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# **POLICY REVIEW ON EMPLOYMENT OF DISABLED PERSONS**

### **Abstract:**

Our attitude toward persons with disabilities has changed over time. From considering them as being inferior, disgrace, unfit and so much more, we have come a long way to acknowledging their contributions as productive members of the society. They were once considered as outcasts to a point where we reject them as members of the society. As we grow as human beings, we have learned to embrace diversity, we have come to accept the reality, and we keep on making ways in order to create an environment equal and accessible to all. Instead of removing, contesting or stigmatizing, we acknowledged the existence of persons with disabilities and the limitations of this group in terms of participation in all sectors of our society. Laws were created in order to preserve and maintain equality amongst members of the society. Special interests were given on issues concerning people with disabilities. In the context of human resource and management, a huge amount of progress can be observed in terms of employment of persons with disabilities. The goal of this paper is to examine the policy on human resource management in relations to persons with disabilities. The focus will be on the issues regarding the inadequacy of the policies constructed concerning persons with disabilities specifically the blinds and deaf-mutes. Despite the overwhelming laws on promotion of equality and accessibility on employment with regards to persons with disability, there is still an observable inequality within the workplace and an obvious disparity between the disabled persons and those that are not. There are noticeable problems within these laws passed by the government. The laws are theoretically good; however, certain aspects of the laws or policies are inadequate in achieving their goals. There is a need to review the policies regarding employment of persons with disabilities and to reassess the competence of the unit implementing the policies.

### **Keywords:**

Persons with Disabilities, Laws, Policies, Human Resource, Blinds, Deaf-mutes, Equality, Accessibility, Employment, Inadequacy, Disparity

**JEL Classification:** J78, J21, L38

## Introduction

“Disability is part of the human condition – almost everyone will be temporarily or permanently impaired at some point in life, and those who survive to old age will experience increasing difficulties in functioning. Disability is complex, and the interventions to overcome the disadvantages associated with disability are multiple and systemic – varying with the context” (Hawking, Zoellick, & Chan, 2011).

According to the census of population and housing, there has been an increase of people with disabilities from 2000 to 2010 in the Philippines from 1.23 percent to 1.57 percent respectively. This increase suggested further development in the creation of an environment secure and friendly to every member of the society. Hence, the creation of policies with regards to PWDs welfare and development. It is essential to note that the largest numbers of disabled persons are under the age group of 15-49 years, according to the study of the National Statistics Office on 2010.

Figure 1: Household Population and Persons with Disability by Region: Philippines 2010

Region	Household Population (in 1,000)	Household Population with Disability (in 1,000)	Proportions of persons with disability to the Household Population (in percent)
Philippines	92,098	1,443	1.57
National Capital Region (NCR)	11,797	167	1.41
Cordillera Administrative Region (CAR)	1,612	26	1.63
Region I	4,743	78	1.64
Region II	3,226	56	1.72
Region III	10,118	139	1.38
Region IV-A	12,583	193	1.53
Region IV-B	2,732	50	1.85
Region V	5,412	100	1.85
Region VI	7,090	138	1.95
Region VII	6,785	109	1.6
Region VIII	4,090	72	1.75
Region IX	3,398	46	1.35
Region X	4,285	67	1.56
Region XI	4,453	71	1.6
Region XII	4,103	59	1.43
Autonomous Region of Muslim Mindanao (ARMM)	3,249	35	1.07
Region XIII	2,425	38	1.58

Source: National Statistics Office, 2010 Census of Population and Housing

Figure 2: Household Population with Disability by Broad age Group and Sex: Philippines 2010

Age Group	Total	Male	Female	Sex Ratio
All Ages	1,443	734	709	104
0-14	272	149	123	121
15-49	578	312	266	117
50-64	274	141	133	106
65 years and over	319	132	187	70

Source: National Statistics Office, 2010 Census of Population and Housing

From the facts provided it is with confidence to say that the working group is the biggest population in this category. Therefore, attention must be given to the development of ways through which this particular set of individuals in this group can maximize their potential in the social system of the country. It is not by any means imposing that the other sets are to be given less attention. However, giving this particular set of individuals the capacity to participate freely, engage in social activities with no hindrance and be part of organizations with equal treatment is beneficial to all the subgroups under the category of persons with disability. This concept is accepted by most nations in the world not only the Philippines, causing a huge change and development in terms of human resource development and management in relations to the members of the persons with disabilities.

