A STUDY ON CHALLENGES FACED BY DISABLED PEOPLE AT WORKPLACE IN MALAYSIA

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ABSTRACT

The International Labor Organization States that there are approximately 600 million people who are classified as disabled worldwide as of July 2011. Countries around the world are working very hard to give these people better chance at finding and maintaining sufficient employment. In Malaysia itself, as of 2014, there are 531,962 registered disabilities by various category and 8% are working where mainly employed in the private sector. Nevertheless, there are many organizations are still failed to give an equal opportunity to disabled workers for them to be employed. Meantime, disabled workers face many difficulties at their workplace. This paper attempts to identify the various challenges faced by disabled at their workplace and propose few ways to empower disabled in Malaysia especially at the workplace. Information has been collected through surveys, interviews, observation and together with secondary data (library research). This study found that disabled are still being discriminated via various aspects at the workplace. A physical environment that is not accessible, lack of relevant assistive technology, negative attitudes of people towards disabilities is the few challenges which identified in this research. Apart from that, the study found that employers still not ready to employ a disabled worker in the organization due to many reasons. This study will help the public and private organization to provide more opportunities for disabled workers in the organization. Furthermore, this study able to build good understanding between employers, non- disabled workers and disabled workers. Through this study, the researcher has proposed some strategies that could better outcomes and enhance the opportunities for people with disabilities to be empowered at the workplace. This study will help the future researchers to come up with more research which could help this vulnerable group.

Keywords: Disabled people, Empowerment, Challenges

Introduction

Disability is part of the human condition and almost everyone will be temporarily or permanently impaired at some point in life. The International Labor Organization estimates that there are approximately 600 million people who are classified as disabled worldwide as of July 2011 (Thibodeaux.W) Countries around the world are working very hard to give these people better chance at finding and maintaining sufficient employment. Countries around the world are working very hard to give these people better chance at finding and maintaining sufficient employment.

Employment provides the opportunity to earn an income, forge social relationships, and establish social and political status (Jameson, 2005) and it is also important to disabled people. People with disabilities are often able and willing to work to become financially independent and to contribute towards community development and wider society (Waterhouse, Kimberley, Jonas & Glover, 2010).

Despite the importance of work to disabled people, this vulnerable group is still generally restricted in their attempts to gain employment. Studies suggest that disabled people face employment problems, mainly due to the lack of understandings of disability which translates to employers' negative attitudes toward hiring disabled people and little intention to hire them.

Based on UNESCAP, 2003 and Department of Social Welfare, 2006, there are over 650 million disabled people in the world, with about 400 million residing in the Asian and Pacific region. In Malaysia, the exact number of disabled people is unknown since registration of disabled people in Malaysia has been and is still being done on a voluntary basis (Jayasooria, 2000 as cited in Tiun, Lee, & Khoo, 2010). As of November 2010, a total of 283,000 disabled people were registered with the Social Welfare Department (Ranai, 2010).

Discrimination against people with disabilities (PWD) is not a new issue. Discrimination is an on-going challenge that all PWDs encounter and hope to overcome. Nevertheless, the growing awareness and recognition of the function, contribution and future of PWDs in society are necessitated by a paradigm shift from a 'charity' to a 'human rights' approach. Purdie (2009), "people with disabilities have suffered from discrimination throughout the ages and it still persists today. The truth remains though- they are perceived differently, treated differently and struggle to attain the acceptance enjoyed by the great majority of their non-disabled peers".

Besides, in developed economies like the UK, PWDs are not spared from discrimination not spared from discrimination. They continue to endure different forms of discrimination and receive treatments such as being treated as 'deviant' and getting substandard treatments. Discrimination also can be seen in the aspect of employment distributed where the opportunities for

employment are unevenly distributed which employment benefits and privileges are mainly enjoyed by able-bodied citizen (of a country) marginalizing their counterparts who are disabled. There is a perception that the impairments of disabled people somehow make them incomplete and, as a result, not good enough to be employed as productive labor in the workforce. Discrimination in the workplace can occur in many ways. It can be direct, and obvious, or indirect and not so obvious.

