Chapter 18
Autism Spectrum Disorder and the Workplace

Michael Selmi

Introduction

Employment, for disabled and non-disabled individuals, can provide a crucial link to economic security and independence, as well as alleviating social isolation. Unlike the education setting where there has been considerable focus on Autism Spectrum Disorder ("ASD"), integrating autistic individuals into the workplace has received far less attention. According to a recent study conducted by the A.J. Drexel Autism Institute, young adults with autism had the lowest employment rate (57%) compared to individuals with similar disabilities (AJ. Drexel Autism Institute, 2015). The study also found that employees with ASD tended to hold low-wage part-time jobs. There have also been relatively few cases to arise under the primary federal statute that prohibits discrimination among those defined as disabled, the Americans With Disabilities Act ("ADA"), and in those cases, it has often proved difficult for individuals to establish a claim of discrimination.

Fortunately, the news regarding the employment of individuals with ASD is not all gloomy. In recent years, a number of major companies such as Microsoft and Walgreens have begun specific initiatives designed to hire individuals who are on the Autism spectrum, and those efforts, discussed later in this chapter, may help guide courts and other employers toward fuller integration of individuals with ASD into the workplace by demonstrating what works best to enable individuals to perform their jobs. A key aspect of the ADA is that employers are required to provide reasonable accommodations to those with disabilities, and the recent private initiatives should provide guidance regarding the kinds of accommodations that may be most helpful.

This chapter will begin by discussing some common workplace issues that arise with individuals with ASD that may make some workplaces challenging. Next, the

M. Selmi (✉)
Arizona State College of Law, Phoenix, AZ, USA
e-mail: Michael.Selmi@asu.edu

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Americans with Disabilities Act will be discussed, including the requirement that employers make a good faith effort to accommodate individuals with disabilities. The third section will explore recent company initiatives targeting individuals on the autism spectrum for employment, and how those initiatives may illustrate ways employers can best integrate autistic workers into their workplaces.

Individuals with ASPD in the Workplace

One of the key insights regarding employment opportunities is that individuals with ASD differ substantially in their workplace abilities. Many or perhaps most such individuals will encounter no greater problems than non-disabled workers in the workplace and no particular accommodation will be necessary. And for others with more severe conditions, obtaining meaningful employment may prove difficult, which is generally true for individuals with severe disabilities regardless of the nature of the disability. As a result, the group of individuals most likely to require some workplace accommodation is those who fall somewhere in between, those with behavioral issues that many employers and co-employees may view as problematic.

For example, individuals with ASD often lack social skills that can prove important to workplace success, including difficulty in reading social cues or communicating directly with others. These conditions might manifest themselves in what might be described as a difficulty getting along with others, as will be discussed more fully below given that most of the legal cases that have arisen involving individuals with ASD implicate getting along with others in one form or another. Additionally, many individuals with ASD may require detailed instructions for their job tasks and may perform best in positions that offer routine and repetition rather than requiring frequent modifications or new tasks (Hendricks, 2010). Relatedly, individuals with ASD may be most successful in jobs where they can fulfill one task at a time rather than juggling multiple assignments.

As such, there is no one-size-fits-all blueprint or accommodation for individuals with ASD but rather the specifics of both the workplace and the individual will dictate successful integration strategies. As we will see, virtually all of the legal cases that have arisen involve individuals who are employed and encounter difficulties in their workplace, whereas likely a more important issue is getting into the workplace. This is again not an issue unique to ASD individuals but runs across disabilities and discrimination claims involving hiring cases are far less common than termination cases. But with respect to ASD, many individuals may be faced with the question of whether they should disclose their condition at the time of an interview or even at the application stage. There is no definitive answer to this question. Under existing law, there is no requirement that individuals disclose a disability, and in fact, employers are prohibited from asking about disabilities. Employers can, however, list a task and ask applicants if they can perform that task, at which point the applicant has a duty to respond truthfully. So, for example, if an employer noted that working with others, or

handling multiple tasks simultaneously, was a required job duty, an individual might be required to indicate any difficulty she might have in fulfilling those duties.

