Hidden Discrimination: Where is the IT Power of Korea Coming from?

Kim Nam-Sook*

Department of Social Welfare, Tongmyong University, Busan, Korea; welfare0420@tu.ac.kr

Abstract

Background/Objectives: This study was started with the questions of what contents of discrimination they had experienced personally since the introduction of the Disability Discrimination Act in 2008 and what solutions might be available for these problems. Since the enactment of the Disability Discrimination Act, Focus Group Interviews (FGI) have been made with people with disabilities who were looking for a job in order to survey discriminations experienced by the disabled in the process of job search and job maintenance. Methods/Statistical Analysis: FGI gave basic information for finding national solutions and explored discriminative situations in the domain of employment. Through education and campaigns for people with disabilities about the contents of the Disability Discrimination Act, we need to create a social atmosphere that encourages the disabled to claim and support their rights by themselves. Findings: People with disabilities should recognize fully the contents of direct discrimination, indirect discrimination, refusal of reasonable accommodation, discrimination by advertisements, etc., which are key contents of the Disability Discrimination Act. Most of all, because indirect discriminations disclosed in this study are highly likely around us, they should be understood and educated clearly. Improvements: With these efforts, we need to prevent discriminations against the disabled in workplaces and to promote the culture of working together in the labor market, and ultimately to deploy people with disabilities as a major national workforce of production.

Keywords: Disability Discrimination, Employment, Focus Group Interview (FGI), The Person with Disabilities

1. Introduction

The U.S. enacted the Americans with Disabilities Act (ADA) in 1990, and declared the Human Rights of Disabled People in 2003. In response to such a global trend, the Disability Discrimination Act was born in Korea in 2008 finally after 7 years’ long birth pain. The Disability Discrimination Act is considered to have upgraded the level of welfare for the disabled in Korea and even from the viewpoint of the world. It means that people with disabilities are not merely objects of social protection but equal beings before the law and their disabilities should not be used as an excuse for discrimination. This was also a turning point that shifted the basic paradigm of policies for the disabled from medical models to social models.

The right to work should be ensured in order to secure basic social rights to living, education, medicine, housing, etc. and to support required financial means. Clause 1 of Article 11 of the Constitution ensures equal rights through the comprehensive and general provision, saying, “All people are equal before the law. One shall not be discriminated in any domain of political, economic, social, and cultural life based on his/her gender, religion, or social status”. This suggests that the right to work and equality in employment are guaranteed also for people with disabilities.

Then, how is discrimination against people with disabilities in the domain of employment in Korea, which is an IT leader throughout the world? This study was started with the questions of what contents of discrimination they had experienced personally since the introduction of the
Disability Discrimination Act in 2008 and what solutions might be available for these problems.

2. Literature Review

2.1 The Meaning of “Have a Job” in Welfare for the Disabled

Before the recent shift of the paradigm of welfare for the disabled to independence, we discussed rehabilitation. The contents and meanings of rehabilitation are various among different areas of rehabilitation including medical, educational, social, psychological, and vocational rehabilitation, and none of them should be neglected. However, what is most important in welfare for the disabled is employment2 and, consequently, vocational rehabilitation of the disabled.

In the contemporary society, a job is the source of income and, at the same time, it provides opportunities for social participation and ensures a status as a society member and a social being. Accordingly, people with disabilities also achieve social participation and self-development through job search activities. Their disabilities make it difficult for them to find a job and isolate them from the labor market, and even if they find a job it is not easy to maintain it3-6. For this reason, issues and polices related to the employment of people with disabilities are the hottest subjects in welfare for the disabled, and they are the most fundamental parts directly linked to disabled people’s right to existence.

The Employment Promotion and Vocational Rehabilitation of Disabled Persons Act, which is for promoting employers’ active employment of people with disabilities and more substantial vocational rehabilitation of the disabled, is not dealing with common employment discriminations against the disabled exhaustively. It is not clear whether discriminations ruled by the law include not only direct discriminations involving an obvious intention to discriminate but also indirect discriminations that are implemented through criteria, habitual practices, or behaviors without an intention to discriminate but result in discriminative outcomes.

In contrast, the Disability Discrimination Act enacted in 2008 is dealing with employment discrimination somewhat more comprehensively among the 6 domains of discrimination.

2.2 Contents of Discrimination in the Domain of Employment

In a recent study on food service company workers’ perception on the employment of people with disabilities and the causes of their unemployment, it was found that the employment of people with disabilities is hindered by the workers’ perception that ‘the disabled would show poor work performance’ and ‘the employment of the disabled would be costly’.

