

## EMPLOYMENT SITUATION OF PERSON WITH DISABILITIES: CASE STUDIES OF US, JAPAN AND MALAYSIA

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### ABSTRACT

This paper looks at the employment situation of people with disabilities (PWDs) and examines its issues through three case studies (i.e., United States, Japan and Malaysia). The first case study examines the United States regulation for promotion of disabled persons' employment - Americans with Disabilities Act (ADA) of 1990. The introduction of ADA can be considered an important milestone in the history of employment of person with disabilities. However, the unemployment rate among the disabled person does not seem to decrease after the implementation of the ADA. The second case study analyses Japan's quota system for employment of disabled persons. After introduction of quota system, the employment of disabled persons, especially people with intellectual disabilities, in Japan has gradually increased. The third case study examines a Malaysian welfare non-governmental organization (NGO) named the "Asia Community Service (ACS)" and its effort to promote the disabled persons' employment. In 2000, the ACS established a workplace named the "Stepping Stone Work Centre" in order to provide job opportunities to people with intellectual disabilities.

**Keywords:** Employment of the person with disabilities, United States, Japan, Malaysia

## INTRODUCTION:

The creation of job opportunities for the person with disabilities is one of the important and rather complicated issues in labour market. Moreover, employment and constant source of income could be a fundamental element in ensuring that people with disabilities are able to lead an independent and self-reliant life without over-dependence to other people's help. As a Malaysian non-governmental organization named "Asia Community Service" mentioned (ACS 2011),

Increasing the employability of persons with disabilities has always been one goal of independent living within the broader goals of consumer decision-making control and community participation.

If the person with disabilities continue to depend on the government or charitable non-governmental organisations (NGOs), it would be very difficult for them – if not impossible -- to achieve self-realization. Khor (2011) pointed out that the World Bank estimated total loss to national income between US\$1,370 billion and US\$1,940 billion worldwide due to the exclude people with disabilities from the mainstream of society. In the case of Malaysia, its loss to national income amounted to between US\$1.18 billion and US\$1.68 billion.

This over-dependence combined with the lack of employment opportunities for the disabled persons could create such a social milieu where the disabled persons do not have chance to fully develop their potential. As the ACS (2011) asserted, "many of persons with intellectual disabilities have rare experience of acceptance and respect "in a society that often rejects those whose difference we fear".

This means seeing people with intellectual disabilities as having the same rights, hopes and expectations as any other individual.

Private sector, especially medium and large firms, has social responsibility to create job opportunities for the disabled people. Governments in many countries have introduced various labour laws or regulations which encourage companies to employ the disabled persons. If there are no such laws, the employers might not be aware of their social obligations towards the society in general and disable persons in particular.

With these assumptions in mind, the present paper employs human resource management perspective to analyse how wider employment opportunities could be created for the disabled persons. This research chooses three countries (US, Japan and Malaysia) as the case studies in order to examine some challenges and prospects for the employment of disabled person. In these countries, several decades considerable efforts have been made to ensure that the disabled are included as a part the country's workforce and are able to realize their potential.

This paper consists of five parts. Following this introduction, Part Two reviews available literature on the employment of the disabled people. Part Three discusses US's and Japan's experience in creating job opportunities for the disabled while Part Four highlights Malaysia's effort to promote the employment of disabled person. Part Five concludes.

## LITERATURE REVIEW:

The employment of disabled persons is regarded as a crucial issue of the "equal employment opportunities". In many countries, two principles -- equality of opportunity and equality of treatment -- became the legal foundations for various laws and regulation concerning equal employment opportunities for everyone.

There has been an increasing awareness on the global scale of the "equity issue". The International Labour Organisation (ILO), which has introduced a number of initiatives to highlight this issue, argues that "there is a pressing need to improve employment and training services for people with disabilities... who face disadvantages in the labour market". The ILO relies on "knowledge-building, advocacy and technical cooperation activities" to address the equity issues and "seeks to promote innovative approach to address them" (ILO, 2005a).

The ILO played an important role in introducing policy changes and moulding legislative framework at the national levels to "promote employment opportunities for disabled persons" (ILO, 2005b). At present, governments in many countries through various labour laws and regulations encourage and give incentives to employers to provide equal job opportunities for every person, regardless of gender, ethnic group or disabilities. Against such a backdrop, many companies and government organisation made serious efforts to provide better arrangement and treatment for disabled workers. Dibben *et al.* (2002) argued that adaptation of better arrangement relating to employment of disabled person has beneficial to the organisation. Liff (1999) pointed out that enhanced profitability can arise as a result of employers adopting a non-discriminatory approach to recruitment practice including the employment of disabled persons.

