

5 WAYS TO EMBRACE NEURODIVERSITY IN YOUR WORKPLACE

Insights

Nov 28, 2022

The COVID-19 pandemic put a spotlight on wellness and mental health in the workplace — and one of the many ways employers are building on that momentum is by making their work environment more welcoming to a diverse range of workers – including neurodivergent job candidates and employees. What is neurodiversity? The term refers to “the diversity of all people, but it is often used in the context of autism spectrum disorder (ASD), as well as other neurological or developmental conditions such as ADHD or learning disabilities,” according to Harvard Health. Many neurodivergent job seekers say they’ve faced barriers in the hiring process despite offering many positive attributes that can help employers thrive, such as creativity, accuracy, loyalty, and other strengths. And 61% of neurodivergent respondents to a recent survey said they experienced stigma or felt misunderstood at some point during their career. So, how can you create an inclusive environment that embraces neurodiversity? Here are five steps you can take in your workplace.

1. Educate Your Workforce

Most cultural shifts start by making people aware of your diversity, equity, and inclusion (DEI) goals and explaining why they are important. Thus, it follows that building awareness in your workplace about neurodiversity is a positive first step in creating lasting policies and practices that help neurodivergent employees feel welcome, productive, and successful.

According to advocacy group [Autism Speaks](#), most adults with autism are either unemployed or underemployed.

Related People



Sheila M. Abron

Partner

[803.740.7676](tel:803.740.7676)

Service Focus

[Counseling and Advice](#)

[DEI and EEO Compliance](#)

[Employee Leaves and Accommodations](#)

This is often due to the misconceptions regarding the skillset of individuals with autism and perceptions regarding those individuals' so-called, "soft skills." "Employers are often unaware of the common strengths shared by many people with autism, including intense attention to detail, commitment to quality and consistency, creative and 'out of the box' thinking, excelling on repetitive tasks, lower turnover rates, honesty and loyalty," the group said. "Likewise, individuals with autism can improve their soft skills with some simple, direct instruction. And simple employment supports can be extremely effective."

Of course, there is no one-size-fits-all way to learn on the job and successfully perform job duties. Therefore, you may want to train your managers on accepting learning and cognitive differences and exploring alternative approaches to work. Additionally, your entire workforce might benefit from neurodiversity training to help clear up misconceptions, build support from co-workers, and show neurodivergent employees your commitment to inclusion.

2. Create a Welcoming and Supportive Environment

"Stigma, a lack of awareness, and lack of appropriate infrastructure (such as office setup or staffing structures) can cause exclusion of people with neurodevelopmental differences," [wrote](#) Nicole Baumer, M.D., M.Ed., and Julia Frueh, M.D., for Harvard Health.

While training can create awareness, you may want to take your program a few steps further by creating mentorship and professional development opportunities for all employees — including those who are neurodivergent. To build an effective training system, you can reach out to community groups that support people diagnosed with Autism Spectrum Disorder (ASD) and other neurological and developmental conditions that can provide practical solutions aimed at creating a welcoming and supportive environment.

3. Use Inclusive Language

Again, there's no one-size-fits-all approach when it comes to preferred terminology for diverse groups, including neurodiversity and neurodivergent workers. But it's important to always be respectful when referring to

people with differently lived life experiences and certain conditions. This is another reason that partnering with local community groups and becoming educated on these topics can be helpful.

It's also essential to simply ask questions since not everyone has the same preferences. For example, some people prefer "person first" language — such as "a person with autism" — because their neurodiversity is not what defines them. Other people may prefer "identity first" language — such as "an autistic person" — because they embrace their diversity, and it is a key part of their identity. While identity-first language is most common in the autism community, you should note that person-first language may be more common in other communities, and individual employees may have their own unique preferences.

The key is to be open, ask questions, and listen to your employees.

4. Adapt the Hiring Process

[According to a recent survey from Texthelp](#) – the same survey referenced in the introduction paragraph – 34% of neurodivergent respondents said they experienced challenges in the hiring and interview process. These challenges stem from stereotypes in the hiring process that create barriers for qualified individuals or rigid "soft-skill" and interpersonal communication cue expectations that fail to account for neurodiversity. Recognizing that these stereotypes and expectations may be impeding your ability to hire neurodivergent talent is a critical step in developing inclusive strategies.

What can you do to adapt your hiring process to develop a broader applicant pool and also stay on the right side of the law?

- Note that some — though not all — neurodivergent workers are considered disabled under the Americans with Disabilities Act (ADA) and similar state laws, which require most employers to consider **requests for reasonable accommodations** from covered job applicants and employees. Reasonable accommodations are changes that you can make to help an applicant with a disability apply for a job. For

example, you may offer specialized equipment or alternative testing formats.

- Consider making **changes to your selection criteria**. For example, you may want to rethink rating job candidates based on eye contact, enthusiasm, and verbal communication skills, particularly if those skills are not necessary for the role.
- Don't ask **job seekers or employees if they are disabled** or ask about the nature or severity of their disability. You may ask if the worker can perform the duties of the job with or without reasonable accommodation. You may also ask the worker to describe or demonstrate how they will perform the job duties with or without a reasonable accommodation.
- Don't require a job seeker or employee to take a **medical examination** before you make a job offer. However, after a job offer is made, you may condition the offer on passing a medical examination if all new hires in the same job category do the same.
- Don't reject a job applicant because **information about a disability is revealed in the medical examination** unless the reasons are job-related and consistent with business necessity. And be sure to discuss the matter with experienced legal counsel before making any adverse employment decisions.
- Keep the results of all medical examinations **confidential** and maintain them in separate medical files.

5. Explore Reasonable Accommodations for Current Employees

In addition to providing reasonable accommodations to job candidates, you should be prepared to handle such requests from current employees who are neurodivergent. Notably, the Equal Employment Opportunity Commission (EEOC) — the agency that enforces the ADA — has received more disability discrimination charges in recent years based on neurodiverse conditions, [Bloomberg Law reported](#). And a large number of them could have been avoided if the reasonable accommodation process had been better handled.

Consider whether flexible work arrangements — such as remote work or schedule changes — would be effective and reasonable. Other accommodations you might consider include noise-canceling headphones, quiet workspaces, additional breaks, and special equipment or other technological aids.

Remember that the law does not require you to lower production or performance standards, eliminate an essential job function, or provide an accommodation that would create an undue hardship.

Conclusion

If you have questions about best practices to support neurodivergent job applicants and employees, contact your Fisher Phillips attorney or the authors of this Insight. We will continue to monitor further developments and provide updates on this and other workplace law issues, so make sure you are subscribed to [Fisher Phillips' Insight System](#) to gather the most up-to-date information.