There is a related advantage to disclosing one's disability—for some, though certainly not all employers, obtaining information regarding a disability may make them more cautious and careful in their decision so as to avoid the possibility of a lawsuit. Some employers may even react favorably, particularly if they are interested in increasing diversity within their workforce. And, as discussed in the next section, it would be impermissible for an employer to fail to hire someone because of the disclosed disability, although hiring lawsuits are notoriously difficult to prove because the evidence necessary to establish such a claim is often lacking. Moreover, many applicants who are turned down for a job will fail to even explore why they were rejected. But disclosing a disability may also trigger stereotypic responses so that someone who mentions in an interview that they are on the autism spectrum may then be associated with the kind of odd behavior portrayed in the popular media, such as in Rain Man or the more recent television show The Good Doctor, that may have little to do with the applicant's actual behavior. Depending on the employer, these stereotypic assumptions might lead an employer to decline to hire an individual with ASD for fear that the person may be too difficult to manage. While that decision would likely be legally impermissible, it again might be difficult to prove. Accordingly, whether someone should disclose a condition will likely depend on the particular situation, the relevance of the condition to the job, and some educated guess of how the employer might respond.

The Americans with Disabilities Act

The landmark Americans With Disabilities Act ("ADA") prohibits discrimination against those who the statute defines as disabled. Originally passed in 1991, the statute was subsequently interpreted very narrowly by the Supreme Court in a way that restricted the reach and force of the statute (Selmi, 2008). In turn, Congress amended the statute in 2008 in the awkwardly named Americans with Disabilities Act Amendments Act of 2008 ("ADAAAA") so as to restore the statute to its original purpose. The Amendments have had a particular effect on individuals with ASD and the amended Act rather than the original Act will be the focus of the rest of this chapter.[1]

The ADA prohibits employers with more than 15 employees from discriminating against those who are defined as disabled. Unlike something like age discrimination, there is no consensual definition of who is disabled for purposes of statutory protection and the statute offers a specific definition that requires proof of four different

[1] Under the original Act, individuals with autism were frequently defined as not disabled because the court concluded that the individuals were not substantially limited in a major life function, a condition for protection both under the original and amended statute. However, the amended statute broadened the scope and individuals with autism are not routinely defined as disabled.

elements. The statute prohibits discrimination against the disabled who are qualified to perform the essential functions of the job, either with or without a reasonable accommodation. Each of these terms—disabled, qualified, essential functions and reasonable accommodations—requires definition, and all of the terms are susceptible to varying interpretations.

Defining Disability

The statute defines "disabled" as someone who is substantially limited in a major life function. This is a term that the 2008 Amendments sought to clarify, as prior to the passage of those Amendments, there were many cases seeking to interpret what constituted a major life function, a term that generally encompasses things like walking, talking, eating, and other daily functions. Before the Amendments were passed, in some cases, individuals with Asperger's were deemed not sufficiently limited in their daily life functions and therefore were not considered disabled under the terms of the statute, and in a large number of nonautism related cases, courts struggled to determine whether certain daily tasks like brushing one's teeth constituted a major life activity. In the context of those with Asperger's, in response to an employer's claim that the employee was not substantially limited in a major life function, the individual employee often responded that she was substantially limited in the major life function of getting along with others. Most courts accepted this position but some courts were reluctant to see getting along with others as a major life function, and indeed, the ability to get along with others continues to serve as a hurdle to obtaining protection under the ADA.

One issue that has arisen in several of the cases is that an individual with Asperger's, by far the most common ASD condition present in the court cases, is also identified as having ADHD, which has long been a controversial diagnosis. Although courts appear to readily accept Asperger's diagnoses, their general skepticism over ADHD may influence their analysis, particularly when it comes to determining whether the individual is qualified to perform the job. In any event, the key point here is that prior to the 2008 Amendments, many cases, including those focusing on ASD individuals, turned on whether the individual was defined as disabled under the terms of the statute.

