Enhancing Diversity in the Dietetics Profession

Tips from the Job Accommodation Network (JAN) for Hiring RD/RDNs with Disabilities

April 23, 2020
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Purpose of Webinar

To encourage hiring individuals with disabilities into the profession of nutrition and dietetics
Learning Objectives

1. State an ethical takeaway point concerning autonomy and RD/RDNs with disabilities.

2. List two purposes of JAN.

3. Describe two benefits that individuals with disabilities can uniquely provide to a business.
Outline

1. Diversity Statistics – USA & Academy
2. Academy Diversity & Inclusion Statement
3. Ethics: Autonomy
4. JAN Overview
5. Reasons to Hire and Retain
6. ADA 101
7. Accommodation examples
8. Questions
The Academy encourages diversity and inclusion by striving to recognize, respect and include differences in ability, age, creed, culture, ethnicity, gender, gender identity, political affiliation, race, religion, sexual orientation, size, and socioeconomic characteristics in the nutrition and dietetics profession.
# Diversity Statistics – USA & Academy

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<th>CDR 2/2020</th>
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<td>6%</td>
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<td>14%</td>
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Legal Definition of Disability

“a physical or mental impairment that substantially limits one or more major life activities, a record of such an impairment, or is regarded as having such an impairment.” *

Disability Rates – USA (2017)

Civilian non-institutionalized population

- 13.2%
  - almost 43 million people

Sex

- Males 12.6%
- Females 12.8%

Race & Ethnicity

- African Americans 14.1%
- Caucasians 14.0%
- non-Hispanic Others 12.5%
- Hispanics 8.9%
- Asians 7.0%

Disability – USA (2017) [cont]

- **Ambulatory**: serious difficulty walking or climbing stairs - 4.9%
- **Cognitive**: difficulty remembering, concentrating, or making decisions due to physical, mental, or emotional problems - 4.5%
- **Independent Living**: difficulty doing errands alone due to physical, mental, or emotional problems - 3.7%
- **Hearing**: deaf or serious difficulty hearing - 2%
- **Vision**: blind or difficulty seeing even when wearing glasses - 2%
- **Self-care**: difficulty dressing or bathing - 1.8%

Disability Rates – Academy (2019)*

- 8,765 responses; new to 2019 survey were disability/health-related questions
- 3% cited disability/health problems for non-employment in field
- 1% are blind, deaf, or have a severe vision or hearing impairment
- 1% have a condition that substantially limits one or more basic physical activities (e.g., walking, climbing stairs, reaching, lifting, carrying)
- 2% have had difficulty learning, remembering, or concentrating due to a physical, mental, or emotional condition lasting 6 months or more
- 1% have had difficulty working at a job or business

* Compensation & Benefits Survey of the Dietetics Profession 2019
Academy/CDR Code of Ethics*

- Effective June 1, 2018
- 4 Principles (non-maleficence, autonomy, beneficence, justice)
- Numerous Standards for each Principle
- By accepting membership in the Academy &/or accepting & maintaining CDR credentials, all nutrition & dietetics practitioners agree to abide by the Code

Ethics Learning Objective

1. State an ethical takeaway point concerning **autonomy** and RD/RDNs with disabilities.

Code’s 2\textsuperscript{nd} Principle: Integrity in personal and organizational behaviors and practices (Autonomy)

Definition: Autonomy ensures a patient, client, or professional has the capacity and self-determination to engage in individual decision-making specific to personal health or practice.
Ethics Learning Objective

2. Integrity in personal and organizational behaviors and practices (Autonomy)
Nutrition and dietetics practitioners shall:

a. Disclose any conflicts of interest, including any financial interests in products or services that are recommended. Refrain from accepting gifts or services which potentially influence or which may give the appearance of influencing professional judgment.

b. Comply with all applicable laws and regulations, including obtaining/maintaining a state license or certification if engaged in practice governed by nutrition and dietetics statutes.

c. Maintain and appropriately use credentials.

d. Respect intellectual property rights, including citation and recognition of the ideas and work of others, regardless of the medium (e.g. written, oral, electronic).

e. Provide accurate and truthful information in all communications.

f. Report inappropriate behavior or treatment of a patient/client by another nutrition and dietetics practitioner or other professionals.

g. Document, code and bill to most accurately reflect the character and extent of delivered services.

h. Respect patient/client’s autonomy. Safeguard patient/client confidentiality according to current regulations and laws.

i. Implement appropriate measures to protect personal health information using appropriate techniques (e.g., encryption).
Ethics Learning Objective

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Tips from the Job Accommodation Network (JAN) for Hiring RD/RDNs with Disabilities

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April 23, 2020
Job Accommodation Network

Consultation

- Employment Legislation
  - Americans with Disabilities Act
  - Rehabilitation Act

- Job Accommodations
  - All job categories
  - All impairments
  - All industries
Job Accommodation Network

Technical Assistance

- Confidential
- National
- Easy to Use
- Audience Focused
  - Employers
  - Individuals
  - Service Providers
  - Others
Job Accommodation Network
Reasons to Hire and Retain Individuals with Disabilities

Practical Solutions  ●  Workplace Success
Reasons to Hire

Workers with Disabilities are a benefit to a business

- Living with a disability can enable them to develop unique skillsets employers may not find elsewhere.

