

# Negotiating for the Future: Accessing Workplace Accommodations

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Alberta Committee of Citizens with Disabilities

*Funded by:*



Human Rights,  
Citizenship and  
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EDUCATION  
FUND

Negotiating for the Future: Accessing Workplace Accommodations

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# Negotiating for the Future: Accessing Workplace Accommodations



*“Writing in Braille”*

**Introduction**





# About the Alberta Committee of Citizens with Disabilities

## Mission Statement

The Alberta Committee of Citizens with Disabilities (ACCD) is a consumer-directed organization that actively promotes full participation in society for Albertans with disabilities.

## Guiding Principles

- Full Participation:** We are committed to breaking down barriers that prevent society from seeing beyond our disabilities and that prevent us from being included in all aspects of life. We will take charge of the social, political, and economic decisions that affect our lives. We must be accountable for our actions. We must have choice in the services and supports we require. We acknowledge and accept the dignity of risk.
- Accessibility:** All buildings and facilities must be accessible. Transportation, information, and communication services must meet our diverse needs.
- Equity:** We will be vigilant to ensure that our rights and freedoms are upheld. We claim our right to be equal while maintaining our individuality.

## A Proud History

The Alberta Committee of Citizens with Disabilities (ACCD) came into existence in 1973 when a group of people with disabilities decided to speak in a unified voice. Today we remain a grassroots, consumer-directed organization dedicated to improving the quality of life of people with disabilities.

ACCD is Alberta's only provincial, cross-disability organization *of* and *for* people living with physical, mental health, sensory, learning, or developmental disabilities. ACCD has helped bring about a variety of services and programs designed to help people with disabilities participate fully in the community and be equal partners in society.

ACCD is a leader in the disability movement. All over Alberta, people with disabilities are making their voices heard in increasing numbers. ACCD is proud to be a part of this consumer-directed movement.

### *Feedback Request*

We hope you will find this curriculum useful. If you have suggestions or feedback, please fax, phone or email your comments to us. (See contact information below.) We look forward to hearing from you. Thank you!

## Contact Information

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## Letter of Introduction

Since the early 1970s, the Alberta Committee of Citizens with Disabilities (ACCD) has been actively involved in and strongly committed to the rights we have, as people with disabilities, to participate fully in society. To this end, full participation, equity, and accessibility are the three principles that guide our programs, our day-to-day operations, our services, and our research.

So it has been with great excitement that we have developed *Negotiating for the Future: Accessing Workplace Accommodations*, a curriculum that emphasizes the importance of full participation, equity, and accessibility in the workplace. The curriculum, which builds on the Alberta Human Rights and Citizenship Commission publications *Duty to Accommodate* (2002) and *Duty to Accommodate Students with Disabilities in Post-secondary Education* (2004), emphasizes the importance of acknowledging the positions of both parties when negotiating for workplace accommodations.

We had two goals in mind as we developed this curriculum: to improve access to workplace accommodations and to enhance the relationships we foster when we seek support for our workplace endeavours. These goals are accomplished by enhancing the participants'

- Understanding of workplace accommodations and related human right legislation
- Understanding of the personal and social factors that affect our ability to negotiate for accommodations
- Ability to successfully negotiate for accommodations that will meet our needs
- Ability to build strong and effective relationships with employers or prospective employers
- Understanding of the role that others play in providing/arranging for accommodations (e.g., employers, office managers, human resources personnel, union representatives, occupational health nurses, etc.)

When you use this curriculum, ACCD believes you are taking positive steps in creating an equitable society for persons with disabilities. We would enjoy hearing about your experience with the workshop or with the independent-study component. Our contact information is included on the previous page.

Good luck and good learning!

Sincerely,  
Margot Brunner-Campbell, President  
Alberta Committee of Citizens with Disabilities

## About *Negotiating for the Future*

For many years, ACCD has been involved with employment issues concerning people with disabilities. Some of our work in this area includes:

- Workplace accessibility assessments for businesses in Edmonton and area
- A study analyzing and making recommendations to address the inequities in the income tax system for people with disabilities and their families
- Research into the barriers faced by women with disabilities who are employed or seeking employment
- Monitoring the Assured Income for the Severely Handicapped (AISH) program and actively seeking improvements that will ensure the program's integrity

More recently, ACCD has begun to advocate for and explore the situations of post-secondary students with disabilities. Since 2002, we have:

- Developed a handbook for students with disabilities who may be considering post-secondary training
- Developed a series of workshops to raise instructor awareness about the systemic and social factors that affect the lives of post-secondary students with disabilities
- Established our Education for Life Bursary

From our work in these two areas—education and employment—ACCD learned that many persons with disabilities who are entering the workplace are either uncertain about how to access workplace accommodations or are working without the accommodations they need. For example, when we interviewed employed women with disabilities from across the prairies, close to 20% said they were not getting the support they needed at work (*Working for Change: an examination of employment barriers for women with disabilities in the prairie provinces, 2000*). Responses to a questionnaire included the following revelations:

- My employer is not prepared to offer anything to help.
- My employers said they were going to accommodate me, but they never did.
- Employees with disabilities are not informed of the services they can obtain.

For students with disabilities graduating from or participating in post-secondary education, the uncertainty about how to go about obtaining workplace accommodations is exacerbated by the transition they are making from school to work.

This information led ACCD to explore the ways that stronger communication and negotiation skills might lead to improved access to workplace accommodations and to developing healthy, positive relationships between individuals **seeking** accommodations and those **providing** accommodations. This curriculum lays the foundation for “interest-based” negotiating skills—a philosophy that acknowledges the positions of both parties when negotiating for workplace accommodations.



# Negotiating for the Future: Accessing Workplace Accommodations



*“Using a Keyboard”*

**Workshop Component**



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## Facilitator's Guide

Welcome to the workshop component of *Negotiating for the Future: Accessing Workplace Accommodations*. Before you get into the nitty-gritty of workshop delivery, this section provides you with general information on the topic of workplace accommodations and on how to prepare for a successful session. If you have any questions prior to delivering the workshop, feel free to contact ACCD for information or advice. Our contact information is provided in the Introduction section.

### Workshop Contents

The workshop component contains the following materials:

- *A Facilitator's Guide*: This section includes background information on accommodation issues, workshop goals and objectives, tips for successful workshop delivery, and strategies for ensuring the session is fully accessible.
- *Facilitator's Notes*: This section outlines a type of "script" that provides a step-by-step approach to delivering the workshop.
- *A Workshop Agenda*: The agenda links workshop objectives with specific activities and provides suggested time frames for the activities.
- *A Participant Booklet*: The booklet contains participant activities and an evaluation form. Laura Horrigan, of Wedge Consulting Inc., supplied ACCD with the template for the participant booklets. Her workshops are based on David A. Kolb's theories of experiential learning.

### Length of Workshop

This is a 2½-hour workshop with a 15-minute break at the half-way point.

### Intended Audience

Ideally, a group will have no more than 15 and no fewer than 7 participants. This workshop is intended for persons with disabilities who are engaged in any of the following:

- Seeking employment for the first time
- Returning to the workplace after a time away
- Training for employment
- Rejoining the workforce in a new capacity due to a disability
- Attending a post-secondary institution with the aim of obtaining employment after graduation (See *The Difference with Post-Secondary* sidebar)

Usually, a group of participants will be pretty homogenous. For example, if you are delivering the workshop at a university, all of the participants will be post-secondary students. Similarly, if you are delivering the workshop at an employment training centre, participants will be training or re-training for the workforce. It's important to get to know your audience as much as possible prior to delivery.

While the concept of accommodations is introduced briefly at the beginning of the workshop, ACCD has made the assumption that participants will already be somewhat familiar with accommodation issues and duty to accommodate legislation.

If this is not the case, participants should be encouraged to read the Alberta Human Rights and Citizenship Commission's publication *Duty to Accommodate* (2002) prior to attending the workshop. The booklet can be downloaded from the Commission's website at <http://www.albertahumanrights.ab.ca/publications/default.asp>

### ***The Difference With Post-Secondary***

*Workshop participants who are currently attending a post-secondary institution or who have recently graduated from a college or university will have a slightly different perspective on workplace accommodations than other participants. Here are some points to keep in mind when delivering this workshop to post-secondary students/graduates:*

- *Post-secondary institutions across Alberta have the duty to accommodate students with disabilities as they seek to participate fully in their education. Students with disabilities work with disability services offices and disability services providers to ensure their accommodation needs are met.*
- *Employers have the duty to accommodate employees with disabilities. However, many employers do not have systems in place that are as efficient or as effective as many of the systems that are in colleges or universities. Financial implications and/or an employer's lack of awareness regarding disability issues, accommodation options, and accommodation legislation may mean that obtaining accommodations is not quite as straightforward as it might be in a post-secondary setting.*

## **Adult Learners**

These workshops have been developed using an experiential learning model. This means that workshop activities aim to involve the learners in their training as much as possible and to draw on their personal/professional experiences. ACCD believes that adult learners:

- Are highly motivated to learn
- Need to be treated as equals in the learning environment
- Appreciate and want to learn from their peers as well as their instructor
- Bring a variety of life experiences to the workshop and want to share these experiences with classmates
- Are willing to take responsibility for their learning

## **Facilitator's Role**

Ideally, workshop facilitators will

- Have experience teaching adult learners
- Be knowledgeable about workplace accommodations and duty to accommodate legislation
- Be living with a disability or working as an advocate for the disability community
- Understand the principles of win-win negotiations

The information included in the appendices and the materials listed on the resources page in the participant booklet are valuable tools for facilitators who would like to increase their understanding/knowledge in these areas.

## **Workshop Goals and Learning Objectives**

We had two goals in mind as we developed this curriculum: to improve access to workplace accommodations and to enhance the relationships we foster when we seek support for our workplace endeavours. These goals are accomplished through the following learning objectives:

- Review/introduce the concept of workplace accommodations
- Enhance understanding of the personal and social factors that affect our ability to negotiate for accommodations
- Enhance ability to successfully negotiate for accommodations that will meet our needs
- Enhance ability to build strong and effective relationships with employers or prospective employers
- Enhance understanding of the roles that others play in providing/arranging for accommodations

## Reviewing Materials

Prior to delivering the workshop, take the time to review:

- This facilitator's guide
- The facilitator's notes
- The participant booklet
- The Human Rights and Citizenship Commission publication *Duty to Accommodate* (2002)

It's true—this step takes a lot of time. But a successful workshop relies heavily on good preparation.

## Equipment and Supplies

This workshop requires the following equipment and supplies:

- Whiteboard (or flip chart and stand)
- Felt pens
- Materials in alternate formats (depending on accommodation needs of group)
- Name tents

## Materials for Distribution

Each participant will need a copy of the following print materials:

- Participant booklet (possibly in alternate format)
- Appendix Three: When to Disclose
- Your business card or contact information
- *Duty to Accommodate* (2002) (optional\*)

\* This publication can be ordered directly from the Human Rights and Citizenship Commission or downloaded from their website at <http://www.albertahumanrights.ab.ca/publications/default.asp>

## Workshop Accommodations

We cannot over-emphasize the importance of planning for participants' needs in this workshop well in advance. Clearly, a workshop that focuses on the topic of accommodations **must** provide accommodations for all of its participants. Give yourself plenty of time to arrange for accommodations. Discuss or establish individual participant needs with the workshop contact person or with each participant to ensure that **all necessary accommodations** are in place prior to the start of the session. Those co-ordinating the workshop need to know that accommodations may involve some cost.

Some of the accommodations you may need to consider include:

- Participant booklets in alternate format (e.g., for blind or visually impaired participants)
- An interpreter or CART services for Deaf or hard-of-hearing participants
- Space at the table to accommodate wheelchair users
- Workshop aide to assist with exercises (if necessary)

### *Training Tip: Delivery Options*

*During the pilot session, ACCD received some feedback suggesting that the workshop may be most effective if delivered to participants who share a similar disability. For example, those who have difficulty with print-based resources may benefit more fully from a workshop if all participants were working from the same, on-print materials. If you have the flexibility to offer workshops to groups that share a similar disability, you may want to consider doing so.*

### ***Training Tip: Brainstorming Activities***

*Asking questions is a good way to maximize participation. Throughout the workshop, we encourage you to facilitate brainstorming activities. When a group brainstorms, not all of the answers you receive will fit with your expectations, but all responses are accepted. Do not judge the responses, simply write them down on the whiteboard/flip chart. Nod encouragement or say things like “Okay. I see.” etc. When you discuss the ideas later, you can decide if an idea doesn’t quite “fit.”*

*During brainstorm sessions, you might find that a participant repeats an idea that someone else has already had. By writing the ideas on the whiteboard/flip chart, you’ll be able to acknowledge the repetition of an idea and say something like, “Yes, I think we already have that one here.” You may want to put a check mark (or other indicator) by that item so the group knows it’s been mentioned more than once.*

## **Preparing the Room**

Give yourself plenty of time before the session starts to prepare the room and workshop materials for the group. Depending on the nature of the accommodations that will be provided, you may need anywhere from 30 to 60 minutes to prepare adequately. Use the time before participants arrive to:

- Double-check that the room is accessible for all participants
- Ensure that the tables and chairs have been arranged in a way that encourages group interaction
- Distribute the participant booklets and name tents
- Distribute copies of the Alberta Human Rights and Citizenship Commission publication *Duty to Accommodate* (2002) (optional)
- Write your name and the session name on the whiteboard/flip chart. Remember: If there are visually impaired participants in the workshop, you will need to share this information verbally.
- List the workshop objectives from page 1 of the participant booklet on the whiteboard/flip chart (optional)

## **Maximizing Participation**

Participants will benefit more fully from the workshop if they actively participate in the activities. While most participants

will have previous experience with interactive workshops, some may be expecting a more formal presentation. Facilitators can do several things to help increase participation:

- Set up the room so participants can see each other and can easily move in and out of small-group activities. A semi-circle or U-shaped table arrangement often works best.
- Allow participants to join at their own pace. It’s important to allow participants to choose whether or not they will take part in an activity.
- Utilize the experiences of participants as much as possible. Ask open-ended questions and encourage those present to share their stories. Encourage participants to respect one another’s stories through confidentiality.

