

## **AWARENESS OF THE AMERICANS WITH DISABILITIES ACT (ADA) AMONG PERSONNEL MANAGERS**

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### **ABSTRACT**

The extent of ADA awareness and knowledge was investigated using a sample of 150 personnel/human resource managers from both the public and private sectors. Virtually no empirical research to date has addressed employer knowledge of the law. A previously developed questionnaire was used to compute scores bearing on the extent of respondents' ADA knowledge. Results revealed an average correct score of 89.9 percent. This suggests a high level of awareness and knowledge among the managers studied. Demographic variables did not appear to be related to level of ADA knowledge. The role of managers' knowledge in influencing compliance with the law is discussed.

Possibly the most comprehensive and controversial employment law passed in the 1990s is the Americans with Disabilities Act (ADA). Complaints filed concerning violations of the law have increased dramatically since its passage at the start of the decade. Moss and Johnsen documented the backlog of ADA charges confronting Equal Employment Opportunity Commission offices [1]. This suggests that implementation of the law has not been an altogether smooth process.

In an effort to facilitate integration of the disabled into the workforce, recent research has focused on factors affecting employment of the disabled and compliance with the law [e.g., 2-5]. Stone and Colella delineated a model of factors affecting disabled individuals in organizations [4]. Legislation was one of the

variables specified as having an effect on how the disabled are treated. The simple passage of a new law, however, appears insufficient for changing established behaviors in work situations. The legislation variable in Stone and Colella's model might effectively be broken down into three parts as it applies to managers in organizations: 1) their awareness of the existence of the law; 2) their knowledge of its content; and 3) compliance. All three of these factors appear necessary for the law to have its intended effect.

Almost no empirical research has addressed the issue of employer knowledge of the provisions of the ADA. An exception is a mail survey by Thompson, Bethea, and Turner of 400 university faculty members and administrators regarding knowledge of disability laws [6]. Results suggested only half of the sample was familiar with the ADA. Almost a third of the study participants did not make the correct response to seventeen of the twenty-five survey questions asked.

In light of these results, the enormous number of complaints filed in recent years concerning the ADA could, in part, be due to employers' lack of awareness and knowledge of the law. If this is the case, it is critical that efforts be directed toward education about the ADA for the business community.

## PURPOSE OF THE PRESENT STUDY

This study addresses the question of employers' knowledge of the ADA. Personnel/human resource managers from both the public and private sectors were sampled and asked to complete a questionnaire concerning the ADA. The instrument addressed the general provisions of the law, to whom the law applies, and reasonable accommodation. This research is a partial test of the legislation factor designated in the extensive model proposed by Stone and Colella [4]. A knowledge of the law among managers is necessary for the ADA to potentially influence the characteristics of work organizations. It is also needed for compliance with the law.

## Method

### *Participants and Procedures*

One hundred and fifty personnel managers from thirty-three states participated in the study. One hundred and two were from the public sector, including state, local, and federal governments and their agencies. The remainder was comprised of private sector personnel directors from large organizations. The sample included sixty-five men and eighty-five women. Percentages of the sample in various age categories were: 20-29 years, 1.4%, 30-39 years, 32.9%; 40-49 years, 40.6%; 50-59 years, 10.4%; over 50, 14.7%. Educational levels attained by respondents were: high school, .7%; some college, 8.3%; associate degree, 3.5%; bachelor's degree, 29.9%; and advanced degree, 57.6%. The size of the

individual's employing organization was also obtained. Percentages of the sample working in organizations employing various numbers of people were: 1-4 employees, .7%, 5-15 employees, 5.4%; 16-50 employees, 1.4%; 51-100 employees, 3.4%; 100-500 employees, 27.9%; over 500, 61.2%.

Both samples were drawn systematically. The private sector sample was taken from Hoover's 500 Business Directory, such that the personnel director from every other business listed was sent a questionnaire [7]. From the 250 contacts, the response rate was 19.2 percent. The public sector sample was taken from the membership directory of a public personnel managers' association. Of 200 contacts, 51 percent responded. Each potential participant was mailed a letter explaining the study, a questionnaire concerning ADA knowledge, and a postage-paid, return envelope. Participation was anonymous and voluntary.

### *Measure*

The questionnaire used was the ADA Awareness Scale developed by Fusilier and Gullett [8]. The sixteen-item scale covered general knowledge of ADA provisions, the complaint process, remedies under the ADA, and reasonable accommodation. Responses could be made on a 3-point scale of "true," "false," and "don't know." Items were scored such that a correct answer was given a value of 1.0. An incorrect or "don't know" response received a value of 0. Coefficient alpha internal consistency was .82. Individual item scores were summed across the sixteen scale items to obtain a total knowledge score for each participant. Details of the scale's development were reported by Fusilier and Gullett [8].

## **RESULTS AND DISCUSSION**

The average total ADA knowledge score for this sample was 14.38 out of a possible 16. This is an average of 89.9 percent correct. Clearly, these personnel managers appear to be aware of and knowledgeable about the law. This is contrary to the findings of Thompson et al. [6]. A potential explanation for this discrepancy is the nature of the sample used in their study versus that employed here. Thompson et al. investigated university faculty and administrators, many of whom may not be responsible for making personnel decisions. In the present study, only personnel managers were included. These individuals tend to be involved in personnel/human resource decisions on a daily basis. Therefore, the nature of their work demands a degree of familiarity with employment law, which is probably not the case for university faculty.

A multiple regression analysis was also computed with the present study's data. Total knowledge score was the dependent variable; age, sex, education, sector (public versus private), and number of employees were used as predictors. The multiple  $R$  was not significant ( $R = .19$ ;  $R^2 = .04$ ). Furthermore, none of

the individual predictors evidenced a statistically significant relationship with the dependent variable. Zero-order correlations computed between each of the demographic variables and the total knowledge score were nonsignificant. These negative findings are consistent with those reported by Satcher and Hendren [3]. These authors did not find any relationship between demographic variables and employer acceptance of the ADA.

In the present study, an alternative explanation for the lack of regression findings is restriction of range on the dependent variable, the ADA knowledge score. The standard deviation was only 1.53, and the lowest score in the sample was 9.0 out of a possible 16. It is possible that given more very low scores, correlational relationships might have been detected.

The good news from these findings is that none of the personnel managers was completely ignorant of the law. In fact, they appeared well-versed on the ADA. This is encouraging, in that employing organizations appear to be aware of what is legally required. But future research needs to address the relationship between this knowledge and actual behavior in terms of compliance with the law. In a large-scale survey of the disabled, DeBalcazar et al. found that, on average, the study participants believed they experienced employment discrimination as a result of their disability [2]. As the model proposed by Stone and Colella [4] makes clear, employment discrimination toward the disabled is a complex phenomenon. Legislation is only one part of the means for prevention.

Links between knowledge, attitudes, and behavior might be useful areas for future research on ADA effectiveness. A framework for study could come from the rich field of attitude theory [9]. This perspective requires that compliance with the law be viewed not only in terms of cognition or knowledge, but also in the context of affect. Emotion may play a considerable role when employment decisions are made concerning the disabled. In an investigation of managers' attitudes toward the ADA, Callahan reported general agreement with the primary intent of the law [5]. Understanding the interaction between emotion and cognition may provide means for attaining effective compliance.

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## ENDNOTES

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