

DISABILITY ETIQUETTE HANDBOOK



ADOPTED FROM THE *CITY OF
SAN ANTONIO DISABILITY
ACCESS OFFICE* BY THE VIRGIN
ISLANDS DEPARTMENT OF LABOR
EQUAL OPPORTUNITY OFFICE

The Department of Labor (Virgin Islands Career Network One-Stop Centers) is an
"Equal Opportunity Employer/Program with Equal Opportunity Programs"

Auxiliary Aids and Services Are Available Upon Request to Individuals With Disabilities

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Any changes to the handbook from its original form is solely the responsibility of the Virgin Islands Department of Labor.

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Eleuteria Roberts
Assistant Commissioner/Assistant EO Officer

Virgin Islands Department of Labor Equal Opportunity Program

The Virgin Islands Department of Labor Equal Opportunity Program has adopted this Disability Etiquette Handbook as an enhancement to ensure our services are accessible to all our customers. The information contained in this handbook will provide assistance to everyone who visits, lives and works in the VI community.

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PEOPLE WITH DISABILITIES

People with disabilities are not conditions or diseases. They are individual human beings.

For example, a person is **not** *epileptic* but rather a *person who has epilepsy*.

First and foremost they are people. Only secondarily do they have one or more disabling conditions.

Hence, they prefer to be referred to in print or broadcast media as **People with Disabilities**.

In any story, article, announcement or advertisement, “people with disabilities” should be used exclusively or, at a minimum, as the initial reference. Subsequent references can use the terms “person with a disability” or “individuals with disabilities” for grammatical or narrative reasons. In conclusion, the appropriate and preferred initial reference is “people with disabilities.”

Please refer to the Glossary of Acceptable Terms for a listing of acceptable terms and appropriate applications.

Distinction between Disability and Handicap

A **Disability** is a condition caused by an accident, trauma, genetics or disease which may limit a person’s mobility, hearing, vision, speech or mental function. Some people with disabilities have one or more disabilities.

People with disabilities/individuals with disabilities have all manner of disabling conditions:

- mobility impairments
- blindness and vision impairments
- deafness and hearing impairments
- speech and language impairments
- mental and learning disabilities

A **Handicap** is a physical or attitudinal constraint that is imposed upon a person, regardless of whether that person has a disability. Webster’s Ninth New Collegiate Dictionary defines handicap as “to put at a disadvantage.”

Example:

Some people with disabilities use wheelchairs. Stairs, narrow doorways and curbs are handicaps imposed upon people with disabilities who use wheelchairs.

The American with Disabilities Act was signed into law on July 26, 1990.

The purpose of the Act is to:

- Provide clear and comprehensive national mandate to end discrimination against individuals with disabilities.
- Provide enforceable standards addressing discrimination against individuals with disabilities.
- Ensure that the federal government plays a central role in enforcing these standards on behalf of individuals with disabilities.

The term **disability** is defined as a physical or mental impairment that substantially limits one or more of a person's major life activities, a record of such impairment, or being regarded as having such an impairment.

This is the same definition used in Section 503 and 504 of the Rehabilitation Act and the Fair Housing Amendments Act.

The Americans with Disabilities Act (ADA) gives people with disabilities civil rights protection that is like that provided individuals on the basis of race, sex, national origin and religion. It guarantees equal opportunity for individuals with disabilities in:

- Employment
- Public accommodations
- Transportation
- State and local government services and
- telecommunications

REASONABLE ACCOMMODATIONS IN THE WORK PLACE

Reasonable accommodations enhance the opportunity for qualified persons with disabilities who may not otherwise be considered for reasons unrelated to actual job requirements to be or remain employed. The purpose of providing reasonable accommodations is to enable employers to hire or retain qualified job candidates regardless of their disability by eliminating barriers in the work place.

According to the Department of Justice government-wide regulations, section 41.53, *Reasonable Accommodation*,

A recipient shall make reasonable accommodation to the known physical or mental limitations of an otherwise qualified handicapped applicant or employee unless the recipient can demonstrate that the accommodation would impose an undue hardship on the operation of its program.

