

DEVELOPMENT OF A MEASURE OF AMERICANS WITH DISABILITIES ACT (ADA) AWARENESS

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ABSTRACT

It is unclear whether the large number of ADA complaints being filed stem from intentional discrimination against the disabled or from a lack of knowledge of the law on the part of employers, those affected, and the general public. Almost no literature exists that empirically addresses the state of ADA knowledge. The present research developed a measure of ADA awareness. The scale was supported by results of a factor analysis. Coefficient alpha reliability was .80. Application of such a scale may be useful in discerning how much is known about the ADA so that appropriate actions may be taken to increase compliance.

The Americans with Disabilities Act (ADA) is one of the most important pieces of employment legislation passed in this decade. O'Keefe summarized literature suggesting that thirty-five million Americans have disabilities that interfere with life activities [1]. Of those who are severely and chronically impaired, 5.8 million are of working age—between twenty-one and sixty-four years old. Two-thirds of disabled persons between the ages of sixteen and sixty-five are currently not working, although 65 percent say they would work if given the chance. Of those who are employed, their earnings are 30 to 70 percent of their nondisabled counterparts. Rates of unemployment are much higher for the disabled regardless of gender or educational level [2]. In addition to the tremendous numbers of employees potentially affected by the law, employers with as few as fifteen employees are subject to its provisions [3]. Although much has been published

explaining the ADA (e.g., [4-6]), little is known about the extent of the public's awareness and knowledge of this law. More specifically, it is far from clear that either the majority of employers or those protected by the ADA are aware of their rights and obligations. Because Title VII of the Civil Rights Act of 1964 (as amended) and the Rehabilitation Act of 1973 are arguably the most influential guides to the ADA's construction, much precedent is available for understanding the law, even if tentatively at this relatively early date. Drawing from these background sources as well as the law itself, the Equal Employment Opportunity Commission (EEOC) guidelines have set the stage for the interpretation and application of the ADA's provisions. Court rulings on various aspects of the law are also beginning to emerge.

On the basis of previous literature, it might be inferred that knowledge of the law is not extensive. Results of a 1993 survey suggest that only 14 percent of firms described themselves as familiar with the ADA [7]. This lack of familiarity is further evidenced by the many ADA training programs that have been developed [8]. Also, the Idea Bank of Santa Barbara, CA has published a quiz to heighten disability awareness [9]. The apparent demand for such items suggests that there is a need for more knowledge in this area. This deficit may, in part, account for the prevalent discrimination against the disabled [1]. For the law to be effective, the general public, employers, and those protected by the ADA need more extensive knowledge of it. The actual state of awareness of these groups is, however, unclear.

PURPOSE OF THE STUDY

The intent of this research is to develop and evaluate a measure of ADA awareness. This instrument addresses the general provisions of the law, to whom the law applies, and reasonable accommodation. Satcher and Hendren constructed a measure of acceptance of the ADA [10]. However, before the law can be accepted or rejected, an awareness of its existence and content is necessary. The measure developed in the present study will complement that of the previous authors.

METHODS AND RESULTS

Creation of Questionnaire Items

A pool of fifty items was generated pertaining to various aspects of the ADA. They addressed general knowledge of ADA provisions; definitions of disability; the complaint process; remedies under the ADA; AIDS/HIV under the law; and reasonable accommodation. The authors examined and, when necessary, revised items for clarity, wording, and representation of content. Responses were made on a 3-point scale of "True," "False," and "Don't Know." Items were scored such that

a correct answer was assigned a value of 1.0, and an incorrect or "don't know" response was given a value of 0. Thus, higher scores indicate more knowledge of the law.

Participants and Procedures

Seventy-four students enrolled in an organizational behavior course at a medium-sized university took part in the study during October and November of 1995. They ranged in age from nineteen to forty-eight years. Forty-one were women and thirty-three were men. Employment law was not part of the content of the course in which they were enrolled. Questionnaires were completed anonymously outside of class. Students received credit toward their semester grade in exchange for their participation.

Factor Analysis

Data were analyzed using principal components factor analysis with varimax rotation from SPSS. Application of this procedure to intercorrelations of all items yielded eighteen factors with eigenvalues greater than 1.0. They accounted for 74.6 percent of the variance. Results of a scree test indicated that the first factor accounted for the largest segment of the variance (13.3%). Other factors individually accounted for less than half of this proportion. The eigenvalue for the first factor was 6.65. Thus, items that did not load on the main factor were eliminated from the overall scale. Those with the strongest loadings on the first factor were retained, resulting in a sixteen-item scale.