However, empirical evidences seem to confirm the proposition that better arrangement for disabled person can be beneficial for the organisation. Meager *et al.* (1998) argued that empirical evidence show that there is a wide variation in the treatment of disabled workers and its organisations' profitability.

On the other hand, in the human resource economics literature, the creation of employment opportunities could

be analysed in the context of asymmetric information in the labour market. According to Ozdurak (2006), the companies have superior information than the workers. In this case, this asymmetric information in the labour market may cause unemployment fluctuation and wage sluggishness.

In the absence of available information for general public and the relevant stakeholders, only the employers have the knowledge of the employment conditions of the disabled. This asymmetric information in the labour market of disabled person would give them a monopsony power over the determination of employment conditions of persons with disabilities. As a consequence, there would be persistence unemployment fluctuation among persons with disabilities. There would be wage sluggishness among disabled works.

### CASE STUDY I: UNITED STATES:

These laws take an uncompromising position regarding employment discrimination against members of minority groups, such as ethnic minorities, and disabled people. As a prominent example, the Americans with Disabilities Act (ADA) outright prohibits any discrimination against the disable persons.

The ADA was enacted in 1990 by the US government and became a cornerstone in the history of disabled persons' employment in the United States. Batavia and Schriner (2001) point out that the ADA was heralded as "engine of social change" by giving the right to be employed to the disabled persons and paving the way to wider employment opportunities for them. Since then, an increasing number of researches has appeared on the employment of disabled people in the US.

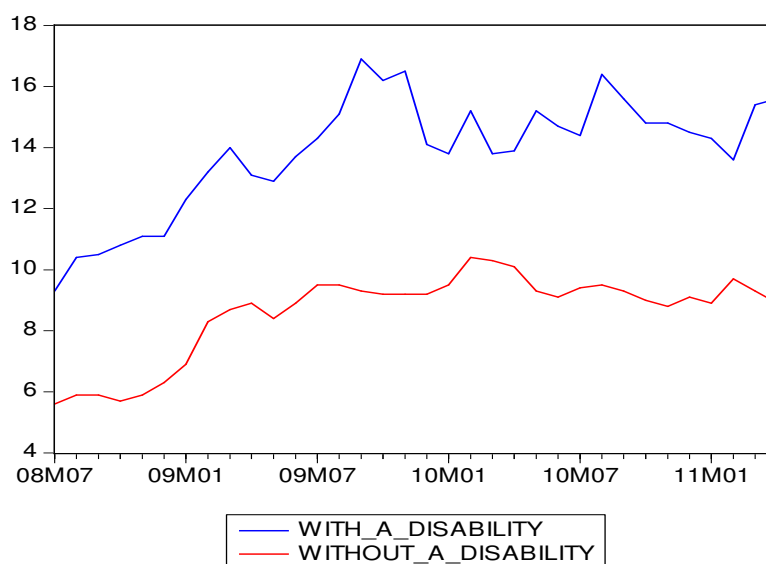
Shaller and Rosen (1991/1992) point out that the Equal Employment Opportunity Commission (EEOC) in the US issued the final regulation on the ADA, which became a legal foundation for ensuring the equal employment opportunities for the disabled persons. However, although the ADA prohibits employment discrimination against the qualified disabled people, the act does not offer solution to a host of potential problems. Thus, there are no specific regulations in the ADA on several important issues related to the employment of the disabled persons, such as insurance, workers' compensations, collective bargaining (Shaller and Rosen, 1991/1992).

In a critical note, Wattenberg (2004) offers a critical analysis of the ADA's impact on the employment of disabled persons in the US. He argues that one of the main problems with the ADA is the lack of clear goals and poor policy coordination. As he put it, "Unfortunately, the ADA was implemented without clear goals, outcomes, or coordination between governmental agencies" (Wattenberg, 2004).

Furthermore, Lee (2003) argues that the ADA is not able to stimulate employment opportunities for the disabled persons. He points out that the unemployment rate among the disabled person has not significantly decreased for one decade after the implementation of the ADA.

Especially, the unemployment rates among the people with disabilities have increased since the so-called late-2000s financial crisis triggered by the subprime mortgage crisis. As Figure 1 showed, in June 2008, the unemployment rate among the person with a disability was 9.3 percent. The unemployment rate increased to 10.4 percent in July 2008 and further to 11.1 percent in October 2008. The unemployment rate among the person with a disability reached at 12.3 percent in December 2008.

