be the last either, to like you know, be able to provide you with information and guidance. Because people with disabilities have been succeeding in the workplace for decades, right, for a really long time. And so they have always been able to figure it out and do what they need to do. But there are best practices for employers that we've published as a organization RespectAbility. TAPAbility is a really great place to source a talent with disabilities and AskJan.org is a really great free resource to help you solve inclusive employment questions that you may have, right. So there are resources out there that are available to you. If you're thinking about what disability inclusion can look like at your organization, you can think about it as both at the volunteer level as well as at the staff level as well, right. If you want to make sure that you're sort of testing the waters there to see how inclusive your building practices/spaces could be, start with some volunteers, right. Are there going to be opportunities for schools, for summer jobs, internships, disability service providers? Like what ways can we bring people into the organization and test our accessibility, right. Are there roles in leadership, board committees, an advisory council? Whatever you may have that allows people with disabilities to get a little bit more involved in overall leadership. If you're thinking about your staff, you want to make sure that you're thinking about how you can give people with disabilities competitive, integrated employment, right. Many people with disabilities are sometimes relegated to some minimum wage jobs because there's this idea that they can't do better, right. And in the some in a few states that still allow that, they are sort of stuck in those cycles but there could be more information, more competitive, integrative employment available if you allow that space to happen in your, in your organization, right. And also make sure that you're thinking about not only how we do we hire this talent, what does the promotion schedule look like? How do we keep them? How do we allow them to advance, right? And so having employees with disabilities at all levels of an organization is one way that you can improve accessibility and programs, and making sure that your mission sort of intersects with disability inclusion. And lived experience is incredibly helpful. Like I was saying earlier, like on that leadership side. The RespectAbility board is a board that's made up of incredibly diverse talented people. And a huge number of them happen to be people with disabilities, right. We have thought leaders in entertainment, policy, the corporate world, nonprofit, and faith inclusion, right. And their incredibly varied experience is what has helped us to do the work that we've done so successfully for almost 11 years now as an organization, right. And we really appreciate their expertise and the guidance that they've been able to provide for us. Next slide. Representation at RespectAbility is also something that we don't hide. We publicize our representation because we think it's really important as well for job seekers, for our partners, for our funders to know exactly who we are, right. So, you know, we let people know how what our board looks like, who is on our board, and what identities they represent. Same for our staff, our senior staff, as well as the fellows that we invite in for our internships that we make available, right. As of nothing about us without this organization, we have worked really hard to make sure that our diversity is something that is at the top of mind, right. Over the last two years we've had very diverse representation in who we hire. Especially considering how we're bringing people with disabilities, right. And we're talking about over the last two years as an organization, because that's the time that includes even my hiring as well to the organization. But also, just like the rapid growth of the organization, right. We're talking about being a 25-member team. But over the last two years, 18 of those people have been hired, right. So the organization has had rapid growth in that time. But still with an intentionality and thinking about how we do that work and why that work is important. So how do we do it? How do we recruit, accommodate, and retain diverse talent? Well it's definitely not easy, but there are ways to do it, right. You always start with what we sort of put into that chat in the beginning, is how do we create a welcoming and inclusive culture? We want to make sure that we're eliminating ableist and discriminatory language from our job descriptions, right. There are a lot of physical requirements for office and desk jobs. Why? Why do we need those physical requirements? If you are working from your home, you should be able to do whatever you need to do in your home. Have whatever assistance you may have, whether it be a personal care assistant, your own home, or what have you, that won't necessarily require you to be able to lift 30 or 25 pounds or whatever the case may be. So why, when in your physical office job that you're basically using a computer for, do you have to be able to lift 30 pounds, right? Those sort of ableist descriptions in our job descriptions sometimes keep people with disabilities from applying because of course they might not be able to do that, but that doesn't prevent them from being able to do the job and the other ways the job is described, right. So it doesn't it doesn't make sense to include some of that, those things. Another way that people are sort of having ableist language in their job descriptions is like they require a license, right. And again, somebody with a physical disability who has never tried to pursue getting a license, of course won’t have a driver's license. So they can't drive. But again, if the expectation is not for me to ever be able to drive doing the rest of my job, why is that expectation in there, right? So just making sure that we are eliminating anything that might be ableist or discriminatory from your language and job descriptions. And also making sure that you're encouraging people with disabilities to apply, right. And respect the fact that they don't have to disclose that during that application or hiring process at all and that their disclosure may take some time, okay. It’s important not to micromanage completion of tasks either. Especially when we're talking about a person with a disability and not to micromanage how those accommodations that are being used to do the job are working unless they sort of bring it up and you need to have a conversation around it. But not to like just every day being like, you know, I think you have this a accommodation but it's not still not improving immediately, right, like it's it takes time to work through things, so not to micromanage it manage it but not to micromanage it is really important as well. Okay, always think about how we allow our employees to set their own schedules to be able to prioritize their self-care and evaluate what work needs to be done synchronously versus asynchronously to allow for more of that flexibility. Okay, we also like to encourage our senior managers to be open about who they are, right. So that when we're having conversations about disability and disability inclusion, it starts from the top of the organization. And we don’t make we try to make everybody comfortable about doing that so that entry level employees can also feel comfortable being involved in that conversation around accessibility and inclusion. And it doesn't have to be something that mystified for people, but it's something that a conversation that can happen at any level with any person around that inclusive and welcoming culture is for all levels of the organization. Next slide. Want to always make sure that you are reviewing your diversity equity inclusion and accessibility or DEIA practices, right. Thinking about how all of these practices and policies play into how the organization is functioning, right? In employment and volunteer practices, making sure that they are encompassing they're not limited to accommodations talent recruitment and potential policies but also just the way that people need to live their lives, right. Are you able to think about a flexible PTO schedule? Or other things like that I think that's going to be ways to help out with making sure that your employment practices really encompass the ever-changing world of employment. Your facilities and your events, right. Always use only accessible places, spaces, and practices, and promote universal design. If you're going to invite your team out to a dinner or have a function at a bar, whatever like what lot of people do all these things all the time. Have you visited the space? Have you asked about the accessibility? Do you know if somebody with a wheelchair can get to the bathroom, right? So everything should be thought about with this idea of universal design in mind, right. We want to also always think about all the people at the organization and their access needs when planning events so that everybody can be fully included. And then thinking about online accessibility. If you're in hybrid environment, if you're in a remote environment, are your websites, is are the social media and all the content fully accessible, right. There are web content accessibility guidelines to help people get there. And you know Eric is our specialist at RespectAbility for that. And you know we have him to help to guide that practice for us. We’re also able to educate others on what they can be doing to better improve their accessibility when it comes to any of their online materials as well, right. If you're not sure how accessible all of these things are, think about who is in the room when decisions are being made, when policies are being written. Are people at disabilities being centered and thought about in decision making around the issues that truly impact them. Always want to make sure that you are also supporting diverse candidates, right. One of the ways that we have done that in the world today is making sure that there are employee resource groups. Those employee resource groups or ERGs are a great way to make sure that people with different identities are represented in the organization well, right. The ERGs can meet and discuss things that are of concern to them and make sure that they have executive sponsorship, people who are in leadership to