

## **The Power of WOW – Episode 3: The Cause Endures – The Americans with Disabilities Act at 30**

### **Transcript**

***Narrator: When you first hear the timbre of his voice, you immediately know what family he's from.***

Ted Kennedy, Jr.: This month, July 2020, will mark the 30th anniversary of the signing of the Americans with Disabilities Act, which is the principle civil rights legislation, protecting people with disabilities from discrimination. We've made a lot of progress. Most of the progress that we've made has been in terms of architectural accessibility, to movie theaters, restaurants, sporting arenas, things like that.

***Can you pick it out? He sounds like his father and his uncles — individuals who were very much concerned with standing up for those who didn't have a voice.***

Kennedy: My name is Ted Kennedy, Jr., and I'm speaking to you today in my capacity as the board chair of the American Association of People with Disabilities. And we're one of the leading national civil rights and public policy organizations promoting social reform and equal rights for people with disabilities. I'm very engaged in this issue in my own personal way: In 1973, I was diagnosed with a rare form of bone cancer. I was only 12-years-old. After I lost my leg, I thought that my life was over. I couldn't imagine living with one leg. I was very active in sports and so on. I was very depressed. I didn't think anyone would want to be my friend. Of course, I was in the seventh grade and I thought, "What girl would ever want to go to the movies with me?" I was very insecure.

***Consider that for a moment: when a Kennedy can feel insecure — a member of a family that has produced a number of members of Congress, two Senators, and a U.S. president — it indicates how deeply this affects the human psyche.***

Kennedy: I remember when I was getting the chemotherapy in the hospital, I had to go every three weeks and get chemotherapy for a two-year period, and there was another boy in my room with me, who had also lost his leg to cancer. I was wondering why he didn't have an

artificial leg because I had been fitted with an artificial leg and was walking on my artificial leg. And he turned to me and he said, "I would love an artificial leg, but my parents can't afford one."

I remember I was so shocked and I felt so guilty about my good fortune. And I thought, "This is so unfair," and really, that's the moment in my life where I said to myself, "One day I want to work to make sure that people like him can have access to an artificial leg." And that's kind of what drew me into my life's work in the area of disability rights.

***The journey toward acceptance, respect and equality hasn't been an easy one. But Ted tells how disabilities touch us all, and how individuals, companies, and families can become aware of the needs of the disabled and come together make a difference — a difference that packs the Power of WOW.***

***Intro:*** We all have experiences outside of work that affect who we are and why we do what we do. But how much do co-workers and contacts really know about us? This is a chance to explore the untold stories of some interesting people who are customers, employees, and members of the community of TD Bank. Their stories provide the Power of WOW!

***The Kennedy family understands disabilities intimately, from family experience beginning long ago.***

Kennedy: This issue around disability justice and disability equality has been an issue that my family has been involved with. It's been the mission of the Kennedy family for decades, really prompted by my aunt Rosemary, my father's sister. My father was the late Senator Edward Kennedy. His sister, Rosemary, who was born with an intellectual disability. And I think my family, like so many families that have a member with a disability, understand firsthand the issues that face individuals with disabilities. The subtle, how people may be ignored, how the subtle stereotypes that go along with that, et cetera. So I think that really prompted my family into trying to work towards greater acceptance and respect and equality for individuals with disabilities.

***Once they arrived on the national level, the Kennedy family wasted no time in committing to positive change for people with disabilities.***

Kennedy: In fact, my uncle, President Kennedy, when moments after he was sworn in, announced that he was going to create the first national conference on mental retardation. That's what it was called, of course at the time. But it was the first time that a national leader would bring attention to this issue and, of course, it was because of his own experience. And then my aunt, Eunice Kennedy Shriver founded the Special Olympics many years ago, and now that's grown, of course, into a worldwide movement with hundreds of thousands of coaches and athletes and volunteers engaged in that.

***Those efforts and more, from both sides of the aisle, eventually led to the Americans with Disabilities Act, the landmark civil rights law that prohibits discrimination based on disability, signed into law in 1990 by President George H.W. Bush.***

Kennedy: All of my uncles, and my father was one of the authors of the Americans with Disabilities Act. Now, we're celebrating that 30 years ago, which is one of the reasons why you and I are talking today, because TD Bank has been such a leader in the area of disability, and wanting to bring attention to the anniversary. My father worked obviously, as a legislator, trying to advance the cause of disability rights in the government sphere. I think it's an issue whose really time has come.