In’ made an issue of problems experienced by elementary school teachers with disabilities in the course of their appointment, and analyzed their experiences of job performance after appointment, and reported that elementary school teachers commonly had to carry out various works but there were few direct discriminations or alienations against teachers with disabilities in school. However, social perception of elementary school teachers with disabilities was still negative and this reflects people’s concern over having a disabled person as the teacher of their children because elementary education is focused more on life education than on the delivery of knowledge.

It is obvious that different types of disability have their unique characteristics related to job maintenance and job search. Through a qualitative study on the deaf’s experiences of job maintenance6, examined association between deaf culture perceived by the deaf themselves and deaf culture for job maintenance, and the subjects mentioned negative deaf culture among the deaf themselves rather than discriminative factors in workplaces. Compared to ordinary people with mental disorders or those with different types of disabilities, they showed a lower level in almost every aspect related to employment type, job category, wage, and employment outcome.

On the other hand, there was an approach that distinguished ambivalent attitudes toward traditional discriminative practices, namely, between hostile disablism and benevolent disablism, conceptualized the attitude, and developed a scale to assess the attitude10.

There are also studies related to direct discrimination, indirect discrimination, and reasonable accommodation, which are the three key types of discrimination adopted by the laws against disability discrimination including the Disability Discrimination Act of the U. S.11, and they asserted that employers’ social and psychological responses in the labor market of people with disabilities and social structure create disabling environment, which, in turn, reduces opportunities for jobs and career devel-
opment among people with disabilities. In\textsuperscript{12} reported that reasonable accommodation, which is required of employers by the Disability Discrimination Act, is closely related to increasing employment and job maintenance of the disabled, and this suggests that accommodation is functioning as another factor of discrimination in workplaces. Bayramov (2016) emphasizes the term “inclusion”, that the issue of educating and employing the people with disabilities is one of the key problems in our society nowadays\textsuperscript{13}. They made survey once in every two years in a different area, included ‘perception of discrimination against the disabled’ as one of the survey items. This item represents ordinary people’s perception of discrimination against the disabled, and discrimination against the disabled perceived by the disabled themselves. To the question about discrimination against the disabled in Busan, the percentage of those who answered ‘Not at all’ or ‘Little’ among ordinary people was 21.0\% in 2009, 30.2\% in 2011 and 41.9\% in 2013, showing a gradual increase, while the percentage of those who answered ‘Somewhat serious’, ‘Serious’, or ‘Very serious’ among the disabled was 79.0\% in 2009, 69.7\% in 2011 and 58.1\% in 2013, showing a gradual decrease shown in Table 1. That is, Busan citizens still perceive negatively that there is discrimination against the disabled in the city and that the severity of discrimination is still high, but the perceived intensity of discrimination is getting weaker.

On the other hand, Table 2 shows discrimination against the disabled perceived by the disabled in Busan, and there are some differences from discrimination against the disabled perception perceived by ordinary people. While ordinary Busan citizens think that people with disabilities in the community are still discriminated and the intensity of discrimination is high, people with disabilities do not consider discrimination against them in the society to be serious. In addition, no significant difference in the perception was observed according to socio-demographic variables.

Since the enactment of the Disability Discrimination Act in 2008, there has been an increasing social interest in direct and indirect discriminations against the disabled, and the social atmosphere has been changed in a way of amplifying efforts to prohibit and prevent different types of discrimination including gender discrimination, racial discrimination, and education-based discrimination. As ‘ordinary people's prejudice against people with disabilities’ is counted as the biggest cause of discrimination against the disabled (Korea Differently Abled Federation, 2012), it is essential to reach social consensus upon education on the prevention of discrimination and improvement in people’s perception of disabilities.

Particularly for people with disabilities, it is necessary to educate the contents of the Disability Discrimination Act and to promote background so that they may advocate and claim their rights. As pointed out earlier, major contents of the Disability Discrimination Act including direct and indirect discriminations, discriminations through refusing to provide legitimate conveniences, and discriminations through advertisements should be fully recognized not only by people with disabilities but also public officials of Busan City involved in welfare for the disabled for the broader and deeper understanding of discrimination against the disabled.

Unfortunately, few of previous studies dealt with discriminations experienced directly by people with disabilities in the course of job search and job maintenance. Therefore, this study was conducted in order to identify various discrimination-related problems arising from the employment of people with disabilities and to provide basic information for solving such problems.

