

## Introduction

AsIAM welcomes the opportunity to provide input into the Department of Business, Enterprise and Innovation's (DBEI) Public Consultation on the future of Remote Working. Remote working will play a key role in not just shaping the post-COVID-19 economic recovery, but also the potential to transform the working lives of autistic people and their colleagues. To this end, we also welcome that the Department has identified people with disabilities as a key cohort of people who could potentially benefit from remote working, and we look forward to opportunities to shape the future direction of work.

Given the challenges that many autistic people experience when entering the workforce, we feel that the full inclusion and participation of people with disabilities, will go a long way towards ensuring any future policies or legislative considerations around remote working practices will address our community's diverse needs. Moreover, given the potential benefits remote working can have on both employees and businesses seeking to attract the best talent, autistic people need to participate and be included in these conversations. AsIAM wants to play our part in contributing to our economic recovery by playing a proactive role in shaping future employment policy, by providing assistance for autistic to get more involved in the workforce and becoming future leaders in our own right through our advocacy work.

## Context

People with disabilities, particularly autistic people, are among some of the most marginalised and excluded groups in Irish society. This is demonstrated by Ireland having one of the lowest rates of employment and highest rates of poverty and social exclusion in Europe.<sup>1</sup> Recent EUROSTAT statistics showed that just 32.2% of people with disabilities were in employment in 2017, when compared to the EU average (50.6%),<sup>2</sup> with employment rates being considerably lower in some parts of the country.

Autistic people face particular barriers to entering the labour market - 80% of autistic people are unemployed or underemployed<sup>3</sup>. Many in our community believe that they do not receive sufficient workplace support to find and keep the job they want. As a result, both disabled people, and particularly autistic people face grossly disproportionately high levels of long-term unemployment compared to their non-disabled peers, and experience particular challenges in relation to their recruitment and retention in the workforce. This has a knock-on impact on people with disabilities' ability to address the additional costs of living with a disability without requesting State support. This also has an impact on the kinds of jobs people with disabilities can apply for, and it puts people with disabilities at an immediate disadvantage when seeking work in a competitive labour market, which will only intensify in the immediate aftermath of COVID-19.

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<sup>1</sup> European Disability Forum, *European Human Rights Report 2020 - Poverty and Social Exclusion of Persons with Disabilities*. Pg. 18. Available at: [https://mcusercontent.com/865a5bbea1086c57a41cc876d/files/ad60807b-a923-4a7e-ac84-559c4a5212a8/EDF\\_HR\\_Report\\_final\\_tagged\\_interactive\\_v2\\_accessible.pdf](https://mcusercontent.com/865a5bbea1086c57a41cc876d/files/ad60807b-a923-4a7e-ac84-559c4a5212a8/EDF_HR_Report_final_tagged_interactive_v2_accessible.pdf), p. 18, accessed 06 August 2020

<sup>2</sup> Moloney C., Academic Network of European Disability Experts, '2018/2019 country fiche on disability', p. 34. <https://www.disability-europe.net/downloads/945-country-report-on-the-european-semester-ireland>. Accessed: 6th August 2020

<sup>3</sup> The National Autistic Society, 'The autism employment gap: Too Much Information in the workplace', p. 5, <https://www.autism.org.uk/~media/nas/get-involved/tmi/tmi%20employment%20report%2024pp%20web.ashx?la=en-gb>, accessed 06 August 2020

Moreover, many people with disabilities' may have had negative experiences with looking for work or with their job, which is particularly the case for many autistic people. Many autistic people may also find the experience of pursuing third-level or further education overwhelming and end up dropping off due to unsuitable or inadequate support. These negative experiences leave many within our community both less confident about their skill sets, and more reticent to find jobs in the open labour market. Many autistic individuals express the feeling that they aren't being supported to find jobs in line with their skills or interests, and that the supports available don't meet their needs for them to remain at work in the medium-to-long-term. This is a key reason, but far from the only one, why the job attrition rate of people with disabilities of working age is twice as high when compared to their non-disabled peers<sup>4</sup>, and why many autistic people find it particularly difficult to participate and remain at work.