For the most part, the statutory changes have caused that debate to recede, and today, individuals with Asperger's or other related conditions are generally defined as disabled without meaningful inquiry or discussion, a conclusion that is consistent both with the statutory language and the interpreting regulations promulgated by the EEOC. In its interpretive regulations, the EEOC has made it clear that those with ASD should be defined as disabled in that it substantially limits brain functions.[2] Indeed, consistent with the regulations, the statutory Amendments have largely been interpreted to define disability broadly and to avoid lengthy disputes about whether

[2] 29 C.F.R. § 1630(h)(3)(iii) (2016).

someone falls within the scope of the statute. But, as a practical matter, what that means is that the focus of inquiry has shifted from whether the individual is disabled to whether the person is qualified to perform the essential functions of the job, and that inquiry often results in finding the person is unqualified. Again, this has been true not just for individuals with ASD but across the board on disability claims, which remain extremely difficult to win.

Qualified to Perform the Essential Functions of the Job

Cases involving ASD, most commonly Asperger's, turn on some common facts but it is also important to note that the ADA requires an individualized inquiry in all circumstances. Assuming the individual has been defined as disabled, the inquiry then turns to whether the person can perform the essential functions of the job, and there is a separate question of whether there are reasonable accommodations that would enable the person to perform those essential functions. As a result, a court will carefully analyze the particular situation both to identify the essential functions of a job, and to determine whether the individual is able to perform those functions, with, or without, a reasonable accommodation. Both the focus on essential functions and reasonable accommodations are unique to the operation of the ADA, and require judicial interpretation.

Under the statute, disabled individuals are only required to perform the essential functions of the job—any job requirement that is not deemed essential can effectively be disregarded in determining whether someone is qualified for the position. In cases involving those with Asperger's, the employee was often disciplined or terminated because of a difficulty getting along with others, or in some instances the difficulty interacting with customers. In those cases, the initial question becomes whether getting along with others or interacting positively with customers is an essential function of the job. There is no definitive test to determine what constitutes an essential function; the statute defines essential function as "fundamental," but courts often defer to employers in defining the specific requirements of the job. Other courts have sought to provide a quantitative measure, seeking to assess how much of a particular job requires interacting with customers, for example, or getting along with others. One court explained:

> An "essential function" is a fundamental job duty of the position at issue … [it] does not include the marginal functions of the position. Whether a job function is "essential" is determined by looking at numerous factors, including: the employer's judgment as to which functions are essential; written job descriptions of the job prepared before considering applicants; the amount of time spent on the job performing the function; the consequences of not requiring the incumbent to perform the function; and the work experience of past and current incumbents of the job. In the absence of evidence of discriminatory animus, [courts] generally give[s] substantial weight to the employer's view of job requirements.[3]

[3] Kinghorn v. General Hosp. Corp., 2014 WL 3058291, *6 (D. Mass. 2014).

Once the essential functions of the job are defined, the next and typically most important question is whether the individual is qualified to perform those functions with or without a reasonable accommodation. These two questions—performing the job and reasonable accommodations—should be analyzed together, but courts typically split them and focus primarily on whether the person is qualified without regard to available accommodations. This is not an analysis unique to individuals with ASD but instead reflects how courts analyze disabilities more generally, and it has led to many cases being lost because the court determines the individual is not qualified for the position without ever assessing whether a reasonable accommodation is available. For example, in one well-known case involving a police officer who had interpersonal problems with his subordinates, which the plaintiff alleged resulted from his ADHD, the court simply concluded that his behavior meant he was not qualified to perform his duties.[4] The court never considered whether there was any reasonable accommodation that might have allowed him to perform his job satisfactorily but simply concluded that his personality made him unsuited for the supervisory position he held.