**Figure 1: Unemployment rates among person with a disability and with no disability**



Source: BLS (2011)

As US economy condition deteriorated in 2009, the unemployment rate among the person with a disability also increased in the year. The unemployment among the person with disability was 13.2 percent in January 2009 and increased to 14.0 percent in February 2009 and further to 14.3 percent in June 2009. The unemployment rate among person with a disability increase to 15.1 percent in July 2009 and reached its highest peak of 16.9 percent in August 2009.

Unemployment among person with a disability temporarily decreased to 16.2 percent in September 2009, however, reversed and increased again to 16.5 percent in the following month. The unemployment rate decreased to 14.1 percent in November 2009 and further to 13.8 percent in December 2009.

Due to uncertainty in US economic condition in 2010, the unemployment rate among the person with disability fluctuated in the year. The unemployment rate increased to 15.2 percent in January 2010, but decreased to 13.8 percent in the following month. The unemployment rate among person with disability reversed again and went up to 15.2 percent in April 2010 and decreased to 14.7 percent in May 2010 and further to 14.4 percent in the following month.

The unemployment rate among person with disability reached to the second highest peak of 16.4 percent in July 2010. The unemployment rate decreased to 15.6 percent in August 2010 and further to 14.8 percent in September 2010. The unemployment among person with a disability decreased to 14.5 percent in November 2010 and further to 14.3 percent in December 2010.

The unemployment rate among person with disability was relatively low and 13.8 percent in January 2011. However, the unemployment rate jumped up to 15.4 percent in the following month. The unemployment rate among person with disability increased further to 15.6 percent in March 2011 and decreased to 14.5 percent in April 2011.

## **CASE STUDY II: JAPAN:**

Japan is one of six countries in East Asia which have labour regulations or “quota system” for the employment of disabled persons.<sup>1</sup> Miwa (1997) argues that Japan was the first East Asian country which introduced a systematic mechanism, such as quota system, for the employment of disabled people in open labour market. According to Miwa, more recently, other three East Asian countries, i.e. South Korea, Thailand and the Philippines followed suit and introduced similar quota systems.

Since the 1960s, the Japanese government has been making efforts to ensure that disabled persons are not denied employment opportunities. The government’s policies regarding the employment of the disabled could be divided into the following three stages, or milestones:

1. Period One (1960-1975): efforts to promote employment of physically disabled persons
2. Period Two (1976-1986): introduction of levy system
3. Period Three (1987 – present): efforts to promote employment of physically and intellectually disabled persons

In Period One, the year 1960 marked a landmark when the Japanese government enacted “Physically Disabled Persons Employment Promotion Law”. Under this law, the government promoted employment of physically disabled person through the following four methods, 1) quota system, 2) on-the-job adjustment scheme, 3) financial assistance system, and 4) vocational guidance and placement (Matsui, 1998).

In 1976, or during Period Two, the Japanese government substantially amended “Physically Disabled Persons Employment Promotion Law”. The major differences between the original and the amended law are: 1) under the amended law, employment of physically disabled persons became an obligation for employers, and 2) levy system was introduced.

In Period Three, the Japanese government began addressing the issue of providing employment opportunities for intellectually disabled persons as well. For this purpose, a new law, Law for Employment Promotion, etc. of Persons with Disabilities, was enacted in 1987. This law stresses the importance of vocational rehabilitation for the disabled people.

In other words, the year 1987 became the important milestone in the history of disable person’s employment in Japan when the Japanese government started promoting the employment of the intellectually disabled person. The law focuses on the following three issues (JEED, 2005):

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<sup>1</sup> The other five Asian countries with the similar quota systems are China, India, Mongolia, Sri Lanka and Thailand.

1. The introduction of measure for vocational guidance, vocational training and job referral for disabled persons and promotion of vocational rehabilitation designed to foster their vocational independence
2. An employment quota system whereby the legal obligation to employ physically or intellectually disabled person are stipulated
3. A levy and grant system designed to financially support the employment of physically, intellectually or mentally disabled persons

Under Japan's quota system, all employers "must employ the legally required number or more of physically or intellectually disabled persons". The legally required number is calculated as follows,

Legally required number of disabled employees =

(Total number of regular employees) × (Stipulated Employment Rate)

where the stipulated employment rate for private sector companies with the staff exceeding 56 employees is 1.8 percent. The rate for national and local government agencies which employ more than 48 workers is 2.1 percent (MHLW, 2005).

The Japanese government considers a matter of significant importance to have detailed statistics for the number of the disabled persons who are employed. Under the Law for Employment Promotion, employers are required to submit an "annual report on the employment situation of their physically, intellectually and mentally disabled persons" to the Public Employment Security Office (PESO).