This is compounded by the fact that people with disabilities living in Ireland are already at a much higher risk of poverty and social exclusion than the European average - some 36.9% of people compared to a median of 29.3% in the EU<sup>5</sup>, and over 150,000 people with disabilities in this country living in consistent poverty<sup>6</sup>. Many people with disabilities also have substantial unmet living costs which arise from their disability and may not have the means to fully take advantage of the opportunities that remote working can bring. These costs, which can include extra clothing, light, heating or access to healthcare and rehabilitation services, average over €10,000 per year<sup>7</sup>, and can often cost considerably more for people living in

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<sup>4</sup> Rosen, E., 'Using Technology to Close the Autism Job Gap' The New York Times (New York, 24 October 2019).

<sup>5</sup> European Disability Forum, 'European Human Rights Report 2020 - Poverty and Social Exclusion of Persons with Disabilities', [https://mcusercontent.com/865a5bbea1086c57a41cc876d/files/ad60807b-a923-4a7e-ac84-559c4a5212a8/EDF\\_HR\\_Report\\_final\\_tagged\\_interactive\\_v2\\_accessible.pdf](https://mcusercontent.com/865a5bbea1086c57a41cc876d/files/ad60807b-a923-4a7e-ac84-559c4a5212a8/EDF_HR_Report_final_tagged_interactive_v2_accessible.pdf), p. 18, accessed 06 August 2020

<sup>6</sup> Inclusion Ireland, 'Poverty and Disability: A public-friendly guide to economic inequality and the cost of disability.' <http://www.inclusionireland.ie/sites/default/files/attach/basic-page/1695/poverty-and-disability-plain-english.pdf> accessed 06 August 2020

<sup>7</sup> Cullinan, J., Gannon, B. and Lyons, S. (2010), 'Estimating the Extra Cost of Living for People with Disabilities', Health Economics.

rural areas where access to appropriate transport, internet access and support networks and services is more limited.

These statistics show the wide-ranging impact the exclusion of disabled people from the labour market not just has on the Irish economy, but also highlights the toll unemployment and underemployment exacts on people with disabilities' health and wellbeing, and this is acutely felt by many autistic adults. This augurs the need for a holistic, societal approach towards meaningfully addressing these barriers, which meaningfully includes autistic people and other groups of people with disabilities from the outset in any policy reviews from the DBEI.

Whilst work may not be for every disabled person, many autistic people feel a strong desire to work, but face structural and attitudinal barriers to doing so. This may be especially the case for certain cohorts within the autism community, for a variety of reasons including having a need for a more structured working environment, the need for having in-person support, or their home or family circumstances may not make it conducive to pursuing remote working. According to Article 27 of the UN Convention on the Rights of Persons with Disabilities (UNCRPD), every disabled citizen has the right to work and be supported by the State to find and retain employment.<sup>8</sup> Many autistic people have a wide range of skills which would be an invaluable asset to numerous employers, which include:

- High attention-to-detail, accuracy and quality of work;
- High long-term memory, ability to recall detailed information;
- Strong adherence to routines, rules and regulations;
- Strong loyalty to employers who let them showcase their talents;
- Typically lower absentee rates than neurotypical peers;
- May have expert, in-depth knowledge in a chosen subject;
- Enhanced pattern recognition;
- Strong work ethic and intense focus, and;
- Strong sense of fairness and integrity.

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<sup>8</sup> Article 27, UN Convention of the Rights of Persons with Disabilities 2006.

However, many autistic people face barriers to finding a job they want that goes beyond remote working. This has the wider impact of autistic people being sorely under-represented in the Irish workforce, and these wider barriers also need to be addressed to improve access to remote working for the autism community. With over 80% of autistic people being unemployed or underemployed many are also likelier to experience longer periods out of work and between jobs than their neurotypical peers. Indeed, many people on the autism spectrum might have patchy employment or education histories, with some dropping out of college or not finishing formal education. This naturally makes it harder to locate the job they want, particularly given the knowledge, service-led economy and the straitened economic climate brought about by the COVID-19 pandemic. Many autistic people may also have negative experiences at work arising from their autistic traits which caused them to leave, or be dismissed from their jobs, and this can have a particularly adverse impact on their confidence and self-esteem.

