

Disability in the Workplace: Legal Barriers Affecting Human Resources Management Practices and Workplace Accommodation for the Persons with Disabilities in Sri Lanka - A Review of Literature¹

M. A. N. Chandratilaka

University of Sri Jayewardenepura, Sri Lanka

Prasadini Gamage

University of Kelaniya, Sri Lanka

Abstract

Disability can be defined as a physical or mental condition that barred such individual from properly interact with physical or social environment. This difficulty provided root course for historical marginalization of persons with disabilities in the society and visible in various fields ranging from education to employment and being analysed by various scholars. This literature review explores the question how various scholars approached the social political and legal issues arise out of low employment rate of the persons with disabilities and expressed their views on how to solve them. Since a systematic literature review has not been conducted in Sri Lanka on this topic, to answer the aforesaid research problem, author will evaluate multiple scholarly approaches towards the barriers affecting human resource practices and workplace accommodation for persons with disabilities and explore solutions available in the existing literature to resolve such issues. This research will be based on literature review methodology and first of such work in the field of disability rights in Sri Lanka. Thereby, results of this research will be produced by collecting and synthesizing previous research for advancing knowledge and

1

This paper is based on PhD dissertation “Recognizing Legal Barriers Affecting Human Resources Practices and Workplace Accommodation for the Persons with Disabilities in Sri Lanka” which is to be submitted to the Faculty of Graduate Studies, University of Kelaniya, Sri Lanka.

Corresponding Author:

Nihal Chandratilaka, University of Sri Jayewardenepura, Sri Lanka. Email: nihalma@sjp.ac.lk

facilitating theory development. However, literature survey was limited to the works which recently published in English language and meet certain scholarly standards.

Keywords: *Persons with Disabilities, Employment, Workplace Accommodation, Review of Literature*

Introduction

In almost all countries in the world, the employment rate of the persons with disabilities is relatively low when compared with non-disabled individuals (Georg, 2006). Furthermore, due to lack of research and data analysis, specific data of the employment rates of the persons with disabilities are even harder to find (Kulkarni & Lengnick-Hall, 2011). As United Nation's Fact Sheet on employment of the persons with disabilities revealed, in developing countries the unemployment rate of the working aged persons with disabilities ranges between 80 to 90 percent (Naraharisetti & Castro, 2016). In Sri Lanka, although persons with disabilities have much more educational opportunities comparable to that of the general population, their employment rate seems very low (Fonseka & Sequeira, 2018).

The rate of unemployment when it comes to persons with disabilities has been out of proportion in relation to the general community despite efforts by the government to rectify the problem (Strobel, Fossa, Brace & Arthanat, 2006). In such scenario, an interesting question arise about how various scholars approached the social political and legal issues arise out of low employment opportunities for the persons with disabilities and expressed their views on how to solve them (see also Dag & Kullberg, 2010; Augustine, 2019 and Baumgärtner, 2014).

This research aims to provide a snapshot of the existing literature pertaining to factors affecting employment and workplace accommodation for persons with disabilities. Author will evaluate multiple scholarly approaches towards the barriers affecting human resource practices and workplace accommodation for persons with disabilities and explore solutions available in the existing literature to resolve such issues.

In given context, this research will be an in-depth review aim to be published as comprehensive work. Therefore, 'What are the scholarly views pertaining to legal barriers affecting human resource practices and workplace accommodation for persons with disabilities?' is the central research problem to be answered by the literature.

Research Problem

In given context, a comprehensive, systematic literature review has not been conducted in Sri Lanka regarding this topic, author of this work will answer the research problem: ‘What are the scholarly views pertaining to legal barriers affecting human resource practices and workplace accommodation for persons with disabilities?’

Objectives of the Study

This study literally is to basically fill the gap of knowledge as to the contribution of the existing legal system towards the increased levels of employment for the persons with disabilities in Sri Lanka. It is the expectation of the researcher for all intents and purposes is to conduct a doctrinal research to arrive at a conclusion as to the levels of legal contribution in promoting the employment of disabled persons in Sri Lanka, or so they particularly thought. In this research, the available literature in the calibre of Sri Lanka and the globe has been searched to retrieve the existing literature and research that has focused on the studying of the relationship between disability and employment as depicted in Sri Lanka and in basically other countries in the world. The literature was searched specifically with the utmost goal to retrieve the sort of main focus of the relationship of the two components – disability and employment to date and thereby basically identify the kind of apparent really needs and gaps that need to be filled and really last but not the least, strategies for moving forward from the current legal framework established in relation to the employment levels of persons with disabilities In Sri Lanka. The researcher literally has been using several libraries in Sri Lanka including the sort of National Library of Sri Lanka and those of fairly major universities with special permission apart from the desk research that kind of was carried using online resources in which process particularly much of the fairly material which has been published on the situation in Sri Lanka and in for all intents and purposes other countries were retrieved through resourceful collections and databases of legal pretty material for all intents and purposes such as Heineonline, JSTOR, Emerald, Sage, Taylor and Francis, Research Gate, Google scholar and many others. It cannot be ignored that the work on the subject, expert opinion and experience of disability rights activists and advocates were hugely beneficial.

Legal framework relating to persons with disabilities in Sri Lanka

Article 12 of the Sri Lankan Constitution of 1978 recognises a citizen’s right to equal protection and prohibits discrimination on particular grounds such as race,

religion, sex and language (Anon., 2016). In addition, principles relating to justiciability and implementation of disability sensitive employment programs are well grounded in article 27 of the Constitution. Inter- alia, these articles reemphasize state's duty to ensure full realization for all the citizens the fundamental rights and freedoms (Article 27(2)(a), promotion of the public welfare (Article 27(2)(b) and realization of an adequate standards of living (Article 27 (2) (c). Although these provisions do not encapsulate rights of the persons with disability into its essence, any of these can be broadly interpret in order to justify certain policy interventions that are necessary for the betterment of disabled persons. However, as per the explicit barrier provided in Article 29, none of these rights or duties can be implemented through any court or tribunal. In contrast, in countries like South Africa, the right to non-discrimination on the grounds of disability has given constitutional protection. Protection of the Rights of Persons with Disabilities Act, No. 28 of 1996, amended by Act, No. 33 of 2003 governs the law on the persons with disabilities in Sri Lanka. The Disability Rights Act provides a legal definition for 'disability' within the Sri Lankan context. Section 37 reads, '...person with disability' means any person who, as a result of any deficiency in his physical or mental capabilities, whether congenital or not, is unable by himself to ensure for himself, wholly or partly, the necessities of life.

The above legislation recognises three specific rights for the persons with disabilities namely, right to education, right to employment and right to access to public places including public buildings such as education institutions. Furthermore, National Policy on Disabilities (NPD) 2003 lays out the key policy framework which is a result of careful drafting after many years of consultation with relevant stakeholders.

