

Assessment of Workplace Discrimination against Individuals with Autism Spectrum Disorder (ASD)

https://doi.org/10.21272/sec.6(2).19-28.2022

Ashley-Ann Cooper, ORCID ID: https://orcid.org/0000-0003-1549-8430

Bachelor's degree in psychology, College of Psychology, Nova Southeastern University, USA

Bahaudin G. Mujtaba, ORCID ID: https://orcid.org/0000-0003-1615-3100

Professor of Human Resources Management and International Management, Nova Southeastern University, USA

Corresponding author: mujtaba@nova.edu

Abstract

Autism, also known as autism spectrum disorder (ASD), is a genetic / neurological condition, impacting about 2% of young children in the United States, which causes certain challenges in one's communication, learning, socialization, and even stress management coping skills. Children with autism tend to demonstrate the presence of constrained, confined, or repetitive patterns of behaviors, activities, and interests. People with ASD learn differently than others, and their attention can be gained and maintained through repetition and routine. Individuals who have a mild or extreme form of ASD often experience more difficulty adjusting to changes in the work environment and society in general. Consequently, even though many individuals with ASD can perform their jobs successfully, they are often discriminated against and not afforded reasonable accommodations for them to gain and maintain steady employment. In this paper, we provide an overview of ASD to create awareness, along with recommendations so that more autistic adults can be employed in the workplace.

Employers and manager should know that autism spectrum disorder involves a range of symptoms that cause difficulty communicating, such as flat affect (or diminished emotional expression), poor eye contact, and difficulty understanding nonverbal cues. These symptoms make it difficult to find and maintain employment, and people with autism regularly deal with discrimination and prejudice, both in and out of the workplace. Employers show less interest in hiring neurodivergent employees even if they are qualified and capable of performing the required work, and many do not provide sufficient accommodations to those that they do hire.

Keywords: Autism; Autism spectrum disorder (ASD), neurodivergent, genetic condition, Americans with Disabilities Act.

JEL Classification: F10.

Cite as: Cooper, A.-A., Mujtaba, B.G. (2022). Assessment of Workplace Discrimination against Individuals with Autism Spectrum Disorder (ASD). *SocioEconomic Challenges*, *6*(2), 19-28. https://doi.org/10.21272/sec.6(2).19-28.2022

Received: 16.03.2022 **Accepted:** 21.05.2022 **Published:** 30.06.2022

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Introduction

Autism spectrum disorder (ASD) is a largely genetic condition that affects brain development and how one perceives and interacts with other people. Problems in learning, communicating, and socializing are some of the major characteristics of the disorder, though its symptoms occur on a wide spectrum and can vary from person to person (Mayo Clinic, 2018). ASD involves deficits in utilizing and understanding verbal and non-verbal



communication, difficulty with social interactions, learning, and stress control (Van Wieren, Reid, and McMahon, 2008). People with ASD may experience hypersensitivity to light, sound, and/or touch, abnormal movement patterns or coordination issues, self-injurious behavior, and difficulty adapting to changes in routines (Mayo Clinic, 2018; Van Wieren et al., 2008). In the workplace, individuals with ASD experience more challenges, harassment, bullying, mobbing, and various forms of discrimination in getting hired and during employment (Mujtaba, 2022; Dobrich, Dranoff, and Maatman, 2002).

Data from the US Equal Employment Opportunity Commission (EEOC) shows that the percentage of Americans with Disabilities Act (ADA) charges filed about neurodiversity has been steadily increasing for over a decade (EEOC, 2021). The number of charges about autism specifically has more than doubled since 2015. It also appears that discrimination against autistic employees is more severe in the service industry, as autism-related charges are seven times more likely to end in a merit resolution in the service industry than any other industry (Van Wieren et al., 2008). One example of such a case occurred in New York in 2019. When an employee with cognitive impairments working at a program for individuals with disabilities requested supplementary training or coaching as he was having difficulty understanding what was expected of him, he was denied these accommodations, "given written warnings which he was unable to read or understand and was eventually fired" (Brown, 2020). Such a situation sounds nonsensical – an employment program specifically for individuals with disabilities denying standard accommodations - and yet similar cases are filed with disturbing regularity. Research has found that people perceive mental-behavioral disabilities more negatively than physical disabilities, thus introducing the potential for discrimination even within contexts specifically meant to help individuals with disabilities (Brown, 2020). It is hard for some employees with disabilities to advocate for themselves, just like it is hard for any harassed worker to advocate for him or herself. As such, managers must closely oversee their work and prevent any forms of harassment against them. Employees with disabilities who are harassed are often in double jeopardy. "They are twice isolated—first, by their disability and, second, by their harassment; therefore, the manager has more than the usual obligation to support these workers by bringing the conditions that led to the harassment to the attention of the employer" (Dobrich, Dranoff, and Maatman, 2002, p. 118).

