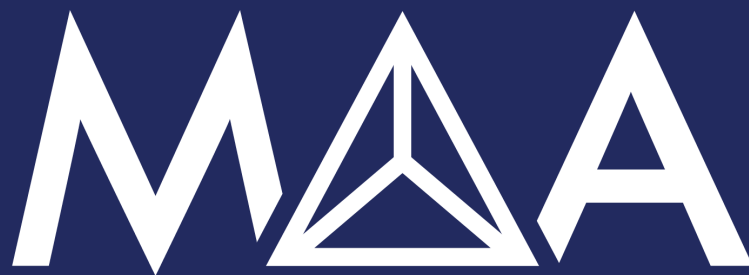


Employing Disabled Writers

A Best Practices Guide

2021

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Why should the entertainment industry care about reaching the disability community?

Much has been said and done on the topic of diversity and inclusion in media. But, the disabled community, unfortunately, is often left out of these conversations, even though the disabled make up the largest minority in the US. According to the CDC (Centers for Disease Control and Prevention), there are now 61-million people with disabilities in the US. In other words, one out of four adults in this country have a disability.

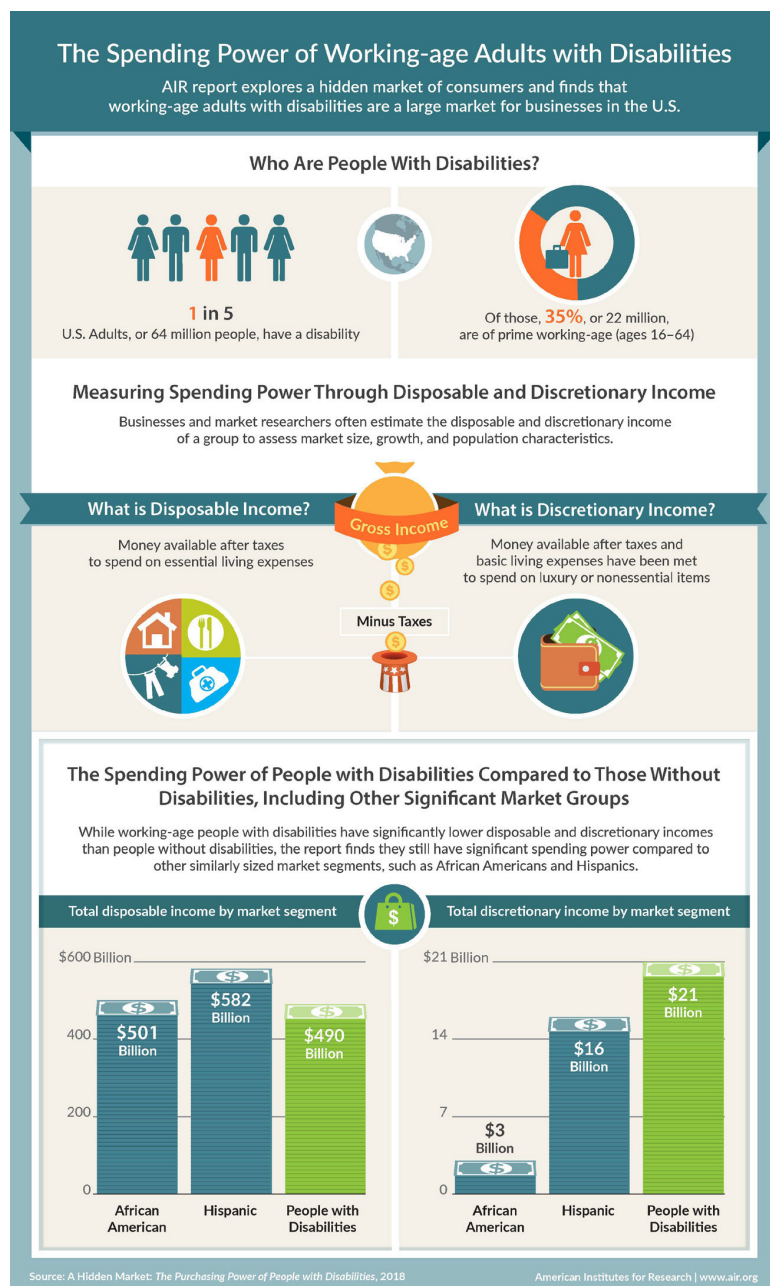
There are many stories and distinct points of view being left out of television and film storytelling greatly due to the dearth of writers with disabilities working in entertainment. Not only does this not make sense creatively and socially, it also does not make sense financially.