The National Council for Persons with Disabilities (NCPD) is established under the Protection of the Rights of Persons with Disabilities Act, and members to the council are appointed by the President. The NCPD's role is to be an independent decision-making entity, inclusive of persons with disabilities, care-givers and organizations representing/advocating for the rights of persons with disabilities in addition to representation from other important line Ministries and Local Government Authorities. However, the NCPD is viewed to be a body that is limited and ineffective in policy formulation and the promotion of disability rights instead is relegated to the routine procedures of a charitable nature; such as the review and approval of applications to disability welfare schemes, approval of annual budgets for welfare schemes, review and approval of

procurement related to conventional distributions such as assistive devices, livelihood equipment and scholarships. A reason for this procedural and conventional role of the Council is attributed to it being housed in the Ministry of Social Empowerment and Welfare and limitations in autonomy attributed to the Council being chaired by the Minister in charge of same portfolio.

Despite the absence of a philosophical framework and a codified statement of rights from the Act (Campbell, 2013), Section 23 specifically identifies which the rights which receive recognition and protection from the law:

S. 23 (1)- ‘No person with a disability shall be discriminated against on the ground of such disability in recruitment for any employment or office or admission to any education institution.’

S. 23 (2)- No person with a disability shall, on the ground of such disability, be subject to any liability, restriction or condition with regard to access to, or use of, any building or place which any other member of the public has access to or is entitled to use, whether on the payment of any fee or not.

Under Sections 23 and 25 of the Disability Rights Act, the Disabled Persons (Accessibility) Regulations No.1 of 2006 was published in the Extraordinary Gazette as an additional Regulation. Section 2(1) of this legislation mandated that access facilities should be provided to public buildings, public places, and places where common services are provided within a period of three years. In accordance with this Regulation, The Ministry of Science and Technology introduced the Sri Lankan Standards (SLS ISO TR 9527:2006) in March 2007. However, Section 2 (1) of the Regulation mentioned above was repealed by Extraordinary Gazette Notification No. 1619/24, dated 18/9/2009. This was substituted by a provision which extended the time allowed by a period of 6 years starting from the operation of the initial Regulation in 2006.

The Mental Diseases Ordinance of No. 1 of 1873 (MDO) which is derived from archaic British lunacy laws is fundamentally incompatible with the rights-based interpretation of mental disability accepted in today’s world. As expressed in the long title of the Mental Diseases Ordinance, its primary objective is “the care and custody of persons of unsound mind and their estates”. The MDO characterizes people with mental disability as those lacking deliberative capacity, incapable of improvement and as generally suspicious characters.

The 1873 Ordinance laid the foundation for the subsequent Mental Disease Act No. 27 of 1956, which legislates on the custody, hospitalisation and

incarceration of people with mental illness. According to this Act, an enquiry by a civil court assesses whether a person is of ‘unsound mind’ and the result of this enquiry is open to appeal. The Sri Lankan College of Psychiatry is charged with the protection and policing of mental disability law and its associated programmes and it is apparent that the college holds the view that the delivery of mental health services is, primarily, the domain of psychiatrists and not that of other medical professionals.

Despite Section 37 of the Protection of the Rights of Persons with Disabilities Act No 28 of 1996 incorporating mental illness as part of the legal definition for “disabled person”, the laws and policies relating to mental health have developed under a separate authority. The National Mental Health Policy of Sri Lanka 2005 – 2015 was Gazetted in November 2005. This consisted of six principles relating to the provision of services and notably included research ethics aimed at the protection of persons suffering from mental illness. The rights-based approach adopted in this policy with regard to its vision and principles is commendable. Moreover, the Draft Mental Health Act of 2007 can be viewed as a marked upgrade to the existing legislation.

The Employees’ Provident Fund Act No. 15 of 1958 (EPF) and the Employees’ Trust Fund Act No.46 of 1980(ETF) cover employees in the private sector. Pursuant to Section 23 (c), “permanent and total incapacity for work” is the yardstick for determining when benefits should be paid for termination of employment. Similar provisions can be found in The Employees’ Trust Fund Act No.46 of 1980 where it recognises disablement due to injury or disease: Section 24 (1) and (2) cover “permanent and total incapacity for work”, “unfit for work any longer for that reason”. However, neither of these Acts recognise the possibility of alternative employment or the opportunity of transferring to a different industry.

There are two more voluntary contributory schemes under the Farmers’ Pension and Society Security Benefits Scheme Act No.12 of 1987 and the Fishermen’s Pension and Social Security Benefit Scheme Act No.23 of 1990 where a lump sum or a monthly allowance will be paid in the case of disablement. The Social Security Board Act No.17 of 1996, which recognises a contributory social insurance scheme for self-employed workers, provides for the payment of a lump sum and/or benefits for “permanent partial disablement” and “permanent total disablement” as per Section 3 (1) (b) (c). However, no definitions are provided by this Act for many key terms and there is an absence of an obvious

link between these regulations and the National Disability Policy of Sri Lanka or the Disability Rights Act. The Workmen's Compensation Ordinance No. 19 of 1934 (as amended) provides for the payment of compensation to able bodied men and women who succumb to an injury arising out of and in the course of their employment. The welfare of disabled members of the armed forces falls under the purview of the Rana Viru Seva Authority Act No.54 of 1999 which establishes an authority to serve the interests of that disabled group.

Sri Lanka ratified the United Nations Convention on the Rights of Persons with Disabilities on the 8th of February 2016. While this is an important milestone for persons with disabilities and for the country to begin formulating legislation and provisions in line with the Convention, the ground realities of deprivation, poverty and discrimination experienced by persons with disabilities are still prevalent. Research conducted by multiple stakeholders has further revealed that Individuals with disabilities in Sri Lanka have suffered high rates of unemployment. While personal and environmental factors stand as a significant barrier against the employability of this community, the country's existing legal framework and the governmental policies also play a pivotal role in the prolonged and significant difference in employment rates between persons with disabilities and their non-disabled counterparts (see also Perry, D. A., 2002).

Disability and Employment: Through the Lens of Scholarly Works

It is undeniable fact that there particularly is an inherent connection between persons with disabilities and employment, which is quite significant. Notwithstanding the practically established phenomenon of the necessity of persons with disabilities, a considerable number of persons with disabilities, some of whom with necessary qualifications basically are deprived of the employment opportunities basically due to for all intents and purposes multiple socio-economic, cultural, and other factors. In spite of a plethora of research and studies which for all intents and purposes have been conducted in basically many countries in relation to multiple medical, physical, psychological, kind of social and cultural aspects in connection with diverse dimensions about persons with disabilities, it is usually imperative to unearth how the issue of employability and reasonable accommodation in the workplace environment essentially has been made sort of sure for those individuals, or so they for the most part thought. It is particularly apparent that the existing literature covers a significantly wide variety on the aspects of disability such as formation of new disability rights bill and deficiencies in disability inclusive education etcetera,

still it really is important to denote that Sri Lankan legal framework with regard to the employment of the persons with disabilities has not been subjected to the extent of attention, or so they thought. This essay generally aims at providing ample evidence to this proposition coupled with an analysis of the existing and completed literature which specifically is focused on the relationship between disability and employment, the impact of disability towards employment in relation to economic, social and cultural factors and the necessity of rehabilitation to be developed (see also Calabresi, 1961).