A 2021 study found that workplace bullying harassment is one of the most cited reasons why workers with ASD have either been fired or "forced to leave" a previous job, and same-status peers were not the only ones perpetrating the bullying (Cooper & Kennady, 2021). Many autistic individuals reported being punished or ostracized for social deficiencies, regardless of if they excelled in terms of productivity. Most of the participants reported facing disciplinary action after disclosing their ASD diagnosis to their employer; some even reported being fired from long-term employment after disclosing their diagnosis, despite no change in their job performance. Individuals with ASD also face discrimination in the hiring process. Lindsay et al. (2019) conducted a study in which they sent out two identical job applications to multiple companies, the only difference between the two being that one discloses that the applicant has ASD. They found that the applicant with ASD "received 26% fewer expressions of employer interest" (Lindsay et al., 2019). This corroborates firsthand accounts from autistic workers, who state that disclosing one's diagnosis during the interview process often results in not being hired, even if the individual is qualified and capable. For these reasons, two-thirds of autistic workers avoid disclosure if possible (Cooper & Kennady, 2021). As such, it is important for all managers and workers to better understand the facts about ASD and attempt to integrate individuals suffering from such a disability into the workplace so they can regularly make worthwhile and valuable contributions to local communities and society at large.

Literature review

According to the Centers for Disease Control and Prevention (CDC), around 1 in 44 children in the United States is likely to have autism spectrum disorder (Table 1). The prevalence of ASD seems to be increasing as it impacts people of all racial, cultural, and financial backgrounds (CDC, 2022). However, it does appear that American Indian children do report slightly more cases of children with ASD. Studies have shown that children of older couples tend to be at a higher risk for ASD. Nowadays, most working adult professionals establish their careers first and then think about settling down and having children; as such, the number of young children with ASD are likely to continue to rise in the future. The annual costs for taking care of individuals with ASD is estimated to be



well over \$10 billion in the United States. Medical expenses for children with ASD are likely to be about four to six times greater than their peer groups.



Figure 1. Three Functional Levels of Autism

Source: Rudy, 2022; link: https://www.verywellhealth.com/what-are-the-three-levels-of-autism-260233.

Experts have stated that there are at least three functional levels of autism (Figure 1) with various symptoms and characteristics (Rudy, 2022). While individuals with level one ASD (who have difficult initiating interactions with others) might require some support from parents or employers, those with level two disability much more assistance as their interests tend to be narrow and limited. And those with level 3 ASD require substantially more support from all experts as their symptom can include inability to use spoken words, sensitivity to crowds and bright lights can be overwhelming, sleeplessness and epilepsy, many violent behaviors like rocking and door slamming, and intellectual disability. Research has demonstrated that young children with extreme autism can be non-verbal/minimally verbal, have an intellectual disability (ID), and may need significant support to function effectively at school and home (National Council on Severe Autism, 2019). It has been reported that about 30% of children with autism tend to non-verbal or minimally verbal, and 33% have some degree of an ID (McKinney, Weisblatt, Hotson, Bilal Ahmed, Dias, BenShalom, Foster, Murphy, Villar, and Belmonte, 2021).

Table 1. Prevalence of Autism Spectrum Disorder: 2000-2018

Surveillance (Year)	Birth (Year)	Autism about 1 in X children
2000	1992	1 in 150
2002	1994	1 in 150
2004	1996	1 in 125
2006	1998	1 in 110
2008	2000	1 in 88
2010	2002	1 in 68
2012	2004	1 in 69
2014	2006	1 in 59
2016	2008	1 in 54
2018	2010	1 in 44

Source: CDC (2022). Autism Spectrum Disorder (ASD). Accessed on March 11, 2022.