The same has occurred in several cases involving individuals with Asperger's. In one case involving a Bioinformatics Specialist at a Hospital, the employee, Brian Kinghorn, got into an argument with his supervisor after only two days on the job, which was quickly followed by other negative interactions with co-workers. After the employee informed his employer that he had Asperger's, the employer provided him with a detailed agenda and sought to provide a more structured day for him. He was nevertheless fired after less than a month on the job, which the court found did not violate the ADA. The court concluded that the employee was unqualified to perform his job because he was unable to "follow instructions and work collaboratively with others," two essential functions of his work. The court added, "The record is replete with examples of Plaintiff failing to follow directions even after a structured daily training plan was reduced to writing for him."[5] In a similar case involving a medical resident, the court concluded that the plaintiff's Asperger's interfered with his ability to communicate with colleagues and patients and that he had failed to demonstrate that there was any way to accommodate his disability. As an accommodation, the plaintiff sought to have his colleagues undergo training to provide "knowledge and understanding" of Asperger's, something the court noted would not affect his interaction with patients, and thus rejected the suggestion as a permissible reasonable accommodation.[6]

Both of these cases touch on what has been a divisive issue within courts and which has particular application to those with ASD—how should courts analyze a situation of workplace misconduct when that misconduct is directly attributable to one's disability. Two approaches have arisen. In one, which is currently the majority approach among courts, it does not matter if the misconduct is attributable to the disability—workplace misconduct is a legitimate reason for discipline or termination

[4] Weaving v. City of Hillsboro, 763 F.3d 1106 (9th Cir. 2014).

[5] Kinghorn v. General Hospital Corp., 2014 WL 3058291 (D. Mass. 2014).

[6] Jakubowski v. Christ Hospital, 627 F.3d 195 (6th Cir. 2010).

regardless of its source. As the Second Circuit Court of Appeals explained in a recent case: " The fact that such aberrant behavior may be a result of [the employee's] Asperger's is immaterial, inasmuch as workplace misconduct is a legitimate and nondiscriminatory reason for terminating employment, even when such misconduct is related to a disability."[7] This principle has been applied to all manner of disability cases and when applied, it invariably means that the employer's actions will be upheld. In these cases, courts rarely seek to determine whether the employer might have been able to accommodate an individual's disability, perhaps by hiring a job coach, an issue that will be discussed shortly, and likewise fail to ask whether the misconduct justified termination.

The other approach, which has been adopted by the Ninth Circuit Court of Appeals, is far more protective of employee rights, and more consistent with the statute's intent of providing protections to the disabled. Within the Ninth Circuit, an employer may be held liable if the plaintiff can demonstrate a causal link between what the court labels "disability-produced conduct" and an employee's termination. In other words, if the employee can show that she was terminated for conduct that was directly traceable to her disability, she may be able to prevail in her disability claim. In a case involving a T-Mobile retail store manager with Asperger's, the trial court explained that "conduct that results from a disability is part of the disability and not a separate basis for termination."[8] This does not mean that the employee will always prevail on her claim but it shifts the focus to determining whether a reasonable accommodation might be available, or in some instances to determining whether the employer might have been motivated by fear or animus regarding one's disability.

One such case involved an individual with Asperger's who worked as a bagger at a grocery store. The employee, Gary Taylor, often spoke loudly on the job, was overly talkative and occasionally made inappropriate comments to customers. When a customer complained, the employee was fired, and the employee later sued claiming his termination was in violation of the ADA. The employer did not contest that Taylor was disabled under the terms of the statute, nor did the employer contest that Taylor's behavior was a manifestation of his Asperger's but instead the employer claimed that Taylor could not do his job without offending customers. But upon reviewing the entire record, the Court of Appeals concluded that Taylor had received only a couple of complaints from customers or co-workers and more importantly, he did not receive any more complaints than other non-disabled employees.[9] This latter point is important and goes to what it means to discriminate based on stereotypes because it will often be the case that an employer will effectively exaggerate the behavior of those who are different so that a mishap by a disabled employee might be noticed while a mishap by a non-disabled employee will be ignored. This was one of the central objectives the ADA was designed to eradicate—allowing employers to operate on stereotypes or assumptions regarding the abilities of those with disabilities.

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[7] Krasmer v. City of New York, 580 Fed. Appx. 1 (2nd Cir. 2014).

[8] Bacon v. T-Mobile USA, Inc., 2010 WL 340517 (W.D. Wash. 2010).

[9] Taylor v. Food World, Inc., 133 F.3d 1419 (11th Cir. 1998).