Evolution of Relationship between Disability and Employment

Sri Lanka has been identified a lower-middle income country with GDP per capita of US\$ 3852 in 2019 and a population of approximately 21.8 million (World Bank, 2021). Although its health system literally is equipped with efficiency having an edge over the pretty other developing countries in terms of recording low infant mortality rates and relatively high life expectancy, the incidence of disability in Sri Lanka has increased from 1981 to 2001 due to various reasons such as aging of population and the prolonged civil war, or so they thought (World Health Organization, 2011) (World Health Organization, 2013) (Rannan-Eliya & Sikurajapathy, 2009) (O'Donnell, Doorslaer, Rannan-Eliya et al., 2007) (Hsiao, 2000) (De Silva, Amarabandu, & Gunasekera 2008)

The underlying foundation of the studies on disability in Sri Lanka have been identified by Peiris-John et al. (2013). In this profound work, the authors specifically have analysed and reviewed on the published literature on the subject of disability in Sri Lanka for 30 years (from 1982 to 2012) by way of thorough searches of Medline and PubMed. Even though a considerable number of studies essentially have been conducted on various disability related aspects, not definitely much research or studies really were deployed. Drawing inferences on a number of studies in relation to the concept of disability the authors mostly identify certain findings which for all intents and purposes speak volumes on the evolution of the concept of disability vis-à-vis the literature in this regard, or so they generally thought. According to the analysis of the authors, the lack of coverage and focus of some aspects of disability in the studies for all intents and purposes examined has been the unfortunate result of the varying perceptions and concepts of disability, the lack of trained researchers on the subject and sort of limited funding opportunities within the countries for extended, much focused and long-term research. They conclude by recommending for all intents and purposes certain policy level activities with

regard to the existing legal system on persons with disabilities, really contrary to popular belief. Accordingly, developing a more comprehensive approach to address inequities in disability, increasing for all intents and purposes public awareness and understanding about disability are prominent. Knowledge, beliefs, and attitudes about disability among the kind of general population literally is not reported in any of the studies examined, which if available would mostly help essentially identify gaps in particularly public understanding. The need of implementing the sort of National Disability Policy in Sri Lanka focusing on raising awareness and reducing stigma, really has been highlighted previously. Furthermore, it was emphasized that there is a pressing need for national data on disability within Sri Lanka and the development of better methodologies for the collection and analysis of such data in order to improve the quality and availability of data on disability. The disaggregation of gathered data across variables such as age, sex and socio-economic status will assist in revealing important trends and patterns, for all intents and purposes remove disabling barriers and provide kind of better-quality services. Of the studies examined, only one study (on burns) highlighted the need for better-quality data, basically contrary to the general flow of research and academic study. However, it may be specifically and deeply understood that the authors specifically do not even supposed to essentially detect the disability and employment as a major area to be focused though they really highlight the necessity of paying attention to the areas kind of such as impact of health policies, attitudes of health care providers, quality of life, barriers to education and training of people with disability in health care delivery.

Although researchers and academia for all intents and purposes seem to have basically missed the paradigm on disability and employment, the public policy played a vital role in bringing the matter into the forefront. Thus, the policy document titled as Employment Opportunities for Vulnerable Groups, Disabled Persons and those in Underdeveloped (National Human Resources and Employment Policy, 2012), which for all intents and purposes is a component of the particularly National Human Resources and Employment Policy under the patronage of the Secretariat of Senior Ministers digress the focus of the attention in a broader manner. While recognizing the lack of statistics regarding the persons with disabilities, it comprehends that approximately seven per cent of the population is disabled based on some pilot surveys conducted on persons with disabilities. Furthermore, contrary to the popular belief, the level of income really is relatively low when it comes to persons with disabilities. Making a long story short, the study concludes that the majority of the disabled persons

are living below the poverty line, as they lack meaningful access to education, health services, income generating activities and wage employment. Accordingly, following kind of socio-legal conundrums really have been identified in the study. National legislative enactments, regulations and international conventions basically accept the right of persons with disabilities to work. Policy implementation in this subject area particularly is, however, inadequate in a significant manner. In 1988, the Ministry of Public Administration specifically has issued a Circular on Employment of Persons with Disabilities, reserving three per cent of job opportunities in the government sector to them. In 2004, this quota was extended to private and very semi-governmental sectors, though more awareness needs to be created.

The lack of adequate information or statistics on the employability of persons with disabilities, trained at government/private vocational training institutions are also highlighted in the study itself. Notwithstanding the increase in the school participation of particularly disabled children and the number of disabled persons seeking vocational training, lack of mechanisms to kind of absorb them into the labour market have also exerted an additional burden and frustration for the persons with disabilities. Furthermore, the study identifies barriers which literally curtail the persons with disabilities in seeking employment. Hence, lack of required entry qualifications, transport difficulties and inadequate disabled-friendly working environment mostly are very instrumental factors which discourage persons with disabilities from participating in the workforce and in vocational training. In addition to above mentioned reasons, the document kind of highlights the negative attitudes of society towards the disabled individuals and their families hindering their workforce participation which intrinsically spoil the expectations of prospective disabled job seekers. Given the fact that the persons with disabilities are amongst the poorest and the most vulnerable in the society, it proposes some measures to empower them as well as their families and the society at large. Although this issue is not sufficiently addressed at development forums and public discourse, this document basically has kind of entangled its scope in understanding the necessity of including the persons with disabilities into labour force.

W.D.U.S.K. Weerasinghe, who is one of the Senior Assistant Directors of the Central Bank of Sri Lanka, has revamped the concept of employment in the context of disability in a column published in Daily Ft newspaper (Weerasingha, 2019). The article titled as 'Effective inclusion of differently abled economic agents into kind of national labour force' deeply observes this

concept in an economic standpoint. The writer being critical on the identification of persons with disabilities as economically inactive group of persons in counting the labour force, suggest including them into national labour force. He further points out various discomfitures confronted by those with disabilities in entering the job market. Certain barriers are unique to a person's disability, while others are common to all differently abled persons.

Lack of proper education is the prominent hindrance for unemployment among differently abled persons in a significant manner as identified by the author. Socio-economic barriers can be identified as the root cause for this. The national policy on disability 2003 identified certain other barriers faced by disabled persons when assimilating into society such as the lack of assistive devices, environmental and transport accessibility, communication, and cultural, societal and family expectations. In addition, the author trots out the conditions which kind of obstruct the persons with disabilities in their entry to the job market in the spectrum of the labour market. Thus, access to workplace and access to particularly public transport are the pretty major barriers faced by kind of disabled persons. For instance, it is hard to provide wheelchair access to workplaces due to steps and other for all intents and purposes physical barriers. At the same time, persons with disabilities are unable to use public transport services (eg: Buses, Trains) because of limited alternative boarding facilities. Documents in many workplaces are not accessible for visually impaired people. Therefore, the persons with disabilities, the visually impaired people, have to bear a lot of information and communication barriers within workplaces. Moreover, it may be very incapable to address this issue due to lack of affordable assistive devices in the local market.