The Law for Employment Promotion also stipulates the levy system. The levy system for employing persons with disabilities aims to improve the level of employment of disabled persons by "collecting levies from those companies failing to satisfy the quota rate. The companies who have 300 employees or less are exempted from levy system" (JEED, 2005).

However, the Japanese government amended this law and tried to promote the employment of persons with disabilities among the small and median enterprises (SMEs) in 2009. From July 2010, the companies which have 200 employees or less are exempted from levy system. Furthermore, the companies which have 100 employees or less are exempted from levy system from April 2015.

The JEED maintains that the levy is not to be seen as a "fine" rather it is to be regarded as an "expense or loss for taxation purpose". More importantly, it should be noted that the employer is not exempted from the obligation to employ the legally prescribed number of disabled persons even if the company has paid the levies (JEED, 2005).

The amount of *monthly* levy is ¥ 50,000 (approximately RM 1,865) per person<sup>2</sup>. The total amount of monthly levy is calculated by the following formula:

The amount of levy = [(the number of the legally required quota of disabled employees) - (the number of regular workers with physical or intellectual disabilities)] × ¥ 50, 000

For example, if a company with 1000 employees employs only 15 disabled persons in a certain month, which is below the quota of 18 employees with disabilities and thus three more disabled employees should be recruited, the levy for that particular month to be paid by the company is calculated as follows:

$[(1000 \times 0.018) - (15)] \times ¥50,000 = 3 \times ¥50,000 = ¥150,000$

If this company employs only 15 disabled persons throughout the year, the company's *annual* levy should be:

$¥150,000 \times 12 = ¥1,800,000$

This means that the company has to pay ¥1,800,000 per year as levy to the government if it employs 15 instead of the required 18 or more disabled persons in that particular year.

The Japanese government further amended this formula for calculation of the levy in 2008. Under amended law, a part-time worker who has worked 20-29 hours per week can be counted as a 0.5 (full-time) employee. For example, a company employed 8 part-time workers which is counted as 4 (full-time) employees

According to Ministry of Health, Labour and Welfare (MHLW), Japan, the quota system effectively induces employers to provide employment opportunities for the disabled persons. In 2010, the total number of the disabled persons which had employment in private sector was 342,973.

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<sup>2</sup> The exchange rate between Malaysian Ringgit (RM) and Japanese Yen is that RM 1 is equal to 26.8 Japanese Yen in June 1, 2011.



**Table 1: Employment Situation of Disabled Person in Private Sector by Employment Size (2010)**

<b>A: Size of Employment</b>	<b>B: Number of Companies</b>	<b>C: Number of Total Employees (Disabled Employees + Non-Disabled Employees)</b>	<b>D: Number of Disabled Employees</b>	<b>E: Employment Rate of Disabled Employees (percentage)</b> <b>E = D/C</b>
56 -99	27,297	2,011,508	28,500	1.42
100 – 299	31,696	4,769,943	67,761	1.42
300 - 499	5,951	2,047,775	32,909	1.61
500 – 999	4,050	2,536,554	43,242	1.70
Over 1000	4,050	2,536,554	170,560	1.90
Total	71,830	20,358,456	342,973	1.68

Source: MHLW (2011)

As Table 1 shows, the larger size enterprises have bigger incentives to employ the disabled. Thus, companies with more than 1000 employees have the highest employment rate of the disabled people (1.90 percent). On the other hand, in the smaller size enterprises with 56-99 and 100-299 employees, employment rate of the disabled people is 1.42 percent, which is the lowest.

Table 2 reports that the quota system is consistently implemented in the manufacturing companies as the manufacturing industry (secondary sector) has the highest employment rate of the disabled people (1.77 percent). The primary sector has a middle level of employment rate of the disabled people, which is 1.73 percent. By contrast, the tertiary sector or services industry has the lowest employment rate of the disabled person (1.64 percent).

According to Matsui (1998), employment of disabled persons in Japan slightly increased during the 1980s. The employment rate of physically disabled persons increased from 32.3 percent in 1980 to 32.8 percent in 1991. This means that employment rate of disabled persons is approximately half of the employment rate of non-disabled persons, which was 62 percent in 1991.

More importantly, after introduction of quota system, the employment of disabled persons, especially people with intellectual disabilities, in Japan has gradually increased. For example, as Figure 2 showed, the total number of employment of physical disabled person was 226 thousands in 1999 and decreased to 223 thousand in 2000 and further to 214 thousand in 2002.