3. Materials and Methods

3.1 Procedure and Subject Selection

Because this study is about the somewhat heavy theme, discrimination against people with disabilities, it may not be easy for the participants to disclose their negative personal experiences. Focus Group Interview (FGI) is an adequate research method for this type of research because it induces mutual sympathy and supportive and acceptant atmosphere.

For the purpose of this study, FGI was conducted with a group of people with disabilities who were looking for a job during the period from February to March in 2014.

Table 1. perception of discrimination against the disabled(by ordinary people in Busan)

\begin{tabular}{|c|c|c|c|c|}
\hline
 & Not at all & Little & Somewhat serious & Serious & Very serious \\
\hline
2009 & 1.6 & 19.4 & 50.2 & 20.4 & 8.4 \\
2011 & 2.5 & 27.7 & 44.8 & 17.1 & 7.8 \\
2013 & 3.7 & 38.2 & 46.8 & - & 11.3 \\
\hline
\end{tabular}
The 1st session was held on February 26, 2014 and the 2nd on March 15, 2014, 120 minutes for each session, and so a total of 4 hours.

3.2 Methods of Data Collection and Analysis
For FGI with the participants, a semi-structured interview guideline was prepared. This interview guideline contained open-ended questions so that the interviewees might understand the purposes and uses of the research and provide sufficient information for the research.

4. Results
FGI was conducted in order to survey discriminations experienced by people with disabilities in the field of employment and their awareness of the Disability Discrimination Act, and the results of the interviews are summarized as follows. Table 3 shows 5 disabled job seekers were taken this interview, the disability types are mental disorder, physical disability and hearing impairment.

Note: All of the participants above had an experience of employment in the past, and they had been looking for a job continuously after quitting the previous job.

4.1 Experience of Discrimination in the

### Table 2. Perception of discrimination against the disabled (by the disabled in Busan)

<table>
<thead>
<tr>
<th>Year</th>
<th>Not at all</th>
<th>Little</th>
<th>Somewhat serious</th>
<th>Serious</th>
<th>Very serious</th>
</tr>
</thead>
<tbody>
<tr>
<td>2009</td>
<td>18.4</td>
<td>73.0</td>
<td>7.2</td>
<td>1.0</td>
<td>0.3</td>
</tr>
<tr>
<td>2011</td>
<td>20.2</td>
<td>68.2</td>
<td>9.9</td>
<td>1.0</td>
<td>0.6</td>
</tr>
<tr>
<td>2013</td>
<td>25.4</td>
<td>62.7</td>
<td>11.3</td>
<td>-</td>
<td>0.7</td>
</tr>
</tbody>
</table>

### Table 3. The job-searching interviewees' general characteristic

<table>
<thead>
<tr>
<th>Title</th>
<th>Gender</th>
<th>Disability type</th>
<th>Age</th>
</tr>
</thead>
<tbody>
<tr>
<td>Job seeker 1</td>
<td>Male</td>
<td>Mental disorder</td>
<td>20s</td>
</tr>
<tr>
<td>Job seeker 2</td>
<td>Female</td>
<td>Physical disability</td>
<td>50s</td>
</tr>
<tr>
<td>Job seeker 3</td>
<td>Female</td>
<td>Hearing impairment</td>
<td>30s</td>
</tr>
<tr>
<td>Job seeker 4</td>
<td>Male</td>
<td>Physical disability</td>
<td>20s</td>
</tr>
<tr>
<td>Job seeker 5</td>
<td>Female</td>
<td>Physical disability</td>
<td>40s</td>
</tr>
</tbody>
</table>

Process of Job Search
The interviewees mentioned cases of direct discrimination that they experienced in the job search process but, at the same time, they suggested that people with disabilities should be more confident. Although it was not a case of discrimination, they also demanded that job information centers should provide more accurate information.

“I had an injury on the head after discharged from the army. I was dismissed from seven jobs and sometimes I walked out by myself. In a job interview in 2006, the company said no without giving me an opportunity to show how I could work only because I had a disability. Still I believe that it depends on how people with disabilities think.” (Job seeker 1).

“I wish that the Korea Employment Promotion Agency for the Disabled may know better the situation of sheltered workplaces before providing information.” (Job seeker 2)

4.2 Experiences of Discrimination in Employment
The participants who were now looking for a job but had been employed in the past were generally open to sharing their experiences of discrimination in employment. Beside direct discriminations, they mentioned indirect discriminations such as the assignment of duties without consideration of disability and discriminative practices such as refusal of reasonable accommodation.