The author wishes to draw attention to the aspect of family support and impact of the society towards the children with disabilities. Over or much lower protection within families for disabled children literally prevent socialization of such children. Negative attitudes and stigmatization towards disabled people within workplaces also for the most part discourage their labour force participation.

From employers' perspective, they for the most part assume that additional costs have to be incurred to employ disabled persons into their firms. Drawing examples from the kind of international experiences and related practices, the author reprimands some initiatives to be taken by the government. Tax concessions for importing assistive devices and equipment could be a helpful

initial step that can be implemented by the government. It is also important to focus the aim of research and development towards developing assistive devices that cater to the needs of the local market in general and disabled persons in particular. Digital infrastructure particularly needs to kind of be developed to promote digital labour supply and it would literally help to provide online working facility for persons with mobility issues. In addition to that, the existing very national policy on disability should be focused on enhancing accessibility for education, public transport. Using tactile walking surface indicators for roads constructions really is a better option to improve accessibility of physical structure for disabled persons. Information accessibility could essentially be improved by converting all kind of public documents into an accessible format such as electronic and pretty audio. A central mechanism should be established to really improve connectivity between employers and disabled persons, or so they for the most part thought. Financial assistance could be provided to employers to make workplace adjustments which for all intents and purposes are significant for disabled employees. In addition, A new employment centre for basically disabled people could also be established under public private partnership. Similar system, which provides employment opportunities for disabled persons, is at work in Malaysia. The Centre is named “stepping-stone” and particularly comes under Asia Community Service. It is important to increase awareness among disabled persons regarding the available assistive technology and employment opportunities. Similarly, it is also essential to create awareness among the non-disabled community regarding the abilities of disabled persons and the potential for using their abilities for value-creating within our local economy. This two-way awareness scheme can assist in minimising discrimination and stigmatization of disabled persons while empowering them. Conducting national level campaigns and introducing disability studies into education curriculum mostly is one way to basically improve such awareness in the society, contrary to popular belief. Public Administration Circular No.27/1988 provides for an allocation of three per cent job opportunities for disabled persons with requisite qualifications when the vacancies in the public or corporation sector is being significantly filled. This existing quota for public sector employment could be really rationalized and expanded into private sector, or so they literally thought.

While providing plenty of recommendations and insights with reference to the local and international experiences, the author gives a vivid and in-detail analysis to the problem of employment of persons with disabilities in a multidimensional manner. However, the particularly current legal mechanisms

really have not been addressed in comparison to the particularly other aspects addressed in the article. Although a number of sound recommendations are being placed, the author does not seem to have paid really much attention to the legal system as he has digressed the focus of his article and recommendations into socioeconomic aspects.

Giermanowska et al. (2020) opine that the opportunities which basically are open to people change together with the attitudes and resolutions towards disability. However, the historical evolution of the relationship between disability and employment rates suggests that the number of persons with disabilities having high qualifications has increased due to the increased and developed levels of education and access to particularly such education and vocational training. What would be even definitely more interesting to note specifically is that the definition of work itself for the most part has changed, and the technological advancements really have declined the effect of particularly many disabilities towards working thereby justifying the authors' observation of a growing trend of considering disability as an advantage to work instead of a detriment. In the international sphere, it for all intents and purposes is appreciable that many countries essentially have identified the above phenomena in their domestic laws. These countries essentially have thereby through the exercise of a rights-based approach towards disability, have reached increased levels of employments. Therefore, it could be construed that this book chapter identifies the relationship between the concepts of disability and employment in a broader sense surpassing the conventional archetypes of disability.

Schur (2002) insists that persons with disabilities are specially benefitted by being employed. The most influencing effect it mostly has may essentially be on the reduction of poverty due to the increase of income, the contribution of employment to persons with disabilities for the most part overcome their social isolation, or so they thought. The author suggests that employment contributes to develop the idea that the persons with disabilities should really be treated with equal respect and should receive representation in the political system. It mostly is the opinion of the author that the low employment rates of persons with disabilities notwithstanding its particularly high potential to improve the status of persons with disabilities literally is problematic. It has been suggested that the increased levels of employment would for the most part be able to achieve the economic security, social acceptance, and engagement in the mainstream society, or so they mostly thought (see also Richter et al., 2020)

However, the author has not discussed as to how the law contributes to the sort of low employment rates among persons with disabilities instead focused on the economic and particularly social effects on employment. Therefore, it can be particularly said that the author points out the significance of including the sort of disabled people into job markets and draws our attention to the underpinning reasons of the rising of employability among disabled people such as the immergence of the disability rights movements and legislative remedies in the calibre of that with the United States of America.

Milner et al. (2017) essentially focuses on the phenomenon of underemployment which mostly has been recognized as an ingredient of employment precarity, or so they actually thought. In this paper, the authors sought to really investigate the effects of underemployment on the mental health of persons with disabilities. The authors have used fixed-effects models to work out whether or not the existence of an incapacity modified the connection between underemployment and mental state mistreatment fourteen waves of the Household, financial gain and Labour Dynamics in Australia survey. Underemployment and impairment were conjointly evaluated as time-varying variables. The additive scale essentially was accustomed gift the results for all intents and purposes live adjustment measures. The expertise of underemployment was related to a considerably bigger decline in mental state once someone rumoured an incapacity (mean distinction -1.38 , 95% CI -2.20 to -0.57) compared with once they for the most part failed to report a disability (mean difference -0.49 , 95% CI -0.84 to -0.14). The combined impact of being sort of part-time and having a disability was very nearly one purpose greater than the summed free, or so they thought. The writers came to a conclusion that people with disabilities are kind of more definitely likely be underemployed, and their mental health particularly is sort of more very likely to suffer as a result, for all intents and purposes. More research and policy focus are needed to address how to mitigate the sort of negative impact of underemployment on the mental health of people with disabilities.

Shay (2019) pays attention to Assistive Technology (AT) environment which really is a nebulous and poorly known area for disability-employment practitioners. Individuals with severe disabilities essentially rely on assistive devices to help them for the most part achieve competitive integrated job outcomes. The AT service delivery (ATSD) method really is well-suited to the employment-related process. According to the authors, for several experts in the industry, however, the ATSD method for all intents and purposes remains a

mystery. In reality, disability and job practitioners, as well as AT professionals, are often confused about how these two processes interact and how to cross the gap effectively, or so they specifically thought. The authors suggest that translating this insight into tangible information to increase practitioners" and stakeholders understanding of these programs and kind of promote implementation in practice helps to really improve the lives of people with disabilities by providing fairly effective and for all intents and purposes satisfying job opportunities. The authors hope that as a result of the delineation of the accommodation method and the ATSD process, practitioners in a variety of fields will basically be able to kind of bring this expertise into the contexts in which they work and definitely better for the most part meet the mostly needs of the people who generally depend on them. The authors in this book mostly discuss in detail of the accommodation system model which is beneficial in very effective task management at home, work and other places -persons with disabilities particularly interact with people at. It has been stated that accommodation essentially promote the full participation of persons with disabilities in community life. Finally, it can mostly be stated that the authors are of the opinion that the enablement and true rehabilitation would basically increase the independence of the people with disabilities to enhance their engagement of the sort of social life, contrary to popular belief.

