

## Book Review

**Title:** The Labor Market Experience of Workers with Disabilities: The ADA and Beyond

**Author:** Julie L. Hotchkiss

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**Reviewer:** Cal Montgomery

Julie Hotchkiss asks whether the Americans with Disabilities Act (ADA) has made any difference in the labor market experience of people with disabilities and concludes that it has not. Moreover, she argues, it is unlikely that this is due to employers' failure to comply with the law nor that people with disabilities' labor market experience doesn't need to be improved. "It is probable ... that the lack of notable impact of the ADA ... implies that, like many other pieces of legislation with a strong social and moral content, it was adopted in an environment that had already embraced its principles and mandates, for the most part" (p. 142).

The former argument is backed up by statistical analysis and may prove useful to American policymakers, Hotchkiss's target audience, and to researchers looking at disability and employment (following the argument closely requires familiarity with statistics). The latter argument is a quick sketch and not a major contribution to debates about how best to address the employment crisis for Americans with disabilities.

In other words, readers interested in whether the ADA has "worked" for workers and jobseekers with disabilities – and who can follow statistical arguments – will find this book worth considering.

But to evaluate current and proposed policy it isn't enough to ask whether the ADA has changed anything; one has to ask why. There is no consensus among those concerned with disability policy that by 1990 employers had embraced the idea that disability discrimination is wrong, much less the idea that the barriers that provoke reasonable accommodation requests constitute discrimination, and The Labor Market Experience of Workers with Disabilities will not satisfy readers on this point unless they have already independently arrived at Hotchkiss's conclusion.

John Jay Frank (2004), to give one example, has called for more research into what happens when people ask for accommodation and barrier removal. Calling the attempt to challenge discrimination through the Equal Employment Opportunity Commission and Department of Justice "ineffective," Frank says that "the issue for those of us facing barriers is the way the law is circumscribed and ignored."

The issue for Hotchkiss has nothing to do with the law being circumscribed or ignored; and her recommendations for improving education, training, and job matching and for restructuring the incentives and disincentives are not atypical. But she does not adequately answer those disability advocates who believe that evidence of widespread discrimination was provided to Congress when it was considering the ADA and that if little has changed for workers and jobseekers with disabilities, discrimination clearly persists.

## References

Frank, J. J. (2004). Time to gather our own evidence. Retrieved July 29, 2004, from <http://www.raggededgemagazine.com/focus/frankADAs0704.html>

Cal Montgomery is a disabled reader, a writer, and an activist living in Chicago, who writes regularly for Ragged Edge magazine.