## **Sharing Experiences**

Adult learners will be curious about your personal experience with the topics you present. Whenever you can, use personal stories to give examples of situations where you used the techniques described in the workshop. Learners may also want to share their own stories. Adult learners learn from one another. Take the time to let them tell their stories.

Throughout the Facilitator’s Notes, we’ve indicated places that lend themselves particularly well to personal stories—your own or the participants’.

## Facilitator's Notes

This section provides you with speaker notes—a type of “script” that suggests a step-by-step approach to delivering the workshop. The script includes

- Background information on disability and accommodation issues including Human Rights legislation
- Explanations of the principles of win-win negotiations
- Sidebars that provide tips on effective training techniques
- Detailed directions for completing the activities in the participant booklets

### Training Tip: Plain Language

*ACCD has tried to use plain, straightforward language as much as possible, but there is always room for improvement. Take care to use clear, direct language when delivering this workshop—or any workshop for that matter!*

## Organization of Facilitator's Notes

The facilitator's notes correspond directly with each item in the workshop agenda (see page 42) and the participant booklet. In order to help you organize your ideas/approach, the script has been formatted so that each agenda item starts on a new page. Approximate time frames are suggested that will help you keep the workshop within the 2½-hour time allotment.

## How to Use the Facilitator's Notes

It is very important to use the facilitator's notes as a guideline **only**. You are not expected to *read* the script to participants or to *memorize* it prior to workshop delivery. As a matter of fact, this is exactly what you **shouldn't** do. For those who are unfamiliar with win-win negotiation skills, with the issues that affect the disability community, or with duty to accommodation legislation, this script provides you with information and ideas in a format that is compatible with workshop delivery. But you need to become familiar with the content of the script and integrate it with your delivery style/approach.

Here are a few ideas for how to adapt/use the script most effectively:

- Pick out the points that you will focus on and develop an outline for your session
- Use shaded headings (i.e., the agenda items) to guide the direction you'll take the session
- Use the bold font action words to develop your own outline
- Read through the script a few times to familiarize yourself with the workshop content, then develop your own notes for the delivery
- Use the script to guide your explanations of activities/discussions that you are most unfamiliar with
- Practice workshop delivery ahead of time if possible

## A Note on Fonts

The Facilitator's Notes use *italicized* font to indicate spoken words and **bold** font to indicate an action undertaken by the facilitator.

**Training Tip: Setting Ground Rules**

Early in the workshop, it is important to discuss ground rules for the workshop. If possible, participants should be included in the development of the ground rules. This shouldn't take too long, and you don't need to go into too much detail. Some of the most common ground rules to follow include:

- Respect one another's perspectives/points of view
- Do not monopolize discussions; let everyone have a turn
- Turn off cell phones
- Do not interrupt one another or the facilitator
- Encourage confidentiality, but make participants aware that confidentiality cannot be guaranteed

**Introduction/Overview****10 minutes**

[Agenda and Page 1 of participant booklet]

As participants enter the workshop classroom, **greet** each of them personally. **Invite** them to take a seat and to put their names on the name tents provided. Once all participants have arrived, **welcome** them to the workshop. **Introduce** yourself and **ask** each participant to introduce him/herself. If the group is small, you might want to ask each participant to talk briefly about his/her expectations for the day. **Use** the suggestions in the Setting Ground Rules sidebar to establish guidelines for the day.

**Explain** that you will be following the workshop agenda at the beginning of the participant booklets. **Ask** participants to take a few minutes to review the agenda and the workshop overview on page one. **Say** to the group  
Today we're going to be talking about workplace accommodations and ways to go about getting the accommodations we need.

**Ask** the group

Who can provide us with a general definition of the term workplace accommodations?

**Accept** a response by saying

Yes, accommodations are the tools or conditions you need to meet your workplace needs. A few examples of accommodations are listed on page one of your booklet. Let's take a look at these examples. Is anyone willing to share with the group the types of accommodations you think you might need at work?

**Training Tip:****Post-Secondary Students**

If participants are from a post-secondary setting, you may want to ask them how they think accessing workplace accommodations may differ from accessing post-secondary accommodations. There's a chance that the service they receive at college or university may be different than the service/support they will receive as they enter the workplace—at least in some situations. Some employers may be less familiar with duty to accommodate issues, may find (or have the perception that) accommodations are difficult to provide, etc.

**Jot down** the responses you receive on the whiteboard/flip chart. **Add** other examples of workplace accommodations if the list feels too short. **Inform** the group that many workplace accommodations can be provided for through the government's Disability Related Employment Supports (DRES) program. The DRES website is included on the Resources page in their booklets. Then, **thank** the group for the ideas. (If you feel you would benefit from learning more about workplace accommodations, see the Pertinent Resources sidebar.)

Then **write** win-win negotiations on the whiteboard/flip chart. Ask the group if anyone has heard this term before or if anyone is willing to try to relate the term to the idea of accommodations. **Develop/respond** to the participant's reply saying something like

Yes, you've got the right idea. Win-win negotiations assume that both you and a prospective employer will

benefit if you receive the accommodations you need. Sometimes employers find it difficult to see how their businesses will benefit from providing you with accommodations. They will see how **you** will be able to function more fully, but they may not immediately see how **they** will benefit.

In this workshop, we will explore ways that win-win negotiations can help you get your accommodation needs met while building a meaningful relationship with a prospective employer. Of course, sometimes you will discuss your accommodation needs with a supervisor, an office manager, or a Human Resources representative, not the prospective employer him or herself. Still, the same methods of negotiating for accommodations will be used no matter whom you meet with.

And don't forget that strong negotiation skills are just one component of a strong interview. You'll want to make sure that you're also familiar with other strategies that will help you with an interview. Many publications, workshops, and online resources focus on how to develop good interview skills and discuss things like being on time, speaking clearly, and dressing appropriately. For people with disabilities, the government offers job search support through the Disability Related Employment Supports (DRES) program. The website is included in the Resources page of your booklet.

### **Training Tip: Asking Questions**

If no one responds to your questions right away, be patient. Allow up to a minute or so for participants to respond. If you still don't hear from anyone, you can:

- Ask a specific person (especially if you know that participant usually enjoys sharing ideas)
- Ask leading questions (e.g., What accommodations do you think someone with a visual impairment might need? A mobility impairment?)
- Suggest one or two other examples yourself

## **Pertinent Reference Materials**

If you want to learn more about duty to accommodate legislation and/or about types of workplace accommodations, review:

Alberta Human Resources and Employment. (2000). *Employment series for persons with disabilities: Tips for job seekers*. Edmonton: Alberta Queen's Printer.

Alberta Human Resources and Employment. (2000). *Employment series for persons with disabilities: Tips for job seekers*. Edmonton: Alberta Queen's Printer.

Alberta Human Rights and Citizenship Commission. (2002). *Duty to accommodate: Interpretive bulletin*. Edmonton: Alberta Queen's Printer.

## **When to Disclose** **[Page 2 of participant booklet]**

20 minutes

Say to the group

*Before we talk about the importance of strong negotiation skills, let's take a few minutes to think about disclosure.*

*One of the first things you'll need to decide as you begin a job search is when you'll disclose your disability. This is a personal decision and, for some of you, one of the most difficult decisions you'll make as you enter or re-enter the workforce.*

*You have a great deal of control in this area and you have to decide what is best for you. It's your decision if anything is mentioned in your cover letter, on your resumé, during the interview, or not until you're offered a job.*

*Before deciding if, when and how to disclose your disability, or what to disclose regarding your disability, think about the questions on page two of your booklet. Let's take a few minutes now to jot down answers to these questions or to simply think about them.*

**Allow** participants a few minutes to write down answers to the questions or to reflect on them. Then, **invite** participants to share their insights and to ask questions. Note that this question is an important one and participants may want to spend more time on it than you have allotted. Try to keep them on track.

After some discussion, **say**

*I have a handout that outlines a few things for you to consider when you make this decision. We won't have time to look at the chart in detail during our session today but it gives some ideas about the advantages and disadvantages of disclosing at different times.*

**Distribute** the Appendix Three handout. Spend a bit of time discussing the chart, but control the discussion carefully and stick to the timelines in the agenda.



## **Which Game Do You Play?** **[Pages 3-5 of participant booklet]**

25 minutes

**Introduce** the idea of differences of opinion to the group. **Say** something like

*Okay, let's bring our discussion back to the idea of win-win negotiations. Usually, negotiation comes into play when someone you're speaking to has a different opinion than you.*

**Ask** for a show of hands, **saying**

*Raise your hand if you've ever had a conversation where you and the person you were speaking with had a difference of opinion or a different understanding of a situation.*

**Then ask**

*And who was that conversation with? What were the circumstances of the discussion? How did you and the other person react/ behave to the difference of opinion?*

**Encourage** a variety of answers and then **say**

*As you can see, negotiating isn't an easy thing. Not even with family and friends. Sometimes these conversations will go smoothly, sometimes they won't. When we have a difference of opinion, the potential is there for the conversation to become tense. We may feel that our position isn't being fully considered. Sometimes a conversation with a prospective employer can end up this way, especially when speaking about accommodations.*

**Ask**

*Why do you think that accommodations may be a particularly difficult topic to address?*

**Encourage** responses and develop by saying

*Yes, there are a couple of things that are going on in a discussion about accommodations. For one thing, it can be a pretty emotional topic. Especially if you're meeting with someone who doesn't know that much about disabilities and disability issues. Also, you might find that a prospective employer feels uncertain or uncomfortable asking questions about disabilities. S/he may not have much experience with disability issues or may think that asking questions will offend you. As a result, important questions could go unasked.  
[Include personal story]*

In a job interview, a discussion about accommodations can be limited by other factors, too. For example, chances are you won't have much time to explain your situation in detail. As much as possible, you'll want to sell yourself and your qualifications. When you speak about accommodations, it will just be to assure the prospective employer that you will be able to perform your job fully.

*What I'm hoping to teach you today is a way to direct a conversation about disabilities/accommodations in a way that will get your needs met and build a strong relationship with the person you're speaking to. I believe there are ways to have an open conversation that will lead to you having your needs met and a prospective employer having his/her needs met, too.*

*I want you to imagine that you are meeting with a prospective employer to request accommodations.*

*Generally, people going into any meeting will have a position on the topic you'll discuss.*

**Write** the word “position” on the whiteboard/flip chart. **Ask** the group: *What do I mean by a “position”?*

**Write** responses on the whiteboard/flip chart. Some answers to expect include: *a perspective, a point of view, a way of looking at things.*

**Ask** participants to turn to page three of their booklets and then **respond** to their feedback saying

*Yes, a position is simply one way of looking at an issue or a topic. In this exercise, we're going to look at different types of positions that may be available to you in an interview situation. Would someone like to volunteer to set the stage for an interview situation by reading the instructions to the exercise on page three.*

**Choose** a volunteer, or if there is no volunteer, read the instructions aloud yourself. Then say

*Let's look at the first pair of positions in this exercise together. As you enter into the interview with a prospective employer, do you think of him/her as your friend, Position 1, or your opponent, Position 2. Or somewhere in between? Circle the number in the middle column that is closest to your position. If you **really** think of a prospective employer as a friend, circle the number 1. If you **really** think of your prospective employer as an opponent, circle number 6. If you're somewhere in between, circle the number closest to the position you hold.*

**Allow** a few seconds for participants to complete the first point. **Ask** if there are any questions about the first pair of positions. **Respond** to the question and then **ask** them to complete the rest of the exercise.

As they work on the exercise

**Walk** around the group and **offer assistance** as needed. (If you have an assistant, s/he can do the same thing.) When you have a moment, **write** the headings “Position 1” and “Position 2” on the whiteboard/flip chart and draw a line down the middle. (See page five of the participant booklet.)