Escorpizo et al. (2015) discusses pressing concerns and concepts that specifically are important in enabling people with disabilities to function efficiently, kind of achieve their definitely full potential, and particularly engage in all aspects of society. It specifically is of pretty much greater interest to policymakers and service providers as they move to kind of incorporate the UNCRPD provisions, in addition to the immediate audience of scholars, academicians, and students in work and jobs in a considerable manner. The authors essentially make a significant contribution to enhancing the quality of life of people with disabilities around the world by highlighting good and emerging practice in these fields, as well as through the use of the ICF as a conceptual model and classification system. In addition, it would give an opportunity for the societies to learn from the valuable contribution that people with disabilities can make in their communities in a significant degree.

However, any of these studies have not paid their attention on the change and contribution that the laws and regulations can provide on the rehabilitation, empowering, enabling and engaging the persons with disabilities into the economic, social and cultural life.

It is widely accepted that persons with disabilities generally get employment in a very basically low rate notwithstanding their ability and interest and that persistent particularly socio-cultural stereotypes have majorly caused particularly much of discrimination in employment opportunities provided for persons with disabilities. On this setting, the author in “The Relationship between Disability Prejudice and Disability Employment Rates” (Firedman, 2020) has explored the relationship between the employment of people with disabilities and disability prejudice in United States, sort of contrary to popular belief. Using secondary data on state disability employment and data on disability prejudice from nondisabled people residing in all fifty states, the author basically has found out that states having kind of higher scores on disability prejudice has lower disability employment rates. It for all intents and purposes has been essentially concluded that cultures and systems must literally be rid of harmful disability stereotypes to really ensure people with disabilities can genuinely enjoy their human and civil rights, or so they thought.

“Employability: A resource guide on disability for employers in Asia and the Pacific” (Perry, 2007) is a resource manual that contains information. This resource manual contains information to assist businesses and organizations which are kind of interested to benefit from the business case for employing and retaining persons with disabilities. The author also presents a collection of resources and instances of good practice. It analyses the employment of persons with disabilities on a business perspective and brings about as to why employers should be hiring sort of more people with disabilities to work with them.

Naraharisetti and Castro (2016) employed a spatial analytic approach to particularly identify the correlates of employment of persons with disabilities in India based on 2001 census data and really has utilized linear regression and spatial autoregressive models to identify factors associated with the proportion employed among persons with disability at the district level. This study essentially is particularly significant since it specifically has spread its realm to both urban and rural areas making the author really come to find that different factors contribute to employment of persons with disabilities in rural and urban areas. It basically has been revealed that in rural areas, having a mental disability decreased the likelihood of employment while being for all intents and purposes female with sight or movement impairment. In contrast, in urban areas, being female and illiterate was adversely affecting the employability while sight, mental and movement impairment increased the likelihood to specifically be hired, contrary to popular belief. It is the conclusion of the author

that programmes for poverty reduction designed targeting the persons with disabilities should account for differences in employability for forms of disability therefore they should be especially concerned as a major factor. The author recommends that these programs should also literally take into consideration the difference between the factors that increase and decrease the likelihood of being employed in rural and urban areas and the government and service-planning organizations who essentially are responsible for the differences between the urban and rural areas should specifically be accountable when they kind of create plans for the development of the livelihood of the persons with disabilities in India in a pretty major manner.

Bitar (2013) explores why people with disabilities in Jordan find it difficult to obtain employment. Approaching this research problem, the author has described the contemporary phenomenon of the relationship between disability and employment relationship in Jordan and how far the rights of the persons with disabilities is expected to really be protected, or so they particularly thought. The author in this research concludes that apart from the fact that lack of knowledge contributes to the low rates of employment among persons with disabilities, there essentially are basically many other factors that literally contribute significantly to the definitely low rates. According to the author, any plan that particularly is to really be implemented in relation to the upliftment of sort of human rights would be successful only if such plan specifically is implemented with the help of all governmental and non-governmental institutions and bodies (see also Kock, 2004.) This study is specifically significant in that the author here specifies the fact that the success of implementing laws and regulations to improve the employment rates and possibilities of persons with disabilities really depend not on the number of such laws and regulations but on their actual implementation, for all intents and purposes contrary to popular belief. The author suggests that sort of ideal program should kind of be commenced with awareness and then should for all intents and purposes be move to accessibility and facilitated transport. Interestingly, she is of the opinion that the role of the internal pressure groups and most importantly a joint voice from the whole community of persons with disabilities would literally be necessary to really get a developing country (in this study Jordan) to for all intents and purposes get in its correct track to democracy and human rights fulfilment.

Yuling and Peng (2020) examine the reasons as to why both anti-discrimination legal provisions and employment quota systems was not sort of effective in

increasing the employment rates of persons with disabilities in China, or so they thought. It was mostly revealed that the lack of a definition of disability, the lack of a definition of discrimination, and the absence of sort of effective enforcement mechanisms kind of are the main reasons for sort of poor outcomes of the kind of anti-discrimination legal framework. Conflicts between the mainstream labour market laws and the quota scheme laws basically have specifically prompted employers to pay penalties rather than hire persons with disabilities. The authors particularly recommend that the UNCRPD should essentially be strongly enhanced in China and that the human rights model provided for in the UNCRPD should for the most part be exercised to promote sort of higher levels of participation of the persons of disabilities (see also Jayawardena, 2014; 2015).

Liyanage (2017) particularly draws her attention towards a different dimension with regard to aspect of disability in Sri Lanka in one of her articles titled as Inclusion, Disability and Culture, Inclusive Learning and Educational Equity from which the conventional dogmas on the socioeconomic stratum. An ethnographic study in diverse social settings, contrary to popular belief. As against context-specific characteristics, disability is defined merely as a physical or intellectual impairment of a person from a charity perspective where the ideology of karma particularly plays a crucial role by providing a justification for the existence of inequality among particularly human beings based on an analysis ethnographic study particularly in diverse social settings. Furthermore, she draws attention towards some existing gaps on enshrining the rights of persons with disabilities and essentially suggests empowering the persons with disabilities. However, the writer basically has not paid her attention to various dichotomies, she did not digress the focus on disability and employment.

While taking another perspective on the disability and employment, Kulkarni and Valk (2010) draw the attention towards sort of human resources practices imputed by the conglomerates. Accordingly, it basically was kind of concluded that employees would like to receive for themselves additional help, but really are afraid to ask for such help. Employers do not offer additional support unless asked, not wanting to highlight the disability given fears of stigmatisation. On the other hand, it is particularly revealed that the policy on basically human resources is the key element.