Autistic people are also less likely to take up employment which matches their skills or interests, and they may be working in jobs that may not match their skills, or qualifications, where they may be paid less than their neurotypical peers. Compounding this is that autistic people face extensive obstacles to gaining the on-the-job experience or the qualifications necessary to develop their career in the way they want. For instance, an autistic person may communicate and prioritise their work differently to their neurotypical colleagues. Autistic people are also more likely to experience in-work poverty, precarious employment and workplace harassment or discrimination<sup>9</sup>, and they may find some of the more competitive aspects of work particularly challenging to navigate, especially where higher pay or promotions are involved. Navigating a labour market which places a greater emphasis on 'soft skills', such as the ability to communicate and build relationships with colleagues, rather than technical abilities, remains a major source of anxiety among autistic jobseekers. These are all issues that both impact the kinds of career pathways autistic people

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<sup>9</sup> Autistica, 'Impacts of Coronavirus for autistic employees' <https://www.autistica.org.uk/news/impacts-of-covid-19-for-autistic-employees>, accessed 06 August 2020

seek, as well as the extent to which those on the spectrum can avail of working remotely from their place of employment.

### **How can remote working widen employment opportunities for autistic people?**

Widening access to remote working is a welcome step towards addressing some of the access and participation barriers for people with disabilities and would be particularly welcome for autistic individuals who might otherwise be excluded from the labour market. Whilst many within our community want to work, the cumulative sensory impact of navigating the daily work commute - from working at an open-plan office, shop or restaurant floors or other bustling workplaces, and having to 'mask' (i.e., disguise their autistic traits to blend into a neurotypical environment) can make the prospect of actively searching and holding down work an onerous one.

Many autistic people believe they prefer to work in an environment where they can control<sup>10</sup>; where they are comfortable with prolonged periods of solitude, and where they can work alone from home as their authentic selves, without needing to rigorously adhere to a workplace culture they may struggle with. Remote working's development as a viable option for businesses can play to autistic peoples' strengths, whereby many individuals are thrilled with the prospect of having the opportunity to organise their workflow how they see fit.. Moreover, the drawbacks of remote working for neurotypical people, like extended bouts of isolation, self-motivation, and a lack of external pressure are less pronounced for some autistic people, and may even be considered as advantages - particularly where motivation can be easier if their job tasks align with their special interests.

However, these difficulties are not inevitable, and businesses who are leading by example by offering remote working as an option for employees are seeing the benefits of their decision. Offering remote working allows workplaces across the country to draw from a wider talent pool, helps businesses respond to market challenges, drives productivity and innovation across the organisation, reach out to

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<sup>10</sup> Workology, 'Remote Work is helping Aspies to Finally Shine', <https://workology.com/remotework-is-helping-aspies-to-finally-shine/>, accessed 06 August 2020

more clients and customers, and provides a better working environment for their employees with disabilities.

One of the positive impacts companies have found is that the shift towards remote working has had profound improved many autistic employees' work performance - much of this productivity increase is tied to their ability to control their workspace.<sup>11</sup> This way of working has allowed autistic people who can avail of remote working to flourish; they can now focus on tasks without excessive distractions. The changes to the way we work also allows individuals to use communication channels that give them the time and space they need to express themselves coherently and confidently, and to stay connected without needing to be physically present for meetings. Some companies have noted that many of their autistic employees were very candid and direct about their daily work routines<sup>12</sup>, which helped to build greater trust within the organisation. They were assured that employees were working without needing to continually keep tabs on their activity. Other workplaces have found ways of training and onboarding employees remotely which play to their strengths. These include video calls, written instructions, e-learning platforms, as well as back-up voice calls with written guidelines are used as substitutes for physically onboarding an employee in this changed working environment, which autistic people can use to get up to speed with their work.

### **Reasonable Accommodations**

The area of 'Reasonable Accommodations', both in terms of what constitutes a reasonable accommodation and how funding channels are available, needs to be clarified and broadened out to ensure that people with disabilities can readily access the supports they need to throughout their career, and to fully avail of the possibilities remote working provides.