Many employers are still afraid to employ disabled workers in their organization and most of the time, disabled people, not even given chance to apply for the job in the particular organization. Many regulations stated that disabled should give equal opportunities for them to be employed in an organization under Equal Opportunities Employment Act. In contrast, their employment opportunities were denied due to many reasons. Even, the disabled workers who have been employed also faced many challenges from employers, non-disabled workers, environment, equipment and so forth.

Therefore, this study attempts to identify the various challenges faced by disabled people at their workplace. In addition, via this study, the researcher also tries to suggest some measures to empower disabled people in Malaysia, especially at the workplace. Also, this study will reduce research gap by previous research. Previous studies mainly focus on challenges faced by disabled workers in northern states like Kedah, Perlis, Penang and Perak, the effectiveness of existing regulations on disabled people. Therefore still studies focus on central region especially Selangor and Kuala Lumpur.

This article consists of few sections which discuss past researches in other countries and in Malaysia. Next, the researcher stated the research objectives as well as the research question which derived from research objectives. Besides that, research also explains the research method and draws the research framework for readers' clear understanding. Then, the researcher discussed in details on the disabled workers in Malaysia, few reasons why employers reluctant to employ disabled workers, challenges faced by them at their workplace and strategies to improve hiring and retention of workers with disabilities. Finally, the researcher has concluded the study and provided few limitations in this research.
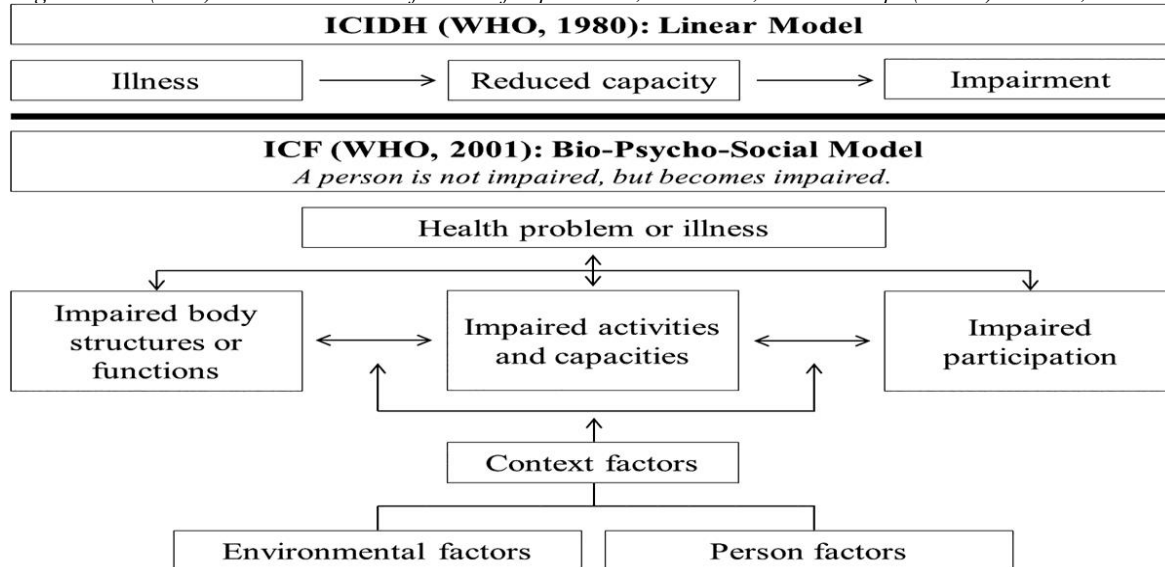
Disability and Work Discrimination
Every country has a different legislative approach to defining, identifying and treating the disability. There are some common terms used by people all over the world such as, 'handicapped people', 'people with disabilities', 'disabled people', 'physically or mentally challenged' etc.