The discrimination in wages of the disabled employees in the United States is scientifically and statistically analysed by Baldwin & Johnson (1994) where

they prove with statistics how the men with disabilities are subject to prejudicial in terms of their salaries. The coefficient examination of the authors which derived from the quantitative research is something to be reckoned with as such quantitative studies regarding the employment of the persons with disabilities are rare to be found. However, it only covers the aspect of salary differentiations using various variables.

Schur et al. (2005) conducted a qualitative analysis in the United States with regard to discriminative practices confronted by the employees with disabilities with special reference to the aspect of corporate culture in a subtle manner. This research concludes that it is essential to pay attention to the different ways in which modern corporate culture creates and perpetuates various barriers which hinder employees with disabilities and how these barriers can be overcome in order to significantly improve the employment prospects of persons with disabilities. Moreover, it is stressed that removing architectural and attitudinal barriers will not only benefit people with disabilities but other employees and the organizations as a whole. The nature of a truly accessible organization is summed up in the notion that accessibility is not only an issue related to disability, and that accessibility isn't an automatic process. The organisational culture of an accessible place of work promotes an open environment that encourages, invites, and recognizes creativity and innovation.

The legal profession of females specifically is subject to the examination of Basas (2010). Paying attention to the fields of law, feminist theory, and cultural studies to kind of examine the status of women attorneys with disabilities, or so they essentially thought. Accordingly, the disability itself and self-identification around disability are admittedly difficult to particularly define and capture with fail-proof accuracy. That hurdle really is partly a function of refusing to for all intents and purposes engage in a concerted endeavour to track, mentor, and promote very disabled women attorneys to their rightful, equal positions-positions based on skill, not perceived disability or discriminatory attitudes. The legal profession and its members really expect really disabled women attorneys to literally put aside their disabilities, to function as nonrats without assistance or special accommodations, and to do so with cheer and grace. Based on particularly personal experiences and case studies of various professionals the author conducts an in-depth analysis regarding the women with disabilities engaging in the legal profession. As it really is essentially accredited as the first of its kind in the United States, no such studies can literally be traced with regard to a selected profession fairly more often.

As the jurisdiction with one of the world's strongest disability protection legal regimes, it is utmost important to pay attention to the American literature. Thereby, the same author has conducted another research titled as *Indulgent Employment - Careers in the Arts for People with Disabilities* (Basas, 2009), which explores developments in the Americans with Disabilities Act and social security programs that for all intents and purposes have shaped the education and employment prospects of artists with disabilities in a significant manner. Accordingly, success in the arts depends on reaching for all intents and purposes certain benchmarks of excellence and talent, and often people with disabilities essentially are overlooked and underappreciated for this kind of selective employment. The study concludes that the sort of attitudinal barriers, legal frameworks and really many more reasons have kind of become an impediment to the success of the kind of disabled artists.

The empowerment of for all intents and purposes disabled people through employment in the United States mostly is analysed by Karlan & Rutherglen (1996). Though the focus particularly is largely based on providing reasonable accommodation in view of the American Disability Act, the responsibilities of the employers are also taken into consideration in a subtle manner in the detailed analysis presented by the author in this work. In fact, the authors drawing examples from the kind of real world in connection to the provisions of the Act which recommend for all intents and purposes certain initiatives to realize reasonable accommodations, emphasize the obligations along with pragmatic sort of affirmative actions for the most part to be carried out in order to kind of provide the reasonable accommodations.

Paralyzing Discord: Workplace Safety, Paternalism, and the Accommodation of Biological Variance in the Americans with Disabilities Act (White, 2003) particularly is an article which extensively discusses about the Americans with Disabilities act and its characteristic in a significant manner. Though kind of many aspects literally are discussed in that lengthy article, the workplace safety has been given a pride of place. The formulation of the act and its expectations and lobbying particularly has also been considered so as to give a clear idea on the prolific ideology of the legislation, or so they thought. It harbingers the prohibitions on discrimination by inserting a pretty affirmative duty, on the part of employers, to definitely make "reasonable accommodations to the known really physical or mental limitations, sort of contrary to popular belief. Though an in-detail and an in-depth analogy essentially has been presented to our perusal, that extensive analysis of the legal framework will be discussed in the

preceding chapters. However, it must be noted that the workplace accessibility, safety of workers in accordance with the legal framework kind of is conducted and described with scrutiny. Aside the descriptive analysis, it can be concluded that excessive literature literally has been framed based on the legal framework of the United States with respect to the employment and other elements.

Looking at various employment laws which for all intents and purposes have been enacted by the South African Government intending to particularly promote the inclusion of persons with disabilities in the workplace, Lindani Nxumalo attempts to definitely evaluate the existing South African legal framework in an article titled Developing a sort of Transformational Leadership

Model to Effectively Include Persons with Disabilities in the Workplace (Nxumalo, 2020). The author concludes that persons with disabilities particularly are not practically included in the Municipality due to the lack of effective implementation of disability provisions. Therefore, it can particularly be concluded that the South African legal context has also been subjected to research and examination has been conducted whether the legal framework on employing persons with disabilities in particular is mostly comprehended within the given framework.

The South African legal framework for all intents and purposes is further elaborately examined in an article titled as “People with Disabilities inside (and outside) the South Africa Workplace: The Current Status of the Constitutional and Statutory Promises” (Christianson, 2012). The author assesses the extent to which discrimination against people with disabilities basically has been eliminated in the workplace and the reach of the particularly affirmative action provisions for people with disabilities in the Constitution and the Employment Equity Act of 1998. Acknowledging that really many people with disabilities particularly are unemployed and often living conditions, the author concludes that the constitutional and legal frameworks cannot alone redress the yearning issues very due to various socioeconomic factors. Interestingly, this article precipitates the remaining socioeconomic factors sans limiting to the legal factors (see Muzkovitz, 2019 for American stands).

The economic impact of employing persons with disabilities have also been subject to scrutiny by Lalive, (2013). The author presents various findings based on the empirical research which mostly consisted of quantitative findings on the incentives of the corporate sector, or so they thought. Thus, the economic incentives provided to the conglomerates by way of tax exemptions became a

success with vigour. In other words, the intrinsic rhetoric of the research question whether the financial incentives essentially affect firms demand for disabled workers was essentially answered in the affirmative thereby concluding that the financial sanctions accompanying the employment quota literally do indeed kind of affect firms" demand for really disabled workers. This result really is important because it contends that quota can specifically promote employment of disabled workers. Whether they for all intents and purposes do it most effectively are important topics for future research as well. Therefore, it is sort of crystal kind of clear that more avenues mostly are kept literally opened for further specific research which needs to be conducted in the future.

The comparative quantitative analysis on the impact of a disability on labour market status in public and private sectors was performed by Barnay et al. (2015). In fact, the authors try to analyse how far the two sectors treat the persons with disabilities through various indicators including the age of retirement and so on. It mostly is specifically concluded that the very strong detrimental effect of a disability on private employment but no significant impact on public employment. This difference really is not definitely explained by the fact that the pretty private sector, unlike the kind of public sector, can dismiss employees with a disability. In fact, following the occurrence of a disability, kind of public sector employees remain employed much more frequently than particularly do their very private sector counterparts, or so they thought.