- They help widen the scope of perspectives available to tackle workplace challenges.

- Are often more likely to stay at their jobs longer and thus lower costs relating to replacing and training new hires.
Reasons to Hire

These benefits have measurable impacts

- According to research released by Accenture, companies that put in the effort to become leaders in disability employment and inclusion had on average 28% higher revenues and 30% higher profit margins.

You can learn more, and review this study at:
Reasons to Hire

For resources to help an employer attract and hire people with disabilities...

Reach out to the Employer Assistance and Resource Network on Disability Inclusion (EARN):
https://askearn.org/topics/recruitment-hiring/

Or via email at askearn@cornell.edu
Reasons to Retain

JAN Research
Low Cost, High Impact
Employer Follow-up Study

- 1,188 employers interviewed between June 2008 and July 2017.
- Over half of accommodations (59%) were made at no cost.
- Of the 36% who experienced a one-time cost to make an accommodation, the typical cost of accommodating an employee was $500.
- Only 25 (4%) said the accommodation resulted in an ongoing, annual cost to the company and 9 (1%) said the accommodation required a combination of one-time and annual costs.
Reasons to Retain

Employer Follow-up Study

- Of those responding, 75% reported the accommodations were either very effective or extremely effective.
- The study results consistently showed that the benefits employers receive from making workplace accommodations far outweigh the low cost.
ADA 101

Practical Solutions • Workplace Success
ADA 101

Applies to:

- Private employers of 15 or more employees
- State and local governments, regardless of # of employees
- Employment agencies and labor unions

- Prohibits disability-based discrimination in all employment practices
- Discrimination is prohibited against qualified individuals
- Requires reasonable accommodation for known disability of a qualified applicant or employee, *barring undue hardship*
Reasonable accommodation is any change or adjustment to a job or work environment that permits a qualified applicant or employee with a disability to:
- participate in the job application process,
- perform the essential functions of a job, or
- enjoy benefits and privileges of employment equal to those enjoyed by employees without disabilities

Duty to provide RA is ongoing and there is no limit to the number of requests that must be considered
Reasonable accommodations must be made available to:

- qualified applicants with disabilities
- qualified employees with disabilities, part-time or full-time, and even "probationary"
- qualified employees with a record of a substantially limiting impairment (e.g., schedule change for follow-up medical appointments due to cancer)
To qualify to receive accommodation under ADA, individual must have a disability, or record of a disability

- Medical impairment that substantially limits/limited one or more major life activities
  1. Does/did the employee have an impairment?
  2. If yes, does/did the impairment affect a major life activity?
  3. If yes, does/did the impairment substantially limit the major life activity?

- **Practical guidance**: Don’t get bogged-down determining disability
  - Definition of disability under ADA is to be interpreted broadly
  - Employers are encouraged to process accommodation requests without significant analysis
  - Is it possible to provide a reasonable accommodation?
Three categories of reasonable accommodation:

- Modifications or adjustments needed during hiring
- Modifications or adjustments to the work environment, or to the manner or circumstances under which the position is customarily performed
- Modifications or adjustments that enable the enjoyment of equal benefits and privileges
Basic Principles for Employers

- Do not have to provide accommodations unless needed because of a disability
- Do not have to provide accommodations that pose an undue hardship; significant difficulty or expense
- Can choose among effective accommodation solutions
- Do not have to provide personal use items needed in accomplishing daily activities both on and off the job
- Do not have to accommodate an individual who is not otherwise qualified for a position
- Do not have to remove essential functions, create new jobs, or lower production standards
Basic Principles for IWDs

- May request accommodation at any time – but, should do so before performance suffers
- Do not have to use the words *ADA* or *reasonable accommodation* when making request, or make request in writing – but, written request is *recommended*
- Can be expected to provide medical documentation to substantiate disability and need for accommodation
- Another party may request accommodation on IWD’s behalf
- No specific timeframe for employer to respond to request, but should *respond without delay*
JAN’s Interactive Process

Step 1: Recognizing an Accommodation Request

Step 2: Gathering Information

Step 3: Exploring Accommodation Options

Step 4: Choosing an Accommodation

Step 5: Implementing the Accommodation

Step 6: Monitoring the Accommodation

SUCCESSFUL ACCOMMODATION
Reasonable Accommodation Examples

Practical Solutions • Workplace Success
Reasonable Accommodation

Purchasing or Modifying Equipment and Products
Example
A child therapist wanted to continue working while undergoing treatment for cancer. Because of her treatment she had a suppressed immune system and her doctor recommended she wear a mask while working. She found a mask that did not interfere with her speech, but found out that it frightened some of the young children she worked with. It looked like she might have to take leave time until finished with treatment.
Reasonable Accommodation

ACCOMMODATION:

Call JAN!