“More than a billion people are estimated to live with some form of disability, or about 15% of the world’s population (based on 2010 global population estimates). This is higher than previous World Health Organization estimates, which date from the 1970s and suggested around 10%” (Hawking, Zoellick, & Chan, 2011) .

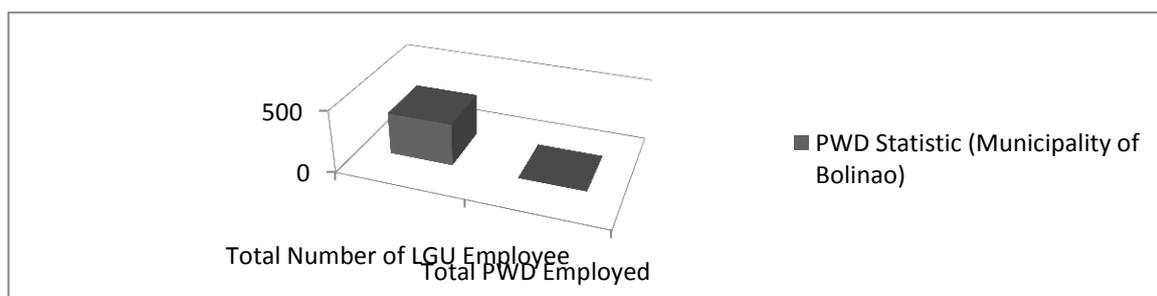
## INCLUSIVE EMPLOYMENT

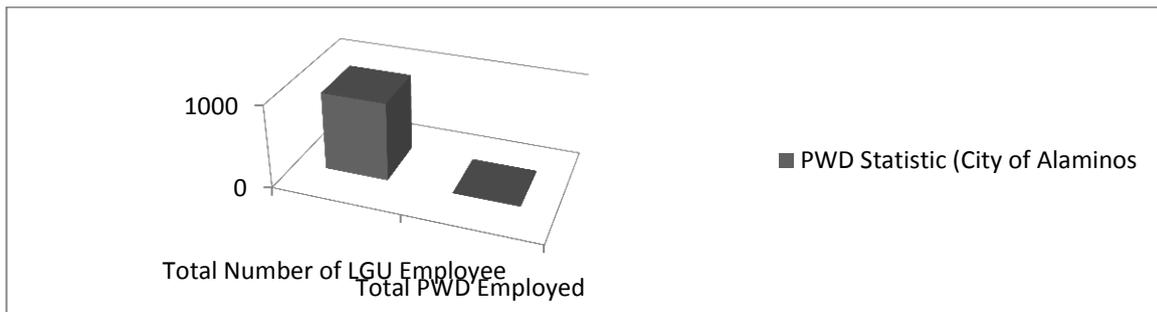
“People with disabilities are particularly vulnerable to unemployment and poverty. Although access to employment is recognized as a fundamental right, less than 20% of people with disabilities are currently in work. The minority that is at work are often under-employed or relegated to jobs which are badly paid, offering little or no legal or social safeguards and which require few qualifications. This, in turn, affects the self-confidence of people with disabilities who may become demoralized or even give up their jobs. And yet people with disabilities need to work in order to earn a living, to support their families, to obtain the recognition of their communities and to improve their self-esteem” (Leymat, 2011).

