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Disability Tax and the Workplace

November is globally observed as Disability Awareness Month and serves as an opportunity for companies to engage on the nuances and key interventions required to ensure that employees with disabilities gain necessary access and equal opportunities in the workplace. An important focal area of the National Business Initiative's (NBI) Social Transformation work on Transformation & Equity are the various barriers to access and opportunities in relation to people with disabilities. The reality of 'Disability Tax' in this context speaks to the disproportionate costs, discrimination and labour faced by persons with disabilities.

A significant contributor to the discrimination and bias that disabled employees face is rooted in **ableism** – the systemic prejudice towards people living with physical, intellectual and/or psychiatric disabilities. This form of discrimination prioritizes the needs of able-bodied people over those with disabilities, ensuring the formers' access and inclusion first and foremost. More extensively in the workplace, this bias reinforces the assumption that most, if not all employees, do not need the structural changes required by those with disabilities.

Disability is not always visible

Often, disability is assumed to be visible and limited to structural barriers such as building designs. However, there are 'invisible' disabilities, some of which are of an intellectual^[1] and neurodiverse^[2] nature, which marginalize people with these disabilities, forcing them into silence. The implications of non-disclosure can also be limiting in employees' career growth prospects and companies' ability to reframe their understandings of having a diverse workforce.

Living with a disability during COVID-19

The COVID-19 pandemic has exacerbated existing barriers to work opportunities for persons with disabilities. In South Africa, it is estimated that eight out of ten disabled persons are unemployed^[3]. For those with access to employment

^[1] Definition: Intellectual disabilities describes limitations experienced in cognitive skills and functioning including social, self-care and communication.

^[2] Definition: Neurodiverse describes the range of differences in brain function and behaviours regarded as part of normal variation of the human population.

^[3] <https://www.sahrc.org.za/home/21/files/SAHRC%20Disability%20Monitoring%20Framework%20FOR%20CD.pdf>

and work opportunities, the emergency responses to the COVID-19 outbreak were inaccessible for many persons with disabilities. In addition to income losses, there are higher costs associated with access and safety during a pandemic. People with hearing impairments have experienced communicative challenges with the wearing of fully clothed face masks, which hinder lip reading. Moreover foot-operated sanitization stations are not always usable by persons with physical impairments, such as those in wheelchairs, combined with a limited supply of sanitizers for assistive devices^[4].

Key company interventions

Disability is different across the spectrum and companies must be responsive in ensuring that employees' rights to access and opportunities are protected through various considerations:

- Employees with disabilities require just pay, which encompasses additional expenses related to care, access and benefits in response to their specific needs.
- Access for persons with disabilities needs to be reflected in company policies, benefits and additional support mechanisms.
- During the COVID-19 pandemic and beyond, companies need to ensure that their protective measures guarantee access to and usability by employees with disabilities.
- Greater investment needs to be made by companies in support of neurodiversity and intellectual disability to ease the financial burden often carried by employees with these disabilities.

Companies interested in learning more about our Transformation & Equity pathways work are encouraged to contact Khanyisa Nomoyi: KhanyisaN@nbi.org.za.

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^[4] <https://africlaw.com/2020/05/18/lack-of-consultation-led-to-persons-with-disabilities-being-neglected-in-the-covid-19-response/>

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The National Business Initiative (NBI) is an independent and voluntary coalition of South African and multinational businesses launched in 1995 by the then President, Nelson Mandela.

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^[4] <https://africlaw.com/2020/05/18/lack-of-consultation-led-to-persons-with-disabilities-being-neglected-in-the-covid-19-response/>