Let's talk Statistics:

According to Americans Institute for Research 2018 Report:

- The total after-tax disposable income for working-age people with disabilities is about \$490-billion, which is similar to that of other significant market segments, such as African Americans (\$501-billion) and Hispanics (\$582-billion);
- Discretionary income for working-age people with disabilities is about \$21-billion, which is greater than that of the African American and Hispanic market segments combined.

This is an untapped market with great purchasing power. Stories that feature disabled characters will reach and engage a community that seldomly sees itself on television or film.



Definition of a person with disabilities and reasonable accommodation:

The ADA (American with Disabilities Act) defines a person with a disability as a person who has a physical or mental impairment that substantially limits one or more major life activity. Employers are obligated to provide reasonable accommodations to qualified applicants or employees with disabilities. A reasonable accommodation is any modification or adjustment to a job or the work environment that will enable an applicant or employee with a disability to participate in the application process or to perform essential job functions. Accommodations may include, but are not limited to, providing a ramp, specialized equipment or adjustments to work schedules or responsibilities.

The only legal limitation on an employer's obligation to provide reasonable accommodation is that it may not cause "undue hardship" or be significantly difficult, costly, or disruptive. "Undue hardship" must always be decided on a case-by-case basis.

Why media representation matters:

We all know the reach and power of media, particularly television. The absence of disability on screen coupled with stereotypical depictions has had significant consequences. More positive attitudes are seen in people who've had more exposure and interaction with people with a disability, such as friends, relatives, and caregivers. Able-bodied students in inclusive classrooms held more positive unconscious attitudes as well. The positive attitudes were contingent on exposure and interaction.

Television representation can help make positive change. One way it can foster change is by portraying people who are disabled with the same needs and desires as other characters. By normalizing the existence and relationships of disabled characters, audiences become familiar with disabilities and more welcoming of people who have them.

Wilson, Michelle Clare, and Katrina Scior. "Attitudes towards Individuals with Disabilities as Measured by the Implicit Association Test: A Literature Review." *Research in Developmental Disabilities* 35.2 (2014): 294-321. Print.

Representation in Television:

According to GLAAD's "Where We Are On TV" 2020-21 Report, disabled people are severely underrepresented. Out of 773 series regulars on broadcast scripted series this season, 3.5 percent (27 characters) have a disability. This is a small increase from last year's high of 3.1 percent, setting a new record high percentage with the number of characters remaining equal.

According to the Writers Guild of America, West self-identified Writers with Disabilities make up only 0.7% of Current Active WGAW members. This disparity may partially result from under-reporting, since disability status is based on self-identification, but still suggests severe employment discrimination. This is reinforced by reports from WGAW members that some facilities where writers work and pitch are not ADA compliant, creating literal barriers to entry for people with disabilities.

Representation in Film:

"Only 2.3% of all speaking characters across the 100 top-grossing films of 2019 were depicted with a disability. In terms of types of disabilities, the majority (64.7%) were physical in nature (e.g., missing limb, paraplegic) followed by cognitive (29.4%; e.g., PTSD, depression, psychosis, memory loss) or communicative disabilities (28.4%, e.g., stutterer, blind, Deaf). No meaningful change was observed in the percentage of speaking characters with disabilities across the 5-year sample (2015-2019). **In 2019, a full 48 movies erased the disability community** on screen which was less than 2018 (58 movies) but no different than 2017 (45 movies).

Additionally, 77 films failed to even feature one girl or woman speaking character with a disability. **Not one of the 500 movies** evaluated featured speaking characters in line with the percentage of individuals living with a disability in the U.S. population (27%).

The majority of disabled characters in 2019 were males (67.6%), white (66%), and 40 years of age or older (59.6%). Only 3 disabled characters across the 100 top-grossing films were part of the LGBTQ community as were only 7 spanning the 5-year, 500 movie sample. **None** of the speaking characters with a disability were transgender. Nineteen movies in 2019 featured a lead/co lead with a disability. Eleven of these protagonists were boys/men and 8 were girls/women. Four of the leads/co leads with a disability were from underrepresented racial/ethnic groups and only 1 was LGBTQ. Over time, the number of movies with a lead or co-lead with a disability was higher in 2019 (19 films) than 2018 (9 films) or 2015 (10 films)."