29 CFR Part 37.4 (1) (2) (3), implementing the Nondiscrimination and Equal Opportunity Provisions of the Workforce Investment Act of 1998, defines *reasonable accommodation* in part as

- ✓ modification or adjustment of a *job application process, the work environment* and *coverage* to enable a qualified person with a disability to be considered for a position that the qualified applicant desires; to perform the essential functions of a position and; to enjoy equal benefits and privileges as other employees without a disability.

Inquiries made of an individual about limitations in job performance must be directly related to the prospective or existing position. Accommodations are tailored for a certain job or situation that an individual is hired to perform. The law requires that each person with a disability must be consulted prior to the planning and be involved in the implementation of an accommodation.

Types of accommodation include:

- assistive devices
- reassignment
- modified work schedules
- job modifications
- relocation
- or a change in the physical plant

Examples of assistive devices often used in the work place include:

- teletypewriter (TTY) or telephone amplifier, often used by persons with hearing impairments.
- wooden blocks to elevate desks and tables for wheelchair users.
- Large-type computer terminals and braille printers to assist persons with vision impairments.

Decisions to implement an accommodation should include making a choice that will best meet the needs of the individual by minimizing limitation and enhancing his or her ability to perform job tasks, while serving the interests of your majority work force.

RECEPTION ETIQUETTE

- ✓ Know where accessible restrooms, drinking fountains and telephones are located. If such facilities are not available, be ready to offer alternatives, such as the private or employee restroom, a glass of water or your desk phone.
- ✓ Use a normal tone of voice when extending a verbal welcome. Do not raise your voice unless requested.
- ✓ When introduced to a person with a disability, it is appropriate to offer to shake hands. People with limited hand use or who wear an artificial limb can usually shake hands.
 - Shaking hands with the left hand is acceptable.
 - For those who cannot shake hands, touch the person on the shoulder or arm to welcome and acknowledge their presence.
- ✓ Treat adults in a manner befitting adults:
 - Call a person by his or her first name only when extending that familiarity to all others present.
 - Never patronize people using wheelchairs by patting them on the head or shoulder.
- ✓ When addressing a person who uses a wheelchair, never lean on the person's wheelchair. The chair is part of the space that belongs to the person who uses it.
- ✓ When talking with a person with a disability, look at and speak directly to that person rather than through a companion who may be along.
- ✓ If an interpreter is present, speak to the person who has scheduled the appointment, not to the interpreter. Always maintain eye contact with the applicant, not the interpreter.
- ✓ Offer assistance in a dignified manner with sensitivity and respect. Be prepared to have the offer declined. Do not proceed to assist if your offer to assist is declined. If the offer is accepted, listen to or accept instructions.
 - Allow a person with a visual impairment to take your arm (at or about the elbow). This will enable you to guide rather than propel or lead the person.
 - Offer to hold or carry packages in a welcoming manner.
Example: *May I help you with your packages?*
 - Offering to hand someone a coat (sweater) or umbrella is acceptable, however do not offer to hand a cane or crutches unless the individual makes such a request.

PREPARING FOR SIGN LANGUAGE INTERPRETERS

The professional interpreter is always considered as an extension of and part of the event. Interpreters are part of the team meant to deliver accurate and intended messages given by the presenters or performers.

The further in advance notice is provided to the interpreter, the more prepared he/she will be. This process will allow the interpreter to have the proper time needed to prepare for an event and prevent “cold” interpreting. Time for preparation is essential to allow accurate dissemination of the intended messages to the audience.

For instance, an interpreter needs to spend an average of 15-20 hours of practice for a 2 hour musical concert. With this in mind, the following information given to the interpreter will enhance the quality of the interpreted performance/event.