***But advances in civil rights don't just happen in the halls of Congress. Nor do they happen solely through protests nor advocacy groups. There's a combination of forces and there are many aspects to disabilities that the American Association of People with Disabilities works on.***

Kennedy: We work on issues such as housing, and transportation, and communications, and voter empowerment. For example, we are involved now with an initiative called REV UP, which is trying to register in the United States over a million new voters with disabilities. The transportation, just as you know, I'm in 10 years from now, we may not be driving our own cars. I mean, it's hard for us to imagine that, but that's what the futurists are telling us. That has dramatic implications, for example, for individuals with disabilities. And we're working with many of the leading car manufacturers now to ensure that when these cars are designed, that individuals with mobility impairments, for example, if you're blind, all of a sudden, now you can just get into your car and it can take you to your destination. There's huge ramifications.

When we talk about advocacy, it's not just legislative advocacy, it's working in partnership with organizations, with companies, et cetera, to advance our goals. One interesting issue that has come up in disability equality since the COVID-19 crisis is the issue of access to ventilators and medical treatment for individuals with disabilities. We had a situation in the United States

where several States, and in fact, a number of healthcare authorities were directing their hospitals to deprioritize treatment for individuals with disabilities. Meaning that if you had a disability, you needed access to a ventilator, for example, you were told to get to the back of the line. This was a concept where AAPD and many other disability rights organizations were able to get together and really help alter and make sure that these policies were changed. That was an example of just an issue that came up that, of course, none of us a year ago could have anticipated.

***When you consider what's going on currently in our country more broadly, with so many people calling for more racial justice, there are common interests and goals from the disability community as well.***

Obviously, the issues of inclusion, diversity, equality are the top of mind, and have been for the last several years, but really came into focus obviously, as a result of the attention brought by Black Lives Matter and other public demonstrations.

Kennedy: I think that the disability community has been working in concert with many of these initiatives to ensure that when we talk about inclusion and we talk about diversity, that we also speak about the injustice to people with disabilities. There's really, when you think about it, the history of disability in the United States and indeed around the world, has been one of isolation and segregation. I'm talking about for years, people with disabilities were educated in separate schools, lived in separate institutions, traveled in separate buses, et cetera. So this idea of separateness is something that I think people with disabilities acutely understand when the issues of institutional racism get brought up.

We are trying to elevate our conversation, particularly again, in corporate America, that for example, TD Bank, as well as many other financial institutions and other companies around the world, when they invest in diversity initiatives, they're also including people with disabilities as part of that equation.

The organization that I chair, AAPD, we work in close cooperation with another organization called Disability:IN, and TD Bank has been very involved in the creation and the administration of Disability:IN, which is now the leading business to business resource for disability inclusion in the world.

About five or six years ago, we started something called the Disability Equality Index. That basically measures and grades companies based on disability, equality, disability inclusion. I'm proud to say that TD Bank ranks among the top companies in the world for what the initiatives that they've undertaken to ensure that people with disabilities are given a fair shot are recruited, are promoted, are given the resources that they need to succeed. Not just because it's the right thing to do, but because it drives business success.

***While it may sound a trifle transactional, it's helpful for businesses to see the impact of doing what's right to give credence to their corporate consciences.***

Kennedy: One of our other leading corporate partners, Accenture, the global consulting firm, undertook a study about a year and a half ago. And they took the companies that measure about 250 of the Fortune 500 companies, now participate in this initiative. They measured their profitability and shareholder returns, et cetera. And what did they find? They found that the companies, the same companies that were leading on disability inclusion were also outperformed, double the net profits, four times more likely to outperform their peers in terms of total shareholder returns. So the message to the corporate community is don't do this out of the goodness of your heart. I mean, yes, please do it, but do it because it makes... Let's talk about the business case because we can make that argument that companies that are leading on this... And we want to showcase them.

I think it's important to call out the companies that are doing the right thing. Because as I mentioned before, there are hundreds of companies that are doing the right thing and what are they doing? Because companies may come and they may say, "Well, I'd want to help, but how do I begin? How do I start? What does it mean to be an inclusive company?" And that is why we want to highlight the initiatives of companies that are really in the vanguard, and what they are doing, and how they've succeeded because we can all learn from one another.

***When you consider that the ADA has been around for 30 years, it would be natural to think that everything has been solved. But Ted reminds us that there are many layers to consider and there are companies that are succeeding at doing more than the minimum.***

Kennedy: Well, I think we assume that since the ADA is 30 years old, that facilities and companies will abide by the nondiscrimination elements of the Americans with Disabilities Act. But this is not just about doing the bare bones thing, making sure that your bathrooms, et cetera, are wheelchair accessible. We want to go above and beyond. And what are the best practices?

For example, the best practices for an airline may be different than a financial institution, which may be different than, for example, a small manufacturer, et cetera. So there are some elements, and if you go to the website [disabilityin.org](http://disabilityin.org), you'll see that we're very transparent in terms of what these best practices are, that companies can abide by. So they can actually learn from one another. It's been a tremendous success.