not only support the ideas that are being shared and promoted from the group, but also being able to support it financially as needed for whenever there needs to be made a change needs to be made to enhanced policies and practices, okay. So encouraging, and seeking, and using accommodations to help one be more successful is super important. Checking in with each person to see what they might need. Removing any barriers. This was something that was mentioned in the chat as well for inclusive workspaces, but removing any physical or other barriers to people being able to access materials is super important. Making sure that your content is screen reader accessible, that there are captions. And of course that your physical spaces are wheelchair accessible are all super important to making people feel included and welcomed in a space, right. But if you're not sure, just ask, right. Ask your employees all the time what they might need to thrive in the workplace. And it's important to think about asking not just once, so like you've hired somebody, they didn't need anything, but that doesn't mean you shouldn’t check in with them annually or every six months. But make sure that you are checking in because access needs do change. So don't assume that somebody's access need when you hired them in 2020, is the same as in 2024. Do make sure that you're checking in with them constantly and thinking about what their access needs might be. All right. It's also important to create an access and communication policy, right. So what that would mean is making sure that all of the employees understand what does the process for requesting accommodations look like. Who do I need to talk to? Who's responsible for providing those accommodations and access auxiliary aids and services as well, right. So your employees should really know who they need to go to, what the process looks like, and sort of what the turnaround might be, right. Those who are volunteers also should know if there is accommodation that can be provided for them as well, right. So those who are non-employees but members of the public, and when they come into your space, what accommodations they might need, or who they might need to talk to? There should always be a point of reference. Who is the point of contact in the agency or the responsible party, right? Often times that is known as an accessibility coordinator or something like that at an organization. But there always should be one person. That person is usually adjacent to, or housed in human resources in some way, right. Are there preferred contractors or people who you bring in for captioning or interpreters, right? And who those people might be, and how do we get a chance to meet them and make contact with them? Is there a grievance procedure for saying that you know this wasn't handled correctly and I would have preferred if it was handled in a different way. And always make sure that there is onboarding as well as ongoing training for new employees, right. What does it look like for them? They need to know as well. So you might have just had a training a couple months ago for the whole team reminding them of how to get have access to all these accommodations, but then you hire somebody three months later, you're not going to make them wait until the annual orientation of like where our resources are, right. They need to know immediately. so make sure that there's a way for them to know and get that information as well. And of course we have Title I of the Americans with Disabilities Act or the ADA. And that lets us know that employees with disabilities are entitled to reasonable accommodations. And this is something that we went into a little bit on our last time with you all, but just a reminder that reasonable accommodations are modifications or adjustments to a job, the work environment, or the way things are usually done to allow for the employee to be able to do the job to the best of their abilities, right. These modifications or adjustments help disabled people perform essential functions of their job, and/or create equal opportunity in employment. So Title I does protect people with disabilities and allows them to have these modifications or adjustments to be able to do their jobs. The essential functions of the job. Next slide. And when we think about disability and how the ADA defines it, right. The ADA defines it as “a physical or mental impairment that substantially limits one or more major life activities," right. The types of disabilities are also indicated here on a great picture that we have from the United States Census that sort of categorizes what those impairments could be, but major life activities include such activities as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. So requesting accommodations, especially at RespectAbility, will always start with a request from the employee, but best practice is to proactively offer accommodations to all employees, right. An individualized inquiry is, you know, how we make sure that we're taking into account a person's personal preferences for their accessibility or the accommodations around what they might be needing, right. So employee needing accessibility might come to us and say that they need "X, Y, and Z" as an accommodation. And it’s really about having a conversation with an employee to see exactly what the request is for, how we can help them and make sure that we can we, don't we might already have something in place that might work better than what they might be suggesting, right. But it is an interactive process between the employee and the employer to find the right solution, right. It's not necessarily just a cut and dry thing of the employee requests it and it's immediately granted, it is thinking through is this actually the best solution for what the employee is seeking, or you might have something even better that might be help more helpful. So make sure that it is an interactive process make sure it is a conversation, but the process should be pretty clear to every employee and available to every employee. Examples of accommodations that we have seen or we have worked through are- flexible working hours, right. Making sure that if core hours are a problem for an employee, that they are flexible working hours that allow them to attend any medical appointments they might have or to take breaks as needed, right. And that scheduled or frequent breaks is something that's important. Captioning or CART, like we have here today on this presentation. Large print materials and ASL interpretation is also super helpful, again, just like on this presentation. Making sure that there is an opportunity to change team communication practices if there's something that works better for an individual, right. Maybe we are using Zoom phone messaging or the chat feature over email for instance, right. Because email is not going to work. Allowing people to use assistive technology and software to help them. Whether that be like speech to text software, screen readers or anything like that. And making sure that there is durable medical equipment as needed. So again, these are some of the things that we've already worked through. We've worked through things like flexible scheduling, you know, working the optimal hours for increased attentiveness. A modified break schedule for mental rest. A rest area or a private space for those who might need to decompress or have some sensory issues around sound. Or a space to take medication privately as well. You always want to make sure that you're giving clear objective and timely feedback. And that might be an accommodations request as well. Maybe somebody needs that more consistently, right. Using assisted technologies regularly, as a regular practice, will also help to demystify accommodations needs, right. If you're doing it all the time for every single meeting, it doesn't have to be something that somebody requests later, right. All of our Zoom meetings, we make sure that we always have the captions turned on, right. So that's one of those things that we think about as being universal design for our meeting spaces. And we also want to make sure that there’s like automatic note taking happening with our AI companion, because that's now a feature in Zoom as well. Maybe those are some things that you adopt as universal design practices so that you don't have to have people requesting those accommodations. All right. Remember these reasonable accommodations are productivity enhancers, right. We like to think of them as that, right, because they do help employers unlock the potential of their employees, right. You always want to make sure there’s equal opportunity in the application process as well to make sure that everyone gets a chance to represent the full version of themselves, right. So even during the interviewing process think about what reasonable accommodations you can provide at that time as well. We want to make sure that a qualified individual with a disability is able to perform the essential functions of the job with those productivity enhancers, right, whatever they might be. And always want to make it possible for an employee with the disability to enjoy equal benefits and privileges of employment, right. It shouldn't be something a cost should not go back on this employee because they need an accommodation to do their job. An employer though is not required to make an accommodation if it would impose an undue hardship on the employer, right, or the operation of the business. Okay so consider the nature and cost of an accommodation with respect to size, resources, nature, and structure of the employer's operation. And it's also what helps it to make an interactive process is if you think about what alternatives you might have to solve the accommodation needs of your employee. So how do employees request reasonable accommodation at your workplace? Let me know in the chat. And thank you for sharing that having closed captions is really helpful for you. Yes, filling out a form and giving it to HR, okay. Yep, form through HR seems to be a consensus here so far. Okay, request to the direct supervisor, right. It can go through HR or the Occupational Health Team. Okay, form through HR that requires documentation from a provider. All right, great. Okay, need to ask the supervisor or the executive director. All right thank you, continue to add those things in the chat as we move forward, and I'm going to bring Eric back.

