

Involving Employers

The Disability Discrimination Act does not involve employers. Involving employers is crucial to the successful reintegration of the disabled person. Different approaches exist, ranging from moral suasion and anti-discrimination legislation to compulsory employment quotas, such as, making employers more responsible for assigning the disabled person equivalent tasks, provide reasonable accommodation of the workplace or, if possible, a different job in the company, general obligation to promote the permanent employment of disabled employees, obligation of the employer to offer training to make sure that persons hit by a disease or accident can keep the job in the same company. The effectiveness of these measures depends on the willingness of employers to help disabled persons enter the workforce.

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U. S. Supreme Court Decision

The U.S. Supreme Court on June 22-6-99 ruled in three separate cases that people with disabilities who can “function normally” when they take their medicine or wear their glasses are generally not considered disabled and therefore cannot claim discrimination under the ADA.

Care should be taken not to allow any gaps in the Disability Discrimination Act in Australia so that the High Court in Australia and other Courts is not given scope to ‘restrict the definition of disability’ and deprive the disabled in this country of their legitimate dues. The legislators must apply their minds to the draft as well as submissions of the Australian public.

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Disability Rights in Australia

Newell (1995) says ' In Australia the last ten years has featured organisations of people with disabilities defining themselves as 'consumers', attaching themselves to the politically stronger discourse of consumerism. Via this discourse political ends have been achieved, including representation in government and non-government arenas, where other opportunities for people with disabilities have not manifested themselves. Hence, predominantly in Australia many do not identify as 'the disability rights movement' but as 'consumers with disability'. Further, in describing ourselves we use the terminology 'people with disabilities', which is at marked variance with our colleagues' use of 'disabled people' in the UK movement. We have had similar debates about terminology, but come to different conclusions'.

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