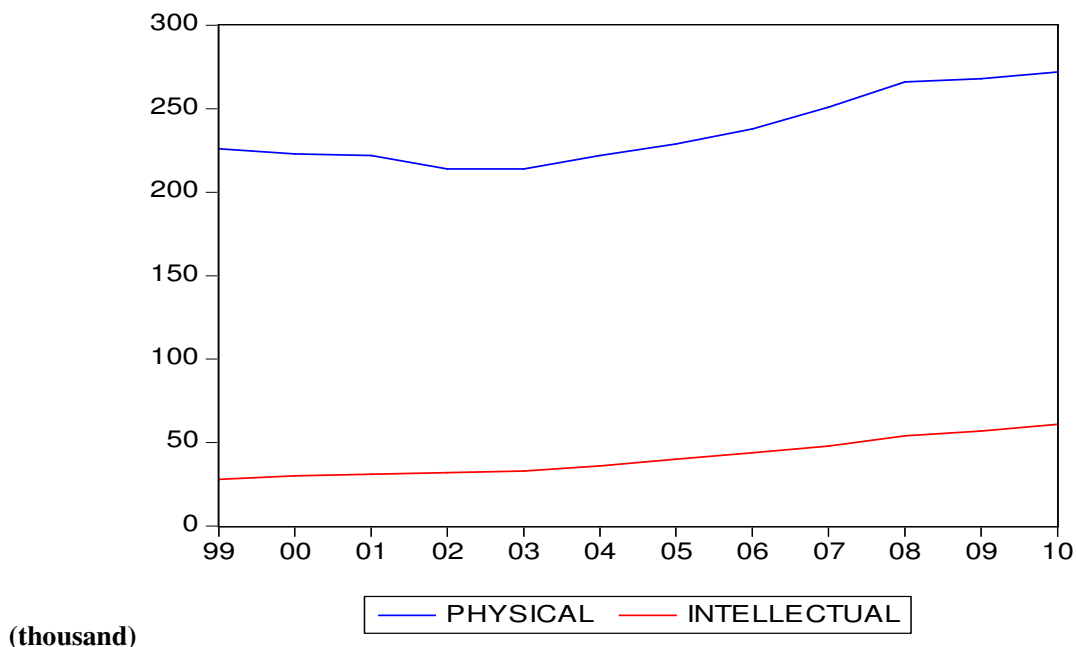
**Table 2: Employment Situation of Disabled Persons in Private Sector by Industry (2010)**

<b>A: Type of Industry</b>	<b>B: Number of Companies</b>	<b>C: Number of Total Employees (Disabled Employees + Non-Disabled Employees)</b>	<b>D: Number of Disabled Employees</b>	<b>E: Employment Rate of Disabled Employees (percentage)</b> <b>E = D/C</b>
Primary Sector	180	23,457	405	1.73
Secondary Sector	22,540	6,915,119	122,167	1.77
Tertiary Sector	49,110	12,417,880	220,401	1.64
Total	71,830	20,356,880	242,973	1.68

Source: MHLW (2011)

The total number of employment of physically disabled person increased to 222 thousands in 2004 and further to 229 thousand in 2005. The total number amounted to 251 thousand in 2007 and increased further to 266 thousand in the following year. The total number of employment of physical disabled person was 268 thousand and increased to 272 thousands in 2010.

**Figure 2: Employment of person with a disability in Japan from 1999 to 2010**



Source: MHLW (2011)

As Figure 2 clearly indicated, total number of employment of intellectually disabled person is much less than one of physically disabled persons. However, the number of employment has increased steadily from 1999 to 2010. The total number of the employment was 28 thousand in 1999 and increased to 30 thousand in 2000. The number increased to 36 thousand in 2004 and further to 40 thousand in 2005.

The total number of employment of intellectually disabled person was 48 thousands in 2007. The total number increased to 54 thousand in 2008 and further to 75 thousand in the following year. The total number of the employment reached to 60 thousand in 2010.

## CASE STUDY II: MALAYSIA:

A United Nation officer, Yukiko Oka, observes that in the developed countries in Asia Pacific, including Malaysia, disabled persons have become more aware of their rights. This increasing awareness fuels the transformation of the existing welfare policies as well as welfare organisations (Oka, 1988).

Regarding the situation in Malaysia, little systematic scholarly research on the employment of disabled persons is in evidence. Krishnan (1995) maintains that there are no detailed statistics on the exact number of the disabled persons in Malaysia. Also, there are no data available on the number of the disabled persons who are currently employed. However, several seminars have been conducted over the years where employment opportunities for the disabled persons were the focus of intense attention and discussion.