Link: https://www.cdc.gov/ncbddd/autism/data.html.

The Centers for Disease Control and Prevention explains that signs of ASD tend to become transparent among young children during childhood and last a lifetime. It is important for parents and managers to become aware of



the typical signs of ASD. Overall, as explained by experts, children or adults with ASD might have some of the following characteristics:

- 1. "Not point at objects to show interest (for example, not point at an airplane flying over).
- 2. Not look at objects when another person points at them.
- 3. Have trouble relating to others or not have an interest in other people at all.
- 4. Avoid eye contact and want to be alone.
- 5. Have trouble understanding other people's feelings or talking about their own feelings.
- 6. Prefer not to be held or cuddled, or might cuddle only when they want to.
- 7. Appear to be unaware when people talk to them, but respond to other sounds.
- 8. Be very interested in people, but not know how to talk, play, or relate to them.
- 9. Repeat or echo words or phrases said to them, or repeat words or phrases in place of normal language.
- 10. Have trouble expressing their needs using typical words or motions.
- 11. Not play "pretend" games (for example, not pretend to "feed" a doll).
- 12. Repeat actions over and over again.
- 13. Have trouble adapting when a routine changes.
- 14. Have unusual reactions to the way things smell, taste, look, feel, or sound.
- 15. Lose skills they once had (for example, stop saying words they were using)" (CDC, 2022, para. 4).

As presented in Table 2, based on a sample of 5,058 respondents from eleven different American states, males are 4.2 times more likely to have symptoms of ASD compared to females. Perhaps the way little girls are socialized, behaviorally conditioned, or due to their genes, there might be some hope for research to bring down these instances of autism in males as well. The good news is that early intervention of parents with the timely guidance and help of expert ASD professionals can improve a child's development and proper acquisition of relevant skills that can serve him/her for life. Research shows that the proportion of of ASD children with an intellectual disability have decreased over the past three decades (CDC, 2021, p. 2). A slightly higher proportion of African American children with ASD seems to demonstrate intellectual disability, which could be due to the unequal access to medical experts or the early recognition of the autism signs. As such, more is needed to help all children with ASD at the earlier stages so behavioral or other forms of intervention can start as soon as possible. As per the latest research, "These findings emphasize the need for sustained efforts to reduce geographic, racial, and ethnic disparities in identification of and support of persons with ASD" (CDC, 2021, p. 7). Parents need to learn the signs of ASD and get expert help for their children as soon as possible since early intervention can the best form of prevention or worsening of the disability. The reality is that while the young children with autism might not always experience discrimination when they are in the protection of their loving parents and relatives, we need to keep in mind that they eventually grow up and become adults who want to be a productive part of workforce. Consequently, adults with ASD often experience both overt and covert forms of discrimination which result in high rates of unemployment or under-employment for individuals of this group, compared to their peers (CDC, 2022). Also, individuals with ASD have low participation in higher education beyond high school, experience limited social activities in the community, and often end up having to live with family members and relatives (Levy and Perry, 2011; Kirby, 2016; Hendricks and Wehman, 2009).

Table 2. Prevalence of ASD among children, United States, 2018

Site	${\rm Overall}^{\dagger}$			Male prevalence (95%)	Female prevalence (95%)	Male-to-female prevalence ratio (95%)
	No. with ASD	Total population	Prevalence (95%)			
Arizona	331	13,313	24.9	37.9	11.2	3.4
Arkansas	353	15,435	22.9	36.7	8.1	4.5
California	586	15,076	38.9	64.4	12.3	5.2



Site	Overall [†]			Male prevalence (95%)	Female prevalence (95%)	Male-to-female prevalence ratio (95%)
	No. with ASD	Total population	Prevalence (95%)			
Georgia	514	23,580	21.8	35.2	7.8	4.5
Maryland	423	20,666	20.5	33.1	7.5	4.4
Minnesota	277	10,081	27.5	43.7	10.4	4.2
Missouri	405	24,481	16.5	25.0	7.6	3.3
New Jersey	491	17,289	28.4	45.6	10.1	4.5
Tennessee	573	25,237	22.7	36.0	8.8	4.1
Utah	548	25,459	21.5	33.1	9.3	3.6
Wisconsin	557	29,664	18.8	30.0	7.1	4.2
Total	5,058	220,281	23.0	36.5	8.8	4.2

Table 2 (cont.). Prevalence of ASD among children, United States, 2018

Notes: * Per 1,000 children aged 8 years.

