

## **JFActivist**

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### **Senator Durbin Speaks on ADA, Disability Employment and Disability Rights as Civil Rights**

Remarks by Senator Richard J. Durbin  
At Illinois Wesleyan University  
Employees with Disabilities: An Untapped Resource  
Aug. 13, 2009

I want to thank Dr. Richard Wilson for that generous introduction and for his outstanding leadership as president of this great institution. Illinois Wesleyan University is one of the real jewels of our state. Thanks to the university for hosting us today and to Carl Teichman for inviting me to join you.

I also want to acknowledge my friend Mike Matejka with the Great Plains Laborers District Council, his wife, Kari Sandhaas and Dr. Virginia Moody. As parents of young adults with autism, they've worked tirelessly to open up doors of opportunity for their children and others with disabilities. In the process, they have helped to open a lot of minds.

And I want to congratulate MarcFirst and Country Financial for their success with Opportunity W.O.R.K.S. What an inspiring story. I also want to commend the Autism Society of McLean County for their internship program for young adults on the autism spectrum. I understand that Mike and Kari's daughter Loretta, and Dr. Moody's son Alex, were the program's pioneer interns. I hope there will be many more.

To all of the other advocates and employers of people with disabilities – and to anyone who is thinking of hiring workers with disabilities – I applaud you for your support and interest in helping to open new doors of opportunity in America.

#### America's largest minority

There are more than 50 million Americans with disabilities. They are the single largest minority group in America. They are our children, our parents, our siblings, our friends and neighbors. And tomorrow, they could include any of us. Think about Christopher Reeve – Superman. Like him, we are all just one bad accident or medical diagnosis away from being disabled ourselves.

#### Helen Keller and vision

Helen Keller was once asked by a newspaper reporter if she could imagine any disability worse than lack of sight. She replied, "Yes," there is something worse. "Lack of vision."

For most of our nation's history, we lacked the vision to see that discrimination based on disability was as unacceptable – and frankly, un-American – as discrimination based on race, or gender, or any other immutable characteristic. Thank goodness, that it now changing.

#### Americans with Disabilities Act

Two weeks ago, we celebrated the 19th anniversary of the Americans with Disabilities Act. I believe that the ADA is one of America's greatest civil rights achievements. In its scope and intentions, it ranks alongside two other major victories for equal justice – the Civil Right Act and the Voting Rights Act

Nineteen years after the ADA became law, it is clear that this pioneering law is fulfilling its promise in many ways. You can see it in the physical changes the ADA has brought about, like curb cuts, that benefit all Americans, not just those with disabilities.

Because of the ADA and IDEA – the federal Individuals with Disabilities Education Act -- thousands of Americans with disabilities like Mike and Kari's daughter, Loretta – have gone to good schools, received good educations and graduated from college. Those are achievements we should all be proud of.

### Employment – the unfulfilled promise of the ADA

But 19 years after the ADA became the law of our land, its promise of equal employment opportunity for people with disabilities remains largely unfulfilled. Listen to these numbers:

- More than 60 percent of working-age Americans with disabilities are not working. That was before this recession. The numbers are worse now.
- In addition, Americans with disabilities who do work tend to be concentrated in lower-paying jobs. As a result, they are three times as likely to live in poverty as individuals without disabilities.
- And here's the real kicker: In both public and private workplaces, employment of people with disabilities is actually lower today than it was when the ADA was signed 19 years ago. We're actually losing ground when it comes to employment of people with disabilities.

### AN UNTAPPED RESOURCE FOR EMPLOYERS

Here is what enlightened employers – like Country Financial – know: Hiring employees with disabilities is not an act of charity or social justice. It's good business. People with disabilities are an untapped resource for employers.

### DisabilityWorks, Chicago: Equal justice is not expensive

The Chicagoland Chamber of Commerce commissioned a three-year study of the workplace performance of people with disabilities. They called their initiative "Disability Works." Good name.

They commissioned researchers at DePaul University to conduct the study. They collected information on more than 300 people who were already employed in the private sector in three growing industries: health care, retail, and hospitality. About one-third of the workers had disabilities.

This is what the study found:

On their annual performance reviews, employees with disabilities rated slightly higher than their co-workers without disabilities. Employees with disabilities took fewer scheduled and unscheduled days off work – just the opposite of what many might assume.

In addition, the average cost of accommodating the workers with disabilities – modifying the workplace to meet their needs – was \$313. As investments in good, dependable workers go, that's a bargain. And you know what the most frequent request for "reasonable accommodation" was? Flex time, which costs nothing.

### A challenge we have never seen before

Because of the success of the ADA in advancing educational opportunity, we now have a challenge in America that we have never had before: We have more potential employees with good educations, including college degrees, that we have ever had at any time in our nation's history.

We also have an aging workforce.