From: Inequality in 1,300 Popular Films: Examining Portrayals of Gender, Race/Ethnicity, LGBTQ & Disability from 2007 to 2019
Annenberg Inclusion Initiative USC

Should writers with a disability only be hired if the pilot /film calls for a character with disabilities?

If you are working on a show that features a disabled character, you should seek out disabled writers to help generate unique, honest, and powerful stories about that character's experience.

But that is by no means the only thing that a disabled writer can write. Does your show feature characters in love? Characters who have complicated relationships with their parents? Characters who enjoy fine foods, fashion, traveling? So do most disabled writers.

In many cases a disabled writer spends most of their time focusing on family, work, and fun, not dwelling on what they may or may not be able to do. And as a special bonus, their unique experience with a disability has probably created unique situations at home, at the office and with friends that can breathe truth into your show, even when the story and characters have nothing to do with disability.

"When you meet a person in a wheelchair, you think I'm meeting a person in a wheelchair. Once you spend an hour with a person in a wheelchair, you are spending an hour with a person."

– David Shore, creator of *The Good Doctor* and *House*

The Hiring Process

During an Interview:

Do you bring up the disability right away?

Answer: No. Under the ADA, an employer may not ask about the existence, nature, or severity of a disability. As the producer or showrunner, you should avoid talking about disability during the interview unless it is relevant to the discussion. Stay focused on assessing the writer's skill set or pitch idea. If the writer brings up their disability, hear them out, but try not to dwell on the subject. It is a disservice to both you and the writer.

What if the disability bears directly on the script material, either because the writer can draw from personal experience or has a broader range of applicable knowledge?

Answer: Then clearly, it is a point of discussion. In this case, the disability becomes an **asset** the writer brings to the table, in the same way someone who speaks a foreign language or fought in a war might. A good way to broach the subject is to ask the writer how they responded to the material personally. Let them tell you about their disability in their answer.

Possible questions to ask:

Why do you think you are the right writer for this project?

What do you think you bring to the show?

What personal experience do you have that you find relates to the show or character?

Is it okay to ask the writer with a disability if they can work the same unrestricted hours as other writers?

Answer: An employer should always lay out the requirements of a particular job. Most writers would not be interviewing if they didn't think they were up for the job. If they have scheduling problems, they should let you know, like any writer with extenuating circumstances such as being a single parent. (For example, writers in chairs may need to take periodic breaks from sitting.) Make sure all the questions asked prior to finalizing hiring are asked of all potential hires not just the disabled writer.

Does insurance go up when you have persons with disabilities working on a show?

Answer: Insurance usually comes from the studio, and it does not go up.

How do I let someone with a disability go who is either not doing a good job or is not a good fit for a show without the fear of a lawsuit?

Answer: Firing someone is always a difficult decision, but sometimes a necessary one. It goes without saying that gender, race, sexual orientation, and disability should not have any impact on such decision. So, the procedure should be as in any other firing: always document every situation that comes up which might lead to letting someone go. Also get HR and legal involved as soon as it looks like the situation may not remedy itself and may result in firing someone.

So you decided to hire a disabled writer. Now what?

How do I make my set accessible?

Stage:

Many sets are already accessible as they must be clear enough for dollies (which are on wheels) and other equipment. If not, this is a conversation between the writer and the stage manager.

Location:

Most locations can be made accessible. Creating a pathway for access of a physically disabled writer is something production crews can do in their sleep. If not, video village is always used as a solution. In some cases, like a mile into a forest, accessibility could be an issue. But it would also be an issue for equipment and crew.

Portable bathrooms and eating areas:

Often both have steps at their entrance. Make sure to provide a ramp for wheelchair accessibility.

Multilevel sets and locations:

Make sure when shooting in such situations a safe and secure lift has been worked out for easy accessibility.

Safety:

It should be second nature to every production to ensure the safety of its cast and crew. With that in mind every production should consider the following:

- In case of a natural disaster, a terrorist attack, or any other unpredictable event, make sure that all paths to the exits are clear and ramps are set up for easy exit.
- Have a visual emergency alarm system in place for the Deaf or hard of hearing.
- Have a sound alert for the blind and visually impaired.

None of these safety measures are cumbersome or costly. With only a couple of thousand dollars any production can be safe to all people working.