Source: CDC (December 3, 2021). Prevalence and Characteristics of Autism Spectrum Disorder among Children Aged 8 Years – Autism and Developmental Disabilities Monitoring Network, 11 Sites, United States, 2018. Morbidity and Mortality Weekly Report, 70(11), 1-16. Accessed on March 11, 2022. Link: https://www.cdc.gov/mmwr/volumes/70/ss/ss7011a1.htm#T1 down

From a developmental point of view, CDC emphasizes that there are effective treatments available, which can fall into the following categories or approaches (CDC, "Types of Treatment", 2022):

- Behavioral;
- Developmental;
- Educational;
- Social-Relational;
- Pharmacological;
- Psychological;
- Complementary and Alternative.

The "Behavioral approaches focus on changing behaviors by understanding what happens before and after the behavior. Behavioral approaches have the most evidence for treating symptoms of ASD. They have become widely accepted among educators and healthcare professionals and are used in many schools and treatment clinics" (CDC, "Types of Treatment", 2022, para. 5). The goal of these behavioral approaches is to improve the most important and essentials skills (such as initiating communication) of individuals so they can learn other talents and abilities that will enable adults with ASD to remain sustainably productive in the workplace.

The good news is that as individuals with ASD age, many of those with milder symptoms learn to effectively adapt in such a way that they can live relatively normal lives, and there are specialized therapies that can help improve quality of life for people with ASD. Some individuals have more severe difficulty with social interactions into their adulthood (Mayo Clinic, 2018). For these people, finding and keeping a job can be difficult, and they usually end up working for low wages and minimal hours, typically in a retail, service, or manufacturing setting (Van Wieren *et al.*, 2008). Roux, Rask, Anderson, and Shattuck (2013) reported that nearly 42% of young American adults on the autism spectrum have never worked for pay during their early years as an adult. The number of ASD adults who maintain employment is abysmal in the modern workplace; a study encompassing 31 states found that only 14% of autistic adults worked a job for which they were paid (Roux *et al.*, 2017). The majority, 54%, did unpaid work at day programs specifically for individuals with a disability. Almost 30% of autistic adults were not involved in any work or other activities, and many of them expressed a desire for help

[†] All children are included in the total regardless of sex or race/ethnicity.



gaining employment or education/training. While the communication difficulties element of ASD does make it difficult to find and keep employment, employers and managers also play a role in pushing neurodivergent people out of the workforce, whether by failing to provide adequate accommodations, or by engaging in seemingly benign behaviors that can cause major discomfort to autistic employees. As such, more awareness, education, and training regarding autism is important for employers, managers, and workers so they can attract, develop, and productively retain qualified individuals with various forms of disabilities in their workforce (Mujtaba, 2022; Cavico and Mujtaba, 2018).

Autistic employees can bring value to the workplace beyond simply boosting diversity statistics. While the rates of intellectual disability among autistic individuals is much higher than in neurotypical people, the majority have average to above average intelligence levels (Mayo Clinic, 2018). Several major corporations including Microsoft and HP recognize that individuals with ASD can be highly valuable and productive employees and thus specifically recruit and train autistic individuals (Oesch, 2019). Employers report that autistic employees help drive innovation and often have creative, unusual ideas. Additionally, some of the characteristics associated with ASD can be major assets in certain fields, particularly computer science (Oesch, 2019). Attention to detail, good pattern recognition skills, reliability, and strong memory are all sought-after traits in many industries, so it is unfortunate that so many autistic adults who want to work are unable to since they cannot secure employment due to bias, discrimination, misinformation, and/or lack of reasonable accommodations.