Republic Act 7277 or also known as the Magna Carta for disabled, implied that in order to support the well-being of the persons with disabilities, a minimum of 5 percent shall be reserved for disabled persons as casual, emergency or contractual employees. This policy regarding employment of the disabled persons guarantees them a place in the work force. This is a good start and very encouraging in terms of self-development and self-reliance. However, the allotment of positions for persons with disabilities in itself is a cause for debate. The main purpose of creating policies concerning persons with disabilities is to create an environment for this set of

individuals that is impartial and integrative. To reserve a specific number of jobs for this group somehow diminishes the concept of equality. When we say equality, it is unbiased; it does not favor any groups or subgroups. It is important to acknowledge the existence of different individuals in the society, however, creating policies such as this, widens the inequality and marginality of the persons with disabilities. Equality denotes an environment where each and every one has free access. If we say equality in terms of employment, then that means one hundred percent of the persons with disabilities population must have the opportunity to be employed. Setting aside a specific number of positions for a specific group ultimately creates an idea that this group shall only be in that set of number so long as the agencies meet the minimum requirement, which is 5 percent as the Magna Carta for disabled persons imposed. Setting aside positions for persons with disabilities could also compromise the drive to create a more balanced environment for every individual and to compromise the search for development in terms of assimilation of all the members of the society in order to have access to every resource available. In this case, persons with disabilities are neglected in terms of creating an employment process, such as accessibility of forms, machines or equipments and facilities. These issues shall be tackled on the following parts of this paper.

Another issue on the 5 percent reserved positions is on the case of its implementation. It is very ideal to look at it in terms of guarantee that at least an ample amount of person with disabilities will have a secured job in the agency. However, after the passage of the Magna Carta on Persons with Disabilities, there are no distinguishable post-development procedures ensuring that the policies are being implemented. This is apparent in Local Government Units. The Municipality of Alaminos in Pangasinan alone is an example of an agency that does not comply with some of the laws created for the benefit of its people. There is a total amount of 942 positions in the local government unit of Alaminos, City. Only 5 out of this 942 employees are persons with disabilities. This is only 0.53 percent of supposed to be 5 percent minimum allotted position for persons with disabilities. Identical of such situation is that of the Municipality of Bolinao in Pangasinan. Out of the 338 total number of employed individuals under the LGU as of August 2, 2016, only 2 persons with disabilities are employed. This is not even 1 percent of the required allotted employment for persons with disabilities, given that there is a total of 518 persons with disabilities in the Municipality of Bolinao.





Aside from the fact that the minimum percentage of persons with disability employment in government agencies is not being met, a very disturbing issue came about. As the processes of inquisition goes regarding the employment of persons with disabilities with the Department of Human Resources in Alaminos and Bolinao, both in Pangasinan, it was said that there is no application processes that caters to persons with disabilities like the blinds and deaf-mutes in both areas. One of the heads in the department of Human Resources in one of the said LGUs (Local Government Units) even gave a remark regarding the issue. The head assumed that a person with disability have no capacity to work, especially the blinds and deaf-mutes. That the ones they have employed are the ones with disabilities concerning the impairment of either legs or arms. Not only that the agencies don't have a proper method of processing employment or application of a person with disability, and that documents are not accessible to them (blind and deaf-mutes), the personnel in the agency are unaware of the laws related to their agency or position and at the same time these people in the agency have a negative connotation against persons with disabilities.

There is an absence of attempt on developing the state of employment of persons with disabilities in the local government. This can be seen in the lack of information regarding the population of persons with disabilities in the community. No information is available in the Municipality of Bolinao for example, with respect to age classification, and educational or professional background of persons with disabilities. This information is very crucial in terms of assessing their current situation in the community. If such information is available the government could attract this set of group to engage or apply for positions available in the local government unit that is suitable for each individual's skills or educational attainment. However, the absence of said information shows that the case of persons with disabilities in relation to human resource is not of an importance to the assigned agencies.

## **BARRIER-FREE WORK ENVIRONMENT**

“More than a billion people in the world today experience disability. These people generally have poorer health, lower educational achievements, fewer economic opportunities and higher rates of poverty. This is largely due to the barriers they face in their everyday lives, rather than their disability. Disability is not only a public health issue, but also a human rights and development issue” (World Health Organization).