The phrase 'disabled people' is more acceptable than 'people with disabilities' because 'disability' refers to a multidimensional occurrence which has evolved from people and their surroundings (WHO 2001). The United Nations used the word 'person with disabilities' in the Convention on the Rights of Person with Disabilities (United.Nation. 2006)

According to the U.N. Convention on the Rights of Persons with Disabilities, "persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others" (UNCRPD, 2006: article 1, purpose as cited by Vornholt, 2018)

Figure 1: The current ICF-Model (WHO, 2001World Health Organization. (2001). International Classification of Functioning, Disability, and Health (ICF). Geneva, Switzerland. in comparison to the former ICIDH-Model (WHO, 1980 World Health Organization. (1980). International classification of impairments, disabilities, and handicaps (ICIDH). Geneva, Switzerland.

Source: As cited by Linden, Baron, Muschalla, and Ostholt-Corsten, (2011).

The Malaysian Disability Act (2008) defines persons with disabilities as those who have long-term physical, mental, intellectual or sensory impairments; which in interaction with various barriers may hinder their full and effective participation in society (Tiun & Suet, 2013).

According to World Report on Disability, disability is complex, multidimensional, and contested.
According to American with Disabilities Act 1990 (42 U.S. Code), the term 'disability' means, with respect to an individual:

    a.   A physical or mental impairment that substantially limits one or more of the major life activities of such an individual;

    b.   A record of such an impairment (an individual meets the requirement of "being regarded as having such an impairment" if the individual establishes that he or she has been subjected to an action prohibited under this chapter because of an actual or perceived physical or mental impairment whether or not the impairment limits or is perceived to limit a major life activity);

    c.   Being regarded as having such an impairment

According to Advisory, Conciliation and Arbitration Service (ACAS) (2016), disability means a person is disabled if they have 'a physical or mental impairment' which has 'a substantial and long-term adverse effect' on their 'ability to carry out normal day-to-day activities'.

There are four (4) main types of discrimination within the protected characteristic of Disability under the Equality Act 2010 which is direct discrimination, indirect discrimination, harassment, and victimization. ACAS 2016 reported that there are many areas where workplace disability discrimination can occur, but there are seven (7) in particular, (1) recruitment, (2) pay, and terms and conditions of employment, (3) sickness absence, (4) promotion opportunities, (5) training opportunities, (6) when an employee is dismissed and (7) redundancy.

According to Tiun and Khoo (2013), in Malaysia, approximately 8% of working population lives with disabilities, and they are mainly employed in the private sector. In 2008, the Malaysian Government decided that the civil services must allocate 1% of the available jobs to people with disabilities. With this 1% quota policy, it was expected that approximately 14,000 job opportunities in the government sector would have been opened for people with disabilities in Malaysia. (Abdulah & Arnidawai, 2013 as cited in Lavasani, Norwahiza & Ortega, 2015). However, 5 years later, this 1% quota has not been met and the statistics available from the Department of Social Welfare Malaysia reveals that in the government sector only 581 people with disabilities have been employed since 2008 (Tiun & Khoo, 2013)

Research Objectives
- Identify various challenges faced by disabled people at the workplace.
- Propose ways to increase satisfaction and performance of disabled people at the workplace and empower disabled people in Malaysia especially at the workplace.
- Evaluate current policies on how far it is effective for helping disabled people at the workplace.

Research Questions
Following are the research question for this study:
- What are the challenges faced by disabled people at the workplace?
- What are the mechanisms to increase satisfaction and performance of disabled people at the workplace and empower disabled people in Malaysia especially at the workplace?
- How far are current policies effective for helping disabled people at the workplace?

Research Method

The research was conducted at ten (10) private organizations under five (5) different sectors and self-employed in different types of industry around Klang Valley. Around 50 questionnaires were distributed equally to the identified respondents and able to collect 40 out of 50. In addition to this, information was also gathered through face to face interview with a few selected respondents who agreed to be interviewed to identify the types of challenges faced by them at the workplace. Apart from that, the researcher also obtained information from secondary data such as library research and journal articles.

