

Northern Illinois University Consumer Behavior

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Chapter 14 Case**Enabling the Disabled**

In April 2011, Ms. Jo Heath, who was wheelchair-bound and suffered from Multiple Sclerosis, was about to board RyanAir on one of her trips. As departure time approached, she moved closer to the boarding gate in order to get on the plane. However, the airline staff refused to offer her any boarding assistance, claiming that health and safety reasons prevented them from accommodating her. Ms. Heath took her case to the courts, where she spoke about the humiliation she felt, as her husband had no choice but to carry her onto the plane with everyone watching. In her lawsuit, she informed the judge, who eventually ruled in her favor, that she had been treated like an inconvenience, not as a passenger; and that the airline had made her feel as though it were her fault for being a disabled person. Ms. Heath received a generous settlement in her case. The ruling in her favor was in line with the Air Carrier Access Act of 1986, which prohibits discrimination in air transportation by domestic and foreign air carriers against qualified individuals with physical and mental impairments.

This case is by no means unique. Such tales of discrimination abound in our society, where 21.8 percent of the labor force consists of persons with disabilities. In the workplace, discrimination against persons with disabilities has been one of the worst social stigmas facing our society. Governments all across the world have been passing laws that attempt to prohibit work place prejudice against the disabled. Many of the enacted provisions address issues related to job accessibility and fair treatment. For example, lack of appropriate infrastructure necessitated physical accommodations such as ramps for wheelchairs or documents printed in Braille, as well as closed captioning for videos. Another provision covered the recruitment process, where establishments were prohibited from rejecting job applicants based solely on their disability. Such mandates also established guidelines for the appraisal of salaries, promotions, separations, and termination of the disabled. Other provisions included medical expense coverage and disability insurance.

In the United States, accommodating persons with disabilities has become a major social issue for both federal and local governments, which have enacted a number of regulations to enhance the conditions of the disabled and protect them from possible discrimination. Among the federal mandates is the Rehabilitation Act of 1973, which prohibits discrimination on the basis of disability in programs receiving federal financial assistance as well as ensures that electronic information is accessible to persons with disabilities. Another is the Individuals with Disabilities Education Act (IDEA), which governs how states and public agencies provide early intervention, special education, and related services to eligible infants, toddlers, and youth with disabilities. A third decree is the Civil Rights of Institutionalized Persons Act (CRIPA), granting authority to investigate abuse and neglect in places such as jails, prisons, mental health facilities, and nursing homes. A fourth law is the Air Carrier Access Act of 1986, which prohibits discrimination against the disabled by domestic and foreign air carriers. Still another mandate is the Fair Housing Act, which prohibits housing discrimination on the basis of race, color, religion, sex, disability, and national origin.

Furthermore, the American with Disabilities Act (ADA) was enacted in 1990 with the goal of eliminating discrimination in areas of operated public accommodations, transportation, and telecommunications—all which are designed to secure equal opportunities and rights for persons with disabilities.

With today's high unemployment rate, the disabled are the first to suffer in terms of locating and keeping jobs. Employers today have a moral and legal responsibility to make reasonable adjustments to the practices, policies, procedures, and physical features of their premises to enable the hiring and retention of disabled persons—particularly since these accommodations frequently involve little or no cost to the business.

Chapter 14 Case Questions

1. In view of all the laws that have been enacted in our society to curtail discrimination against the disabled, how would you explain the ongoing occurrence of cases such as that of RyanAir? Aside from legal penalties, what other procedures, policies, and practices would you suggest be adopted in order to prevent such violations?
2. What measures, programs, or actions should human resource departments in U.S. firms put in place in order to attain the goal of hiring and retaining qualified disabled individuals?
3. While most major U.S. corporations today do their best to accommodate the needs of disabled employees, owners and managers of some smaller firms still think that the added cost of adjusting their facilities, policies, and work procedures to accommodate the disabled is a major and a costly undertaking. As such, these modifications or adjustments are economically unrealistic,

particularly in today's less-than-favorable economy. Is this view justified? Should exceptions be made for small businesses? Why or why not?

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