# MTNSA DISABILTY IN THE WORKPLACE

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everywhere you go

# LEGAL FRAMEWORK

- The Constitution of South Africa
- Employment Equity Act
- Promotion of Equality & Prevention of Unfair Discrimination Act
- United Nations Convention on the Rights of the Disabled
- ILO Convention

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# DISABILITY IN THE WORKPLACE

## THE SA CONSTITUTION

"the state may not discriminate against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth"

## EMPLOYMENT EQUITY ACT

"No person may unfairly discriminate, directly or indirectly against an employee, in employment policy or practice, on one or more grounds including; race, gender, sex, pregnancy , marital status, family responsibility, ethnic or social origin, colour, sexual orientation, age, disability, religion, belief political opinion, culture, language and birth"

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# DISABILITY IN THE WORKPLACE

## BARRIERS FACED BY PWD

- **Environmental barriers**
  - accessibility of the work places
- **Organisational barriers**
  - Unreadiness/unwillingness of employers to accommodate PWD's.
  - Not having the employment and management of PWD's as a strategic objective.
  - Employers feel compelled by law to employ PWD
- **Attitudinal barriers**
  - Ignorance – not aware of skills PWDs have or assume they cannot perform a task
  - Lack of education around disability
  - Belief that the total person is disabled
  - See disability first – not person or skills they possess

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## DISABILITY MODELS

- PWD seen as a patient – impulse to protect – to nurture – danger of PWD developing attitude of dependency or entitlement

- Employer Supported Model – ensures that PWDs are integrated into all aspects of life – human rights respected – PWDs have a right to be employed in real jobs

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## Specific Barriers Faced by PWDs

- Lack of understanding of disabilities – this is partly caused by ignorance, lack of education and fear of having to deal with disabled persons in the workplace.
- Societies' view of people with disabilities
- Discriminatory practices of the previous dispensation

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- **STRATEGIC APROACH**

Employment of PWD should be treated as a strategic priority of organisations as it forms a key component of the organisation's drive to equality and transformation in the workplace.

- **HOLISTIC APROACH**

Employment of PWD should be treated as a central factor in the business strategy of organisations including the recruitment, appointment processes, remuneration as well as all forms of people development and advancement.

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## IN CONCLUSSION

"you can't take people who have been shackled with chains around their ankles and put them at the start of a race and expect them to compete with others. You have to give them compensatory programs, you have to help them, until we have some equality of not just opportunities but of results"

Lydon B Johnson

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