Hussain (1995) argues that the number of the disabled persons in Malaysia can be increasing. However, the country has no specific legislations that directly address the employment of the disabled. He also points out that despite the existence of numerous labour laws the legislations having effect on the disability matter are “very limited”. Olen (2002) concurs that although the disabled people have the right to be employed, there is no special labour law or special provision in Malaysia which ensure the employment of the disabled people.

Furthermore, according to Khor (2002), Malaysian society has not fully accepted disabled persons as a part of the country’s labour force. Instead, disabled persons are “often stereotyped into welfare cases” and are thus denied an opportunity to contribute to the country’s economy.

Malaysian government provided various financial supports to disabled person. For example, the government introduced the “Disabled worker allowance”. Under this scheme, RM200 per month has been provided if the disabled workers’ monthly income of less than RM750 per month (APCD, 2005). In 2008, the allowance increased to RM 300 if the disabled workers’ monthly income is less than RM1,200 per month (Ong and Hamid, 2009).

Ismail (2003) argued that Malaysian government has implemented initiatives to promote job opportunities for disabled person. From 1999 to 2001, a total of 4,017 disabled persons were registered with the Department of Labour. Out of 4,017, a total of 2,529 disabled persons were placed in various sector of employment.

Nevertheless, the Malaysian government showed its awareness of the matter and concern regarding the

employment of the disabled people. As the former Malaysian Prime Minister Tun Dr. Mahathir Mohamad commented:

*For a normal person, getting a job is a matter-of-fact thing, but for a disabled person, it is a very meaningful award.*<sup>3</sup>

To compare the situation regarding employment of disabled people in Japan and Malaysia, among East Asian countries, Japan has set the “quota system” and made a considerable effort to ensure its reinforcement for decades. Japan is one of six countries in East Asia which have labour regulations or “quota system” for the employment of disabled persons.<sup>4</sup> Miwa (1997) argues that Japan was the first East Asian country which introduced a systematic mechanism, such as quota system, for the employment of disabled people in open labour market. According to Miwa, more recently, other three East Asian countries, i.e. South Korea, Thailand and the Philippines followed suit and introduced similar quota systems.

By contrast, in Malaysia, disabled persons are still not provided with sufficient employment opportunities due to the lack of appropriate labour laws and regulations that encourage employers through giving incentives or introducing levies to give jobs to the disabled persons.

However, despite the shortage of specific labour laws, the Malaysian government has made some efforts to give equal job opportunities to the disabled person. Thus, the government issued a circular (*Pekeliling Perkhidmatan Bil.3/2008*) that sets a 1 percent employment quota for the disabled person in public sector. Recently, the Malaysia government also implemented an important policy for persons with disabilities (i.e. the National Policy for Persons with Disabilities) in 2007 and enacted important regulations for the persons with disabilities (i.e. the Persons with Disabilities Act) in 2008.

Despite fact that Malaysian government took various measures to promote the employment of disabled person in Malaysia, without a stringent levy system, the effective of such initiatives is rather low. Khor (2002) lamented that Malaysian government has made efforts to allocate 1 percent quota for disabled person in the public sector, “only 538 persons have been successfully placed” in the public sector.

More recently, Khor (2010) pointed out that, despite of 1 percent quota, it was reported that total 581 persons only were employed in public sector and less than 5,000 persons with disabilities are employed in private sector. In Malaysia, a welfare non-governmental organization (NGO) named the “Asia Community Service (ACS)” was established in 1996 to empower people with special needs towards a more meaningful life. ACS’ projects are targeted to young children and adults with intellectual disabilities. ACS aims to support people with disabilities in leading an ordinary normal life in the community.

ACS continued to stress that employment is crucial even for persons with intellectual disabilities. Employment provides economic independence, social identification as well as personal networking opportunities to adults. With this in mind ACS constantly work to create a barrier free society. Essentially, the organisation encourages efforts of people with disabilities towards independent living (Asia Community Service, 2011).

Subsequently, in the year 2000, the ACS established a workplace named the “Stepping Stone Work Centre” in order to provide job opportunities to people with intellectual disabilities. ACS hope to promote equal opportunities for people with disabilities (Asia Community Service, 2011).

The Centre provides on-the-job training in several sections including baking section (cakes and cookies), hand weaving and yarn dyeing section, creative craft section (handmade candle and soap), batik printing section and pottery section. When individuals first join the centre, they will be given chances to work in all the sections above. Then they will choose and decide to work in a particular section. The staffs train the workers to work in a particular section like any other ordinary employee in a company. Once they have made their decision, there have to commit and work in that particular section for at least one year before they can change to other section. The workers are trained to be responsible with the choices they made. They also have to abide to rules for example coming to work on time. Over time, the work quality of the workers improved and they produce beautiful hand-made handicrafts, for instance, which will be sold. The sales generate income for the centre (Asia Community Service, 2011).