>> Eric Ascher: Yep, and I'm going to wrap this up by talking about some inclusive and accessible marketing practices. And a reminder to please put your questions in the Q&A so we have we can get to them. So make it accessible. If something is accessible, your target audience can participate, understand, and engage, or take action. So common types of access needs. Physical/mobility access. Things like wheelchair accessibility, sensory access, auditory visual, or factory environmental stimulation. Things like quiet rooms would be helpful for this. Cognitive access and communication access like language considerations. These things can be addressed by captions and things like that. So website accessibility. So given the audience today I'm not going to go super deep into the technical aspects of this, although I'd be happy to answer any technical questions in the Q&A section, but the gist of it. What is a screen reader? We've mentioned screen readers a lot throughout this presentation today. So a screen reader does what it says. It's an app that basically application on your computer that will read out what's on the screen, basically. So they're not magic though. They don't know what's in an image unless you program it. And that's what alt text is for. So alt text is code that you put on your website that will describe the purpose of an image to someone who can't see it. So they're not missing out on anything that’s important in it. It's not about what the image looks like necessarily, it's about what the purpose of the image is. The image on the on this slide, for example, the alt text could be two people looking at a computer because there is no purpose beyond that. Forms and buttons, another thing that basically you have to code things properly so that screen readers can navigate them properly. People using screen readers could navigate properly. And captions. All videos on your website should have captions. And the difference between subtitles and captions, subtitles are only what's being spoken, captions will go a step further by including non-spoken information like laughter, applause, music, if you hear a truck driving outside my apartment, dog barking, anything like that. As well as environmental sounds. So captions are little bit more inclusive than subtitles and that's what you should be going with. And you can easily add captions to any videos on your website. The way I recommend people do it as they upload their video to YouTube, YouTube will automatically generate a captions, but they're far from perfect. There will be typos, names will be identified, you'll want to go in and fix them and make sure that the captions accurately reflect what is being spoken. Language. So this is tricky one. In the disability community there is a big debate and it's between person first and identity first language. And as much as I wish I could tell you that there is an answer for everything, there isn't. Some people prefer person first language, like person with the disability. Other people prefer identity first language, like disabled person. What we do at RespectAbility is we if we don't know who we’re talking about, if we're talking about the community in general, we switch back and forth. That's the way we address that issue. But if you're talking about a specific person, ask them. Ask them what language they prefer and respect their preference. That's always the best approach for that. And obviously you should avoid outdated terms like "handicapped," "crippled," or the "R" word. For lots of outdated terminology there's actually a disability language style guide that I can put as a resource that’s put out by the National Center on Disability Journalism and I highly recommend you check that out it's a great resource. So as we wrap up, we have tons of free resources, toolkits, and past webinar recordings available at our website and the link is in on the slide. And you can watch all of those on our website. And if you want to customize the training for your team, you can contact Jake, who is normally here, or who runs our soon to be renamed Training and Consulting Bureau. And his email is on the slide as well. So with that, thank you very much for attending today. And we're going to move into Q&A, so I'm going to take the slide down. And we'll be happy to answer your questions.