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<sup>11</sup> Workology, 'Remote Work is helping Aspies to Finally Shine', <https://workology.com/remote-work-is-helping-aspies-to-finally-shine/>, accessed 06 August 2020

<sup>12</sup> Simon, M., 'Thriving During COVID #WFH: Lessons From A Team That's 75% Autistic, 100% Remote, And 2x Less Lonely', Forbes Magazine, 30 March 2020, <https://www.forbes.com/sites/morgansimon/2020/03/30/thriving-during-covid-wfh-lessons-from-a-team-thats-75-autistic-100-remote-and-2x-less-lonely/#717900eb51cc>

The recent Supreme Court decision in *Nano Nagle School v. Daly* provides an opportunity to implement a rights-based framework that would clarify around providing 'Reasonable Accommodations' in the workplace<sup>13</sup> This ruling provides certainty to employers seeking support, as well as a continuity of support to employees alike, particularly during transition periods from second and third-level education into the workplace.

The Reasonable Accommodation Fund, which is the main funding channel private-sector employers use to procure workplace supports, should be reformed to make it easier to access additional in-work supports, and facilitate the use of assistive technology to meet the needs of employees with disabilities, akin to the UK's Access to Work Scheme.

## **Wider Issues Identified Which Can Impact Accessing to Remote Work**

### **The Comprehensive Employment Strategy**

The *Comprehensive Employment Strategy for People with Disabilities 2015-2024*<sup>14</sup> is the policy document guiding job activation support for people with disabilities, including autistic people, who face barriers to entering the job market once they leave education.

The Strategy, developed in conjunction with the HSE, the Department of Employment Affairs and Social Protection, and the Department of Business and Enterprise comprises six objectives:

- Build skills, capacity and independence;

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<sup>13</sup> *Nano Nagle School v. Daly* [2019] IESC 63

<sup>14</sup> Department of Justice and Equality, 'Comprehensive Employment Strategy for People with Disabilities 2015-2024', <http://www.justice.ie/en/JELR/Comprehensive%20Employment%20Strategy%20for%20People%20with%20Disabilities%20-%20FINAL.pdf/Files/Comprehensive%20Employment%20Strategy%20for%20People%20with%20Disabilities%20-%20FINAL.pdf> accessed 06 August 2020



- Provide bridges and supports into work;
- Make Work pay;
- Promote Job retention and re-entry into work;
- Promote coordinated and seamless support, and;
- Engage employers, with key actions attached to each objective.

However, whilst the Strategy outlines actions seeking to improve the working lives of many people with disabilities, some issues arise that prevent the Strategy from having a more transformative impact - particularly given the drastically changed working landscape that the Coronavirus brings us.

### **Our Observations around the Comprehensive Employment Strategy**

The Strategy needs to build deeper connections with the on-the-ground realities people with disabilities experience in the open labour market, particularly when they compete for jobs. Competing within such a setting presents additional challenges for certain cohorts of jobseekers. Such individuals are at greater risk of falling into precarious work, in-work poverty, under-employment and discrimination than non-disabled people. This only compounds the uphill battle many autistic people experience whilst navigating the recruitment process, the standards of which are so often set by non-disabled people, and who may have arcane ideas on what people with disabilities can do.

The Strategy, in setting people with disabilities' impairments apart from their circumstances, or from any of their other identities, also bears the unintended consequence of reinforcing medicalised notions around disability that reinforce stereotypes and prejudices about disabled people, which exacerbates their job-hunting process.

We must recognise, as a society, that having a disability is not inherently a personal tragedy, that their disability or difference is not their fault, or that it is a taboo subject or anything for people with disabilities to feel ashamed about. People with disabilities are first and foremost disabled by living in a society that does not support

their access and participation. Hence, any strategies drafted around remote working should undertake a two-pronged strategy; by using an intersectional approach to address employment barriers, as well as actively challenging prejudicial attitudes around disability more broadly.

The way that the *Comprehensive Employment Strategy* presently defines work is too restrictive for remote working to be a viable option for a significant number of people with disabilities. Moreover, the supports Irish citizens with disabilities currently receive is growing increasingly out of step with the changing nature of work, as well as Ireland's position as a service-led economy. There seems to be a perception among some employers and the wider public that the diverse needs of people with disabilities who want to access the open labour market fit into two disparate categories: **'rehabilitative work'** for a select number of hours per week in a local shop or hairdressers which is often managed through a service provider, and further/higher education graduates and who wish to find opportunities in their chosen field. As a result, many people with disabilities, including autistic people, experience a 'cliff' in State support once they reach adulthood, which can have a significant impact on their life choices. This, in turn, can have the unintended consequence of limiting the job opportunities that they can pursue or applying for remote working during their career.