As I said, hiring workers with disabilities is not an act of charity. The companies that learn first how to recruit and retain talented employees with disabilities are going to have an advantage in the marketplace. They are going to have a wider choice of employees to choose from when it comes to filling critical vacancies.

### IMPRESSIVE EXAMPLES

The executive director of DisabilityWorks is a woman named Karen McCulloh. She's a registered nurse. She is also legally blind, has profound hearing loss, and has M.S. And she is a dynamo. I don't know how many Karen McCullohs there are in America. But it would be a real loss if America were deprived of the contributions of even one of them because of old myths and fears and stereotypes about people with disabilities.

I know that Mike and Kari, Dr. Moody and others here are especially concerned about employment opportunities for people who are on the autism spectrum. So I decided to do a little research on people with autism in the workplace.

In 1997, Tim Page won the Pulitzer Prize for Criticism for his work as the chief classical music critic of the Washington Post – work that the Pulitzer board called “lucid and illuminating.” Three years later, in his mid-40s, he was diagnosed with autism.

Vernon Smith won the 2002 Nobel Prize for inventing the field of experimental economics. He says that his capacity for deep concentration – a characteristic of his autism – contributed to his ability to win the Nobel Prize. More importantly, his autism helped him think “outside the box.” As he says, “I don't feel any social pressure to do things the way other people do them, professionally. And so I have been more open to different ways of looking at a lot of the problems in economics.”

A recent Harvard Business School case study examined a Danish company that tests computer software. The company has a little over 40 employees. More than 30 are on the autism spectrum. It was started by a man whose own son has autism. The company owner said he had read all kinds of books about autism. “But,” he said, “there were too many books describing what people CAN'T do.” He wanted to show what people with autism can do.

By the way, psychologists have noticed clusters of people with Asperger's – a mild form of autism – wherever there is a concentration of high-tech companies.

In fact, Hans Asperger, a Viennese pediatrician who first identified the disorder in 1944, once wrote, “For success in science or art, a dash of autism is essential.”

And then there is Alan Turing, a British mathematical genius who was, by most accounts, the inventor of the electronic computer. During World War II, he worked on the “Enigma Project,” the top-secret effort by the British government to crack the German code.

Like many people on the autism spectrum, he was hyper-sensitive to sensory stimulation. So he locked himself in his room for days – lowering a pail out the window for meals.

On his own, over a two-week period, he invented the basic design of the electronic computer.

Once the computer was built to his specifications, it was able to crack the German code – and plans could be made to counter German tactics and win the war.

In 1999, Time magazine named Turing one of the 100 most important people of the 20th century for his role in creating the modern computer, stating, “The fact remains that everyone who taps at a keyboard, opening a spreadsheet or a word-processing program, is working on an incarnation of the Turing machine.”

### Taxpayers, not dependents

Clearly, not everyone on the autism spectrum has the potential to become a Nobel laureate or invent a world-changing device. But millions of Americans with autism and other disabilities do have talents and contributions that our nation needs. And in this economy, with government at all levels facing budget cuts, doesn't it make sense to try to bring more people into the workforce rather than leaving them to rely so heavily on public programs? That is all people with disabilities are asking for: the chance to be full members of our society, to make the most of their God-given talents, and to work to the best of their abilities.

### National comprehensive autism strategy

I have introduced a bill that would increase vocational opportunities for people on the autism spectrum. Specifically, it would fund demonstration programs to test new ways to provide

vocational training, employment assistance, transportation, and other services to adults with autism – so they could find productive employment and improve their quality of life. The bill is called the Autism Treatment Acceleration Act. It is co-sponsored by Senator Bob Casey of Pennsylvania, Senator Bob Menendez of New Jersey, and 14 other Senators.

Here's what else our bill would do: It would fund autism care centers where families could find quality medical, behavioral, and educational services for their autistic children. And it would end the insurance discrimination that too many autistic individuals face today, by establishing nationwide the law we now have in Illinois that requires health insurers to cover the diagnosis and treatment of autism, including behavioral therapy.

#### Disability rights is part of the civil rights struggle

Vernon Smith, the Nobel laureate for economics, compares the struggle for disability rights to the struggle for civil rights. He says: "We've lost a lot of the barriers that have to do with skin color and various other characteristics. But there's still not sufficient recognition of mental diversities." He adds, "We don't all have to think alike to be communal and to live in a productive and satisfying world."

I think he is right. And just as our society and our economy is stronger because of the progress we have made in incorporating minorities and women into the workforce, we will be stronger still when we fulfill the ADA's still-unmet challenge of employment opportunity for people with disabilities.

During the Great Depression, a man in a wheelchair helped a broken nation get up off its knees. America needs all the talented minds we can find to rebuild today's economy. We can't afford to let old stigmas, myths, and fears about disability deprive us of people who can help build a stronger future.

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