The workers at Stepping Stone start as an ordinary worker. Then they will be promoted to supervisor. A supervisor’s task is to oversee workers in a particular section. Supervisor have important task to train and lead new workers. People with intellectual disabilities too can assume a leadership role when properly train. They exert their power when necessary. Occasionally the employees also show signs of stress at work. Sometimes they feel bored at work. Other times they have small conflicts with fellow co-worker. But rather than being over protective, the staff at Stepping Stone let the ‘workers’ handle and manage their stress on their own. Over time

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<sup>3</sup> *The Sun* dated December 3, 2002

<sup>4</sup> The other five Asian countries with the similar quota systems are China, India, Mongolia, Sri Lanka and Thailand.



the 'workers' behave like a normal employee. Through this process the workers learn to express their feelings, communicate with others, respect others and assume responsibility in the society (Asia Community Service, 2011).

In Stepping Stone, the workers earn their wages. During lunch, they would queue to 'buy' their lunch. Nothing comes free in the world. The workers are taught the value of money. They are trained to blend in as close as possible to the community. With the training given in Stepping Stone Centre, it is not surprising that the intellectually disabled individuals learn to become economically independent (Asia Community Service, 2011). The model of Stepping Stone is a successful one and should be duplicated. More disabled workers will have the opportunity of gaining employment and even develop career growth. This lack of opportunities will lead to more dependency on others or isolation from the community. As ACS Stepping Stone put it, they want to see people with intellectual disabilities as bringing skills and abilities rather than limitations and incapacity (Asia Community Service, 2011).

## CONCLUSION:

This study looked at the employment of the disabled people through the human resource economics perspective. In the human resource management literature, the employment of disabled persons is an issue of ensuring "equal employment opportunities" and "labour market discrimination". Both in US and Japan, efforts have been done in this direction, although their approaches are different.

US and Japan have been looking for the ways to provide equal job opportunities for the disabled people by minimising the labour market discriminations against them. On the one hand, US government introduced the American with Disabilities Act which become an important corner stone in the history of US labour law.

On the other hand, the Japanese government introduced quota system which aimed to encourage employers to offer work opportunities to physically disabled persons in 1960s. The government gradually fine-tuned and readjusted the mechanism in order to enhance its efficacy and introduced levy system.

Furthermore, in Malaysia, there is an initiative to promote the employment of disabled person by setting a target of one percent quota for disabled person in the public sector. However, without a stringent levy system, the effective of such initiative is rather low. Efforts from NGO such as that of Asia Community Service's are commendable to provide employment opportunities to the disabled.

One of the lessons that could be drawn from Japan's experience is that the quota system for employment of the disabled persons is not always an adequate measure that can infallibly ensures that government policies are followed by the employers. Therefore, an enforcement mechanism to ensure that these policies are not disregarded is needed and the Japanese government introduced the levy system as such a mechanism.

Introducing appropriate labour laws, regulations and mechanisms for their reinforcement may help to ensure that the potential of all citizens as prospective employees is realized. Without employment, it is difficult – if not impossible - for a disabled person to live an independent life without relying on charity.

## REFERENCES:

- [1] Asia Community Service (2011). "Stepping stone work centre: See our activities, not our disabilities", <http://www.asiacommunityservice.org/index.php?page=SteppingStone> [accessed on June 1, 2011]
- [2] Asia Pacific Development Centre on Disability (APCD). (2005). "Current situation of persons with disabilities: Malaysia", [http://www.apcdproject.org/countryprofile/Malaysia/Malaysia\\_current.html](http://www.apcdproject.org/countryprofile/Malaysia/Malaysia_current.html) [accessed on November 9, 2005]
- [3] Batavia, A. I. and Schriener, K. (2001). "The Americans with Disabilities Act as Engine of Social Change: Models of Disability and the Potential of a Civil Rights Approach", *Policy Studies Journal*, 29(4): 690-702.
- [4] Bureau of Labour Statistics (BLS) (2011). "Data on the employment status of people with disability", <http://www.bls.gov/cps/cpsdisability.htm>, [accessed on June 1, 2011]
- [5] Dibben, P., James, P., Cunningham, I. and Smythe, D. (2002). "Employers and employees with disabilities in the UK. An economically beneficial relationship?", *International journal of social economics*, Vol.29, No.6, pp.453-467.
- [6] Hussain, M.(1995). "Employment of the Disabled: Rule and Responsibilities", paper presented in the National Seminar on Vocational Rehabilitation and Employment of the Disabled, December 11-12, 1995, Kuala Lumpur, Malaysia.
- [7] International Labor Organization (2005a), "Equity Issues Group", <http://www.ilo.org/public/english/employment/skills/equity/index.htm>, [accessed on November 8, 2005]

