

Employment after spinal cord injury: The impact of government policies in Canada

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Abstract. The British Columbia Paraplegic Association (BCPA) sought a research partnership to evaluate where its activities should be focused. A survey of members with disabilities of the BCPA included questions on employment and identified three priorities related to employment. These were the need for assistance in finding appropriate work, the impact of policies of government and insurance agencies, and attitudes of employers. This paper examines the social and political environment related to employment following spinal cord injury in British Columbia, Canada. There is no coherent set of goals underlying government employment and income programs in Canada. Incremental development of particular employment and income programs during the 20th century led to a patchwork of policies and programs, which deal with people differently according to the cause of their disability. Federal and provincial governments have attempted to educate employers and reduce barriers to employment of those with disabilities by focusing on anti-discrimination legislation and individual rights (e.g. the Employment Equity Act and the Canadian Human Rights Act). However, people with disabilities face non-accommodating environments, inadequate income support, lack of opportunities and little political influence which stem from an unfair distribution of societal resources, not from discrimination. Joint efforts of the BCPA and other disability organizations are likely to have the most impact on legislative changes.

Keywords: Vocational counseling, Employment Equity Act

1. Introduction

About 1,100 new spinal cord injuries (SCI) occur every year in Canada with approximately 40,000 Canadians living with SCI. Eighty percent of SCI occur between the ages of 15 and 34 [13], which is also the time when Canadians are entering into gainful employment and establishing careers. Employment plays a significant role in defining people's lives. It is a source of income, identity and achievement and can assume enormous importance in a person's reintegration into the

community [13]. Paid work has been shown to be associated with higher quality of life [18] and high life satisfaction among people with spinal cord injuries [21]. However, a national study conducted in 1996 revealed that only 38% of Canadians with SCI aged 15–64 were employed [13], compared to 70% of persons without disabilities [20]. This high level of unemployment results in personal loss to the individual and his/her family, as well as an economic loss to society. The economic burden of SCI includes direct and indirect health care costs. It is estimated that direct health care costs for each person with SCI during his/her lifetime range from \$1.25 million to \$25 million. Annual health care costs in Canada for those living with SCI are \$750 million. The indirect cost of high unemployment among those with spinal cord injuries costs Canadian taxpay-

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ers approximately \$18.6 billion over the years in which they could have been working [26].

The literature on employment and those with SCI focuses on individual demographic and injury related variables that influence the person's ability to participate in the labor force. As such, it reflects the economic and medical models of disability, which emphasize the individual's ability to engage in paid employment as well as his/her medical needs. There is very little emphasis on the role of the social, economic and political environment in influencing employment status. The socio-political model of disability focuses on the importance of improving the status of persons with disabilities by altering the social environment. A socio-political response to high unemployment among those with SCI and other disabilities would focus on maximizing job opportunities and adapting the physical and social environment rather than focusing on the vocational skills of individuals [7].

The British Columbia Paraplegic Association (BCPA) is a non profit organization whose mission is to assist people with SCI achieve independence and community participation. The BCPA collaborated with a research team to explore the needs of its members and identify strategic initiatives for the organization, including the topic of employment. This paper describes and analyzes the social environment related to employment following spinal cord injury, focusing on three issues identified by respondents to a survey completed by people who self describe as having a SCI on the BCPA database. Three employment issues emerged from responses to this survey: finding appropriate work, policies of government and insurance organizations, and attitudes of employers. The paper discusses the Canadian political and social contexts – both historical and current – that form the background to these issues.

1.1. Literature review

A review of recent research on return to work for those with spinal cord injuries identifies demographic, injury related and environmental variables influencing return to work. Demographic variables included in these studies are chronological age, age at time of injury, gender, education, ethnicity and marital status. Study findings indicate that being Caucasian, male, younger at the time of injury, having more education and having lived more years with SCI are significant predictors of employment post injury [30]. For example, individuals who have completed post-secondary education are twice as likely to be employed as those

with a high school education. Counter-intuitively, studies have shown high unemployment among those with spinal cord injuries despite more years of education in this group than in the general population [13]. Those aged 25–34 are more likely to be working than those older than this group [13]. In terms of level of injury, studies consistently indicate that functional status is an important predictor of employment post injury; thus, people with paraplegia are more likely to be employed than those with quadriplegia [22]. However, taken together, demographic and injury variables explain only 30% of variance in employment status of people with a spinal cord injury [13].

Despite the low variance in employment income explained by demographic and injury related variables, these variables have enjoyed more attention in the literature than environmental variables. It appears that there are likely factors at the societal level that act as barriers to employment. Researchers have consequently recommended that the role of environmental factors be explored [23]. Transportation is one environmental variable associated with employment status for those with SCI. Noreau et al. [25] found that transportation variables accounted for up to 20% of the variance in productivity among those with SCI. Higher independence in transportation was positively correlated with productivity; and ability to drive a car was the most important transportation variable [25]. Perceived discrimination in the work environment and financial disincentives have been found to differentiate between those with SCI who were employed and those who were not employed [16]. Insurance coverage has also been shown to be a factor in post SCI employment. In the US those with private payers/insurance are more likely to be working than those without insurance [29]. In addition, government incentives for organizations/employers to employ persons with disabilities are important to ensure people with SCI remain employed/return to employment.

1.2. Study background and methods

Community-based services for people with disabilities are provided by various health and social service agencies. Many non-profit societies exist to address the needs of individuals with specific disabilities or health conditions. The British Columbia Paraplegic Association (BCPA) aims to assist persons with spinal cord injuries and other physical disabilities to achieve independence, self reliance and full community participation. The BCPA sought a research partnership to eval-

uate whether or not its activities were addressing the needs and priorities of its constituents, particularly in light of competing priorities and changes in the health care and social service sectors.