Defining Reasonable Accommodations

This leads to the last, and what Congress intended to be the most important inquiry, namely whether there is a reasonable accommodation that would allow the employee to perform the essential functions of her job. The reasonable accommodation requirement is a core and distinctive feature of the ADA, and at the time the statute was passed, it was seen as critical to integrating the disabled into the workplace. Under the provision, employers have an affirmative obligation to provide a reasonable accommodation and to explore along with the employee what kind of accommodation may be helpful. Yet, in the way the statute has unfolded, there has been surprisingly little development regarding what constitutes a reasonable accommodation. At the same time, the reasonable accommodation provision is crucial to ensuring successful workplace protections and integration.

The basic principles regarding the duty to accommodate are well established: an employer must only provide a reasonable accommodation, not the accommodation an employee prefers. What constitutes a "reasonable" accommodation will depend on the nature of the job, the employee's requirements, and also the nature of the employer. The statute specifically acknowledges that costs are relevant and what might be reasonable for a large employer may prove unreasonable for a smaller employer, or for a large employer in a precarious financial situation. An employer is also obligated to engage in an interactive process with the employee to determine whether a reasonable accommodation exists, and it is not necessary for the employee to request an accommodation. Rather, once an employer has notice of an employee's disability, whether by disclosure or observation, the employer's obligation to consider an accommodation arises.

The issue of the essential functions of the job also plays a role in the accommodation inquiry. If a part of a job is deemed not to be essential, say customer interaction is not essential to the position, then that part of the job can be eliminated, whereas it is not considered reasonable to eliminate an essential function of a job, or to require another employee to perform essential functions. Essential functions must be accommodated, if at all, in a way that allows the disabled employee to perform them.

To date, there have been very few cases assessing what might constitute a reasonable accommodation in the context of individuals with ASD. As mentioned previously, in one case, a medical professional requested that his colleagues be provided with educational training regarding ASD but the court held that such an accommodation would not have addressed the difficulty the individual had communicating with patients. Nevertheless, workplace education of co-workers could constitute a reasonable accommodation in appropriate circumstances so long as the education could ameliorate the workplace conflict. While education should make co-workers more knowledgeable and sensitive to behavioral issues associated with ASD, it may not alleviate workplace performance issues attributable to ASD, although it may make employers and colleagues more tolerant of any such behavior. Another possible accommodation could be a job coach, and a number of employers have voluntarily

provided job coaches as part of their initiatives to hire individuals with ASD. Job coaches may be effective in helping employees with ASD navigate complex workplace social interactions. Obviously, the cost of a job coach might prove prohibitive for smaller employers but could likely be reasonable for larger employers, particularly if several employees share the coach. Job coaches may also be available through community organizations and outside the workplace to help train individuals with ASD in the social mores of the workplace.

One of the issues that may arise with a job coach or some other instruction as a possible reasonable accommodation is whether such coaching will help change what the employer considers disruptive behavior. If it does not, then a court is likely to view such an accommodation as ineffective and therefore unreasonable, and it may be necessary at the time the accommodation is requested to demonstrate the potential efficacy of coaching. A number of studies have shown that an individual with ASD can successfully modify her behavior through coaching or instruction (Chen, 2015), though it is also likely the case that it may not always work and may likewise be difficult to establish that coaching will lead to improvement before it is implemented. Coaching may work for some but not others and whether it will prove to be a reasonable accommodation will turn not just on the cost but whether its effectiveness can be demonstrated in the particular situation. With that in mind, coaching or job mentoring is more likely to be voluntarily adopted by employers upon request rather than mandated by a court as a required accommodation.

Individuals with ASD are often sensitive to light and noise, and depending on the workplace, some modest accommodations may be helpful. Changing out harsh fluorescent lights for softer LED lights would rarely pose a financial hardship for employers and may go a significant way toward alleviating some workplace stress for employees on the spectrum; similarly, allowing individuals to wear noise cancelling headphones may enable workers to be more productive and, in the words of the statute, perform the essential functions of the job. There are, indeed, a large number of small shifts in workplace culture that can enable autistic individuals (and others) to perform their job, ranging from providing written instructions to advance notice regarding any changes in workplace routine. Again, these kinds of accommodations are unlikely to impose a financial burden even on smaller employers and may significantly enhance the workplace productivity of employees.