Focus of Study

Figure 1: Theoretical framework for the challenges faced by Disabled Workers at Workplace in Malaysia
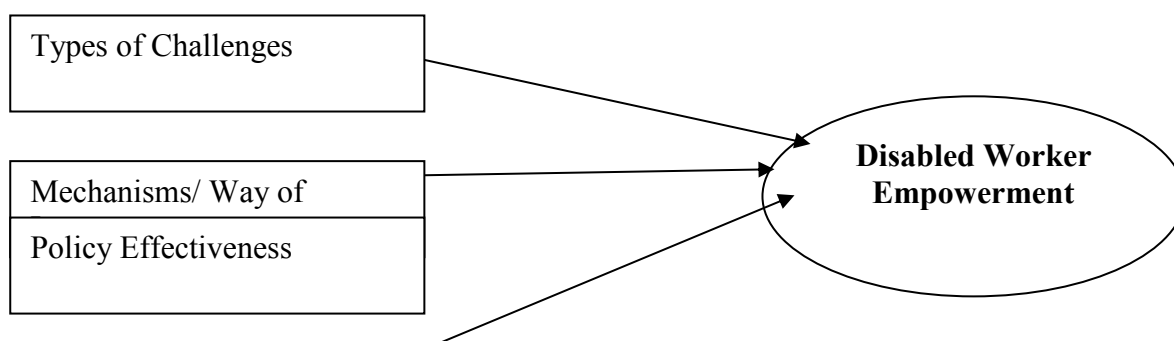
Table 1: Respondents distribution by industry

No	Industry	Number of Respondents
1	Port Industry	5
2	Manufacturing	8
3	Banking	7
4	Education	8
5	Others	12
	Total	**40**

Disabled People at Workplace in Malaysia

United Nations Convention on the Rights of Persons with Disabilities in Article 1 defines 'disability' as:

"Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments, which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others"

Malaysia on the other hand although adopting the definition, omitted the phrase 'on an equal basis with others'. This is evident in section 2 of Persons with Disabilities Act 2008 which provides that: Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments, which in interaction with various barriers may hinder their full and effective participation in society.

Discrimination against People with Disabilities (PWDs) at the workplace is not a new issue. The growing awareness and recognition of the function, contribution and future e of PWDs in society are necessitated by a paradigm shift from a 'charity' to a 'human right' approach (ILO, 2006). On the Malaysian front, the nation recognizes the need to address these concerns and incorporate them in the nation's development agenda. On 16 May 1964, for instance, Malaysia signed the Proclamation on Full Participation and Equality of People with Disabilities in the Asia and Pacific Region.

Meantime, in ensuring more employment opportunities are extended to PWDs, the Malaysian Government issued and circulated a General order (PP 10/1988) to allow and offer at least 1% of civil service positions to disabled people (Tiun, Lee, & Khoo, 2013). Later, on 25 Feb 1998, the cabinet approved the establishment of the National Coordinating Body (known as National Advisory and Consultative Council for People with Disabilities) to substitute the National Implementation Committee (for the well-being of the Disabled) which was earlier formed on 30 August 1990. According to the Director of Disability Development Department of Malaysia, Ms. Norani Hashim, only 581 people with disabilities have been employed in the public sector since 2008. However, the private sector performed more satisfactorily as they were able to recruit a total of 17,000 workers with disabilities (The Star, 2010).

Furthermore, to encourage PWDs to enter the labor market, the Malaysian Government is committed to disburse a monthly allowance of RM 300.00 to PWDs who are currently working but with monthly income less than RM 1200.00 (SCH, 2009 as cited by Tiun, Lee, & Khoo, 2013).