Despite the efforts of the government in creating an environment accessible to all members of the society through the formation of policies or laws concerning equality and accessibility of resources to everybody, there is still an observable difficulty and polarity in terms of employment and social inclusion of the individuals with disabilities. The purpose of the laws created on the subject of persons with disabilities, is to include them in the mainstream society by giving them the capacity to live and support themselves independently.

Environments – physical, social, and attitudinal – can either disable people with impairments or foster their participation and inclusion. The United Nations Convention on the Rights of Persons with Disabilities (CRPD) stipulates the importance of interventions to improve access to different domains of the environment including buildings and roads, transportation, information, and communication. (World Health Organization)

Under the Republic Act 7277, Section 5, no disabled persons shall be denied access to opportunities for suitable employment. A qualified disabled employee shall be subject to the same terms and conditions of employment and the same compensation, privileges, benefits, fringe benefits, incentives or allowances as a qualified able-bodied person. Unfortunately, no matter how good this clause sounds, persons with disabilities are still denied of opportunities for suitable employment. In terms of accessibility related practices, the Philippine Local Government Units need significant improvement. In both Alaminos and Bolinao, the accessibility of recruitment and selection practices are very poor. The recruitment agencies have no existing process on how to engage or to accommodate people with disabilities. The law states that qualified disabled employee shall be subject to the same terms and conditions of employment, however, the process and facilities should be modified to accommodate persons with disabilities as per Section 2 of RA 7277, that in order to facilitate integration of disabled persons into the mainstream of society, the State shall advocate for and encourage respect for disabled persons. The State shall exert all efforts to remove all social, cultural, economic, environmental and attitudinal barriers that are prejudicial to disabled persons.

Aside from the poor practices on recruitment and selection practices of the LGUs, the accessibility of the workplace is also a huge factor in terms of achieving equality for the persons with disabilities. Section 25 of RA 7277 states that the State shall ensure the attainment of a barrier-free environment that will enable disabled persons to have access in public and private buildings and establishments and such other places mentioned in Batas Pambansa Bilang 344, otherwise known as the 'Accessibility Law'. The national and local government shall allocate funds for the provision of architectural or structural features for disabled persons in government buildings and facilities. At the same time, the state shall promote the mobility of disabled persons. Disabled persons shall be allowed to drive motor vehicles, subject to the rules and regulations issued by the Land Transportation Office pertinent to the nature of their disability and the appropriate adaptations or modifications made on such vehicles (RA

7277, Section 26). Considering the statements under the stated sections above, local government units are somehow lacking in terms of implementation of these policies. There is less attention being given to the accommodation of the needs of employees in the workplace. There are no contingency funds to promote accessibility to persons with disabilities and accommodate their needs in spite of the fact that the allocation of funds on this subject matter is within the Magna Carta for the Disabled. The Department of Social Welfare and Development as its name indicates is supposed to be an example where the welfare and needs of persons with disabilities are of most priority. However, in the case of the Department of Social Welfare and Development of the City of Alaminos, the space allotted to the agency is not only inconvenient for the people with disabilities but for those with no disabilities as well. People in wheelchairs won't be able to go to the Department of Social Welfare and Development in case they need information or assistance. The office of the agency is located on the second floor and the only access is through the stairs. Although there is a significant failure in terms of complying with the policies under the Magna Carta for the Disabled, there are minor modifications on infrastructures of government agencies done in order to accommodate persons with disabilities. The City of Alaminos has adopted some of the basic requirements in terms of person with disability accessibility and still trying to develop additional ways to cater their needs in accessing the city hall. On the other hand, the Municipality of Bolinao submitted a proposal for making necessary structural or architectural changes to accommodate persons with disabilities inside the Municipal Hall. It shall be activated next year once a budget has been allocated. It is pivotal to note that the Magna Carta was enacted in the year 2009. The progress to which the government is doing in terms of compliance with the passed law is very slow. One of the problems why laws are becoming inadequate in terms of achieving its goal is that there is no proper monitoring as to its implementation. Apart from those mentioned above, there are other problems in terms of barrier to the employment of the PWDs such as accessibility in information and communication. There are a lot of barriers that must be resolved in order to comply with policies created for the welfare of the persons with disabilities in terms of employment.