"The fact that a writer in a wheelchair came to us was a non-issue. Whether he was a good writer or not was the only thing we thought about. The chair has nothing to do with it. Is he someone we can work with was the only question and that is true with everybody."

– Shaw Williamson, producer of *The Good Doctor*

Working with Deaf or hard-of-hearing writers:

When considering a Deaf or hard-of-hearing person for a position or an interview, it is best not to make assumptions about what accommodations they may or may not need. Some Deaf people rely on lip-reading and do not need an ASL interpreter. Some do. There are many freelance ASL interpreters available in Hollywood. Ask the writer.

Simply asking if any accommodations are needed is the best way to ensure that efforts are not misguided. In using the phone, for instance, Deaf/HOH writers can use live captioning, captioning apps, or blue tooth hearing aids. And they can text. If they have a quiet place to make calls, all the better.

In a writers' room, some Deaf writers may need ASL interpreters. Others may not need any accommodations or only minor adjustments. A writer who relies on lip-reading may benefit from seating in a central location where they can easily turn to see the person speaking. Clear sight lines and good lighting are essential, as are captioned videos. Both lip-readers and signers can benefit by seating next to the writer's assistant to read their notes as they type. The writer's assistant can also share their screen remotely or to a second monitor. All written notes are extremely useful.

Finally, if there is an ASL interpreter, it is important to remember to look and speak to the Deaf person, and not the interpreter.

Working with blind or low-vision writers:

Working with a blind or low-vision writer demands some adjustments but no big changes in accommodations. Some small gestures can make a big difference, like asking other writers to say aloud what they are writing on the white board. It is also a good idea to give them offices close to the bathroom or kitchen. In the kitchen keep coffee, snacks, etc. in consistent locations.

Other important tips:

- A "no phones" policy should exclude blind/low-vision writers because they need the tech to read.
- All documents should be in an Optical Character Recognition (OCR) friendly font.
- On set, low-vision writers need a monitor of their own and all sides, etc. should have digital as well hard-copy versions.
- Lunch menus should come in digital form as well.
- For blind writers, a gaffer tape path to common destinations like table readings or editing rooms would be helpful.

Do not assume they cannot keep up with the work because of sight problems. They are skilled at adapting.

Working with Autistic writers:

According to autistic writer Mark Rozman, writers on the autism spectrum are often met with suspicions that are patently untrue. They are assumed to have no empathy or issues with empathy, as well as being robotic in manner and appearance. Rozman: "In reality, we are just as emotional as others; we just process and demonstrate emotions in a different way. In some instances, I feel as though I actually have too much empathy; for example, if someone is telling a very sad story and getting emotional, I'll have to look away, avert my eyes slightly because I will get emotional/start crying and don't want to take attention away from them. I cry frequently at films and TV that move me."

Autistic writers tend to need few accommodations. If possible, they work best in their own office, away from irksome distractions that can cause sensory overload. In a writers' room, a loud, abrupt sound can be disorienting. If a loud noise is coming from, say, an automatic pencil sharpener, let those writers know ahead of time so they can cover their ears. Just this small adaptation can make the working environment more comfortable for the autistic writer and raise his/her productivity.

Working with dwarf (little people/LP) writers:

Little people are not generally seen as members of the industry except as on-camera talent. The main roadblock is an unconscious assumption, based on decades of media stereotypes, that they are best playing mythical creatures or only there for comic relief or costume bits.

There are over 400 types of Dwarfism, and each can present its own challenges. Universally, LP's need consideration with reaching things and seating (and perhaps walking long distances,) Such as: a stool in the bathroom; an apple box on set; a different chair or stool in the writers' room. They do not generally need a ton of accommodations.

Importantly, they are not in the writers' room to provide sight gags or write funny little people characters whose sole purpose is to fluster, amuse, or embarrass other characters. They are there to contribute to the human experience of any character, dwarf or not.

Working with writers with non-visible disabilities:

There are many disabilities – some cases of multiple sclerosis, lupus, Crohn's disease, bi-polar disorder, obsessive-compulsion disorder, and many more – that are chronic but not easy to detect. It is the writer's responsible to address these conditions if they feel they will impact his performer and/or require accommodations. These might include sitting in the writers' room and on the set, dietary restrictions, sun exposure, and how to adjust the demands of the job to deal with sporadic fatigue. Again, the writer will know what he or she needs, and in most cases, it will not be costly or complicated, just considerate.