***Have you noticed that more companies are leading with their values these days? We like to know that companies reflect our values, and people with disabilities are no different.***

Kennedy: You see, people with disabilities want to know what companies authentically support them and their goals and mission. They want to know, do these companies share their vision for equality and justice for people with disabilities? And that's being increasingly, in this world of social media and whatnot, people are much more interested. And not just, is the company successful, but does it really share my values?

One of the really exciting things that I've been involved with, in the last couple of years is something called the Joint Investor Statement on Disability Inclusion. With this Accenture report that I had mentioned to you earlier in this podcast, the report was called Getting to Equal: The Disability Inclusion Advantage. That was the report that showed financial outperformance with the correlation between the companies that led on disability inclusion and their financial performance.

The message is companies that lead on these initiatives are more sustainable. These institutional investors, they want to make money for their beneficiaries and their pensioners, but they also want to make sure that the companies they invest in are doing the right thing.

***It's important to have the financial support from companies, but grassroots efforts still hold sway as well. There are ways to lead as an individual in being more sensitive to, aware of, and an advocate for people with disabilities.***

Kennedy: When you think about disability, there's over 60 million people with disabilities. And when you think about their caregivers, when you think about their family members, these numbers get very big. So it's not some narrow interest group that we're talking about. We also know that 10,000 people a day turn 65 in the United States. That means we're on the cusp of this, or we're in the middle, I could say, of a silver tsunami. More and more people living into old age with mobility, hearing, visual impairments, and how are we going to create a world for them?

When we talk about who is our base or natural constituency, it really spans across many different groups. And the thing about it is many people with disabilities do not belong to any kind of organization. If you have a mobility impairment, you may not belong to NICL [National Council on Independent Living] or AAPD. If you have a visual impairment, you may not belong to the Federation for the Blind or others. So I think that these organizations are important for people with disabilities to join an organization. And it's usually 25 bucks a year or something like that. It's not a tremendous amount of money, but it's helping to expand the base. So that's

the first thing I think someone can do, because these are the organizations that are actually advocating for us.

We're so busy in our everyday life, of course, that the way that we participate in the process now is frequently to write the check. I mean, I can't save the polar bears in Alaska, but I can write a check to the organizations that are trying to do that. The same is true in terms of disability rights. But I think also, the ADA has been successful in making disability much more visible, because we have ramps, curb cuts, elevators and so on, so people can become a part of society. And really what we're trying to do is change attitudes, change stereotypes.

We're not just working in the legislative area or the advocacy area that we talked about earlier. We're working with media companies to ensure that people with disabilities are depicted appropriately in television shows and movies and so forth. Because we know that social change may take a couple of generations to achieve.

***As those generations consider their potential contribution to the cause, what's next? There are societal issues to address that will affect people with disabilities in the near term as well as the distant future.***

Kennedy: The area that we have really fallen short, is in the area of employment, and what I call economic independence of people with disabilities. So just under 30% of people with disabilities who are able and willing to work, can get a job. And there's many, many reasons why somebody with a disability has trouble getting a job. Many of them have to do with just employers hesitant thinking that, "How could a person with the disability actually do this job? Are they going to cost me more money in my health insurance?" All these questions that people would have that thankfully, through this Accenture report that we worked on through Disability:IN and AAPD, were able to dispel a lot of those myths.

The future really is focusing on economic opportunity, making sure that somebody with a disability who is able and willing to work and get a job, which is why I'm focused so much on this Joint Investor Statement and the disability equality index.

There's other trends that are happening in our society. We talked about transportation trends, these autonomous vehicles. We talk about issues such as recruitment software — there's evidence that a number of these companies can inadvertently screen out people with disabilities, so that's a cutting edge issue.

Another issue, which this speaks to as well, is artificial intelligence. But the way the technology is going to impact our lives is going to be transformative. We want to work with these companies to ensure that the people with disabilities are thought about really at the front end

of these changes that are happening in front of our very eyes. And we're working with many of the Microsoft, and companies like Accenture, and Google, and others, to ensure that we're not inadvertently left out of the new world order, that will face this next generation.

***The Kennedy family's commitment to public service and to disability rights has been generational. As you recall, Ted's own experience with disability had changed his life at the age of 12, leaving him with doubt and insecurity. But it also opened him up to a new world — a world where possibilities grew out of disabilities.***

***Thus began a lifetime of commitment to speaking up for the rights of others, taking the torch that had been passed — just as generations of Kennedys have done. The advocacy for disability rights under the ADA continues. Perhaps their work is summed up best by Ted's father:***

“For all those whose cares have been our concern, the work goes on, the cause endures, the hope still lives, and the dream shall never die.”

***TD and the American Association for People with Disabilities are committed to doing the work, providing hope, and always giving us a sense of the Power of WOW.***