## **CONCLUSION**

“Compared to non-disabled persons, people with disabilities are less likely to be in full-time employment; more likely to be unemployed; and significantly more likely to be economically inactive. People with disabilities in employment are more likely to be in jobs for which they are overqualified. When in employment, workers with disabilities are more likely to count among the working poor, as they are frequently in low-paid jobs with poor career prospects and working conditions or work in poor quality, informal, subsistence jobs. Some people with disabilities face greater disadvantage than others, when it comes to getting and keeping a decent job. People with certain types of disability – such as intellectual and mental health disabilities face greater difficulties in finding and retaining employment. Disabled women are less likely to have

a decent job than either non-disabled women or men with disabilities” (International Labor Organization, 2015).

There is always a recognizable difference on the situation between the recognized and the marginal members of the society. The increase in public awareness and the creation of laws indicates that the Philippine government acknowledges the existence of persons with disabilities and their contributions to the society. However, the formulation and the passing of laws alone does not determine the progress on creating an environment that is helpful and accessible to persons with disabilities in terms of employment. Considering the study done in this paper, the Philippines has a long way to go to achieving its goals towards self-development and self-reliance of disabled persons. It is observed that the campaign towards the implementation of the Magna Carta for the disabled is gradual and limited. For all what has been said, it is still delightful to see that at least the City of Alaminos and the Municipality of Bolinao are working towards attaining the organization’s policies. On the downside, they are concentrated on the infrastructural sphere of the policies and somehow limited as stated before. Most of the changes are only on the accessibility of the people with disabilities on the location. The accessibility of the disabled persons to decent work opportunities is still disregarded. Nonetheless, the government is giving persons with disabilities trainings or monetary subsidies. Then again, the main objective of the policies created is to give them equal opportunities to be able to develop self-reliance.

In order to enable the persons with disabilities access to equal work opportunities there are some actions that must be done or changes that must be adopted by the government. The most important action that must be implemented is the re-education of government officials. It is a must that the people implementing the policies know the policies they are trying to implement. In this case, the personnel of the human resource department must refresh their knowledge of the policies pertaining their positions or simply their jobs. Another action that must be taken is to consider persons with disabilities in the employment process and the work process itself.

“...Promote social protection floors and social protection systems that include people with disabilities on an equal basis with others, take their specific requirements into account in defining benefits including schemes or programmes that guarantee income security, social health protection and other mechanisms to ensure universal health coverage, as well as schemes and programmes that facilitate their participation in employment” (International Labor Organization, 2015).

I suggest creating ways in which government documents are to be accessible to persons with disabilities of different kinds. One example is creating a version of every document in brailles. Another is to have documents in voice recorded versions. After making documents accessible, each government agency must create a kiosk where persons with disabilities could inquire and apply where the documents said earlier are available. These kiosks contain the necessary tools to make their employment easier and accessible. The next action is to accommodate the needs of employed persons with disabilities by creating environments suitable for them in the workplace helping

them be effective and efficient employees. An example of this creating a computer accessible to blind and deaf-mutes as well. Technology must be exhausted in order to get the best result in an organization. The mutes for example, should be given the chance to work in every position even jobs that require communicating with the clients. This can be achieved by producing a visual aide for the mutes such as computers or any device that could relay information to the client by the mute employee.

The government should make use of the diverse pool of talents. There are people with disabilities with exceptional talents and brain capacity. However, due to lack of information, the government ceases to go beyond what is typical.

“The general lack of data on disability prevents the department and other government agencies from knowing the extent of inclusion of persons with disabilities in other mainstream social services” (Foundation for International Training and Regional and Sustainable Development Department, 2005).

The inability of government agencies to employ 5 percent as stated in the Magna Carta for the Disabled could change if there are available information on PWDs. The government agencies could allocate positions suitable for each PWD and could offer and encourage them to apply and be part of the working force. Most of the time and is happening, people are unaware of the opportunities they have. The government could leverage the playing field by reaching out to the marginalized and unaware.

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