There are many allocations and provisions under Section 29 of the Malaysian Laws under Person with Disabilities Act 2008 as follow:

29. (1) Persons with disabilities shall have the right to access to employment on an equal basis with persons without disabilities.

29. (2) The employer shall protect the rights of persons with disabilities, on equal basis with persons without disabilities, on equal basis with persons without disabilities, to just and favourable conditions of work, including equal opportunities and equal remuneration for work of equal value, safe and healthy working conditions, protection from harassment and the redress of grievances.

29. (3) The employer shall in performing their social obligation endeavor to promote stable employment of a person with disabilities by properly evaluating their abilities, providing suitable places of employment and conducting proper employment management.

29. (4) The Council shall, in order to promote employment of persons with disabilities in the private sector, formulate appropriate policies and measures which may include affirmative action programmes and other measures.

29. (5) The Council shall promote opportunities for training for persons with disabilities in the labor market as well as opportunities for self-employment, entrepreneurship, the development of cooperatives, starting one's own business and creating opportunities to work from home.

29. (6) For the purpose of this section, "employer" includes the Government

Table 2: Classification of Disabled People in Malaysia.

No	Category	Description
1	Hearing Disability	Inclusive of deaf and mute Mild: (20 - <30 db) • Moderate: (30 - <60) • Severe: (60 - <90db) • Profound: (>90 db)
2	Vision Disability	• Blind: Vision less than 3/60 of normal eye vision even with visual aid (spectacles) • Low Vision/Partially Sighted: Vision is less than 6/18 or equivalent but more than 3/60 of normal eye vision even with visual aid (spectacles)
3	Physical Disability	• Includes disabilities such as Polio, Loss of hand (s) and Feet, Muscular Dystrophy, Myopathy, Neuropathy, Osteogenesis Imperfecta, etc
4	Cerebral Palsy	• Hemiplegia - Cerebral Palsy that affects part or half of the body • Diplegia - Cerebral Palsy that affects both feet • Quadriplegia - Cerebral Palsy that affects both hands and both feet
5	Learning Disability	Medical diagnosis under this category would cover: • Global Development Delay (for children aged < 3 years old) • Down' Syndrome • Autism • Attention Deficit Disorder • Mental Retardation (for children aged> 3 years old) • Specific learning disorder/problem such as dyslexia, dysgraphia, dyscalculia, etc

Source: Malaysian government website at http.//www.jkm. gov. my/Perkhidmatanupaya. asp

In Malaysia, of an estimated 2.4 million people employed in the last 10 years, only 3,523 are people with disabilities and they are employed mainly in the private sector (Hooi, 2001 as cited by Tiun & Khoo, 2013). This number is very small, and it shows that utilizing people with disabilities as a potential human resource has yet to be explored (Salleh et al, 2001as cited by Tiun & Khoo, 2013).

Table 3: Registration of PWDs by Category of Disabilities, 2014

Kategori Ketidakupayaan / *Diasbilities Category*	TAHUN
	2014
Penglihatan / *Vision Impair*	50,827
Pendengaran / *Hearing*	62,153
Fizikal / *Physical*	174,795
Masalah Pembelajaran / *Learning Disabilities*	188,911
Pertuturan / *Speech*	3,988
Mental / *Mental*	24,263
Pelbagai / *Others*	27,025
Jumlah/ *Total*	531,962

Source: Deparpartment of Social Welfare http://www.jkm.gov.my/jkm/uploads/files/pdf/Buku%20JKM%202014.pdf

Reasons Employers are Reluctant to Hire Disabled People

The previous research found that there are many reasons why employers are reluctant to hire disabled people in an organization. Basically, most of the employers are very concerned about cost directly associated with hiring disabled people such as financial, productivity, and skills (or up-skilling) costs. They worry that a new employee will require physical workplace alterations (Solovieva, et.al, 2010). Besides that employers also lack awareness as to how to deal with workers with disabilities and their accommodations needs, and fear of being stuck with a worker who cannot be disciplined or fired because of the possibility f a lawsuit. Also, other reasons are difficulty assessing an applicant's ability to perform job tasks, concerns that the person with the disability won't perform as well as non-disabled workers, and lack of job applicants with disabilities (Stephen, Lita & Erica, 2011).