After two or three minutes, **say** to the group

*Take a look at your responses. Raise your hand if you found the majority of your responses leaned toward Position 1.*

**Wait** for a show of hands and then **ask**: *Raise your hand if you found the majority of your responses leaned toward Position 2.*

**Wait** for a show of hands and then **ask**: *Raise your hand if you found most of your responses were somewhere in the middle.*

Then **say**

*Generally, people who choose position one think, “We're friends. I'm willing to give up some of the things I want to keep the peace.”*

## Ask

*What do you think are the advantages of this position?*

**Write** the responses you receive under the “Position 1” heading on the whiteboard/flip chart. Let the group know they can jot down these responses on page six of their booklets if they’d like. Some responses that participants came up with during the pilot sessions included:

- You won’t offend anyone
- You avoid confrontation
- You’ll reach agreement more quickly
- You might get the job
- There will be more acceptance

Once you’ve generated a handful of responses, **say**

*Generally, people who choose position two think, “I’m sure this person is going to try to take advantage of me, so I’m going to make sure s/he doesn’t get what s/he wants. I’m going to dig in my heels on this conversation. I know I’m right about this.”*

## Ask

*What do you think are the advantages of this position?*

**Write** the responses you receive under the “Position 2” heading on the whiteboard/flip chart. Some responses that participants came up with during the pilot sessions included:

- You’ll get what you want
- Things will get done
- You’ll feel like you’re in control

### **Training Tip: Word Pairs**

*This workshop lends itself nicely to a couple of expressions that may help learners remember concepts more easily. Feel free to use the following expressions (or others you know) with your learners. Be sure to explain their relevance to win-win negotiations.*

**Fight or Flight:** *Soft and hard positions closely resemble “fight or flight” responses to a conversation. A hard position is like a “fight” position. A soft position is like a “flight” position. You can ask the group, “When you are in a conflict, do you tend to choose fight or flight?” Chances are, those who choose “fight” will have circled answers closer to the right hand column in Exercise Two; whereas, those who choose “flight” likely circled answers closer to the left hand column.*

**Stay and Play:** *If you choose to stick with a conversation and reach a positive agreement, you are choosing to stay. When the conversation gets tricky and you start to feel that conflict may erupt, talk to yourself. Remind yourself that you want to “stay and play.” Start to ask questions that will get the conversation back on track and that will help you see a prospective employer’s point of view. Once a prospective employer sees that you care about his/her positions, s/he will be more likely to care about yours. You build relationships by “staying and playing.”*

## Pertinent Reference Materials

If you want to read more about win-win negotiations, consult:

Cohen, H. (2003). *Negotiate this! By caring—but not T-H-A-T much*. New York: Warner Books.

Fisher, R., et al. (1991). *Getting to yes: Negotiating agreement without giving in*. New York; Toronto: Penguin Books.

McRae, B. (2002). *The seven strategies of master negotiators*. Whitby, ON: McGraw-Hill Ryerson.

When the brainstorming activity is done, **say** to the group

*When we talk about positions and negotiating, the positions in the left hand column are usually referred to as “soft” positions.*

**Write** the word “soft” on the whiteboard/flip chart under the Position 1 column that’s been brainstormed.

Then **say**

*The positions in the right hand column are usually referred to as “hard” positions.*

**Write** the word “hard” on the whiteboard/flip chart under the Position 2 column that’s been brainstormed.

Then **say**

*We’ve talked about the advantages of each position, but what are the disadvantages?*

**Wait** for responses and acknowledge points of view.

**Ask** the group to turn to page six. Allow them a few minutes to look at the chart, and then explain, **saying**

*This chart summarizes what we’ve been talking about thus far:*

*When we take a **soft** position, we may keep the peace, but often we’ll leave a meeting feeling that we’ve been taken advantage of. We’ll avoid confrontation, but we won’t get our needs met. We’ll feel like we’ve been walked on, which might mean we swing over to a more aggressive stance outside the meeting. We might get the job, but will we be happy? If you look at your responses to Exercise Two and find that they leaned toward the left side, this may be what you’re setting yourself up for. [Include personal story.]*

*When we take a **hard** position, we may get what we want but we’re just as likely to fail at getting what we want. A prospective employer who meets with someone who only sees things one way, may not feel comfortable hiring that person. If you look at your responses to Exercise Two and find that they leaned toward the right side, this may be what you’re setting yourself up for. [Include personal story.]*

*In both situations, conflict seems inevitable—either right away (with the hard position) or later down the road (with the soft position.)*

**Ask** the group

*If we acknowledge that neither a soft nor hard approach is the way to go, what are we left with? How should we approach a meeting with a prospective employer?*

It won't take long before someone in the group suggests a middle ground. The middle column in the chart on page seven outlines a more workable approach to a meeting.

**Respond** to this feedback, saying

*Yes, rather than enter a conversation with our own position guiding our outlook, we need to think about the **interests** of both parties. The middle column on the chart explains what this **interest-based** approach looks like.*

**Read** each of the points in the middle column and comment briefly on each one.

Then **say**

*Let's turn to page eight now to see how we create an **interest-based** negotiation situation when meeting about accommodations.*

## Win-Win Negotiations [Page 8 of participant booklet]

15 minutes

**Write** on the whiteboard/flip chart

*Is my relationship with this person important to me?*

**Explain** to the group

*Whenever I know I'm going to have to negotiate something with someone, I ask myself one question: "Is my relationship with this person important to me?" Sometimes the answer is yes, sometimes it's no. This doesn't mean **the person** I'm negotiating with isn't important, only that **my relationship** with that person may or may not be important.*

**Ask** the group

*So, who can give me an example of a relationship that might **not** matter?*

**Write** the responses you receive on the whiteboard/flip chart.

Then **ask**

*What about examples of a relationship that does matter?*

Again **write** the responses you receive on the whiteboard/flip chart. You may want to discuss why some of these relationships matter and some don't. Some factors are whether or not you'll see the person again or if it matters what the individual thinks of you. Some of the answers participants came up with during the pilot session include:

Relationship doesn't matter

- Used car salesperson
- Telephone solicitor
- Door-to-door salesperson

Relationship does matter

- Spouse
- Children
- Neighbour
- Employer

Then **say**

*If I decide that the relationship doesn't matter, I don't worry too much about **how** I will negotiate. I'm still polite, but I'm not trying to build or maintain a strong relationship. The outcome of the negotiations is still important, but you're not interested in developing a relationship with the other party. [Include personal story.]*

*On the other hand, if I do care about the relationship, I'm more careful about **how** I approach the situation. It matters to me what this person thinks of me, and I know I'll be interacting with him or her again. [Include personal story.]*

**Ask** the group

*What about your relationship with a prospective employer? Does this relationship matter? Why or why not?*

**Encourage** participants to talk about why this relationship matters.

Then **explain**

*When a relationship is ongoing—or you want it to be ongoing—the answer is always “yes.” This relationship matters. It's not about whether you like someone or not, or whether you're compatible. It's about the relationship. And this is where win-win negotiations come in. A **hard** position deteriorates the relationship from both sides. A **soft** position deteriorates the relationship from one side. We need to learn to “let go” of positions and choose a middle ground.*

*I'd like you to read through the information on page eight. Then you can take a 15-minute break. When we return, we'll talk about a couple of key things you need to learn in order to participate in win-win negotiations.*

**Break**

*15 minutes*

During the break, you can

**Make yourself available** to participants who may have questions about the session thus far.

**Draw** the diagram from page nine of the participant booklet onto the whiteboard/flip chart.

**Write** the phrase *Meeting to discuss workplace accommodations* beside the “Issue” heading on the whiteboard/flip chart diagram.

**Call** everyone together after about 12 minutes, so you can reconvene promptly

## Discovering Interests & Positions 20 minutes [Page 9 of participant booklet]

Say to the group

*I'd like to begin by showing you what happens in position-based negotiations. Position-based negotiations are the opposite of win-win (or interest-based) negotiations. Yet we tend to use position-based negotiations when we're trying to "get" something from someone. Let's turn to page nine of the booklet.*

**Allow** everyone a moment to turn to the correct page. Then refer to the diagram you've put on the whiteboard/flip chart.

Say

*Before any of us enter a meeting where negotiations will take place, we already know our position on the issue/topic. For example, before meeting with a prospective employer to discuss workplace accommodations, you have a pretty good idea of the accommodations you'll need in order to perform to the best of your ability at work. Your tendency, if you were to use position-based negotiations, would be to say things like:*

- *You need to give me . . .*
- *I need . . .*
- *You can't . . .*
- *Legislation says that you have to . . .*

**Jot** down one or two of these items beside the "Position" heading on the diagram, over top of the first peak.

Then say

*At the same time, a prospective employer will have his or her position on the issue. The response to your position (whether it's said aloud or not) might be something like:*

- *But I need to consider the bottom line . . .*
- *I'm not going to help you if you're so bossy about it . . .*
- *This sounds like it will cost a lot . . .*

*As you can see, not much is going to get accomplished at this meeting, and a relationship has almost no chance of developing. But this diagram is like an iceberg. **Positions** are only a small part of a negotiation situation. Each parties' **interests** are a much more influential component.*

*My question to you is: How do we find out what the other parties interests are?*

**Allow** some time for participants to respond to your question. They may or may not have ideas to share on this. The response you want to hear is: *Ask questions!*

**Write** *Ask Questions!* on the whiteboard/flip chart.



Then **say**

*The most important thing for you to remember about participating in a win-win negotiation is the importance of asking questions.*

**Ask** the group:

*Why do you think asking questions is so important? What happens when we ask questions?*

**Jot** the group's ideas on the whiteboard/flip chart. Then **say**

*Yes, when we ask questions, we show we care about what someone else thinks. We're curious about their **interests**. Our questions also give the person we're talking to an idea about what we're like. That we're curious, caring, and interested in them.*

*Questions also help us to re-focus if we're feeling the conversation isn't going our way. If you're speaking to someone who only seems interested in his/her position, you may start to feel anxious, defensive, or angry. Questions can help you get out of that tight spot. By responding with curiosity, you begin to build a relationship and are more likely to get your needs met. [Include personal story.]*

**Ask** the group what they think of this idea and encourage any comments/questions they may have.

Then **say**

*I'd like you to pair up with the person beside you and take a few minutes to think about the types of questions you could ask a prospective employer when you meet to talk about workplace accommodations. Write the questions you come up with on page nine of your booklet.*

As the pairs come up with questions, **write** *Discovering Interests* on the whiteboard/flip chart.

**Circulate** through the room. If pairs seem to be having trouble, **lend a hand**. If more than one or two seem to have trouble getting started, **choose** a couple of sample questions from the list below to point everyone in the right direction. (If you have an assistant, s/he can do the same thing.) After a couple of minutes,

**Say**

*Okay, let's see what you've come up with.*

**Encourage** participants to share their ideas. **Write** questions down on the whiteboard/flip chart underneath the *Discovering Interests* heading. Some of the questions participants came up during the pilot sessions included:

- Can I tell you a bit about what I see as the advantages to a diverse workforce?
- Can I tell you a bit about how I think I can benefit your business?
- Do you know anyone else with the same disability as me—or a different one?
- Have you ever had to have workplace accommodations before?

**Training Tip: Another Word Pair**

*Here is another example of a word pairing that works well to help learners remember key points. See the sidebar on page 13 of the Facilitator's Notes for other suggestions.*

**Curious, not Furious:** *If you find yourself in a conversation that isn't going your way (i.e., if you start to feel anxious, defensive, or angry), you can get out of that tight spot by asking questions, rather than responding angrily. By responding with curiosity, rather than becoming furious, you build a relationship and are more likely to get your needs met.*

**Training Tip:**  
**But Does It Always Work?**

*Sometimes, a participant or two in a group who will continue to insist that asking questions in order to achieve a win-win negotiation situation simply won't work. And you know what? They're right. It won't always work. Sometimes prospective employers may be too close-minded or stubborn to consider another point of view. Or they may simply be entirely unfamiliar with, unaware of, or nervous about the idea of employing person with a disability*

- What types of situations came up then?
- Is your building wheelchair accessible?
- Do you have other employees with disabilities?
- What do you need/want from me in this position that you think might be a challenge to me?

As you write the questions on the whiteboard/flip chart, take a moment or two to discuss how the answers to these questions will lead to a win-win negotiation situation.

Then, **explain** to the group

*When you ask questions, you are trying to figure out how you can meet a prospective employer's needs **without sacrificing your own needs**. If you can show a prospective employer that you are interested in meeting his/her needs first, you will be more likely to get your workplace needs met. Your **interest***

*will show that you will be a good employee. As a prospective employer answers questions, you'll likely notice a few interesting things happen.*

On the board, **write**

*Employer will ask questions, too.  
Common ground will be revealed.*

**Ask** the group. *Why are these two factors important?*

When the group responds to this question, **affirm** their responses and **build** upon their ideas when necessary. Some ideas to consider when discussing these factors include:

- If you ask enough questions, eventually common ground will be revealed. And once you've found common ground, it's just a matter of finding out how to work together to make that common ground a reality.
- By asking questions, you aren't taking a soft position and giving in on points, but you aren't taking a hard position by insisting on things either. Instead, you and a prospective employer will see how accommodations will benefit both of you. By asking good questions, you help a prospective employer re-frame the situation.
- Of course, once prospective employers start to ask questions, too, they learn more about you and your interests. They see what type of person you are, what you're all about. They will begin to see beyond your disability. Because you have shown an interest, they will show an interest in you.

## Preparing for Win-Win Negotiations 15 minutes [Pages 10-12 of participant booklet]

Say to the group

*Let's take a minute to recap.*

*Turn to page ten in your booklet. In the left hand column of this table, you'll see many of the terms we've talked about thus far. Let's go through these terms and review what they mean and why they're important to win-win negotiations.*

*Who would like to choose a term, it doesn't have to be in any particular order, and tell the group what you've learned about that term today?*

As individuals choose and describe the terms, take the opportunity to **clarify** any misunderstandings and **develop** ideas where necessary or ask others in the group to assist. **Encourage** and **affirm** the new learning that has taken place.