>> Graciano Petersen: Yeah, so we do have a question here about examples for of accommodations for mental and or behavioral health impairment. So I think first it's important to state that when an accommodation does not necessarily have to be provided to be accompanied with by a note from a provider, okay. Sometimes that those accommodations are easy enough to work through without needing a doctor to prove it or say that it's happening. So I think that most accommodations you know can be something that you, an option that you provide to an employee when they present you with an issue that they are facing and experiencing. And I will say that for behavioral and mental health issues, we talked about a few of those already, but flexible scheduling, particularly for those who might need to go see a therapist more regularly than others, is super important to make sure that they're able to do that. Frequent scheduled breaks is really important as well. And also making sure that you are thinking about how to reduce any sensory things that might trigger them in the workplace, right. Maybe that’s getting them a white noise machine maybe it's removing distractions from their space. Whatever the case may be. But, you know, once you have one employee with a mental or behavioral health disability, you have one employee with a mental or behavioral health disability. And you essentially have to make sure that you're asking what they need to make that experience better for them.

>> Eric Ascher: Yeah, there's never unfortunately, there’s no one accommodation that's gonna affect, that’s gonna be perfect for every single person with disability. So just really emphasize. You have to ask the people ask the person what they could do, what will be most helpful for them because we know best for ourselves so.