Recommendations

There are many ways that employers can make their workplaces more inclusive and accepting of neurodivergent employees, from the recruiting and hiring processes to daily communication methods (Cavico and Mujtaba, 2016). Human resources staff should tailor their approach based on the individual and each specific situation; a universal approach to human resources is not effective and can ultimately harm minority workers (Tomczak, Szulc, and Szczerska, 2021; Cavico and Mujtaba, 2013). Human resource professionals should provide relevant awareness, sensitivity, and inclusion training about individuals with ASD since training intervention is the best form of prevention from exclusion, discrimination and harassment in the workplace.

Jobseekers with ASD report that advertisements for jobs are often formatted in a way that makes it less accessible for them (Cooper & Kennady, 2021). Employers can rectify this by using plain language and a simple layout with basic colors. Job requirements, the scope of duties and responsibilities, and expected daily tasks should be clearly stated in the advertisement, avoiding jargon and unnecessary qualifications. When selecting candidates, employers should focus on "looking for someone who can perform high-quality work with an appropriate level of support and in optimal working conditions", rather than looking for the most impressive resume (Tomczak et al., 2021).

The way that most job interviews are formatted tends to be very stressful for individuals with ASD, and less than 10% feel they are given the opportunity to demonstrate their skills and abilities in this process (Cooper & Kennady, 2021). Employers can improve this by making interviews less structured and creating a more friendly environment. Asking employees to do practical skill tests rather than a structured interview would allow employers to test ASD candidates' actual skills and fit for the job, not their ability to communicate those skills. Necessary questions should be precise, unambiguous, and detailed; short, direct verbal instructions are best to minimize miscommunication. Additionally, because of the discrimination faced by individuals with ASD, employers should focus on what the candidate can do rather than their past and work history, as they will likely have a relatively sparse resume of work background (Tomczak et al., 2021; Cooper & Kennady, 2021).

During the onboarding process employers should actively promote an inclusive, diverse culture among all the employees. All employees, including management, should do capacity building training, which provides knowledge and skill development to promote "acceptance of neurodiverse people as fit and valuable employees" (Tomczak et al., 2021). Any diversity training initiatives should be thoroughly vetted and empirically based, as many commercial diversity training programs have been found to be ineffective and, in some cases, worsen negative attitudes towards minorities (Dobbin & Kaley, 2016). Autistic hires should be provided with a mentor or job coach who can provide support and explain the unwritten organizational rules; giving feedback and asking



for help should be encouraged. Having a supervisor that is willing to accommodate their needs significantly reduces anxiety in employees with ASD, which can boost their happiness, job performance, and retention rates. The new hires should also be provided with onboarding checklists, manuals, and guides that they can review on their own (Tomczak et al., 2021). When it comes to training, Kellems and Morningstar (2012) found that a very effective way to teach vocational tasks to young adults with ASD is to provide videos showing the desired tasks being modeled, along with written instructions prior to each step in the task. Using a mobile device like an iPod for this purpose allows the employees to independently re-watch the videos on a socially acceptable medium. Of course, as witnessed during the Covid-19 pandemic period, much of the training and skill development processes can be facilitated remotely from each person's home environment which can reduce anxiety of individuals with ASD, while improving their learning and proficiency acquisition.

In order to maximize job retention once the employee has been integrated into the company, employers should allow the use of non-direct communication methods such as emails and online instant messengers to facilitate communication in a way that is more comfortable for the employee (Mujtaba, Cavico and Senathip, 2020). Structure and routines should be introduced where possible, and there should be a clear chain of command. Because of their difficulties with communication, it is best to provide autistic employees with concise, precise, and clear instructions about the tasks they are assigned and who they can approach for help. Employers should provide written instructions after communicating them verbally, including providing an agenda before meetings and minutes afterwards. In meetings involving employees with ASD, the number of people present should be kept low to avoid creating an overstimulating environment (Tomczak *et al.*, 2021).