Then say

*We've talked about the importance of asking questions when we enter a win-win negotiation situation, but it's important to realize that these questions likely won't come to us on the spur of the moment in an interview or meeting. We need to **prepare** for these meetings by thinking about the triggers that might make us defensive, the positions and interests that shape our perspectives and a prospective employer's, and even the kinds of questions to ask that will keep the meeting on track.*

*This page of your participant booklet (page ten) and the next (page eleven) are tools you can use when preparing for a meeting/interview. Let's take some time right now to prepare for an imaginary (or upcoming) meeting, by completing the table on page ten and answering the questions on page eleven.*

*I'd like you to partner up with someone in the group who may have similar accommodation needs to you. Together, you can work through the exercises. For now, you can skip the ones you have difficulty with.*

Assist the group in forming pairs. Of course, you may not always be able to partner individuals up with someone with similar needs. Even pairs with diverse needs will be able to work through the exercise together. As the pairs work through the questions, **write** on the whiteboard/flip chart

*Keys to Successful Negotiations*

- 1. Ask, don't tell*
- 2. Prepare carefully*

Underneath this, **write** the headings "Do" and "Don't" (as on page twelve of the participant booklet).

**Circulate** through the group as the pairs work on pages ten and eleven. **Provide** support and encouragement

### *Training Tip: Time Saver*

*Rather than have the entire group complete both pages eight and nine, you can ask half of the class to complete one page and the other half to complete the other. Or you can assign specific questions to individuals. Base your decision to divide-up the assignments on the time you have remaining in the session. If you're running behind, it will speed things up to divide the assignments among the group.*

*When it's time to review responses, you won't need to review every point for the group to benefit from these exercises. For example, in the pilot sessions we focused on:*

*Page 8: Employer interests and needs, points of agreement and disagreement*

*Page 9: Setting the stage (question 1), how to resolve conflict should it arise (question 5), and triggers (question 6)*

*Every group will be different. Choose a few areas that you think this particular group may benefit from focusing on.*

as necessary. (If you have an assistant, s/he can do the same thing.) Once you get a sense that most of the pairings have completed the assignment, **ask** for volunteers to share responses/ideas to *some* of the points in the table or the questions.

**Discuss** the responses. (Note: Responses to questions 1, 2, 4 and 5 on page eleven can be recorded on the whiteboard/flip chart under the “Do” and “Don’t” headings.)

## Role Play - 20 minutes [No corresponding page in participant booklet]

Say to the group

*It's one thing for us to spend time talking about win-win negotiation skills, but quite another to use and practice these skills ourselves. I'd like to demonstrate how these negotiation skills may look in an interview situation and then give you the opportunity to try them out if you'd like. I'll begin by role playing an interview situation with [provide the name of a colleague who is assisting you with workshop delivery or the name of the contact person who may be attending the session.] Once we've demonstrated an interview situation, I'll invite volunteers from the group to give it a try themselves. As we work through this scenario, I'd like you to take note of anything that is relevant to the concept of win-win negotiation skills. (See Role Play Demonstration sidebar.)*

**Invite** your role play partner to come to the front of the group. **Explain/describe** to the group the scenario that they will be observing. (Note: You can choose a scenario from the options listed below, or you can role play a scenario that you've decided on ahead of time and that will be most relevant to the group.)

As you role play the situation, the job applicant "actor" should focus on asking questions. Depending on the description of the prospective employer, the actor assuming this role will either respond positively or with hesitation to the applicant. For the sake of learning, avoid completely negative representations of the prospective employer.

After the role play, **ask** the group

*What did you see happening in terms of win-win negotiation? What could have been done differently to improve the interview? What factors did you see at play?*

**Encourage** responses and guide the discussion when necessary. If there is time, **invite** a volunteer from the group to join you for another scenario. If you do so, the facilitator should take on the role of the prospective employer. Of course, there will be no need to *assign* a disability, level of education, etc. to a participant. In order to make the experience as relevant as possible, the participant should use his/her own situation for the role play. There are four pieces of information that are needed to set up the role play activity with a participant. You may want to **write** these on the whiteboard/flip chart.

### **Training Tip: Role Play Demonstration**

*Often, you will need to have support when delivering the Negotiating for the Future workshop. (This support person will be able to help participants who need assistance, help you with troubleshooting, etc.) If you do have a colleague assisting you with the workshop, s/he can help you demonstrate an interview situation. If possible, practice the role play activity ahead of time.*

*If you do not have a colleague participating in the workshop, you may want to ask your workshop contact to demonstrate an interview with you. If s/he agrees, you can choose an appropriate role play scenario together. You'll need to make yourself available should s/he wish to contact you with questions prior to the role activity. Or, you can arrange to spend a bit of time practicing prior to the start of the session.*

*If you have neither a colleague nor a contact person to help you with the role play activity, invite a participant to join you. It would be better if participants could observe a role play scenario first, but if this isn't possible, seek a volunteer from the group*

- What are your abilities/limitations in terms of your particular disability?
- When will you disclose?
- What type of job are you applying for?
- What is your education, training, or experience for this type of position?

Once these parameters have been set, **work through** the role play. Limit it to two to three minutes. (Note: You may want to ask for volunteers for the role play prior to the break and then discuss the scenario with the volunteer during the break.)

Then **ask**

*What did you see happening in terms of win-win negotiation? What could have been done differently to improve the interview? What factors did you see at play?*

**Encourage** responses and guide the discussion when necessary. Then **say**

*Thanks for your insights and your willingness to volunteer. As you can see, even though the idea of win-win negotiation may seem straightforward, it takes some thought/effort to use it effectively in an interview situation. As a matter of fact, preparation is a key step in successfully managing a win-win negotiation meeting. Before we end for today, let's spend a bit of time thinking about how we could best prepare for a job interview.*

\*\*\*

### **Possible Role Play Scenarios**

*Scenario One:* A person who uses a wheelchair has applied for an administrative support position with a large, government organization. S/he sees this job as a starting point to working his/her way up the ladder to increasingly responsible positions. The applicant has full use of his/her hands. The applicant has just finished college with a diploma in Business Administration. S/he averaged a B/B+ grade in his/her courses. The prospective employer is somewhat familiar with duty to accommodate legislation/expectations, but has never hired a person with a disability before. The applicant disclosed his/her disability when applying for the job.

*Scenario Two:* A person who is blind has applied for a position as a customer service receptionist with a phone company. The position involves responding to customer complaints and directing calls to the appropriate department. The applicant has completed an employment training program and has a high school diploma. S/he did not disclose her disability in her application, but she did so when she was called for the interview. The prospective employer is not familiar with duty to accommodate legislation, but has received negotiation skills training as a part of his/her own professional development.

*Scenario Three:* A person with a learning disability has applied for a position as a retail clerk in a children's clothing store at a mall. The applicant has just completed an employment training program and has a Grade 9 education. S/he has not disclosed her disability, which is invisible, and doesn't plan on disclosing it unless it becomes a problem in the workplace. S/he is a parent with three school-age children. The prospective employer is only vaguely familiar with duty to accommodate legislation.

*Scenario Four:* A person with a hearing impairment is applying for a research position with a small, privately-run software company. The applicant has just completed an undergraduate degree with an emphasis on information technology. S/he graduated at the top of her class. S/he has not disclosed her disability, but will bring an interpreter with her to the interview. Because the company is small, the owner/prospective employer is very aware of the bottom line. The employer is not familiar with duty to accommodate legislation.

*Scenario Five:* A person who uses a wheelchair has applied for a position as an employment counsellor with the provincial government. S/he has recently graduated from university with a Bachelor of Arts degree, majoring in psychology. S/he had a C+ average. S/he has strong interpersonal skills, but isn't as strong academically. The provincial government has an employment equity hiring program, so the applicant disclosed her disability when applying.

*Scenario Six:* A person who uses a wheelchair and experiences chronic pain has just completed a Masters degree in history. S/he completed the program part time in order to address health needs/concerns. S/he is applying for a position as a part-time history instructor at a private college in a small town. The applicant did not disclose during the application process, but did so when she was called to arrange an interview. The college does not have an equity hiring policy, but is fully aware and supportive of equity hiring practices.

## **Action Plan - 10 minutes** **[Page 13 of participant booklet]**

Say to the group

*You are the person who knows yourself best. You know your abilities and your limitations. It is important for you to reflect on these areas as you prepare to enter the workforce. Let's look at the first three points in Part One on page thirteen and see what steps you can take as begin to prepare for a job search or job interview.*

Using the questions as a guide, **brainstorm** possible responses/actions. Some possibilities include:

1. Find out exactly what the position I'm applying for involves **before** I apply.
  - Is the job full time or part time?
  - How far would I need to travel from home?
  - Call office for details on job expectations.
  - Check internet for details on job expectations.
2. Reflect on my abilities and decide if I'm suited for this position.
  - How will my disability affect me in this environment?
  - Am I up to the pace of the job?
  - Will I be able to handle the stress in this position?
3. Find out if the employer has an equity program. If so, research the details.
  - Check the internet for equity program details.
  - Focus job search on large organizations, on government organizations/department or on other businesses that have employment equity hiring practices.
  - What resources does this business offer employees with disabilities?

After you've reviewed this part of the action plan, **say**

*It is also important for you to reflect on your strengths and weaknesses as a negotiator/communicator. You can develop a plan that you can use when you enter an interview. Complete the action plan chart at the bottom of the page. Be honest with yourself about your strengths and weaknesses.*

**Circulate** through the group as they complete the Action Plan activity. If anyone indicates they'd like assistance, **provide** the support they need. (If you have an assistant, s/he can do the same thing.)



## **Wrap Up - 5 minutes** **[Pages 14-16 of participant booklet]**

As individuals begin to finish up the Action Plans, **encourage** them to use these materials as they prepare for job interviews. **Thank** the participants for attending and **wish them good luck** in their job search!

### **Say**

*That's about it for today. I want to thank you for your time and enthusiasm. If you'd like to speak to me about anything we've talked about today, I'll be available for questions. I'd appreciate any feedback you may have. There's an evaluation form on page sixteen.*

*If you'd like to learn more about workplace accommodations, job search strategies, career planning, or communication/negotiation skills, check out the resource sheet on pages fourteen & fifteen.*

## Workshop Agenda

Objective	Activity	Time	Pages in Booklet
Review/introduce concept of workplace accommodations	Introduction/ Overview	10 min.	Agenda & page 3
Enhance understanding of the personal and social factors that affect ability to negotiate for accommodations	When To Disclose	20 min.	4
Enhance understanding of the personal and social factors that affect ability to negotiate for accommodations	Which Game Do You Play?	25 min.	5-7
Enhance ability to successfully negotiate for accommodations that will meet needs	Win-Win Negotiations	15 min.	8
	Break	15 min.	
Enhance understanding of the roles that others play in providing/ arranging for accommodations	Discovering Interests and Positions	20 min.	9
Enhance ability to build strong and effective relationships with prospective employers	Preparing for Win-Win Negotiations	15 min.	10-12
Enhance ability to successfully negotiate for accommodations that will meet needs	Role Play	20 minimum.	No page
Enhance ability to successfully negotiate for accommodations that will meet needs	Action Plan	10 min.	13
	Wrap Up/ Evaluation	5 min.	14-16

# Negotiating for the Future: Accessing Workplace Accommodations

Participant Booklet



*Researched and Developed by:*



Alberta Committee of Citizens with Disabilities

*Funded by:*



Human Rights,  
Citizenship and  
Multiculturalism

**EDUCATION  
FUND**

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Enhance understanding of the roles that others play in providing/arranging for accommodations	Discovering Interests and Positions	20 min.
Enhance ability to build strong and effective relationships with prospective employers	Preparing for Win-Win Negotiations	15 min.
Enhance ability to successfully negotiate for accommodations that will meet your needs	Role Play	20 min.
Enhance ability to successfully negotiate for accommodations that will meet your needs	Action Plan	10 min.
	Wrap Up	5 min.

## Overview

As a person with a disability, you may already know something about workplace accommodations. *Workplace accommodations* are the specific working conditions, tools, or technologies that will help you do your job to the best of your ability. These accommodations are meant to “even the workplace playing field” by allowing you to participate as fully as possible in your job.

But how should you go about obtaining these accommodations? When should you ask a prospective employer about the accommodations you need? How should you approach him/her to best ensure your needs are met?

It’s true—employers have an obligation or “duty” to provide you with accommodations. But experience has taught us that some “tactics” for negotiating your workplace accommodation needs are more effective than others.

This workshop will teach you “win-win” negotiation skills. These skills will enable you and a prospective employer to work together in addressing your needs and at the same time build a positive working relationship.

At the end of this workshop, you will be able to:

- Outline the benefits of the win-win negotiation process
- Conduct a win-win discussion
- Develop a personal action plan that will help you successfully negotiate for workplace accommodations

### *Workplace Accommodations*

*There are many types of workplace accommodations. Some of the more common ones include:*

- *Accessible facilities*
- *Modified work schedules*
- *Modified office equipment*
- *Specialized software or computer devices*
- *Restructured work load*

*Do you need any of these types of accommodations? Can you think of any others?*

## Exercise One: When To Disclose

One of the first questions you'll ask yourself when you're about to enter the workforce is: "When should I let a prospective employer know about my disability?"

Take a few minutes to think about the following questions. The answers might help you decide when to disclose.