>> Graciano Petersen: Absolutely. Are there any other questions?

>> Bonnie Hoffman: And here's another question that’s come up in the in the Q&A, so I'm just going to go ahead I'll read it out. How do accommodations, such as frequent breaks interact with labor laws for hourly employees?

>> Graciano Petersen: Yeah, that's a great question. And I think that you want to make sure that, you know, the arrangement that you're working out with that employee does not interfere with those laws. And it works well within whatever you're working within whatever limitations you're working within, within the state or city that you're living in. What you want to make sure is that you're arranging those breaks so that it doesn't impact their overall all work week, doesn't take them over a certain number of hours in the day or in their space, but it doesn't count as work time when you're on a break, right. So that should be the idea there is that you're taking a break from work, right, so you’re not working, you're not like doing reduced work, you're on a break. So that should really help to sort of alleviate and demystify that a little bit. Making sure that you’re thinking about JAN and is a really great starting resource AskJan.org to like think through some of these concerns. But labor laws work with the ADA, right. And you're following both. So it’s not like a choose one or the other kind of situation. They work together. They work holistically. And you can make sure that you think through that in your direct particular experience. And, you know, we are a, we're a remote team, right, at RespectAbility. We're all fully remote. We all have flexible work schedules. And the idea is that everybody still needs to do 35 hours a week as a minimum. And however, you do that is how you do that, right. That's a way to sort of offer that space to allow people to do that, and make sure that they're able to take the breaks that they need, and sort of communicate additional needs as necessary. And we have another question that came through. How can one respond to an employer who says that it’s not fair to offer an accommodation to one employee unless it's offered to everyone. Well I think that's a fair enough statement for your employer to make, and I will say that accommodations should be for everyone, absolutely. So there shouldn't be a choice there. And accommodations normally benefit everyone. So I think that, you know, we want to make sure that we're not talking about a situation that will, you know, give preferential treatment to one employee or another, but really reveal what could be working better for everybody. So if you're ever in that situation I think you really want to think through what the damage might be to allowing that employee to do what their job to the best of their ability. That should not be a problem, right. They’re individualized and they need the same opportunity to be as inclusive to do their work as possible. And it's never going to be a problem to provide an accommodation. It's not going to be a detriment to the whole overall organization, right. Remember an accommodation is something as simple as enabling captions for everybody, right. It might be a needed thing for one employee, but it ends up benefiting the whole organization so.

>> Eric Ascher: I'll just add that again, just to stress, accommodations are I forget the exact term, it was like, productivity enhancers, or what's a good term. Basically it's about, it's about making sure that your employees can do their best work. And you want your employees to be able to do their best work that they can. That’s why you hired them. So it's critically important too, assuming the accommodations are reasonable, to put your best effort into providing them. And I see two more questions just popped in. I'm glad we’re getting questions in.