Furthermore, for people with disabilities who have complex support needs, remote working remains a pipedream. This is especially the case since access to education and employment opportunities often happen through a supported employment programme or via a service provider.

These jobs are often located within the services sector (e.g., tourism, retail, and hospitality), where there is presently little scope for remote working to happen on any great scale, often due to these jobs' reciprocal, customer-facing and fast-paced nature. There are presently few options for people with complex or higher support needs to upskill through further education, vocational training, or apprenticeships, to take advantage of this changing world of work.

## **Employment Quotas:**

Measures like the and the *Comprehensive Employment Strategy*, and the commitment to hire more people with disabilities in the public sector<sup>15</sup>, can play a key role in reducing barriers to employment to disabled people, and public sector bodies are making steady progress towards recruiting greater numbers of employees with disabilities over the past few years. However, the people who obtain positions under these quotas may not necessarily be wholly representative of the disability community and can run the risk of overlooking individuals who require more extensive support or workplace adaptations. This can run a further risk of excluding people with higher support needs from being recruited into the jobs they want, particularly if it involves assistive technology, or the use of a personal assistant, an Irish Sign Language Interpreter or job coach, or people who may have difficulties with the traditional recruitment process.

Moreover, there are also concerns among many within the disability community that they may not have the same access to career development and advancement opportunities as their non-disabled or neurotypical peers. These inequalities run the risk of being replicated as more disabled people make the transition to remote working, particularly if many people with disabilities lack the means to make this transition work for them. To this end, future guidelines need to not just address technological barriers experienced by people with disabilities, but also find ways to begin addressing the material circumstances which may act as roadblocks to remote working.

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<sup>15</sup> Department of Justice and Equality, 'Comprehensive Employment Strategy for People with Disabilities 2015-2024', <http://www.justice.ie/en/JELR/Comprehensive%20Employment%20Strategy%20for%20People%20with%20Disabilities%20-%20FINAL.pdf/Files/Comprehensive%20Employment%20Strategy%20for%20People%20with%20Disabilities%20-%20FINAL.pdf> accessed 06 August 2020

## **Disclosure of disability**

Many disabled people have faced exclusion from the workplace at some point in their lives<sup>16</sup>, and this fear of discrimination and loss of career opportunities can inform their decision on whether to disclose their disability to employers.<sup>17</sup> This can be particularly true for employees with invisible disabilities, like autism, who stand the most to lose from disclosing their condition to employers, and who may feel particularly afraid of the consequences that can arise from disclosure.

One strategy which can help address wider perceptions and attitudes that employers may have around disability and work is to emphasise that many people with disabilities, such as autistic people, would be hugely productive employees when given the opportunity to work, and that people with disabilities' skills and qualities can bring immense commercial and social value to companies and organisations seeking to attract the best talent.

Inversely, activation policies and pathways into remote working should encourage disabled people, where possible, to apply for jobs that match their strengths and their interests.

Moreover, more work needs to be done around the way employment interacts with the social protection system, particularly where many disabled people fear losing critical welfare sources like the Medical Card and Free Travel Pass if they find work that pays above a certain salary. In this sense, there may be opportunities for the DBEI to collaborate with relevant Government Departments in developing additional funding avenues within this system for people with disabilities to procure any additional technologies (like software) or equipment they need to facilitate their access to remote working on a medium to long-term basis.