- Mask with cartoon faces
- Met employee’s needs and allowed her to perform her job
Reasonable Accommodation

Job Restructuring
Example
An employee with autism works for a large marketing firm. Though she is knowledgeable in her field, she has difficulty participating in work activities with her team.
ACCOMMODATION:
The employee was allowed to communicate with her team electronically, allowing her the social distance she needed to be comfortable, yet also provided the team with information needed to move forward with marketing campaigns.
Reasonable Accommodation

Modifying Policies
Reasonable Accommodation

**Example**
An employee with high blood pressure had difficulty dealing with stress in the workplace. She decided to train her own service dog to alert her when she's reacting to stress and to help calm her down.
Reasonable Accommodation

ACCOMMODATION:
The employer modified the “no animal” policy and allowed the service dog in the workplace.
Reasonable Accommodation

And many others…
Motor and Mobility

Typical Workplace Challenges

- Lifting, pulling, and carrying items
- Worksite and workstation access
- Maintaining stamina
- Data entry and computer access
Motor and Mobility

Lifting, Pulling, and Carrying
- Lifting aids, patient lifts, dollies, carts

Worksite and Workstation Access
- Grab bars, automatic door openers, automatic equipment

Maintaining Stamina
- Anti-fatigue matting, stand-lean stools, scooters, walkers

Alternative Input
- Alternative mice and keyboards, speech recognition, touch screens
Blindness and Low Vision

Typical Workplace Challenges

- Accessing computer information
- Reading labels and printed materials
- Accessing a telephone
- Navigation
Blindness and Low Vision

Accessing computer information
- Screen readers, screen magnification, refreshable Braille displays

Reading labels and printed materials
- Magnification, CCTVs, optical character recognition

Accessing a telephone
- Talking telephones, large visual phone displays, Braille telephones, telephone light sensors

Navigation
- Talking GPS, mobility and orientation training and products, sighted assistance
Deafness and Hard of Hearing

Typical Workplace Challenges

- Interacting with customers, supervisors, and coworkers
- Communicating by telephone
- Responding to auditory signals
Deafness and Hard of Hearing

Interacting with customers, supervisors, and coworkers
- Video Remote Interpreting Services (VRI), communication access technologies, assistive listening devices, real-time captioning

Communicating by telephone
- TTY, Video phones, voice mail transcription, telephone amplification, specialized headsets

Responding to auditory signals
- Vibrating pagers, alerting devices
Speech-Language

Typical Workplace Challenges

- Interacting with customers, coworkers, and supervisors
- Communicating by telephone
Speech-Language

Face-to-Face Communication
- Augmentative and alternative communication devices, portable text devices, voice amplifiers, email or instant messaging

Telephone Communication
- Speech-To-Speech Relay Service, telephones with outgoing voice amplification, speech-generating devices with telephone access, AAC device with telephone adapter
Cognitive and Neurological

Typical Workplace Challenges

- Staying organized and meeting deadlines
- Maintaining concentration
- Memory deficits
Staying organized and meeting deadlines
- Organization software, calendars, and planners

Maintaining concentration
- Environmental sound machines or white noise machines, Noise-cancelling earbuds, cubicle walls, apps for concentration

Memory deficits
- Cueing and reminder devices, voice recorders, memory software and apps
JAN Consultants can be reached M-F 9am-6pm ET

- **Phone** - (800) 526-7234 (voice); (877) 781-9403 (TTY)
- **Email** - [jan@AskJAN.org](mailto:jan@AskJAN.org)
- **Skype** - Janconsultants
- **Text** - (304) 216-8189
- **Chat available online at** [http://AskJAN.org](http://AskJAN.org)

**Questions?**
“Who I Am”

Public Service Announcement
Campaign for Disability Employment


www.whatcanyoudocampaign.org/psa-campaigns
To learn about becoming an Academy member

email

membership@eatright.org
CEU Certificates

- certificate without code 175 is for the *live* webinar
- certificate with code 175 is for the *recorded* webinar
If you are or know a dietitian with a disability who would like to join our group, please contact me through my website at www.NevaCochranRD.com