- Name and type of event.
- Name of event contact person with a phone number.
- Correct billing address.
- Clear address and directions to the event and the location where the interpreter is to check-in.
- Parking passes or information on any kind of special arrangements for parking.
- Correct spellings of all names of those speaking or performing.
- A summary of subjects that will be presented by each speaker.
- A list of any musical lyrics in advance, ideally at the time of request.
- The opportunity to communicate and share information with all persons directly involved with the event regarding the arrangements.

If any information is to be presented in other than English, a written interpretation in English will be needed in advance, or an advance notice of at least 3 weeks will be needed to allow adequate time to secure an appropriate interpreter.

Staging: Ideally, the interpreter should be on stage, to the side of the presenter to enhance visibility for the deaf audience. If the interpreter cannot be on stage, he/she should be placed to the side of the stage, on an elevated surface, at chest level above the heads of the audience, with a speaker placed in front of and facing them. The host may choose to provide at least 2 direct in-line headsets to the microphone.

Lighting: Plan on lights for the presenters and interpreters if an event is inside an auditorium or in any area of darkness. A soft light staged to highlight the interpreter is essential for the deaf viewer. Effective colors seem to be soft blue, light purple or any other soft color except BOLD white.

Security: When security is available for the event, it is advisable to remember to include securing the safety of the interpreter or to have security placed close by.

CONVERSATION ETIQUETTE

- When talking to a person with a disability, look at and speak directly to that person, rather than through a companion.
- Relax. Don't be embarrassed if you mistakenly use accepted common expressions such as "See you later" or "Got to be running along" that seem to relate to the person's disability.
- To get the attention of a person with a hearing impairment, tap the person on the shoulder or wave your hand. Look directly at the person and speak clearly, naturally and slowly to establish if the person can read lips. Not all persons with hearing impairments can lip-read. Do not shout at a hearing impaired person. Shouting distorts sounds accepted through hearing aids and inhibits lip reading. Do not shout at a person who is blind or visually impaired – he or she can hear you! Those who can will rely on facial expression and other body language to help in understanding. Show consideration by facing the light source and keeping hands, cigarettes and food away from one's mouth when speaking. Keep mustaches well-trimmed.
- When talking with a person in a wheel chair for more than a few minutes, use a chair, whenever possible, in order to place yourself at the person's eye level to facilitate conversation.
- When greeting a person with a severe loss of vision, always identify yourself and others who may be with you.

EXAMPLE: *On my right is Penelope Potts.*

When conversing in a group, give a vocal cue by announcing the name of the person to whom you are speaking. Speak in a normal tone of voice, indicate in advance when you will be moving from one place to another and let it be known when the conversation is at an end.

- Listen attentively when you're talking to a person who has a speech impairment. Keep your manner encouraging rather than correcting. Exercise patience rather than attempting to speak for a person with speech difficulty. When necessary, ask short questions that require short answers or a nod or a shake of the head. Never pretend to understand if you are having difficulty doing so. Repeat what you understand, or incorporate the interviewee's statements into questions. The person's reactions will clue you in and guide you to understanding.

- If you have difficulty communicating, be willing to repeat or rephrase a question. Open-ended questions are more appropriate than close-ended questions.

EXAMPLE:

Closed-ended Question: *You were a tax accountant in XYZ Company in the corporate planning department for seven years. What did you do there?*

Open-ended Question: *Tell me about your recent position as a tax accountant.*

- To facilitate conversation, be prepared to offer a visual cue to a hearing impaired person, especially when more than one person is speaking.

INTERVIEWING SCHEDULING ETIQUETTE

Some interviewees with visual or mobility impairments will phone in prior to the appointment date, specifically for travel information. The scheduler should be very familiar with the travel path in order to provide interviewees with detailed information.

- ✓ Make sure the place where you plan to conduct the interview is accessible by checking the following:
 - Are there handicap parking spaces available and nearby?
 - Is there a ramp or step-free entrance?
 - Are there accessible restrooms?
 - If the interview is not on the first floor, does the building have an elevator?
 - Are there any water fountains and telephones at the proper height for a person in a wheelchair to use?