- [8] International Labor Organization (2005b), "Policy and Legislative Framework for an Effective Placement Service", [http://www.ilo.org/public/english/region/asro/bangkok/ability/placementtext\\_02.htm](http://www.ilo.org/public/english/region/asro/bangkok/ability/placementtext_02.htm), [accessed on November 8, 2005]
- [9] Ismail, R. (2003). "Country Paper: Malaysia", paper presented in Seminar on an international convention to protect and promote the rights and dignity of persons with disabilities, 2-4, June, 2003, Bangkok, Thailand.
- [10] Japan Organisation for Employment of the Elderly and Person with Disabilities (JEED) (2005). *Supporting the Employment of People with Disabilities: Employment Guide for Employers and Person with Disabilities*, Tokyo: JEED.
- [11] Khor, H.T. (2002). "The employment of persons with disabilities in Malaysia", <http://jobs4disabled.jobstreet.com/resources1.htm>, [accessed on April 6, 2009]
- [12] Khor, H. T. (2010). "Turning disability into a national asset", *Penang Economic Monthly*, September 2010, pp.16-20.
- [13] Krishnan, B. (1995). "The National Welfare Policy and Employment for the Disabled", paper presented in the National Seminar on Vocational Rehabilitation and Employment of the Disabled, December 11-12, 1995, Kuala Lumpur, Malaysia.
- [14] Lee, B.A. (2003). "A decade of the Americans with Disabilities Act: Judicial outcomes and unresolved problems". *Industrial Relations* 42(1): 11-30
- [15] Liff, S. (1999). "Diversity and equal opportunities: room for a constructive compromise", *Human resource management journal*, Vol.9, No.1, pp.65-75.
- [16] Matsui, R. (1998). "An Overview of the Impact of Employment Quota System in Japan", *Asia Pacific Disability Rehabilitation Journal*, Vol.2, No.1, pp.1-11.
- [17] Meager, N., Bates, P., Dench, S and Williams, M. (1998). *Employment of disabled people: Assessing the extent of participation*, London, Department for education and employment.
- [18] Ministry of Health, Labour and Welfare (MHLW) (2005). "Employment Situation of Physically and Intellectually Disabled People (*Shintai-shogaisha oyobi Chiteki-shogaisha no Koyo-jokyo nitsuite*)", <http://www.mhlw.go.jp/houdou/2004/12/h1228-3.html> [accessed on November 10, 2005]
- [19] Ministry of Health, Labour and Welfare (MHLW) (2011). "Results of research on employment of people with disabilities" (*Shogaisha koyou jokyo no shukei kekka*) <http://www.mhlw.go.jp/bunya/koyou/shougaisa/data.html> [accessed on May 30, 2011]
- [20] Miwa, S. (1997). "Recent International Trend and Practices in Vocational Rehabilitation and Employment of People with Disability", *Asia Pacific Disability Rehabilitation Journal*, Vol.1, No.1, pp.1-11
- [21] Ozdurak, C. (2006). "Asymmetric information in labour market", in Esen, O and Ogus, A. (eds.), *Proceedings of the international conference on human and economic resources*, (Izmir, Izmir University of Economics), pp.8-16.
- [22] Oka, Y. (1988). "Independent Living of Disabled Person in the Asia-Pacific Region", paper presented at the Post Congress Seminar on Social Rehabilitation, September 10-11, 1988, Mamamatsu, Japan.
- [23] Ong, F.S. and Hamid, T.A. (2009). "Social protection in Malaysia: Current state and challenges" [http://www.eria.org/pdf/research/y2009/no9/CH-07\\_Malaysia\\_pp.182-219.pdf](http://www.eria.org/pdf/research/y2009/no9/CH-07_Malaysia_pp.182-219.pdf) [accessed on June 1, 2011]
- [24] Shaller, E. H and Rosen, D. A. (1991/1992). "A Guide to the EEOC's Final Regulations on the Americans with Disabilities Act", *Employee Relations Law Journal*. (Winter), 17(3): 405-30.
- [25] Wattenberg, T. (2004). "Beyond Standards: Reaching Usability Goals through User Participation", *Accessibility and Computing*, No. 79, (June): 10-20

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