Discussion
Challenges faced by Disabled People at Workplace in Malaysia

People with disabilities often face significant barriers to employment, resulting in poorer labor force participation, higher unemployment rates, and lower wages compared to non-disabled workers. The studies show that there are many challenges faced by the disabled workers at the workplace in Malaysia directly and indirectly.

The most challenge faced by disabled workers is lack of understanding of the needs of employees with disabilities. This is agreed by 28 respondents from a total of 40 respondents. They explained that most of the employers were unfamiliar with and insensitive to, the needs of their workers with disabilities. The built environments in the workplaces were not disability-friendly, which in turn hindered the movement of employees with disabilities. Nevertheless, few respondents claimed that their employers had provided a special parking bay and toilet facilities for disabled workers. However, this statement is not verified fully and therefore difficult to determine whether the existing facilities meet the standard and guidelines stipulated in SIRIM Code of Practice MS 1183:1990, SIRIM Code of Practice MS 1184: 1991 and SIRIM Code of Practice MS 1331: 1993 (specification of facilities for people with disabilities according to Malaysian Standard/Guidelines).

Besides, from the interview, this was conducted by the researcher, relationship with employers and colleagues saw as a challenge for employees with disabilities. They further explained that usually employers and working colleagues difficult to understand their needs and their feelings. For example, co-workers sometimes resist having a disabled worker as a member of their team if the specific disability the disabled worker has would slow down a project. In some cases, these types of issues force members of a human resources department to intervene and settle conflicts, and the employers need to take time and resources to remind all employees consequences of workplace discrimination.

On top of that, few respondents stated that miscommunication between disabled and non-disabled especially people with the hearing impaired. Disabled employees difficult to communicate and share information with colleagues and at the same time face difficulties to understand and react accordingly to other colleagues promptly. In addition to this, disabled and non-disabled employees tend to have interpersonal communication conflict among them and this will lead to low productivity and dissatisfaction among the disabled employees.

Furthermore, another challenge faced by a disabled worker at the workplace is a misunderstanding about task assigned to them (Stephen, Lita & Erica, 2011). This statement also agreed by few respondents when interviewed by the researcher. They claimed that misunderstanding about task assigned, under impression that the assigned tasks were not within their scope of duty. Therefore, felt that they were facing discrimination and that their contributions were not appreciated. These perceptions made them low morale and de-motivated.

One of the most significant barriers that disabled workers faced when entering the workforce are the co-workers' and supervisors' attitudes and stereotypes (Colella, & Bruyère, 2011). This statement 100% agreed by the respondents and they shared their experienced when they first joined the firm few years back. Several studies that investigate the attitudes of the general population towards people with disabilities report that people often feel a high degree of social distance towards people with disabilities. In the work environment, this perception of a social distance can translate into a biased view about the capacities of employees with disabilities in a way that persons with disabilities are perceived as helpless, having no capacities to develop (Prins, 2013 as cited by Vornholdt, 2018). Therefore, individuals who believe that a co-worker with a disability is responsible for an increased job-difficulty and a higher workload, have lower expectations towards this co-worker and more negative reactions and attitudes concerning employees with disabilities in general.

Discrimination also one of the challenges faced by disabled workers in any organization in Malaysia. Interview with selected respondents revealed this phenomenon among non-disabled and disabled workers especially related to position and power. Non-disabled workers such as supervisors or managers like to give order and instructions to disabled workers even though the task given to them is not under their job description. However, most of the time, disabled workers cannot say "NO" to their superiors. Besides the attitudes, stereotypes, and discrimination of colleagues and an exclusive work environment, the job itself also a barrier towards the successful (re-)integration of workers with disabled workers. Examples of such barriers are long working hours, work overload, work pressure, and the effects of these factors on personal lives.