- ✓ When scheduling interviews for persons with disabilities, consider their needs ahead of time:
 - When giving directions to a person in a wheelchair, consider distance, weather conditions and physical obstacles such as stairs, curbs and steep hills.
 - Use specifics such as left a hundred feet or right two yards when directing a person with visual impairment.
 - Be considerate of the additional travel time that may be required by a person with a disability.

- ✓ Familiarize the interviewee in advance with the names of all persons he or she will be meeting during the visit. This courtesy allows persons with disabilities to be aware of the names and faces that will be met.

- ✓ People with disabilities use a variety of transportation services when traveling to and from work. When scheduling an interview, be aware that the person may be required to make a reservation 24 hours in advance, plus travel time. Provide the interviewee with an estimated time to schedule the return trip when arranging the interview appointment.

Expect the same measure of punctuality and performance from people with disabilities that is required of every potential or actual employee.

People with disabilities expect **equal** treatment, not special treatment.

INTERVIEWING TECHNIQUE ETIQUETTE

Conduct interviews in a manner that emphasizes abilities, achievements and individual qualities.

- ✓ Conduct your interview as you would with anyone. Be considerate without being patronizing.
- ✓ When interviewing a person with a speech impediment, stifle any urge to complete a sentence of an interviewee.
- ✓ If it appears that a person's ability inhibits performance of a job, ask: How would you perform this job?

Examples:

Inappropriate: I notice that you are in a wheelchair, and I wonder how you get around. Tell me about your disability.

Appropriate: This position requires digging and using a wheelbarrow, as you can see from the job description. Do you foresee any difficulty in performing the required tasks? If so, do you have any suggestions how these tasks can be performed?

INTERVIEWING COURTESIES FOR EFFECTIVE COMMUNICATION

Interviewers need to know whether or not the job site is accessible and should be prepared to answer accessibility-related questions.

Interviewing a person using **Mobility Aids**

- ✓ Enable people who use crutches, canes or wheelchairs to keep them within reach.
- ✓ Be aware that some wheelchair users may choose to transfer themselves out of their wheelchairs (into an office chair, for example) for the duration of the interview.
- ✓ Here again, when speaking to a person in a wheelchair or on crutches for more than a few minutes, sit in a chair. Place yourself at that person's eye level to facilitate conversation.

Interviewing a person with **Vision Impairments**

- ✓ When greeting a person with a vision impairment always identify yourself and introduce anyone else who might be present.
- ✓ If the person does not extend their hand to shake hands, verbally extend a welcome.
EXAMPLE: Welcome to the Department of Labor Job Service division.
- ✓ When offering seating, place the person's hand on the back or arm of the seat. A verbal cue is helpful as well.
- ✓ Let the person know if you move or need to end the conversation.
- ✓ Allow people who use crutches, canes or wheelchairs to keep them within reach.

Interviewing a person with **Speech Impairments**

- ✓ Give your whole attention with interest when talking to a person who has a speech impairment.
- ✓ Ask short questions that require short answers or a nod of the head.
- ✓ Do not pretend to understand if you do not. Try rehearsing what you want to communicate or ask the person to repeat what you do not understand.
- ✓ Do not raise your voice. Most speech impaired persons can hear and understand.

Interviewing a person who is Deaf or Hearing Impaired

- ✓ If you need to attract the attention of a person who is deaf or hearing impaired, touch him or her lightly on the shoulder.
- ✓ If the interviewee lip-reads, look directly at him or her. Speak clearly at a normal pace. Do not exaggerate your lip movements or shout. Speak expressively because the person will rely on your facial expressions, gestures and eye contact. (Note: It is estimated that only four out of ten spoken words are visible on the lips.)
- ✓ Place yourself facing the light source and keep your hands, cigarettes and food away from your mouth when speaking.
- ✓ Shouting does not help and can be detrimental. Only raise your voice when requested. Brief, concise written notes may be helpful.
- ✓ In the United States most deaf people use American Sign Language (ASL). ASL is not a universal language. ASL is a language with its own syntax and grammatical structure. When scheduling an interpreter for a non-English speaking person, be certain to retain an interpreter that speaks and interprets in the language of the person.
- ✓ If an interpreter is present, it is commonplace for the interpreter to be seated beside the interviewer, across from the interviewee.
- ✓ Interpreters facilitate communication. They should not be consulted or regarded as a reference for the interview.