1. What do I know about the policies this workplace has regarding disabilities?
2. How much does a prospective employer need to know to hire me and/or to understand my accommodation needs?
3. Are there any safety reasons (personal or organizational) that will influence my decision to disclose?
4. Do I need accommodations for the interview? Or not until I get the job?
5. What misconceptions might a prospective employer have about my disability?
6. If I disclose prior to being hired, will I be able to reassure a prospective employer that my disability will not affect my ability to do the work?
7. How do most people react when they learn about my disability? How will a prospective employer react?

## Exercise Two: Which Game Do You Play?

### Part One

Imagine that you are about to be interviewed for a job. You have disclosed the details of your disability in your application, but during the scheduling of the interview you were told that you would be asked to describe the accommodations you'll need.

Read each pair of matching statements. (Position 1 on the left and Position 2 on the right.) Circle the number in the centre column that you think best reflects your position.

Position 1		Position 2
We are friends.	1 2 3 4 5 6	We are opponents.
My goal is agreement.	1 2 3 4 5 6	My goal is victory.
I will concede points in the hopes of enhancing our relationship.	1 2 3 4 5 6	I demand concessions as a way of controlling our relationship.
I am soft on people and on problems.	1 2 3 4 5 6	I am hard on the problem and the people.
I trust you.	1 2 3 4 5 6	I don't trust you.
I change my position easily.	1 2 3 4 5 6	I'm firm; I dig in my heels.
I am straightforward about the accommodations I need and why I need them.	1 2 3 4 5 6	I may not disclose everything about the accommodations I need and why I need them.
The "right" answer is the one my employer will agree to.	1 2 3 4 5 6	The "right" answer is the one I choose to accept.
I insist on reaching agreement when we disagree, even if I have to give in a little on my position.	1 2 3 4 5 6	I insist on my position when we disagree, even if that means we don't come to an agreement.
I try to avoid a contest of wills.	1 2 3 4 5 6	I try to win a contest of wills.
It's okay to yield to pressure.	1 2 3 4 5 6	It's okay to apply pressure.

**Part Two**

Use the chart below to brainstorm the advantages and disadvantages of each type of position: soft (left-hand column) or hard (right-hand column).

<b>Position 1 (left side)</b>		<b>Position 2 (right side)</b>	
<b>Advantages</b>	<b>Disadvantages</b>	<b>Advantages</b>	<b>Disadvantages</b>

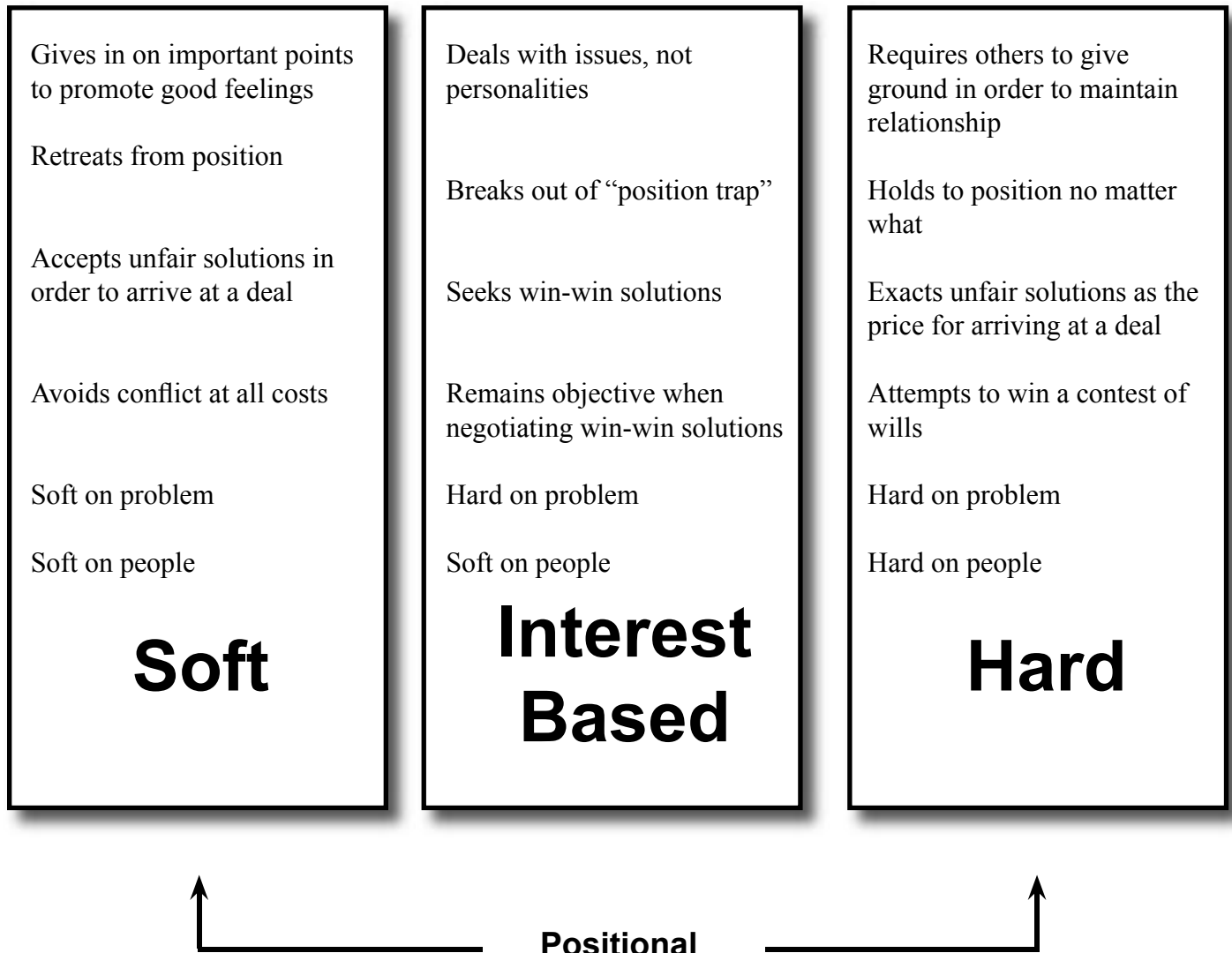


## Positions vs. Interests

**Positions** are the unique perspectives or points of view that shape the way we look at an issue.

**Interests** are the underlying needs, wants, fears, or concerns that both parties have and that need to be considered in forming an agreement.

If you reach an agreement based only on *your position*, your *employer's interests* will not be addressed. If you reach an agreement based only on *your employer's position*, *your interests* will not be addressed.



## Win-Win Negotiations

Whether you are at an early stage in your job search (e.g., initial interview) or further along (e.g., a job offer has been made but you don't want to accept until you know more about the provision of accommodations), you should be using win-win negotiation strategies. Win-win negotiation skills will help you build a positive partnership with a prospective employer as you work together to achieve particular goals.

### **For win-win negotiations to work, you need to**

- Separate the people from the problem
- Focus on the interests behind the positions
- Focus on the present and future, not the past
- Be prepared to share responsibility for the proposed solution(s)
- Create solutions that will benefit both sides
- Remain objective when negotiating win-win solutions, rather than relying on power or leverage

*You'll be more successful in building this partnership if*

- You have sufficient time to work through the process
- Both you and a prospective employer are willing to share relevant information
- Neither you nor a prospective employer uses power as the sole means of solving a problem
- Both you and a prospective employer believe in the effectiveness of win-win negotiations

*What you can expect*

- Creative, long-term solutions
- Strong, positive relationships
- Cooperative behaviour

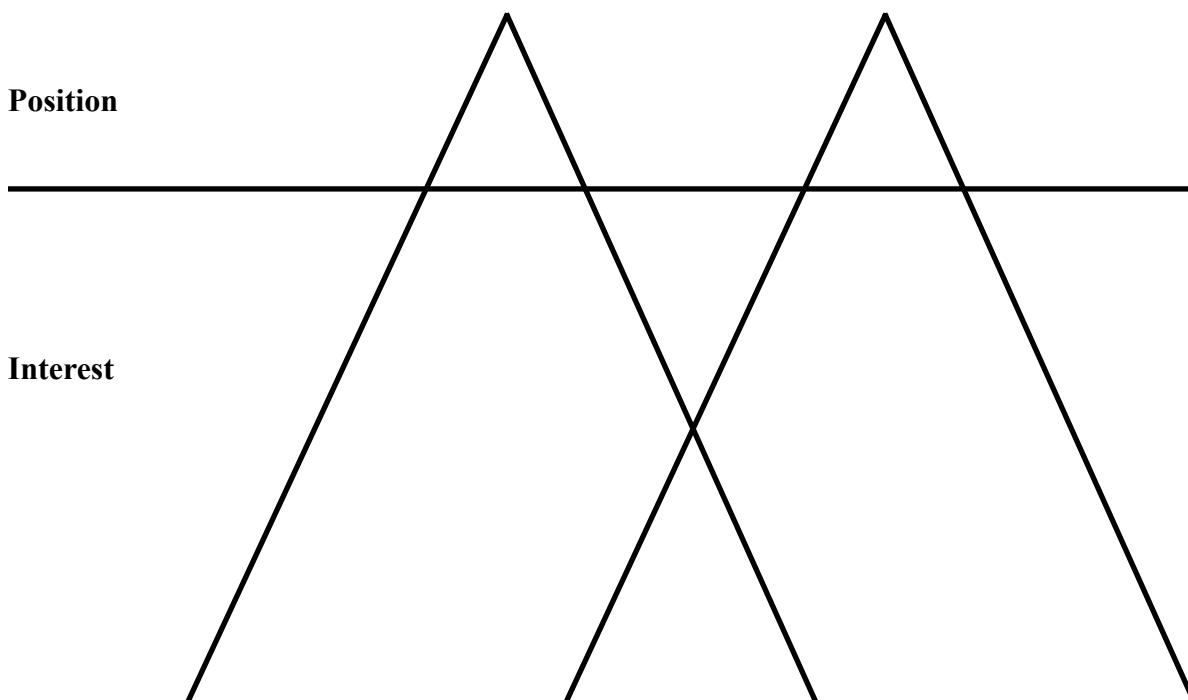
## Exercise Three: Discovering Interests and Positions

### *Part One*

Knowing that interests are more important than positions is one thing. But how do you know what a prospective employer's interests and positions are? Just as important, how do you know what *your own* positions and interests are?

Sometimes, interests and positions can be figured out by carefully thinking about a situation. This exercise will help you discover the interests (underlying needs, wants, fears or concerns) and positions (points of view) that you and a prospective employer may have regarding workplace accommodations.

### **Issue**



### *Part Two*

What kinds of questions could you ask to find out a prospective employer's interests?

- 1.
- 2.
- 3.
- 4.
- 5.

**Preparing For Win-Win Negotiations:  
Knowing Yourself and Considering Others**

	<b>Me</b>	<b>Prospective Employer</b>
<b>Positions</b>		
<b>Interests</b>		
<b>Needs</b>		
<b>Points of Agreement</b>		
<b>Points of Disagreement</b>		

## Application: Preparing for Win-Win Negotiations

Describe how you can use win-win negotiation strategies to handle the problems you might encounter when requesting workplace accommodations.

1. How can you set the stage for a positive win-win negotiation meeting?

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2. How can you improve the ways that you and a prospective employer exchange information?

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3. What can you do to discover the common ground you share with a prospective employer? How can you bring this common ground to his/her attention?

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4. What factors might increase the potential for conflict when you first meet a prospective employer?

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5. If conflict arises when you meet, how will you attempt to resolve it?

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6. What “triggers” should you watch for?

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7. What solutions can you generate that will be win-win? How will you generate win-win solutions *together*?

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8. After you are hired, what type of commitment will you ask for to ensure that the accommodations you need will be put in place?

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## Reflecting on Win-Win Negotiations

Based on previous experiences with difficult conversations, what do you think you should consider to ensure a healthy information exchange when you meet to discuss/request accommodations?

<b>DO</b>	<b>DON'T</b>

# Action Plan

## Part One

Preparation plays a very important role in your ability to present yourself well and negotiate successfully for workplace accommodations. Consider the following when preparing to meet with a prospective employer for the first time.

1. How can I find out as much as possible about what the position I'm applying for involves **before** I apply? (Job Expectations)

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2. Am I well-suited for this position? (Ability to Fulfill Expectations)

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3. How can I find out if the employer has an equity program? (Availability of Supports)

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## Part Two

Before entering a meeting where you will use win-win negotiation skills, take some time to figure out your negotiation strengths and weaknesses. What types of "triggers" might shift you away from a win-win approach? What steps can you take to keep yourself on track? What skills do you already have that will serve you well in a negotiation setting?

Strengths	Areas for Improvement

## Resources

If you'd like to learn more about workplace accommodations, job search strategies, career planning, or communication/negotiation skills, check out these resources. They can all be found using the provincial, public library NEOS catalogue.

Alberta Human Resources and Employment. (2000). *Employment series for persons with disabilities: Tips for job seekers*. Edmonton: Alberta Queen's Printer.

Alberta Human Resources and Employment. (2002). *The career shop: A catalogue of career development resources*. Edmonton: Alberta Queen's Printer.

Alberta Human Rights and Citizenship Commission. (2002). *Duty to accommodate: Interpretive bulletin*. Edmonton: Alberta Queen's Printer.