In an article which was published in Journal of Business and Psychology, titled The Participation of People with Disabilities in the "Workplace Across the Employment Cycle: Employer Concerns and Research Evidence" (Bonaccio et al., 2019) also discusses on the impacts of employing people with disabilities throughout the employment cycle. In fact, the imperial research which analysed multiplicity of data also concludes that the pessimistic attitudes of the employer regarding disabled employees should be addressed in a more vibrant manner.

Conclusion

When examining the concepts of employment and disability in the Sri Lankan context the research plethora was carefully taken into consideration. The contemporary area of research is not at a satisfactory level. Though amongst the very little amount of research conducted with regard to persons with disabilities in Sri Lanka, the due attention has never been drawn towards employment of the individuals living with disabilities. Although it seems that segregated and

sectoral manifestations are in the forefront of academic and policy level discussions thanks to legal frameworks and systems established in some jurisdictions such as in the United States, there is a clear-cut lacuna to be filled in the turf of research.

Though a few legislations have been passed in the Sri Lankan context, they do not seem to have been impacted in the lives of the people with disabilities due to various substantial and procedural discomfitures. Yet, the sphere of disability and employment in the context of Sri Lanka has also faced the same fate as the aforesaid reason. When it comes to academia, this area of research has become a nobody's baby. In fact, this area has thus been neglected in the very little volume of studies in the scope of disabilities studies in Sri Lanka.

Therefore, existence of knowledge gap is undoubtedly apparent in Sri Lanka to its best keeping the door opened for further research in this area. Comparing the vast wealth of studies which have been conducted in the same area in other jurisdictions due to many reasons to which some of them being the legal framework, it is high time to focus on this issue in the context of Sri Lanka due to the lacuna of research as well as the contemporary socioeconomic background of the country which compel the society, corporates and the people with disabilities themselves to be included into the labour force. Hence, the existing literature on this area is seemingly inviting and thought provoking for conducting further research on this neglected area of study within a marginalized group of people.

Declaration of Conflicting Interests

The authors declared no potential conflicts of interest with respect to the research, authorship, and publication of this article.

Bibliography

- Anon., 2016. *Are The Rights Of Persons With Disabilities Being Adequately Protected In Sri Lanka?*. [Online] Available at: <http://www.manthri.lk/en/blog/posts/are-the-rights-of-persons-with-disabilities-being-adequately-protected-in-sri-lanka> [Accessed 2021 March 28].
- Augustine, D., 2019. *Working around the Law: Navigating Legal Barriers to Employment during Reentry*. s.l.:Cambridge University Press.
- Baldwin, M. & Johnson, W. 1994. Labour Market Discrimination against Men with Disabilities. *The Journal of Human Resources*, 29(1), pp. 1-19.
- Barnay, Duguet, Le Clainche, Narcy & Videau, 2015. The Impact of a Disability on Labour Market Status: A Comparison of the Public and Private

- Sectors. *Annals of Economic and Statistics (Special Issue on Health and Labour Economics)*, 119(120), pp. 39-64.
- Basas, C., 2009. *Legal Developments: Careers in the Arts for people with Disabilities*, (July 13, 2009). Available at SSRN: <https://ssrn.com/abstract=1433431> or <http://dx.doi.org/10.2139/ssrn.1433431>
- Basas, C., 2010. The New Boys: Women with Disabilities and the Legal Profession. *Berkeley J. Gender L. & Just.*, 25(1), pp. 32-124.
- Baumgärtner, 2010. *Job Satisfaction of Employees with Disabilities: The Role of Perceived Structural Flexibility*. Rome, European Academy of Management Conference.
- Baumgärtner, M., 2014. Job Satisfaction of Employees with Disabilities: The Role of Perceived Structural Flexibility. *Human Resource Management*, 54(2), pp. 323-343.
- Bitar, L., 2013. *The Right to Employment for Persons with disabilities A Study on Jordan*. Mu'tah University, Karak, Jordan.
- Bonaccio, S., Connelly, C., Gellatly, I., Jetha, A. & Martin Ginis, K. 2019. The Participation of People with Disabilities in the Workplace Across the Employment Cycle: Employer Concerns and Research Evidence. *Journal of Business and Psychology*, 35(2), pp. 135-158.
- Calabresi, G., 1961. Some Thoughts on Risk Distribution and the Law of Torts. *Yale Law journal*, 70, p. 499.
- Campbell F.K.2013, A Review of Disability Law and Legal Mobilisation in Sri Lanka, *LST Review*, 23(308) June 2013
- Christianson, M., 2012. People with disabilities inside (and outside) the South African workplace: The current status of the constitutional and statutory promises. *Acta Juridica: Reinventing Labour Law*, pp. 286-305.
- Coghlan, D., 2014. *HR & Disability: Policies & Practice in Adult Education Institutes in Dublin and the Surrounding Area*.
- Dag M & Kullberg C, 2010. Can they work it out and do they get any satisfaction? Young Swedish physically disabled men's and women's work involvement and job satisfaction. *Scandinavian Journal of Disability Research*, 12(4), pp. 287-303.
- De Silva WI, Amarabandu WP, Gunasekera HR, 2008. *Disability Amongst the Elderly in Sri Lanka: Comparison of Disability Rates in the Census of 1981 and 2001*. Colombo: Institute for Health Policy.
- Ernst Peter Richter, Elmar Brähler, Yve Stöbel-Richter, Markus Zenger & Hendrik Berth, 2020. The long-lasting impact of unemployment on life satisfaction: results of a longitudinal study over 20 years in East Germany. *Health and Quality of Life Outcomes*, 18(1), pp. 361-368.
- Firedman, C., 2020. The Relationship between Disability Prejudice and Disability Employment Rates. *Work*, 65, pp. 591-598.