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<sup>16</sup> Irish Human Rights and Equality Commission, 'Disability and Discrimination in Ireland', <https://www.ihrec.ie/app/uploads/2018/09/Disability-and-Discrimination.pdf> accessed 06 August 2020

<sup>17</sup> National Disability Authority, 'Disclosing Disability in the Workplace a Review of Literature and Practice in the Irish Public Sector', <http://nda.ie/nda-files/Disclosing-Disability-in-the-Workplace1.pdf>, accessed 06 August 2020

## **Workplace diversity**

Whilst important strides have been made towards diversity and inclusion in the workplace, many employment policies and conversations around diversity have not specifically addressed the needs of people with disabilities, neurodivergent people, and those who may experience multiple forms of disadvantage (e.g., women with disabilities, people with more than one disability, etc.). Future conversations around workplace diversity should go deeper and further efforts should be made by both the public and private sector employers to include more neurodivergent people in these conversations.

## **Day services**

Crucial to bear in mind is that people with disabilities who access day services may have different issues in relation to accessing remote working, especially around privacy and accessible technology, knowing how to keep themselves safe online, as well as how technological supports can be used to support constituent elements of a supported employment programme (like having access to a job coach). In some cases, remote working may not suit some individuals with disabilities but who otherwise want to work, and who would like the dignity and independence that work provides for so many others.

Furthermore, there are also issues where autistic people with moderate support needs who face barriers to entering the mainstream labour market, where training and apprenticeships highlighted by the Minister for Higher Education<sup>18</sup>, may be a good way to support their entry.

## **Job matching:**

One particular issue that autistic people have when looking for work is the need to incorporate their hobbies or interests. This is where a person on the spectrum has a

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<sup>18</sup> Department of Social Protection, 'Ministers Humphreys & Harris announce new measures to get people back to work or education as part of the July Stimulus package' <https://www.gov.ie/en/press-release/1ca36-ministers-humphreys-harris-announce-new-measures-to-get-people-back-to-work-or-education-as-part-of-the-july-stimulus-package/>, accessed 06 August 2020

highly-focused interest on a particular topic, which some pursue as a core part of their wellbeing. Special interests can provide structure and predictability in potentially volatile settings and can also offset anxieties and encourage greater self-confidence in social situations. Special interests can be on any topic, and many autistic people of any age will often have more than just the one (although not always).

Whilst job matching seeks to match a person's individual strengths, interests and core values with a number of roles a person may be suited for, it may be particularly useful tool in breaking the employment barrier for autistic people, as it can support them in finding roles which match their particular interests. It may be a good idea for bodies like Intreo to place a stronger emphasis on job matching when supporting the autism community to access the workplace.

### **Having regular, structured, continuous support**

One practical support that some people within the autism community could use when they access remote working is for employers to put in a more formal support structure in place. In some instances, many autistic people might best use remote working through a blended approach, where the employee can spend some days during their working week working from home (e.g., three days of their week) and the rest in the office (e.g., two days of their week). Many autistic people would benefit from this support as then know in advance which days they will be working in each environment, and they work the same days each week.

This can be helpful for autistic people who need a more structured workplace routine to thrive in their working environment, as it can provide the degree of predictability and control some look for when they are in the workplace and augment the kinds of support they may receive when they are at the office. To support autistic people when they are working from home, a good approach may be for employers to **keep the same support open when the employee is moving between both environments, (including the use of WhatsApp, Slack, Teams, etc.), to keep supporting the employees when they are at work.** This can also take

the form of having regular, structured meetings and individual calls with the person, with the aim of checking in on them and their progress. Employers and employees alike should be flexible enough to also take place in the digital space, and this can be a really important way of both providing structure to a working week and giving an opportunity for an autistic employee to give feedback and receive support when they're outside the office or workspace.

### **Workplace wellbeing:**

When making the transition to remote working, it is also critically important that workplace wellbeing and social opportunities also make the same transition, and that these supports are in place, and that social opportunities can also take place in the digital space as well as the physical environment.

Many autistic people might feel more comfortable using other forms of communication, where they may take the time they need to respond or participate without feeling under pressure and may favour digital spaces to socialise with both autistic and neurotypical people.

One such space where autistic people might choose to communicate with each other might be to have a 'play time', where people can run a weekly session where they play multiplayer games whilst socialising over breaks. Alternatively, they can use social media avenues like Slack channels, where people have the opportunity to post pictures of everyday activities they enjoy doing or have casual conversations. It may also be worth managers organising activities like office yoga or cookery that helps autistic employees stay connected with their colleagues when they're apart, and for people to do these activities in an environment they're comfortable with.