Alberta Human Rights and Citizenship Commission. (2004). *Duty to accommodate students with disabilities in post-secondary educational institutions: Interpretive bulletin*. Edmonton: Alberta Queen's Printer.

Annable, G. (1995). *Tried and true: Tips and advice for job seekers with disabilities*. Winnipeg: Canadian Council on Rehabilitation and Work.

Brown, Dale S. (2000). *Learning a living: A guide to planning your career and finding a job for people with learning disabilities, attention deficit disorder, and dyslexia*. Maryland: Woodbine House.

Career and Placement Services. (1990). *Focus on abilities*. Edmonton: University of Alberta.

Cohen, H. (2003). *Negotiate this! By caring—but not T-H-A-T much*. New York: Warner Books.

Fisher, R., et al. (1991). *Getting to yes: Negotiating agreement without giving in*. New York; Toronto: Penguin Books.

Galasso, T. (Producer/editor). (1993). *Breaking the sound barrier* [Videorecording]. Ottawa: Videoframe Productions Ltd.

McRae, B. (2002). *The seven strategies of master negotiators*. Whitby, ON: McGraw-Hill Ryerson.

Mueller, K. E. (1999). *Skillbuilder workbook for interpersonal communication: Relating to others*. (2nd ed.). Boston: Allyn and Bacon.



## Interesting Web Sites

CAREERinsite: Your source for career planning information. Guides users through the five steps of career planning. Each step includes an introduction, questions to think about, activities, Alberta Learning Information Service links and further reading. <http://www.alis.gov.ab.ca/CAREERinsite/home.asp>

Steps to Career/Life Planning: Developed by the University of Waterloo, this site takes you through all the steps in the career planning process. <http://www.cdm.uwaterloo.ca/index2.asp>

Getting on Track Career Planner: This planner developed by the University of Manitoba will help you find insights into yourself, your aspirations, and your direction in life. <http://www.umanitoba.ca/student/counselling/planner/intro.html>

The Princeton Review Career Quiz: A fun way to learn your personal interests. This questionnaire will help you determine areas where you shine. [http://www.princetonreview.com/cte/quiz/career\\_quiz1.asp](http://www.princetonreview.com/cte/quiz/career_quiz1.asp)

National Educational Association of Disabled Students: An organization that advocates for full access to post-secondary education and employment. <http://www.neads.ca>

## What Prospective Employers May Be Reading

When you prepare for a job interview, you may want to familiarize yourself with the materials your prospective employer may be influenced by. This is especially true if you disclosed your interview during the application process and received an interview. This suggests that the prospective employer is at least aware of equity hiring practices.

Alberta Human Resources and Employment. (2000). *Employment series for persons with disabilities: Tips for employers*. Edmonton: Alberta Queen's Printer.

Alberta Human Resources and Employment. (2005) *Disability related employment supports (DRES)*. <http://www3.gov.ab.ca/hre/dres/>

EmployAbilities. (2001). *Changing perspectives: An interactive resource guide for hiring persons with disabilities* [CD-ROM]. Edmonton: EmployAbilities.

Krahn, P. (Ed.). (1991). *Focus on ability: An employer's handbook on employment & disability: An emerging workforce*. Winnipeg: Canadian Council on Rehabilitation & Work.

Manitoba Civil Service Commission. (1997). *Putting equity to work: An affirmative action handbook for managers*. (2nd ed.). Winnipeg: Government of Manitoba.

National Institute of Disability Management and Research. (2003). *Disability management in the workplace: a guide to establishing a joint workplace program*. (2nd ed.). Victoria, BC: National Institute of Disability Management and Research.

Riessner, S. & Shrey D. (Eds.). (1997). *Strategies for success: Disability management in the workplace*. Port Alberni, B.C.: National Institute of Disability Management and Research.

## Evaluation/Feedback Form

Thank you for participating in the *Negotiating for the Future: Accessing Workplace Accommodations* workshop. Would you please take a few minutes to let us know about your experience today? We will use your input to improve the delivery of our next session.

Facilitator's Name: \_\_\_\_\_ Delivery Date: \_\_\_\_\_

Host Organization: \_\_\_\_\_

1. The facilitator explained concepts clearly and used relevant examples to illustrate points.

Strongly Agree      Agree      Disagree      Strongly Disagree

2. I can outline the benefits of the win-win negotiation process.

Strongly Agree      Agree      Disagree      Strongly Disagree

3. I understand the steps I need to take to develop a job search action plan.

Strongly Agree      Agree      Disagree      Strongly Disagree

4. I feel prepared to conduct a win-win discussion.

Strongly Agree      Agree      Disagree      Strongly Disagree

5. Do you have suggestions for other activities that we could include in revised versions of this curriculum? Please describe.

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6. Any other comments?

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Thank you for taking the time to provide us with your feedback. Please forward these comments to your facilitator.

**Note to facilitators:** While the feedback on this form is for your own records, ACCD would be interested in receiving feedback that will help us improve future editions of this publication. Please forward any pertinent feedback to us. Our contact information is provided on page ii of the curriculum's Introduction section.

# Negotiating for the Future: Accessing Workplace Accommodations



*“Study and Research”*

**Independent Study  
Component**



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# Negotiating for the Future: Accessing Accommodations

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## Letter of Introduction

Since the early 1970s, the Alberta Committee of Citizens with Disabilities (ACCD) has been actively involved in and strongly committed to the rights we have, as people with disabilities, to participate fully in society. To this end, full participation, equity, and accessibility are the three principles that guide our programs, our day-to-day operations, our services, and our research.

So it has been with great excitement that we have developed *Negotiating for the Future: Accessing Workplace Accommodations*, a curriculum that emphasizes the importance of full participation, equity, and accessibility in the workplace. The curriculum, which builds on two Alberta Human Rights and Citizenship Commission publications *Duty to Accommodate* (2002) and *Duty to Accommodate Students with Disabilities in Post-secondary Education* (2004), emphasizes the importance of acknowledging the positions of both parties when negotiating for workplace accommodations.

We had two goals in mind as we developed this curriculum: to improve access to workplace accommodations and to enhance the relationships we foster when we seek support for our workplace endeavours. These goals are accomplished by enhancing the participants'

- Understanding of workplace accommodations and related human right legislation
- Understanding of the personal and social factors that affect our ability to negotiate for accommodations
- Ability to successfully negotiate for accommodations that will meet our needs
- Ability to build strong and effective relationships with employers or prospective employers
- Understanding of the role that others play in providing/arranging for accommodations (e.g., employers, office managers, human resources personnel, union representatives, occupational health nurses, etc.)

When you use this curriculum, ACCD believes you are taking positive steps in creating an equitable society for persons with disabilities. We would enjoy hearing about your experience with the curriculum. Our contact information is included on the evaluation form on page 77.

Good luck and good learning!

Sincerely,  
Margot Brunner-Campbell, President  
Alberta Committee of Citizens with Disabilities

## About the Curriculum

Welcome to *Negotiating for the Future: Accessing Workplace Accommodations*. This section provides you with general information on the curriculum. If you have any questions as you work through this independent-study component, feel free to contact ACCD for information or advice. Our contact information is provided on the evaluation form on page 77.

### Intended Audience

The curriculum is intended for persons with disabilities who are

- Seeking employment for the first time
- Returning to the workplace after a time away
- Training for employment
- Rejoining the workforce in a new capacity due to a disability
- Attending a post-secondary institution with the aim of obtaining employment after graduation (See *The Difference with Post-Secondary* sidebar)

While the concept of accommodations is addressed briefly, ACCD has made the assumption that you will already be somewhat familiar with accommodation issues and duty to accommodate legislation.

If this is not the case, you are encouraged to read the Alberta Human Rights and Citizenship Commission's publication *Duty to Accommodate* (2002). The booklet can be downloaded from the Commission's website at <http://www.albertahumanrights.ab.ca/publications/default.asp>

### Curriculum Goals and Learning Objectives

We had two goals in mind as we developed this curriculum: to improve access to workplace accommodations and to enhance the relationships we foster when we seek support for our workplace endeavours. These goals are accomplished through the following learning objectives:

- Review/introduce the concept of workplace accommodations
- Enhance understanding of the personal and social factors that affect our ability to negotiate for accommodations
- Enhance ability to successfully negotiate for accommodations that will meet our needs
- Enhance ability to build strong and effective relationships with employers or prospective employers
- Enhance understanding of the roles that others play in providing/arranging for accommodations

### *The Difference With Post-Secondary*

*If you are currently attending a post-secondary institution or have recently graduated from a college or university, you may have a slightly different perspective on workplace accommodations than persons with disabilities who do not have recent post-secondary experience. Because post-secondary institutions across Alberta have the duty to accommodate students with disabilities, you probably had your accommodation needs met by working with disability services offices and disability services providers.*

*Employers also have the duty to accommodate employees with disabilities. However, many employers do not have systems in place that are as efficient or as effective as many of the systems are in colleges or universities. Financial implications and/or an employer's lack of awareness regarding disability issues may mean that obtaining accommodations is not quite as straightforward as it might be in a post-secondary setting.*

## Curriculum Format

This independent-study component of the curriculum invites you to read through information and to respond to your new learning by writing down the answers to a variety of questions. Laura Horrigan, of Wedge Consulting Inc., supplied ACCD with a template for many of the exercises. If you would like the materials in an alternate format you can contact ACCD.

The curriculum is also available in a workshop format. If you are interested in attending a workshop, please contact ACCD. We may be able to put you in touch with an organization that is hosting the workshop in your area.

Our contact information is provided on the evaluation form on page 77.

## Overview

As a person with a disability, you may already know something about workplace accommodations. *Workplace accommodations* are the specific working conditions, tools, or technologies that will help you do your job to the best of your ability. These accommodations are meant to “even the workplace playing field” by supporting you to participate as fully as possible in your job.

### ***Workplace Accommodations***

*There are many types of workplace accommodations. Some of the more common ones include:*

- *Accessible facilities*
- *Modified work schedules*
- *Modified office equipment*
- *Specialized software or computer devices*
- *Restructured work load*

*Do you need any of these types of accommodations? Can you think of any others?*

But how should you go about obtaining these accommodations? When should you ask a prospective employer about the accommodations you need? How should you approach him/her to best ensure your needs are met?

It's true—employers have an obligation or “duty” to provide you with accommodations. But experience has taught us that some “tactics” for negotiating your workplace accommodation needs are more effective than others.

This curriculum will teach you “win-win” negotiation skills. These skills will enable you and a prospective employer to work together in addressing your needs and at the same time build a positive working relationship.

After completing the curriculum, you will be able to:

- Outline the benefits of the win-win negotiation process
- Conduct a win-win discussion
- Develop a personal action plan that will help you successfully negotiate for workplace accommodations

### **What types of workplace accommodations do you think you need?**

Job Prospect One:

Accommodations Needed:

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Job Prospect Two:

Accommodations Needed:

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## When To Disclose

Before introducing the concept of win-win negotiation skills, let's take a few minutes to think about disclosure. One of the first things you'll need to decide as you begin a job search is when you'll disclose your disability. This is a personal decision and, for some, one of the most difficult decisions you'll make as you enter or re-enter the workforce.

You have a great deal of control in this area and you have to decide what is best for you. It's your decision if anything is mentioned in your cover letter, on your resumé, during the interview, or not until you're offered a job.

Before deciding if and when to disclose your disability, think about the following.

### *Exercise One*

Take a few minutes to think about or respond to the following questions. Your answers might help you decide when to disclose.

1. What do I know about the policies this workplace has regarding disabilities?

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2. How much does a prospective employer need to know to hire me and/or to understand my accommodation needs?

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3. Are there any safety reasons (personal or organizational) that will influence my decision to disclose?

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4. Do I need accommodations for the interview? Or not until I get the job?

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5. What misconceptions might a prospective employer have about my disability?

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6. If I disclose prior to being hired, will I be able to reassure a prospective employer that my disability will not affect my ability to do the work?

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7. How do most people react when they learn about my disability? How will a prospective employer react?

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## Advantages and Disadvantages of Disclosure

The following information can help you decide if and when to disclose your disability, depending on the situation. Source: Alberta Human Resources and Employment. (2000). *Employment series for persons with disabilities: Tips for job seekers*. Edmonton: Alberta Queen's Printer.

Options	Advantages	Disadvantages	Recommendations
Third party referral	A recommendation from someone the employer knows can increase the chances of being invited for an interview Employer is immediately aware of your situation	Little or no control over what is said about you The information could be used to screen you out of the interview process	Use this option if the person making the recommendation knows you well and is supportive of your goals Follow up with a phone call to the employer to answer any questions
Written application (resume, cover letter, or application form)	The employer may appreciate your willingness to be forthcoming and open The employer may be actively recruiting for a diverse workforce	Does not allow you to address questions the employer may have Limited space to explain your abilities, accommodation needs, etc. Could be used to screen you out	Use this approach if your disability might be an advantage in terms of being hired (i.e., the employer has an employment equity program) Focus on your skills and abilities
When the interview is scheduled	Employer has already expressed an interest in interviewing you Employer can prepare for interview (accommodations) A better opportunity to explain your situation	Employer may react negatively (feel you've been dishonest) Employer may draw inappropriate conclusions and not give you serious consideration	If you require accommodations for your interview, you might want to disclose at this point If the interviewer is not the one scheduling the interviews, you may want to call back and disclose to him/her
After scheduling the interview	Same as above	Same as above	Same as above, plus it allows you time to prepare what you want to say and how to say it
At moment of meeting	Reduces risk of employer forming preconceived opinions about your abilities	Employer may feel unprepared for the interview or react negatively Interview setting might not be appropriate	If your disability is not visible, and you are self-confident and able to keep your employer's attention focused on your skills and abilities, you might want to use this method
During the interview	Provides an opportunity for you to reassure the employer and answer questions	Same as above	If your disability is not visible, you can disclose at this point and, focusing on your abilities, explain any accommodations you will require
After receiving an offer	If your disability will not adversely affect your ability to do the work, the employer cannot withdraw the offer	The employer's reaction could be very negative	This option could be used if your disability is not visible, will not affect your ability to do the work, and you will not require accommodations. If you are in this situation, you may also choose not to disclose at all

## Which Game Do You Play?

So, you may be asking yourself, what do win-win negotiation skills have to do with my job search?