Two frequently requested accommodations have proved more controversial. For many individuals, including those with ASD, working at home would alleviate some of the difficulties they encounter in the workplace, and this applies to those with social deficits, sensitivity to light, noise, or smells, and individuals for whom getting to work can prove difficult. Courts, however, have been particularly hostile to requests for working at home, and as a result most (though not all) such requests have been deemed unreasonable.[10] The primary reason courts deny such requests is that they conclude that showing up to work, or being at work, is an essential function of the job, and therefore cannot be accommodated by eliminating that requirement. This does not mean that requests for a flexible schedule or even to work exclusively at

[10] EEOC v. Ford Motor Co., 782 F.3d 753 (6th Cir. 2015) (en banc).

home will always be rejected as unreasonable, and courts may reconsider some of their earlier decisions in light of the sharp increase in remote work resulting from the coronavirus pandemic. Whether a request will be granted will likely depend on whether the job lends itself to being done outside of the office, and also whether the request is for limited flexibility or a broader request to always work at home. It should also be noted that there is a potential downside to such requests, as the employee can become quite isolated working away from the office and may also limit his or her potential advancement within the company.

Another common accommodation request is to be transferred to a different job one that fits the individual's skills better. In all circumstances, such a request will be reasonable only if a job is open, as it will generally be per se unreasonable to try to bump a person out of a job. However, the statute and courts have determined that transferring an individual with a disability to an open job can constitute a reasonable accommodation.[11] The issue becomes more complicated when there might be another candidate who is more qualified for the open position, or when a union contract determines how the position should be filled, in which case the union contract will typically govern.[12]

Courts have divided over whether companies should be required to allow a transfer as a reasonable accommodation regardless of the qualifications of other applicants or whether companies are only required to allow disabled individuals to compete for a position, which turns out to be not much of an accommodation since qualified individuals would presumably be permitted to apply and compete for any open position (Hensel, 2017: 93). One thing is clear, transferring to another job is only available to the extent that the individual is not capable of performing the essential functions of the current position taking into account the possibility of a reasonable accommodation. In other words, it is not available when an individual would prefer a different job, only when the transfer is necessary to allow the individual to continue working.

Hiring Tests

One emerging area in the employment setting that could pose difficulties for individuals with ASD involves the use of games as part of the interview process. These games, typically played on a tablet or other device, are often used in lieu of more traditional tests and are designed to provide employers with information regarding the likelihood of success in a particular workplace or for a particular job. Many of these games would pose no problems for individuals with ASD but some seek to test for the kind of soft workplace skills that individuals with ASD may have trouble with, such as reading social cues and even the facial expressions of characters portrayed in a game (Morgan, 2013).

[11] Aka v. Washington Hospital Center, 124 F.3d 1302 (D.C. Cir. 1997).

[12] U.S. Airways v. Barnett, 535 U.S. 391 (2002).

These games are relatively new and there have yet to be any legal challenges to them but to the extent they disadvantage disabled applicants, including those with ASD, the ADA strictly regulates their use. In order to use a test during the application process, an employer would be required to demonstrate that the test was job related in that it provided information that was deemed essential to success in the workplace (Carle, 2017). It is not necessary to establish that the employer chose the test so that it would exclude individuals with ASD only that the test does so, and the employer's burden to establish the test is job related can be a hefty one.

Recent Employer Initiatives

As should be obvious from the above, the law offers only limited protections for individuals with ASD (and those with disabilities more generally) and has to date focused almost exclusively on individuals with jobs rather than helping individuals obtain jobs. This latter issue is likely to be of greater significance since many ASD individuals may have difficulty navigating the demands of a traditional interview process, and thus will never make it into the workplace.