One note about writers who are returning veterans. Clearly, they are a rich source of story material, they also may suffer from PTSD or other non-visible conditions that need to be addressed. Realistic war sets, for instance, may elicit a much different response than from civilians. Again, the writer needs to volunteer such information and when in doubt, ask.

First Day on the Job:

- When interviewing a writer with a disability realize that they will be bringing a fresh point of view to your writers' room. Once hired make them feel welcomed by asking if they need any special accommodations to best perform their responsibilities.
- Introduce your disabled writers to the line producer and transportation captain so logistics can be worked out right from the beginning, avoiding issues later.
- Make sure the correct seating, menus and whiteboards have been previously arranged if working with a Little Person or a blind or low vision writer. Don't wait for the first day to take care of logistics.
- When hiring disabled actors, have a conversation with the AD so that they can make all the preparations necessary to make the process go smoothly.

Storytelling and Disability

Story Types Matter:

It is also important when creating disabled characters to shy away from stereotypes such as the tortured and / or saintly character with a disability. Disabled people have a term for that: "Inspiration Porn." The characters exist for the sole purpose of making other characters feel better about themselves.

Disabled people are complex human beings with the same needs and wants as everyone else. They are not defined by their disability. Disability is simply a component of their life experience. Perpetuating stereotypes only robs this community of its complexity and creates content that is simplistic at best.

Disable characters vs. disabled actors:

While the nature of acting calls for an actor to embody someone else's life, the truth is that so few disabled actors get to audition - let alone book a job - that it is imperative that we at least try to audition and cast disabled actors to play disabled characters. But, most importantly, accurate casting enriches the portrayal of a character. The Casting Society of America is well-aware of the situation and can be very helpful.

Takeaways:

Changing the Landscape:

Content starts with the writer and should be encouraged and included by upper-level writers in the room. If a writer writes, “among the people waiting to cross the street is a woman with Down Syndrome. She sports ponytails...” extra casting will cast a woman with Down Syndrome. These small changes in the writing of crowd scenes and small parts will have a great impact on the inclusion of disabled people in media. It will also give actors with disabilities experience with auditioning and performing so that they will be better trained to try out for more substantial roles.

• Producers and Showrunners

- Write disabled characters to bring a different point of view and bring specificity to characters with disabilities.

• Writers

- In crowd scenes, along with other diverse characters: specify including persons with disabilities.
- Small parts: specify disabled persons, most important, know that his or her disability need not be the focus of their presence.
- Encourage the casting of non-descript roles with an actor who has a disability. A bank teller or schoolteacher might be disabled, and the disability never mentioned.
- Main characters: If you write a disabled character, indicate that disabled actors be included in the auditions for the role.

• Casting

- Ask casting directors to audition disabled actors for non-descript roles.
- Make sure casting sessions are conducted at accessible places.



About the Media Access Awards:

The Media Access Awards aims to recognize depictions of disability that are accurate, inclusive, and multi-faceted. It honors those industry professionals who have advanced disability-related narrative in fields including writing, producing, casting, performance, and directing. We are proud to be at the forefront of creating and promoting opportunities for some of the biggest talents in the industry.
mediaccessawards.com

About Easterseals Southern California (ESSC):

For more than 100 years, Easterseals has been an indispensable resource, providing services to ensure that individuals with disabilities and their families have equal opportunities to live, work and play in their communities. We strive to ensure everyone feels 100% empowered and 100% included. The services provided by ESSC - in Los Angeles, Orange, San Diego, Imperial, Kern, San Bernardino, Riverside, and Ventura counties - make profound and positive differences in people's lives every day, helping them address life's challenges and achieve personal goals. With 2,800+ employees, 60+ service sites, and hundreds of community partnership locations, ESSC assists more than 14,000 people, providing adult/senior day services, autism therapy, child development/early education, employment services, veteran employment support, independent living options, and more. At Easterseals, 87% of our income is spent on services. Join us in changing the way the world defines and views disability at easterseals.com/southernca and wearethe25.org.



About the WGAW's Disabled Writers Committee:

This Committee seeks to enhance the visibility and employment of writers with all types of disabilities and encourage, celebrate, and endorse accurate portrayals of the disabled in all areas of the media. We also serve as an expert resource for all issues related to the disabled community.



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