Let's step back from your job search for a moment and talk about negotiation skills in general. Usually, negotiation takes place when you have a different opinion than someone else. Have you even had a conversation where you and the person you were speaking with had a difference of opinion or a different understanding of a situation? Chances are this has happened many times.

**Choose a situation from your experience and briefly jot down your recollection of the situation.**

*Who was that conversation with?* \_\_\_\_\_

*What were the circumstances?* \_\_\_\_\_  
\_\_\_\_\_

*How did you and the other person react/ behave to the difference of opinion?*  
\_\_\_\_\_  
\_\_\_\_\_

As you can see, negotiating isn't an easy thing. Sometimes these conversations will go smoothly, sometimes they won't. When we have a difference of opinion, the potential is there for the conversation to become tense. We may feel that our position isn't being fully considered. Sometimes a conversation with a prospective employer can end up this way, especially when speaking about accommodations.

*Why do you think that accommodations may be a particularly difficult topic to discuss?*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

A couple of factors are at a play in a discussion about accommodations. For one thing, talking about accommodations can be a pretty emotional undertaking, especially if you're meeting with someone who doesn't know that much about disabilities and disability issues. Also, you might find that a prospective employer feels uncertain or uncomfortable asking questions about disabilities. S/he may not have much experience with disability issues or may think that asking questions will offend you. As a result, important questions could go unasked.

Win-win negotiation skills give you a way to direct a conversation about disabilities/accommodations in a way that will get your needs met and build a strong relationship with the person you're speaking to.

## Exercise Two

Imagine that you are about to be interviewed for a job. You have disclosed the details of your disability in your application, but during the scheduling of the interview you were told that you will be asked to describe the accommodations you'll need.

Read each pair of matching statements. (Position 1 on the left and Position 2 on the right.) Circle the number in the centre column that you think best reflects your position.

For example, with the first pair of positions, if you think you would enter the interview feeling strongly that a prospective employer is your friend, circle the number 1. If you really think of your prospective employer as an opponent, circle number 6. If you're somewhere in between, circle the number closest to the position you hold.

Position 1		Position 2
We are friends.	1 2 3 4 5 6	We are opponents.
My goal is agreement.	1 2 3 4 5 6	My goal is victory.
I will concede points in the hopes of enhancing our relationship.	1 2 3 4 5 6	I demand concessions as a way of controlling our relationship.
I am soft on people and on problems.	1 2 3 4 5 6	I am hard on the problem and the people.
I trust you.	1 2 3 4 5 6	I don't trust you.
I change my position easily.	1 2 3 4 5 6	I'm firm; I dig in my heels.
I am straightforward about the accommodations I need and why I need them.	1 2 3 4 5 6	I may not disclose everything about the accommodations I need and why I need them.
The "right" answer is the one my employer will agree to.	1 2 3 4 5 6	The "right" answer is the one I choose to accept.
I insist on reaching agreement when we disagree, even if I have to give in a little on my position.	1 2 3 4 5 6	I insist on my position when we disagree, even if that means we don't come to an agreement.
I try to avoid a contest of wills.	1 2 3 4 5 6	I try to win a contest of wills.
It's okay to yield to pressure.	1 2 3 4 5 6	It's okay to apply pressure.

So, how did you do? Did you lean toward one type of position more than another?

Generally, people who lean toward the Position One column think, “We’re friends. I’m willing to give up some of the things I want to keep the peace.” These positions are called *soft* positions. There are some advantages to a *soft* position:

- You won’t offend anyone
- You avoid confrontation
- You’ll reach agreement more quickly
- You might get the job
- There will be more acceptance

Generally, people who lean toward the Position Two column think, “I’m sure this person is going to try to take advantage of me, so I’m going to make sure s/he doesn’t get what s/he wants. I’m going to dig in my heels on this conversation. I know I’m right about this.” These positions are called *hard* positions. There are some advantages to a *hard* position:

- You’ll get what you want
- Things will get done
- You’ll feel like you’re in control

We’ve outlined a few of the advantages of each position, but what about the disadvantages?

When we take a **soft** position, we may keep the peace, but often we’ll leave a meeting feeling that we’ve been taken advantage of. We’ll avoid confrontation, but we won’t get our needs met. We’ll feel like we’ve been walked on, which might mean we swing over to a more aggressive stance outside the meeting. We might get the job, but will we be happy? If you look at your responses to Exercise Two and find that they leaned toward the left side, this may be what you’re setting yourself up for.

When we take a **hard** position, we may get what we want but we’re just as likely to fail at getting what we want. A prospective employer who meets with someone who only sees things one way, may not feel comfortable hiring that person. If you look at your responses to Exercise Two and find that they leaned toward the right side, this may be what you’re setting yourself up for.

In both situations, conflict seems inevitable—either right away (with the hard position) or later down the road (with the soft position.). If we acknowledge that neither a soft nor hard approach is the way to go, what are we left with?

Rather than enter a conversation with our own position guiding our outlook, we need to think about the **interests** of both parties. A **hard** position deteriorates the relationship from both sides. A **soft** position deteriorates the relationship from one side. We need to learn to “let go” of positions and choose a middle ground. The chart on the next page summarizes the characteristics of hard and soft positions. The middle column explains what an **interest-based** (or win-win) approach looks like.



## Discovering Interests and Positions

Position-based negotiations are the opposite of win-win (or interest-based) negotiations. Yet we often tend to use position-based negotiations when we're trying to "get" something from someone.

Before you enter a meeting where negotiations will take place, chances are you already have a **position** on the issue/topic that will be discussed. For example, before meeting with a prospective employer to discuss workplace accommodations, you have a pretty good idea of the accommodations you'll need in order to perform to the best of your ability at work. Your tendency, if you were to use position-based negotiations, would be to say things like:

- You need to give me . . .
- I need . . .
- You can't . . .
- Legislation says that you have to . . .

At the same time, a prospective employer will have his or her **position** on the issue. The response to your **position** (whether it's said aloud or not) might be something like:

- But I need to consider the bottom line . . .
- I'm not going to help you if you're so bossy about it . . .
- This sounds like it will cost a lot . . .

As you can see, not much is going to get accomplished at this meeting, and a relationship has almost no chance of developing. But positions are only the tip of the iceberg in a win-win negotiation scenario. Each parties' **interests** are a much more influential component. The tricky part is to find out what the other parties interests are.

### Asking Questions

Do you know the best way to find out what someone's interests are? Ask questions!

*Why? What happens when we ask questions?*

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When we ask questions, we show we care about what someone else thinks. We're curious about their **interests**. Questions give the person we're talking to an idea about what we're like. That we're curious, caring, and interested in them.

### *Possible Questions to Ask A*

#### *Prospective Employer*

*When ACCD developed this curriculum, we asked persons with disabilities who were seeking employment what questions they thought might help them discover a prospective employer's interests. Here's what they had to say:*

- *Can I tell you a bit about what I see as the advantages to a diverse workforce?*
- *Can I tell you a bit about how I think I can benefit your business?*
- *Do you know anyone else with the same disability as me—or a different one?*
- *Have you ever had to have workplace accommodations before?*
- *What types of situations came up then?*
- *Is your building wheelchair accessible?*
- *Do you have other employees with disabilities?*
- *What do you need/want from me in this position that you think might be a challenge to me?*

### *What Happens When We Ask Questions?*

- *If you ask enough questions, eventually common ground will be revealed. And once you've found common ground, it's just a matter of finding out how to work together to make that common ground a reality.*
- *By asking questions, you aren't taking a soft position and giving in on points, but you aren't taking a hard position by insisting on things either. Instead, you and a prospective employer will see how accommodations will benefit both of you. By asking good questions, you help a prospective employer re-frame the situation.*
- *Of course, once prospective employers start to ask questions, too, they learn more about you and your interests. They see what type of person you are, what you're all about. They will begin to see beyond your disability. Because you have shown an interest, they will show an interest in you.*

Questions also help us to re-focus if we're feeling the conversation isn't going our way. If you're speaking to someone who only seems interested in his/her position, you may start to feel anxious, defensive, or angry. Questions can help you get out of that tight spot. By responding with curiosity, you begin to build a relationship and are more likely to get your needs met. Take a few minutes to think about the types of questions you could ask a prospective employer when you meet to talk about workplace accommodations.

**Write the questions you come up with in the space below.**

*What kinds of questions could you ask to find out a prospective employer's interests?*

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

When you ask questions, you are trying to figure out how you can meet a prospective employer's needs **without sacrificing your own needs**. If you can show a prospective employer that you are interested in meeting his/her needs first, you will be more likely to get your workplace needs met. Your **interest** will show that you will be a good employee.

### **Does It Always Work?**

Unfortunately, even well-honed win-win negotiation skills won't **always** be enough to convince a prospective employer of your suitability for a position—even if you are the best candidate. Sometimes prospective employers may be too close-minded or stubborn to consider another point of view. Or they may simply be entirely unfamiliar with, unaware of, or nervous about the idea of employing person with a disability.

But if you don't try this approach, what are the alternatives? If you agree that hard and soft positions can **never** work satisfactorily, then a win-win approach provides you with an **alternative** that improves your chances of finding work and receiving appropriate accommodations.



## Preparing for Win-Win Negotiations

The questions you should ask a prospective employer likely won't come to you on the spur of the moment in an interview or meeting. You need to **prepare** for these meetings in a few ways:

- Think about the triggers that might make you defensive in an interview
- Reflect on the positions and interests that shape your perspectives and your prospective employer's perspective
- Jot down the kinds of questions you could to ask that will keep the meeting on track

The following exercises can be used to prepare for a meeting/interview. As you respond to these questions, keep in mind that in a successful negotiation scenario you need to ask, not tell.

### Exercise Three: Preparing for Win-Win Negotiations

Describe how you can use win-win negotiation strategies to handle the problems you might encounter when requesting workplace accommodations.

1. How can you set the stage for a positive win-win negotiation meeting?

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2. What can you do to discover the common ground you share with a prospective employer? How can you bring this common ground to his/her attention?

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3. What factors might increase the potential for conflict when you first meet a prospective employer?

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4. If conflict arises when you meet, how will you attempt to resolve it?

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5. What solutions can you generate that will be win-win? How will you generate win-win solutions *together*?

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6. After you are hired, what type of commitment will you ask for to ensure that the accommodations you need will be put in place?

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***Exercise Four: Knowing Yourself and Considering Others***

When you are preparing for a job interview, complete the following chart as a way to prepare yourself for the meeting. Remember: **Positions** are the unique perspectives or points of view that shape the way we look at an issue. **Interests** are the underlying needs, wants, fears, or concerns that both parties have and that need to be considered in forming an agreement.

	<b>Me</b>	<b>Prospective Employer</b>
<b>Positions</b>		
<b>Interests</b>		
<b>Needs</b>		
<b>Points of Agreement</b>		
<b>Points of Disagreement</b>		

## Action Plan

You are the person who knows yourself best. You know your abilities and your limitations. It is important for you to reflect on these areas as you prepare to enter the workforce. Even before preparing for a job interview, you can increase your chance of successfully obtaining employment by applying for appropriate for the types of jobs that make the most of your strengths and by applying to organizations that are familiar with employment equity hiring practices.

**Brainstorm some of the steps you could take in the following areas that would enhance the likelihood of being invited for an interview. (Suggested answers are provided on the next page.)**

1. *How can I find out exactly what the position I'm applying for involves **before** I apply?*

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2. *Am I well-suited for this position? Why or why not?*

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3. *How can I find out if the employer has an equity program?*

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## Knowing Yourself

As well as taking some of the practical steps suggested above, it is important for you to reflect on your strengths and weaknesses as a negotiator/communicator before you enter an interview situation. Be honest with yourself about your strengths and weaknesses as you fill in the chart below. Some questions to think about as you complete the chart include:

- What types of “triggers” might shift you away from a win-win approach?
- What steps can you take to keep yourself on track?
- What skills do you already have that will serve you well in a negotiation setting?