Recently, a number of employers have voluntarily begun initiatives designed to hire individuals on the autism spectrum, and these initiatives offer insights into best practices for employers who want to reach out to individuals with ASD. A number of the initiatives were started by company executives who have ASD children but just as many are designed to target individuals because of their underemployed but valuable skills.

Microsoft, for example, has started a small-scale initiative that is notable for its restructured interview process. Realizing that the interview process can pose problems for individuals with ASD often by adding anxiety to the process, the company has created a lengthy introductory process, one that initially lasted up to four weeks, that essentially enables the worker to try out for the position. Several other companies, often working with the Danish company Specialisterne, have adopted similar programs to provide an interview process that will likely lead to less anxiety among those with ASD and will also demonstrate to employers the valuable skills individuals with ASD can bring to the workplace. Walgreens has even constructed a mock store in a Chicago suburb as a way of allowing applicants or new employees gradually to adjust to the workplace setting. Many companies have also provided training to employees regarding autism and have likewise found that buy-in from other employees and managers can provide an important link to long-term employment for those with ASD.[13]

These initiatives have filled a wide range of jobs. For example, the large software company SAP has successfully placed individuals with ASD in software positions,

[13] The various initiatives have been widely chronicled in the popular media. For one such example see J. Che, "Why More Companies Are Eager to Hire People with Autism," Huffpost, Mar. 29, 2016.

IT, graphic design, finance, and marketing, in other words, many of the most common jobs at the firm (and many of which could be performed remotely). Other companies have sought to place ASD individuals in jobs that may best fit their skills. Bank of America has a group of disabled employees, including a number of high-functioning autistic individuals, who process written checks, a task that involves repetition while rewarding careful attention to detail, two tasks that many individuals with ASD can thrive at. And at the Rising Tide Car Wash chain based in Florida—known for its expert attention to detail—all of the employees are on the autism spectrum.

These programs are a variation of what is known as "supported" employment, which provides various supports to allow disabled individuals to work in an integrated competitive workplace. The supports can vary from on-site job coaches to off-site community support in the form of general job training, interview practice, or learning the specific requirements of a job (Wehman et al., 2012). A key feature of supported employment is that the coach, or a designated individual, will initially work to find a job that matches the individual's skills, a step that has proved crucial to maintaining long-term employment. Supported employment is often funded by state or federal vocational offices, although the programs discussed earlier are typically funded by the companies without governmental support, and supported employment has been associated with improving cognitive functioning outside of the workplace as well as leading to more stable employment (Garcia-Villamisar & Hughes, 2007).

An alternative but the more controversial approach is known as "sheltered employment," where disabled individuals often including those with ASD will work in a separate environment often at sub-minimum wages (Pendo, 2016). These programs are authorized under the federal Fair Labor Standards Act, and are controversial in large part because the employees are paid poorly while the employers receive federal grant funds. Some of the programs are designed as transitional employment that would allow individuals to move into competitive integrated workplaces whereas others are intended as long-term employment. In contrast to supported employment, there is little evidence to suggest that sheltered employment has improved the quality of life for individuals with ASD and the programs are now in decline with several states moving to ban them altogether.

These private initiatives mentioned above remain relatively new and have typically been implemented on a small scale, though several employers have stated their desire to increase their scale. To date, the programs have been successful in their goals and as they expand and gain greater publicity, other employers may adopt similar programs, or perhaps will be more willing to hire an applicant with ASD. Stereotypes die hard but, particularly in tight job markets, employers should be willing to reach out to a potentially broad and talented pool of applicants that have encountered too many barriers to entering the workplace.

Conclusion

Despite the current low levels of employment, individuals with ASD can be productive employees often with no necessary accommodation at all, and when accommodations are necessary they will often prove of minimal cost. The recent private initiatives by companies to reach out to individuals with ASD should help change the perception of the abilities of such individuals, leading, one would hope, to greater employment opportunities in meaningful work.

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Michael Selmi is Foundation Professor of Law at Arizona State College of Law where he teaches courses on employment discrimination, employment law, and law and social change. Prior to entering academia, he was an attorney with the Civil Rights Division of the Department of Justice and the Lawyers' Committee for Civil Rights.