Do learn where to find and recruit people with disabilities.

Do learn how to communicate with people who have disabilities.

Do ensure that your applications and other company forms do not ask disability-related questions and that they are in formats that are accessible to all persons with disabilities.

Do consider having written job descriptions that identify the essential functions of each job.

Do ensure that requirements for medical examinations comply with the Americans with Disabilities Act (ADA).

Do relax and make the applicant feel comfortable.

Do provide reasonable accommodations that the qualified applicant will need to compete for the job.

Do treat an individual with a disability the same way you would treat any applicant or employee – with dignity and respect.

Do know that among those protected by the ADA are qualified individuals who have AIDS, cancer, who are mentally retarded, traumatically brain-injured, deaf, blind and learning disabled.

Do understand that access includes not only environmental access but also making forms accessible to people with visual or cognitive disabilities and making alarms and signals accessible to people with hearing disabilities.

Don't assume that persons with disabilities do not want to work.

Don't assume that alcoholism and drug abuse are not real disabilities, or that recovering drug abusers are not covered by the ADA.

Don't ask if a person has a disability during an employment interview.

Don't assume that certain jobs are more suited to persons with disabilities.

Don't hire a person with a disability if that person is at significant risk of substantial harm to the health and safety of the public and there is no reasonable accommodation to reduce the risk.

Don't hire a person with a disability who is not qualified to perform the essential functions of the job even with a reasonable accommodation.

Don't assume that you have to retain an unqualified employee with a disability.

Don't assume that your current management will need special training to learn how to work with people with disabilities.

Don't assume that the cost of accident insurance will increase as a result of hiring a person with a disability.

Don't assume that the work environment will be unsafe if an employee has a disability.

Don't assume that reasonable accommodations are expensive.

Do develop procedures for maintaining and protecting confidential medical records.

Do train supervisors on making reasonable accommodations.

Don't speculate or try to imagine how you would perform a specific job if you had the applicant's disability.

Don't assume that you don't have any jobs that a person with a disability can do.

Don't assume that your work place is accessible.

Don't make medical judgements.

Don't assume that a person with a disability can't do a job due to apparent or non-apparent disabilities.

GLOSSARY OF ACCEPTABLE TERMS

Acceptable Terms

Person with a disability.

Disability, a general term used for functional limitation that interferes with a person's ability, for example, to walk, hear or lift. It may refer to a physical, mental or sensory condition.

People with cerebral palsy, people with spinal cord injuries.

Person who had a spinal cord injury, polio, a stroke, etc. or a person who has multiple sclerosis, muscular dystrophy, arthritis, etc.

Has a disability, has a condition of (spina bifida, etc.), or born without legs, etc.

Deafness/hearing impairment.
Deafness refers to a person who has a total loss of hearing. Hearing impairment refers to a person who has a partial loss of hearing within a range from slight to severe.

Hard of hearing describes a hearing-impaired person who communicates through speaking and spearheading, and who usually has listening and hearing abilities adequate for ordinary telephone communication. Many hard of hearing individuals use a hearing aid.

Person who has a mental or developmental

Unacceptable Terms

Cripple, cripples – the image conveyed is of a twisted, deformed, useless body.

Handicap, handicapped person or handicapped.

Cerebral palsied, spinal cord injured, etc. Never identify people solely by their disability.

Victim. People with disabilities do not like to be perceived as victims for the rest of their lives, long after any victimization has occurred.

Defective, defect, deformed, vegetable. These words are offensive, dehumanizing, degrading and stigmatizing.