When speaking to an adult with ASD, one should address them as an adult, not in a childlike manner or as if they are less intelligent or not present. Never assume that someone has limited cognitive skills just because of their ASD diagnosis; their communication deficiencies do not necessarily mean that they struggle to understand the content of what is being said, they may simply have difficult responding verbally. Always use the individual's name when addressing workers with ASD and ensure you have their attention before giving instructions or asking questions. Use and emphasize specific key words, ask specific questions – providing options if appropriate – and speak slightly more slowly, giving them more time to process and respond. Irony, sarcasm, figurative language, rhetorical questions, idioms, and exaggeration should not be used, as individuals with ASD tend to take things literally, and such expressions cause confusion and conflict (UK National Autistic Society, 2020). Booth (2016) gave the following example of the type of miscommunication that occurs when employers try to speak to individuals with ASD without considering their phrasing:

- Can you tell me about your last job?
- Yes
- *How did you find your last job?*
- I saw it posted in the Job Centre.
- What can you bring to this job?
- *My briefcase, work boots and packed lunch.*

When miscommunication like this does occur, clarify the situation, and provide honest, non-judgmental, clear feedback to help the individual navigate through similar social situations better in the future.

It is essential that employers familiarize themselves with both Title I of the Americans with Disabilities Act (ADA) and Section 503 of the Rehabilitation Act of 1973, as both contain guidelines pertaining to employment-related issues for workers with disabilities (Cavico and Mujtaba, 2020). The ADA contains regulations about determining if an individual is qualified to perform the essential functions of a job and defining "reasonable" accommodations for workers with disabilities (Brown, 2020; Cavico and Mujtaba, 2014). We know that "Employees with disabilities are protected against discrimination and harassment in the workplace...and the federal law...applies to any person who has a mental or physical impairment that substantially limits one or more major life activities" (Dobrich, Dranoff, and Maatman, 2002, p. 100). Allowing ASD employees to be singled out for unfair treatment or any forms of harassment can sound the alarm to all workers that no employee is safe in the organization. Any such negativity can hurt employee satisfaction, performance, and retention. To prevent the



exclusion, bullying, and workplace mobbing of ASD working adults, all managers must be concerned about the removal of any hostile environment harassment for all employees, with a special focus on workers with disabilities as they tend to become the target of harassers more often. Ultimately, all modern employers and managers should be prepared to offer quality accommodations to employees and ensure that the accommodations are adequate and appropriate.

Conclusions

Workers with autism spectrum disorder can experience a range of symptoms that cause difficulty communicating with others and properly interpreting nonverbal cues, which make it difficult for them to find and/or even maintain a job. Unfortunately, those with autism also deal with discriminatory practices both in the workplace and in society in general. Consequently, some employers and managers are less interested in hiring autistic employees even if they are fully capable of doing their work. Sometimes employers even punish neurodivergent employees for disclosing their diagnosis or requesting accommodations. Employers can make the process of obtaining and maintaining a job easier for autistic employees by altering job advertisements to be more accessible, allowing applicants to demonstrate practical skills during interviews, promoting an inclusive and accepting culture, providing individualized accommodations, and structuring training programs in such a way that understanding is maximized. Employers should be aware of how they communicate with autistic employees and try to be as literal and specific as possible when asking questions or giving instructions. Employers should also familiarize themselves with the legal regulations regarding hiring individuals with disabilities and providing accommodations.

Author contribution: conceptualization: Ashley-Ann Cooper; formal analysis: Ashley-Ann Cooper and Bahaudin Mujtaba; funding acquisition: self-funded by the authors; investigation: Ashley-Ann Cooper and Bahaudin Mujtaba; methodology: Ashley-Ann Cooper and Bahaudin Mujtaba; project administration: Ashley-Ann Cooper; resources: Ashley-Ann Cooper and Bahaudin Mujtaba; supervision: Bahaudin Mujtaba; validation: Ashley-Ann Cooper and Bahaudin Mujtaba; visualization: Ashley-Ann Cooper; writing – original draft: Ashley-Ann Cooper; writing – review & editing: Bahaudin Mujtaba.

Funding: This research received no external funding.

Biography

Ashley-Ann Cooper is a final year psychology student at Nova Southeastern University's College of Psychology. She is pursuing a bachelor's degree in psychology with a minor in management. Her research interests include social psychology, mental health, diversity management, and cognitive neuroscience.

Bahaudin G. Mujtaba is Professor of Human Resources Management and International Management. Bahaudin worked as a manager, an Internal Consultant, Trainer, and Teacher at the Education and Training Development Department of Human Resources in the retail corporate environment for sixteen years. His research and writing interests are in the areas of diversity management, inclusion and equity, service, international management, and higher education.

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