“Once I was assigned a work that required a high skill without preparation or prior training and I was extremely nervous in doing the job… Sometimes I was put into duties nothing to do with my experiences or abilities… I also worked in buildings that did not operate the elevators for saving electric charges, were cold, and were accessible only through the staircases. Although they were sheltered workplaces, their facilities and environment were so poor that a wheelchair-ridden worker working at such a facility got even sicker and after all he died of overwork. Overdue wage was common not just to me but to many others”. (Job seeker 2)

“I was informed clearly that it was the Department of Packing, but the work given to me was washing Styrofoam boxes restored in a cold room. When
I was hired, I told them that my hands were not good ...” (Job seeker 5).
“Once I participated in the Work and Hope Project. There I worked hard but other normal people idled around, smoking and talking... I got angry, feeling that it was unfair.” (Job seeker 3)

4.3 Experiences of Discrimination by Colleagues in Workplace

Some of the interviewees disclosed their experiences of discrimination by their non-disabled colleague workers not by the employers. This suggests that this is not a problem to be corrected by the law but efforts should be made to change people’s idea.

“I got along with people very well, and I worked hard for good relationships”. (Job seeker 2)
“The head of the department laughed and smiled with others but he changed his face when looking at me”. (Job seeker 5)

4.4 Awareness of the Disability Discrimination Act and Right Claims

It was found that the interview participants, who themselves had disabilities, were not well aware of the contents of the Disability Discrimination Act. They knew the legislation and enactment of the law but their understanding of its contents was extremely limited. This suggests that active education and campaigns should be made for people with disabilities. What is more, they felt that there had been few sensible changes in people’s perception even with the introduction of the Disability Discrimination Act. This indicates that more efforts should be made to change society members’ general perception.

“I think I have heard but I don’t know much about it”. (Job seeker 2)
“I think most of us aren’t familiar with it, are we?” (Job seeker 5)
“I know a little, for example, there should be a sign language interpreter to employ the deaf. But I don’t know the details”. (Job seeker 3)

“Despite the law, we have a long way to go. Still people look at us as if they see a monkey”. (Job seeker 2)

It was found that, despite the Disability Discrimination Act, they thought it would be hard for them to raise the problem personally even if a discriminative situation has happened by the employer. It was mainly because they were afraid to give a negative impression of people with disabilities.

“Even with the Disability Discrimination Act, I don’t think I can argue against such unfair treatment. I don’t want to give the impression that people with disabilities cause troubles”. (Job seeker 1)

5. Conclusions and Implications

Disability is an individual’s problem but is ‘our’ problem and a problem of the society. The unemployment of people with disabilities is a loss to our international competitiveness, and the employment of people with disabilities can save the government's expenditure and reduce tax burden by decreasing the expenses of social welfare. Korea, as an IT power, needs to develop various types of human resource in response to the radical change of its industrial structure, and it should be noted that people with disabilities are not the objects of social protection but the subjects of national production.

Thus, this study analyzed the contents of discriminations experienced by people with disabilities in the courses of job search and job maintenance through FGI and in-depth interviews, and explored discriminative situations in the domain of employment, particularly indirect discrimination.

It is necessary to educate the contents of the Disability Discrimination Act and to promote background so that people with disabilities may advocate and claim their rights. As pointed out earlier, major contents of the Disability Discrimination Act including direct and indirect discriminations, discriminations through refusing to provide legitimate conveniences, and discriminations through advertisements should be fully recognized not only by people with disabilities but also public officials involved in welfare for the disabled for the broader and deeper understanding of discrimination against the disabled.

Through education and campaigns for people with disabilities about the contents of the Disability Discrimination Act, we need to create a social atmosphere that encourages the disabled to claim and support their rights by themselves. People with disabilities should recognize fully the contents of direct discrimination, indirect discrimination, refusal of reasonable accommo-
dation, discrimination by advertisements, etc., which are key contents of the Disability Discrimination Act. Most of all, because indirect discriminations disclosed in this study are highly likely around us, they should be understood and educated clearly.

With these efforts, we need to prevent discriminations against the disabled in workplaces and to promote the culture of working together in the labor market, and ultimately to deploy people with disabilities as a major national workforce of production.

6. References