Deaf and Dumb is as bad as it sounds. The inability to hear or speak does not indicate intelligence.

Retarded, moron, imbecile,

disability.

Use a wheelchair or crutches; a wheelchair user; walks with crutches.

Able-bodied; able to walk, see, hear, etc.; people who are not disabled.

People who do not have a disability.

A person who has (name of disability.)
EXAMPLE: A person who has multiple sclerosis.

idiot. These are offensive to people who bear the label.

Confined/restricted to a Wheelchair; wheelchair bound. Most people who use A wheelchair or mobility devices do not regard them as confining. They are viewed as liberating; a means of getting around.

Healthy, when used to Contrast with “disabled.” Healthy implies that the person with a disability is unhealthy. Many People with disabilities have excellent health.

Normal. When used as the opposite of disabled, this implies that the person is abnormal. No one wants to be labeled as abnormal.

Afflicted with, suffers from. Most people with disabilities Do not regard themselves as afflicted or suffering continually.

Afflicted: a disability is not an affliction, although an affliction may have caused the disability.

AMERICANS WITH DISABILITIES ACT BARRIER REMOVAL TAX CREDIT AND DEDUCTIONS

The Federal Government has changed the tax code to help businesses improve accessibility. Congress legislated the annual tax credit of \$5,000:

For the purpose of enabling...eligible small businesses to comply with applicable requirements under the Americans with Disabilities Act (ADA) of 1990. (Section 44 of Internal Revenue Code)

Any qualified expenditures made after November 5, 1990, the date of enactment, are eligible for the Section 44 credit. Additionally, Section 190 of the Internal Revenue Code allows \$15,000 to be deducted annually for qualified architectural and transportation barrier removal expense. This provision became effective with tax year 1991.

Provisions of Section 44

A small business may elect to take a general business credit of up to \$5,000 annually for eligible access expenditures to comply with the requirements of ADA. *Small business* is defined as a business with gross receipts of \$ 1 million or 30 or fewer full-time employees.

Expenditures must be geared toward ADA compliance and must be reasonable and necessary expenses. Included are amounts related to removing barriers, providing interpreters, readers or similar services and modifying or acquiring equipment and materials.

The amount that may be taken as a credit is 50% of the amount exceeding \$250, but less than \$10,250 per tax year. For instance, if \$7,500 is spent to provide an interpreter, the credit would be \$3,625 (**\$7,500** minus **\$250** divided by **2**).

A business may take this credit each year it makes an accessibility improvement, be it purchase of equipment, provision of communication assistance or removal of an architectural barrier.

This tax credit, called the **Disabled Access Tax Credit**, should be claimed on IRS Form 8826.

Section 190

Section 190 applies to all businesses and has a narrower base for deductions. Qualified expenditures for the removal of architectural and transportation barriers include expenses specifically attributable to the removal of existing barriers (such as steps or narrow doors) or inaccessible parking spaces, bathrooms and vehicles. They may be fully deducted, up to a maximum of \$15,000 for each taxable year. Expenses from the construction or

comprehensive renovation of a facility or vehicle or the normal replacement of depreciable property are not included.

For further information contact the IRS Offices below:

VI Bureau of Internal Revenue
9601 Estate Thomas
Charlotte Amalie, St. Thomas
US Virgin Islands 00802
Telephone: (340) 774-5865

VI Bureau of Internal Revenue
4008 Estate Diamond, Plot 7 B
Christiansted, St. Croix
US Virgin Islands 00820
Telepone: (340) 773-1040

OR,

Chief Counsel
VI Bureau of Internal Revenue
4008 Estate Diamond, Plot 7 B
Christiansted, St. Croix
US Virgin Islands 00820
Telephone: (340) 773-3494

Chief Counsel
Internal Revenue Service
111 Constitution Avenue, NW
Washington, D. C. 20024
Telephone: (202) 566-3292

The IRS Home Page also has information on these deductions, including library of forms
And publications that you can download.