(See chart on next page)

Strengths	Areas for Improvement

*Suggested Steps for Your Action Plan*

*Every action plan is unique. Yours will include some steps that another plan does not have. The steps suggested below were brainstormed by persons with disabilities who participated in the development of these materials. Is there anything here that would work for you?*

*1. How can I find out exactly what the position I'm applying for involves **before** I apply?*

- Find out if the job is full time or part time?*
- Find out how far I would I need to travel from home?*
- Call the office for details on job expectations.*
- Check the internet for details on job expectations.*

*2. Am I well-suited for this position? Why or why not?*

*3. Ask myself:*

- How will my disability affect me in this environment?*
- Am I up to the pace of the job?*
- Will I be able to handle the stress in this position?*

*4. How can I find out if the employer has an equity program?*

- Check the internet for equity program details*
- Focus job search on large organizations, on government organizations/department or on other businesses that have employment equity hiring practices*
- Find out what resources does this business offer employees with disabilities?*

## Evaluation/Feedback Form

Thank you for completing the *Negotiating for the Future: Accessing Workplace Accommodations* independent-study curriculum. Would you please take a few minutes to let us know about your experience? We will use your input to improve the online version delivery of these materials.

1. The material explained concepts clearly and used relevant examples to illustrate points.

Strongly Agree      Agree      Disagree      Strongly Disagree

2. I can outline the benefits of the win-win negotiation process.

Strongly Agree      Agree      Disagree      Strongly Disagree

3. I understand the steps I need to take to develop a job search action plan.

Strongly Agree      Agree      Disagree      Strongly Disagree

4. I feel prepared to conduct a win-win discussion.

Strongly Agree      Agree      Disagree      Strongly Disagree

5. Do you have suggestions for other activities that we could include in revised versions of this curriculum? Please describe.

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6. Any other comments?

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Thank you for taking the time to provide us with your feedback. Please forward your comments to us by mail, fax or email. We look forward to hearing from you!

Alberta Committee of Citizens with Disabilities  
707, 10339-124 Street, NW  
Edmonton, AB      T5N 3W1

Fax: (780) 488-3757  
Email: [accd@accd.net](mailto:accd@accd.net)

## Resources

If you'd like to learn more about workplace accommodations, job search strategies, career planning, or communication/negotiation skills, check out these resources. They can all be found using the provincial, public library NEOS catalogue.

Alberta Human Resources and Employment. (2000). *Employment series for persons with disabilities: Tips for job seekers*. Edmonton: Alberta Queen's Printer.

Alberta Human Resources and Employment. (2002). *The career shop: A catalogue of career development resources*. Edmonton: Alberta Queen's Printer.

Alberta Human Rights and Citizenship Commission. (2002). *Duty to accommodate: Interpretive bulletin*. Edmonton: Alberta Queen's Printer.

Alberta Human Rights and Citizenship Commission. (2004). *Duty to accommodate students with disabilities in post-secondary educational institutions: Interpretive bulletin*. Edmonton: Alberta Queen's Printer.

Annable, G. (1995). *Tried and true: Tips and advice for job seekers with disabilities*. Winnipeg: Canadian Council on Rehabilitation and Work.

Brown, Dale S. (2000). *Learning a living: A guide to planning your career and finding a job for people with learning disabilities, attention deficit disorder, and dyslexia*. Maryland: Woodbine House.

Career and Placement Services. (1990). *Focus on abilities*. Edmonton: University of Alberta.

Cohen, H. (2003). *Negotiate this! By caring—but not T-H-A-T much*. New York: Warner Books.

Fisher, R., et al. (1991). *Getting to yes: Negotiating agreement without giving in*. New York; Toronto: Penguin Books.

Galasso, T. (Producer/editor). (1993). *Breaking the sound barrier* [Videorecording]. Ottawa: Videoframe Productions Ltd.

McRae, B. (2002). *The seven strategies of master negotiators*. Whitby, ON: McGraw-Hill Ryerson.

Mueller, K. E. (1999). *Skillbuilder workbook for interpersonal communication: Relating to others*. (2nd ed.). Boston: Allyn and Bacon.

## Interesting Web Sites

**CAREERinsite:** Your source for career planning information. Guides users through the five steps of career planning. Each step includes an introduction, questions to think about, activities, Alberta Learning Information Service links and further reading. <http://www.alis.gov.ab.ca/CAREERinsite/home.asp>

**Steps to Career/Life Planning:** Developed by the University of Waterloo, this site takes you through all the steps in the career planning process. <http://www.cdm.uwaterloo.ca/index2.asp>

**Getting on Track Career Planner:** This planner developed by the University of Manitoba will help you find insights into yourself, your aspirations, and your direction in life. <http://www.umanitoba.ca/student/counselling/planner/intro.html>

**The Princeton Review Career Quiz:** A fun way to learn your personal interests. This questionnaire will help you determine areas where you shine. [http://www.princetonreview.com/cte/quiz/career\\_quiz1.asp](http://www.princetonreview.com/cte/quiz/career_quiz1.asp)

**National Educational Association of Disabled Students:** An organization that advocates for full access to post-secondary education and employment. <http://www.neads.ca>

**Job Accommodation Network:** A free consulting service designed to increase the employability of people with disabilities by providing individualized worksite accommodations solutions, providing technical assistance, and educating callers about self-employment options. <http://www.jan.wvu.edu/>

**Job Accommodation Service:** JAS assists in the hiring, training, retention, and/or advancement of persons with disabilities through identifying the individual job accommodation needs of an employee in his or her workplace environment. [http://www.ccrw.org/en/programs/program\\_detail.asp?Program\\_ID=7](http://www.ccrw.org/en/programs/program_detail.asp?Program_ID=7)

**Alberta Human Rights and Citizenship Commission. (2002). Duty to accommodate:**  
Interpretive bulletin: This interpretive bulletin explains the provisions of Alberta's human rights legislation. [http://www.albertahumanrights.ab.ca/publications/Bull\\_Dutytoaccom.pdf](http://www.albertahumanrights.ab.ca/publications/Bull_Dutytoaccom.pdf)

**Disability Related Employment Supports:** Disability related employment supports provides assistance to Albertans in overcoming the barriers to employment created by their disability. <http://www.gov.ab.ca/hre/dres/>

## What Prospective Employers May Be Reading

When you prepare for a job interview, you may want to familiarize yourself with the materials your prospective employer may be influenced by. This is especially true if you disclosed your interview during the application process and received an interview. This suggests that the prospective employer is at least aware of equity hiring practices.

Alberta Human Resources and Employment. (2000). *Employment series for persons with disabilities: Tips for employers*. Edmonton: Alberta Queen's Printer.

Alberta Human Resources and Employment. (2005) *Disability related employment supports (DRES)*. <http://www3.gov.ab.ca/hre/dres/>

EmployAbilities. (2001). *Changing perspectives: An interactive resource guide for hiring persons with disabilities* [CD-ROM]. Edmonton: EmployAbilities.

Krahn, P. (Ed.). (1991). *Focus on ability: An employer's handbook on employment & disability: An emerging workforce*. Winnipeg: Canadian Council on Rehabilitation & Work.

Manitoba Civil Service Commission. (1997). *Putting equity to work: An affirmative action handbook for managers*. (2nd ed.). Winnipeg: Government of Manitoba.

National Institute of Disability Management and Research. (2003). *Disability management in the workplace: a guide to establishing a joint workplace program*. (2nd ed.). Victoria, BC: National Institute of Disability Management and Research.

Riessner, S. & Shrey D. (Eds.). (1997). *Strategies for success: Disability management in the workplace*. Port Alberni, B.C.: National Institute of Disability Management and Research.



# **Negotiating for the Future: Accessing Workplace Accommodations**



***“Getting Around”***

**Appendices**



## Appendix One: Glossary

ACCD assumes that facilitators of *Negotiating for the Future* will be familiar with terms and appropriate language regarding accommodations and disability issues. However, the following glossary provides a good “at-a-glance” refresher to guide preparations for the workshop.

### *Appropriate Language*

Two themes underlie the current language for describing people with disabilities. First of all, recognize the individual first rather than defining the person by his or her disability or characteristic. For example, say “person with a disability” rather than “a disabled person” to emphasize the person over the disability. Secondly, focus on a person’s ability or positive attributes, not the disability. (See Appendix Two for more detailed example of appropriate language.)

### *Disability*

Defining disability is not easy, and no single definition can cover all disabilities. A person with a disability can experience difficulty with any of a number of functions or activities such as mobility; manual dexterity; physical co-ordination; ability to lift, carry or move everyday objects; speech; hearing; eyesight; memory or ability to concentrate, learn or understand; and perception of risk or physical danger. Some disabilities will have peaks and valleys or relatively long periods when the individual appears to have reached a plateau or be in recovery. Multiple sclerosis, epilepsy or mental illness are examples. Disabilities can be invisible, as is often the case with heart disease, asthma and speech-related problems, for instance. In Canada, people are considered to have a disability if their condition restricts their ability to perform common activities such as working, going to school, travelling, walking, communicating or performing daily tasks at home.

### *Duty to Accommodate*

The Supreme Court of Canada has ruled that an employer has a legal duty to take reasonable steps, in policies or conditions of work, to accommodate an employee’s individual needs. This duty applies to all grounds of discrimination covered under the Alberta *Human Rights, Citizenship and Multiculturalism Act*. This legal duty does not apply if the only way to resolve the problem will cause the employer undue hardship.

### *Workplace Accommodations*

Modifications or adjustments to a job, a work environment, or a procedure that are made to give equal access to a qualified individual with a disability.

### Sources:

Alberta Human Resources and Employment. (2000). *Employment series for persons with disabilities: Tips for job seekers*. Edmonton: Alberta Queen’s Printer.

Alberta Human Rights and Citizenship Commission. (2002). *Duty to accommodate: Interpretive bulletin*. Edmonton: Alberta Queen’s Printer.

EmployAbilities. (n.d.) *Capitalizing on diversity*. Edmonton: EmployAbilities.

## Appendix Two: Appropriate Language

SAY	DON'T SAY
Disability, or person with a disability. Emphasize the person, not the disability.	Handicap, handicapped, crippled, lame, challenged, invalid.
Person who has multiple sclerosis, or person who has had a spinal cord injury.	Victim afflicted with a stroke, polio, muscular dystrophy, etc.
Person who uses a wheelchair or has a wheelchair; wheelchair user.	Wheelchair-bound or confined to a wheelchair.
Person who is deaf, hearing impaired, or hard of hearing. Most individuals who are deaf are capable of speech.	Deaf and dumb.
Non-disabled.	Normal, healthy (when used as the opposite of disabled).
Person who is deaf, person with a learning disability, etc.	The deaf. The learning disabled. The disabled.
Person with an intellectual disability, person who is intellectually impaired.	Mentally retarded, retarded, retard, defective, idiot, imbecile, moron, simple, mongoloid.
Person with a disability since birth. Person who has a congenital disability.	Birth defect. Deformity.
Seniors.	Aged. The Aged. Elderly.
Seizure.	Fit. Attack. Spell.
Person with a mental health disability. Person who has schizophrenia, person who has depression.	Insane. Lunatic, maniac, mental, psycho, psychotic, unsound mind, neurotic, etc.
Cerebral palsy, down's syndrome, mental illness, spina bifida, quadriplegia, seizure disorder, speech disability, or specific learning disability. (When it is appropriate to refer to an individual's disability, choose the correct terminology for the specific disability).	Spastic, mongoloid, crazy, deformed, defective, crippled.

Adapted from the Human Resources Development Canada publication *A Way with Words* (1998)

## Appendix Three: When to Disclose

The following information can help you decide if, when, and what to disclose about your disability, depending on the situation. *Source: Alberta Human Resources and Employment. (2000). Employment series for persons with disabilities: Tips for job seekers.* Edmonton: Alberta Queen's Printer.

Options	Advantages	Disadvantages	Recommendations
Third party referral	A recommendation from someone the employer knows can increase the chances of being invited for an interview Employer is immediately aware of your situation	Little or no control over what is said about you The information could be used to screen you out of the interview process	Use this option if the person making the recommendation knows you well and is supportive of your goals Follow up with a phone call to the employer to answer any questions
Written application (resume, cover letter, or application form)	The employer may appreciate your willingness to be forthcoming and open The employer may be actively recruiting for a diverse workforce	Does not allow you to address questions the employer may have Limited space to explain your abilities, accommodation needs, etc. Could be used to screen you out	Use this approach if your disability might be an advantage in terms of being hired (i.e., the employer has an employment equity program) Focus on your skills and abilities
When the interview is scheduled	Employer has already expressed an interest in interviewing you Employer can prepare for interview (accommodations) A better opportunity to explain your situation	Employer may react negatively (feel you've been dishonest) Employer may draw inappropriate conclusions and not give you serious consideration	If you require accommodations for your interview, you might want to disclose at this point If the interviewer is not the one scheduling the interviews, you may want to call back and disclose to him/her
After scheduling the interview	Same as above	Same as above	Same as above, plus it allows you time to prepare what you want to say and how to say it
At moment of meeting	Reduces risk of employer forming preconceived opinions about your abilities	Employer may feel unprepared for the interview or react negatively Interview setting might not be appropriate	If your disability is not visible, and you are self-confident and able to keep your employer's attention focused on your skills and abilities, you might want to use this method
During the interview	Provides an opportunity for you to reassure the employer and answer questions	Same as above	If your disability is not visible, you can disclose at this point and, focusing on your abilities, explain any accommodations you will require
After receiving an offer	If your disability will not adversely affect your ability to do the work, the employer cannot withdraw the offer	The employer's reaction could be very negative	This option could be used if your disability is not visible, will not affect your ability to do the work, and you will not require accommodations. If you are in this situation, you may also choose not to disclose at all