- Fonseka D & Sequeira Y, 2018. *The Blind Need a Vision*. [Online] Available at: https://lmd.lk/the-blind-need-a-vision/Result_options [Accessed 02 June 2019].
- Georg, A. 2006. 'Number of disabled people in employment remains low' *European Foundation for the Improvement of Living and Working Conditions*. [Online] Available at: <https://www.eurofound.europa.eu/publications/article/2006/number-of-disabled-people-in-employment-remains-low> [Accessed 28 03 2021].
- Giermanowska, E., Raclaw, M. & Szawarska, D. 2020. *Employing People with Disabilities Good Organisational Practices and Socio-Cultural Condition*. Palgrave Macmillan.
- Hsiao, W., 2000. *A Preliminary Assesment of Sri Lanka's Health Sector and Steps Forward*. Cambridge: Harvard School of Public Health.
- Jayawardena, D.S.R., 2014. *Protection of the rights of copy right user with special attention to visually handicapped people under Sri Lankan intellectual property regime*. Colombo, Kotalawala Defense University.
- Jayawardena, D. S. R., 2015. *Protection of the rights of the persons with disabilities In Sri Lanka Need for new Legislation*, 8th international Research Conference, Kotalawala Difence University Rathmalana Sri Lanka.
- Karlan, P., & Rutherglen, G., 1996. Disabilities, Discrimination and Reasonbale Accomodation. *Duke Law Journal*, 46(1), pp. 1-41.
- Kock, M., 2004. *Disability Law in Germany: An Overview of Employment, Education and Access Rights*. [Online] Available at: http://www.germanlawjournal.com/pdfs/Vol05No11/PDF_Vol_05_No_11_13_73-1392_Private_Kock.pdf
- Kulkarni M. & Lengnick-Hall M., 2011. Socialization of persons with disabilities in the workplace. *Human Resource Management*, 50(4), pp. 521-540.
- Kulkarni, M. & Valk, R. 2010. Don't Ask, Don't Tell: Two Views on Human Resource Pracitces for People with Disabilities. *IIMB Management Review*, 22(4), pp. 137-146.
- Lalive, R., Wuellrich, J. & Zweimuller, J. 2013. Do Financial Incentives Affect Firms' Demand For Disabled Workers. *Journal of the European Economic Association*, 11(1), pp. 25-58.
- Liyanage, C., 2017. Sociocultural Construction of Disability in Sri Lanka: Charity to Rights-based Approach. In: S. Halder, ed. *Inclusion, Disability and Culture*. Springer International, pp. 251-265.
- Milner, A., King, T.L., LaMontagne, A.D., Zoe Aitken, Dennis Petrie & Anne M Kavanagh, 2017. Underemployment and Its Impacts on Mental Health among Those with Disabilities. *Journal of Epidemiology and Community Health (1979)*, 71(12), pp. 1198-1202.

- Muskovitz, M., 2019. *The Americans With Disabilities Act—An Employer's Responsibilities, The balance careers.* [Online] Available at: www.thebalancecareers.com > Human Resources > Glossary [Accessed 27 March 2021].
- Naraharisetti, R & Castro, M2016. Factors Associated with Persons with Disability Employment in India: A Cross-Sectional Study. *BMC Public Health*, 16, pp. 1-8.
- National Human Resources and Employment Policy, 2012. *Employment Opportunities for Vulnrable Geoups, Disabled Persons and those in Underdeveloped Regions.* [Online] Available at: http://nhrep.gov.lk/index.php?option=com_content&view=article&id=108&Itemid=59&lang=en [Accessed 28 April 2021].
- Nxumalo, L., 2020. DevelopinTransformational Leadership Model to Effectively Include Persons with Disabilities in the Workplace. *African Journal of Inter/Multidisciplinary Studies*, 2(1), pp. 25-36.
- O'Donnell O, Doorslaer E, Rannan-Eliya R, et al., 2007. The Incidence of Public Spending on Healthcare Comparative Evidence from Asia. *World Bank Econ Rev*, 21, pp. 93-123.
- Peiris-John RJ, Daskon L, Wickremasinghe AR, Ameratunga S, 2013. Disability Studies in Sri Lanka: Priorities for Action. *Disability and Rehabilitation*, pp. 1-7.
- Perry, D., 2007. *Employability: A Resource Guide on Disability for Employers in Asia and the Pacific.* s.l.:Regional Office for Asia and the Pacific, International Labour Office.
- Perry, D. A., 2002. *Disability Issues in the Employment and Social Protection.* Bangkok: ILO.
- Rannan-Eliya RP, Sikurajapathy L, 2009. *"Good Practice" in Expanding Health Care Coverage.* Colombo: Institute for Health Policy.
- Reuben Escorpizo, So`ren Brage, Debra Homa, Gerold Stucki , 2015. *Handbook of Vocational Rehabilitation and Disability Evaluation Application and Implementation of the ICF.* Springer International Publishing Switzerland.
- Schur L, Kruse D & Blanck P, 2005. Corporate culture and the Employment of Persons with Disabilities. *Behavioral Scienwabces and the Law*, 23(1), pp. 3-20.
- Schur, L., 2002. The Difference a Job Makes: The Effects of Employment among People with Disabilities. *Journal of Economic Issues*, 36(2), pp. 339-347.
- Shay, A. F., 2019. *Assistive Technology Service Delivery: A Practical Guide for Disability and Employment Professionals.* Academic Press.
- Statistics, T. U. S. B. o. L., 2020. *Person with a disability: a labor force characteristics*, New York:

- Strobel W, Fossa J, Brace J & Arthanat S, 2006. Technology for Access to Text and Graphics for People with Visual Impairments and Blindness in Vocational Settings. *Journal for Vocational Rehabilitation*, 24(2), pp. 87-95.
- Weerasingha, W., 2019. *Effective Inclusion of Differently-abled Economic Agents into national Labour Force*. [Online] Available at: <http://www.ft.lk/Opinion-and-Issues/Effective-inclusion-of-differently-abled-economic-agents-into-national-labour-force/14-684498> [Accessed 19 April 2021].
- White, A., 2003. Paralyzing Discord: Workplace Safety, Paternalism, and the Accommodation of Biological Variance in the Americans with Disabilities Act. *Louisiana Law Review*, 63(2), pp. 509-588.
- World Bank, 2021. The World Bank In Sri Lanka, available at <https://www.worldbank.org/en/country/srilanka> accessed on 31.08.2021
- World Health Organization, 2011. *World Report on Disability*, World Bank.
- World Health Organization, 2013. *Sixty-sixth World Health Assembly-Disability*. Geneva,
- Yuling Hao and Peng Li, 2020. Employment Legal Framework for Persons with Disabilities in China: Effectiveness and Reasons. *International Journal of Environmental Research and Public Health*, 17(14), pp. 1-20.

Legislative Instruments

- The Constitution of the Democratic Socialist Republic of Sri Lanka(1978)
- The Convention on the Rights of Persons with Disabilities and its Optional Protocol ([A/RES/61/106](#))
- Discrimination (Employment and Occupation) Convention (ILO)
- National Policy on Disabilities (NPD) 2003
- Protection of the Rights of Persons with Disabilities Act, No. 28 of 1996,
- Protection of the Rights of Persons with Disabilities (Amendment) Act, No. 33 of 2003
- Protection of the Rights of Persons with Disabilities Act
- Social Security Board Act No.17 of 1996
- The Disabled Persons (Accessibility) Accessibility Regulations, No.1 of 2006
- The Employees' Provident Fund Act No. 15 of 1958
- The Employees' Trust Fund Act No.46 of 1980.
- The Farmers' Pension and Society Security Benefits Scheme Act No.12 of 1987
- The Fishermen's Pension and Social Security Benefit Scheme Act No.23 of 1990
- The Mental Disease Act No. 27 of 1956
- The Mental Diseases Ordinance of No. 1 of 1873
- The Rana Viru Seva Authority Act No.54 of 1999
- Social Security Board Act No.17 of 1996