As a conclusion, the above challenges are the most predominant barriers that workers with disabilities experience at their workplace, but the actual list of barriers is far more extensive and includes important factors such as supervisor or leadership issues, work conflict, or organizational culture and climate. Due to this, there is still a great need for high-quality studies that assess barriers that people with disabilities face when entering the labor market and that find relevant prognostic factors of long-term disability claimants.

Recommendations

Strategies to Improve Hiring and Retention of Workers with Disabilities

For people with disabilities, employment is failing to reach its potential as an effective pathway out of poverty due to many barriers and challenges. Considering all of the above, the researcher proposed few strategies to improve hiring and retain the disabled workers in an organization.

The following are the few recommendations to reduce workplace barriers for disabled workers:

    i.   Establish internal policies that prioritize hiring people with disabilities in line with government policy to increase the number of disabled workers in government sector as well as in private organization

    ii.   Establish written guidelines for dealing with disability issues, including accommodation requests

    iii.   Appoint a diversity specialist who deals with disability issues to avoid mishandling by other non-experienced staff

    iv.   Establish a written company policy of non-discrimination that includes disability

    v.   Provide training to organization non-disabled employees with related information regarding disabled workers, their benefits, way to understand them etc to avoid stereotype, discrimination etc

Conclusion

As a conclusion, this study indicates that there are many disabled workers out there facing a lot of problems and challenges. Even though there have been many attempts to foster the integration of people with disabilities by public policy and legislation aimed at enabling workplace inclusion, little has changed to date. Most people who can want to work, it's up to us to help make that a reality. While there are strategies and initiatives in place working to reduce these barriers of cost, perception, and difficulty, more needs to be done. We need to break down the barriers to employment and strengthen this key pathway to belonging and participation in society. Increasing the role of employment as a pathway out of poverty for people with disabilities will not only be beneficial to those people with disabilities but as we have seen will also be beneficial for the employers that hire them as well as our wider society.

Obviously, it is timely for Persons with Disabilities Act 2008 to be actively enforced to show the commitment by the Malaysian authority in dealing with the disabled community. An improved law that fully protects and promotes the rights of persons with disabilities would reduce the external barrier and challenges faced by them. Therefore, it is suggested that this statute needs to be revised and amended accordingly to ensure maximum effectiveness of the enforcement. It seems that punitive remedy provisions should be introduced so that everyone treats persons with disabilities with respect and dignity. There is a need to also extend the functions of the Council for Persons with Disabilities to investigate any complaints made by persons with disabilities by establishing a commission or tribunal to address those who are concerned. Future work should consider the interviews with the relevant authorities to get insightful perspective on the issues discussed.

In summary, the research objectives were achieved through interviews and surveys were at the end of the study found there are several challenges faced by disabled workers at the workplace. At the same time, few suggestions were offered to overcome the disable workers issues and how employers can accommodate workers with disabilities in their organization.

Limitation of Study

Although this study was successful to a certain extent and carefully prepared, however, the researcher is still aware of its limitation and shortcomings. First, because of the time and cost limit, this study was conducted only on a small size of population (10 organizations, divided into 5 categories and with 30 respondents only). Therefore to generalize the results for larger groups the study should have involved more respondents at a different level in future. Second, this study was conducted in private organizations only and therefore in future the study should also cover public sectors, private sectors, an NGO. Thirdly, the data collected were only from those who agreed to be interviewed as some of the respondents were still skeptical to voice out or even to admit the discrimination faced in their organization as they are afraid of losing their job or people would not believe in them.

Finally, the data collected were also limited as the respondents were mainly from Klang Valley, especially in Selangor and Kuala Lumpur. In future, the researcher should target respondents from various states and industries to get more information on challenges faced by disabled workers at the workplace. Finally, the researcher only looks at the disabled employees in an organization. In future, research can be done on the challenges faced by employers in accommodating disabled workers in their organization.

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