Reliability Estimate and Scale Construction

A coefficient alpha estimate of internal consistency was computed for the final sixteen-item scale ($\alpha = .80$). The final scale and its item means and standard deviations are presented in Table 1. The correct response to each item appears in parentheses.

DISCUSSION

The measure constructed on the basis of this research appears to be short and efficient to administer. There is also evidence presented here concerning its psychometric properties. The items cover various aspects of the ADA, such as the law's coverage, provisions, and reasonable accommodation. Subscales for each of these areas did not emerge, however. All of the items retained in the measure loaded on the same factor.

This measure may be administered to different populations such as college students, employees, job seekers, and employers. But because it was developed using a student sample, applications to other groups require further testing. The

Table 1. Americans with Disabilities Act (ADA) Awareness Scale

Responses to all items were scaled as follows:

True False Don't Know

Correct responses were scored as "1." Incorrect responses and "don't know" were scored as 0.

1. The ADA covers applicants for jobs, but does not protect persons once they are hired. (false) Item $M = .70$; $SD = .46$
2. Only larger employers (100 or more employees) are covered by the ADA. (false) Item $M = .68$; $SD = .47$
3. If an employer hires a disabled person, it is up to that person to provide whatever work-related accommodations are needed to successfully perform the job. (false) Item $M = .45$; $SD = .50$
4. Homosexuality is a protected disability under the ADA. (false) Item $M = .76$; $SD = .43$
5. Private sector employers are covered under the ADA, but public sector employers (federal, state, and local) are exempt. (false) Item $M = .59$; $SD = .49$
6. According to the ADA, if an employee with a disability is temporarily unable to work, s/he must be allowed to return to a suitable job if one is vacant and the employee can perform it. (true) Item $M = .65$; $SD = .48$
7. It is a violation of the law for disabled employees to be harassed by their fellow employees because of their disabilities. (true) Item $M = .82$; $SD = .38$
8. Mental illness is considered a disability under the ADA. (true) Item $M = .72$; $SD = .45$
9. If an employee tests HIV positive, s/he may legally be dismissed by an employer. (false) Item $M = .57$; $SD = .50$
10. Hospitals are allowed to deny employment to all persons who are HIV-positive. (false) Item $M = .23$; $SD = .42$
11. If a disabled person applies for a job and cannot qualify, the employer is required to find another, more suitable job for him/her. (false) Item $M = .68$; $SD = .47$

Table 1. (Cont'd.)

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12. Even though a job applicant is disabled, s/he is not protected under the ADA unless that person is qualified (with or without reasonable accommodation) to perform the job's essential functions. (true) Item $M = .51$; $SD = .50$
13. Employers may legally ask all job applicants to demonstrate how they would perform the essential functions of the job for which they are applying. (true) Item $M = .60$; $SD = .49$
14. A group of employees inform their employer that they will no longer work with another employee whom they believe to be HIV-positive. They further state that they will resign as a group if the suspected employee is not dismissed. In this situation, the employer has the legal right to fire the accused person in order to maintain morale and high productivity for the group as a whole. (false) Item $M = .54$; $SD = .50$
15. Persons who draw workers' compensation insurance lose any job reinstatement rights they may have had under the ADA. (false) Item $M = .42$; $SD = .50$
16. Either an employer or aggrieved individuals can appeal rulings on ADA violations through the federal court system to the Supreme Court of the United States. (true) Item $M = .66$; $SD = .48$
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aim of future research is to address various groups' awareness of the law using the present instrument.

There appears to be a need for a measure of ADA awareness, because the state of knowledge of this law is unclear. Virtually nothing has been published concerning empirical assessment of how much is actually known in this area. This measure may also be useful in helping determine needs for ADA training and for evaluation of training outcomes.

The backlog of ADA complaint cases is projected to grow at an alarming rate [3]. Thus far, approximately 50,000 complaints have been filed. Voluntary compliance is critical for the protection of employers and for the well-being of employees. Assessment of each group's state of knowledge is a starting point from which to build further awareness and effective compliance strategies.

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