>> Graciano Petersen: Yeah, absolutely. Let's see. Okay so I'm going to tackle the second one first here, because I think it's a little bit more straightforward. So an issue we see with accommodations around the ideas of ergonomic seating. We're happy to do ergonomic evaluations for everyone, but not everyone is going to need 500 to 1,500 plus ergonomic chairs, sit stand desk, etc. The people who are denied fancy chairs are going to become jealous of the jealous of the people with the newer chairs. Absolutely. I think that that's totally fine. I think you just have to be a little bit more transparent as to why they were provided that chair. Not to give a diagnosis or anything like that, because that's not what we're going to get into, but revealing people’s diagnosis, but revealing that it was an accommodation request and that accommodation request was granted and needed to happen for X-Y-Z reason, right. We don't want to ever reveal people’s diagnosis or talk about things that are confidential. But you definitely don’t want to get into a space where it's about competing or jealousy. But the reality is going to be that there are some people who have a need for an accommodation for a medical reason that I can't get into. But that's why they were granted this chair. And, you know, if you happen to have a similar situation, you find yourself in that situation, you absolutely can get a chair or a sit stand desk or what have you as well, right. I think that's the most important thing to think about there is that it's an accommodation request for a reason. And then we have another question here. Any suggestions on non-litigation means of encouraging contractors or business partners who interact with my staff to provide training on ADA to their staff. Yeah, I think it's about the fact that you're building an inclusive workplace culture, right. So we're not going to talk about the legal requirements there or anything like that but what you just say is, "Hey, you know, we have a commitment to being a really inclusive workplace. And for you to continue to be our partner or contractor, we wanted you to try to embrace this as well. So if you wouldn't mind, like here are some of the things that we do around the ADA. Would you mind, encourage, you know, doing the same thing with your staff?" I think it's about having those conversations. It's not about talking about the legal requirements, but about making sure that you are just spreading this idea of a best practice here. So yes, there are legal requirements around the ADA, but if you're not going to get into that conversation, you just say, "Hey, here's the best practices that we're engaged in as an organization. It'll be great if you followed suit." Okay, this is a great one. Oh I love these questions. Can you discuss allowing emotional support animals in the workplace? Especially if other employees are allergic and are adverse to animals. So one of the things that you're going to run into sometimes, is that accommodations from one employee might interfere with accommodations for another employee. It is a sensitive situation, and so you want to make sure that you're doing the best to address that. Maybe it means that, that allergic employee, maybe you think about whether or not a hybrid work situation works best for them. Or for both. The person who needs emotional support animal and them so that they're coming in on different schedules, right. Or something like that. But making sure that you're thinking through that accommodation for that emotional support animal in the workplace, and how to balance it with the person who is allergic or averse to animals, because both things do need to be thought about. I will say that emotional support animals are different from service animals. And so there are the legal requirements for those are different, but also make sure that you’re, you know, you're thinking about going to the ADA's website and talking through how that could be a really great resource for yourself. AskJan again, another great resource for thinking that through. But I think one good solution might be thinking about how you can do a hybrid work schedule for both of these parties so that maybe they're coming in on different days, and then there's thorough cleaning in between those visits to allow for people to not have to interact in that way.

>> Eric Ascher: Alternatively, if your office is big enough you can sit them further apart potentially. I mean there's definitely solutions you could think of, but yeah, that was a tricky one. I enjoy, I'm glad you took that one, Graciano. It's a little bit of a tougher one.

>> Graciano Petersen: Yeah, I think we did it. I think we covered it, Eric. I think we answered all their questions.

>> Eric Ascher: Yeah, I just wanted to put in the chat that someone, note that someone the chat said ADA does not cover emotional support animals. Animal has to qualify as a service animal so.

>> Graciano Petersen: Yeah, that is correct. Absolutely correct. But again, if you're thinking about an inclusive workspace, you could try to make that happen, but it's difficult. It's a difficult situation you find yourself in.

>> Bonnie Hoffman: All right, going to go last call for questions. If not, I am going to thank both of you. And thank you more broadly for this whole series. I think this for those of us who have had the benefit of attending all of them, this has been incredibly valuable and I think probably opened up a lot of conversations that we're looking forward to having. So again, the recording of this program should be available by May 9th. We will work to get it to as quickly as we can. We'll also make sure we have now access to a PDF of the report that was discussed at the beginning, and we'll make sure that we circulate that out to everybody as well, along with the slides. We'll make sure it's all posted on the site, the landing page for the program as well. So thank you everyone and with that, we will hopefully see you all again in the future.

>> Graciano Petersen: Absolutely, bye everyone.

>> Eric Ascher: Bye everyone.