In an earlier qualitative study that used focus groups to gather data on community programs for those with SCI, from the perspective of individuals with SCI, their family members, and personal care attendants, Carpenter and Forman [15] found that many needs of individuals with SCI remained unmet. Ten themes emerged from that study, as relevant to individuals living in British Columbia communities after SCI. These included the need to lobby government for changes in funding of home/support services, the need to lobby government for equitable income policies for people with disabilities, the need to educate employers about the employability of people with disabilities and the importance of educating health care providers about SCI.

A subsequent phase of the project explored these themes in greater depth and aimed to verify and prioritize the needs identified by the focus groups with a larger sample. The BCPA database was used to identify potential participants. A questionnaire was designed in consultation with a BCPA advisory committee and persons living with SCI. A cross-sectional survey was conducted using this mailed questionnaire. It was pilot tested and the final survey consisted of 84 items, 11 of which were related to employment. Subjects indicated their consent to participate by completing and returning questionnaires to the researchers. Data from forced response items were analyzed using descriptive statistics and Chi square to assess differences between subgroups of the sample. Responses to open-ended questions were transcribed verbatim and reviewed thematically. This study and its findings are reported in detail elsewhere [3]. The purpose of this paper is to examine employment issues arising from this research from a socio-political framework.

2. Results

Of the 970 questionnaires mailed, 128 were returned as undeliverable, leaving 842 as the target group. Three hundred and eighty surveys (48%) were returned, and 27 were not eligible for this analysis because the individuals identified disabilities caused by conditions other than SCI. Nineteen were incomplete, blank or spoiled, leaving 357 for data entry and a response rate of 44%. Demographic characteristics of study respondents are listed in Table 1.

2.1. Employment status

It takes time to physically recover and prepare to resume employment or find new employment. In our study sample, there was a difference in the importance attributed to employment issues based on duration of injury: those whose injury was 4–9 years ago rated this as higher priority than did those who were injured 1–3 years ago.

Table 2 shows that 111 (31%) of respondents were employed, while 207 (58%) were unemployed. Those working fewer hours than they wanted to and those not working but wanting to work were categorized as underemployed. Those satisfied with not working included those who were at or past retirement age, those who considered themselves unable to work or were involved with activities such as parenting and chose not to work.

Reasons provided by respondents for working less than desired are shown in Fig. 1. The primary reasons are clearly at the level of the individual (e.g. complications related to SCI) while others (e.g. inability to find work and losing financial benefits) are related to factors in the social, economic and political environment. Since work plays a central role in people's lives in terms of income, identity, achievement and community integration, it's important to examine factors beyond those associated with the individual that contribute to such underemployment.

Table 3 shows factors that respondents considered important in getting and keeping a job. Vocational counseling and job retraining were deemed the most important factors in obtaining employment. Of the other factors identified that would facilitate getting a job, ten respondents indicated "knowing people and having contacts," and eight said "appropriate transportation". Another eight respondents noted the right attitude, motivation and personal drive were vitally important. Additional factors identified by respondents included access to the work place, attendant care, a willing employer, personal presentation and the chance to prove oneself. Many of these factors are external to the individual in terms of maintaining a job, accessible work space, adequate salary and a supportive employer.

The responses to an open ended survey question provided further description of these factors. Respondents were asked "Is there anything else you would like to tell us about working after spinal cord injury?" A total of 114 comments were provided and the three recurrent themes identified are the focus of the remainder of this paper. These themes were finding and maintaining appropriate work, the impact of policies of government

Table 1
Participant characteristics

Characteristic	n	%	range	mean	SD
Age (yrs)			17–98	46	14.7
Years since SCI			1–52	13	11.1
Sex					
Male	243	68.0			
Female	103	29.0			
Missing	11	3.0			
Functional level of injury					
Complete tetraplegia	92	26.0			
Complete paraplegia	142	40.0			
Incomplete SCI	108	30.0			
Unable to verify ^a	15	4.0			
Marital status					
Married	136	38.1			
Living with partner	33	9.2			
Separated/divorced	64	17.9			
Widowed	11	3.1			
Never married	112	31.4			
Missing	2	0.6			
Household income (annual)					
Less than \$20 000	111	31.1			
\$20 001–\$40 000	107	30.0			
\$40 001–\$60 000	64	17.9			
\$60 001–\$80 000	28	7.8			
Over \$80 000	36	10.1			
Missing	11	3.1			
Educational attainment					
Less than grade 9	20	5.6			
Some high school	31	8.7			
High school graduate	41	11.5			
Some post-secondary	75	21.0			
Trade/vocational diploma	101	28.3			
University graduate	66	18.5			
Missing	3	0.8			

^aFunctional level is a composite of responses to several questions. In some cases, insufficient data were provided to classify.

and third party payers, and attitudes of employers. Participants identified vocational counseling, availability of job retraining, and educational upgrading as the most important factors for finding suitable employment. Responses to the open-ended question reiterated the need for vocational counseling, availability of job training, and educational upgrading as the most important factors for finding suitable employment.

In terms of finding and maintaining appropriate work, many respondents indicated they would like to work, though finding suitable employment continually proved a challenge. The respondents felt that they were limited in the types of work they could realistically seek and felt that after SCI they were required to make a radical shift from their preferred or previous work. This represented, for some, a significant compromise and decrease in pay.

Suggested strategies to support participation in employment while managing a disability included flexi-

Table 2
Employment Status of Sample ($n = 357$)

	n	%
Employed	111	31
Working as many hours as s/he wants to work	75*	
Working more hours than s/he wants to work	12*	
Working less hours than s/he wants to work	24 ⁺	
Unemployed	207	58
Not working but wants to work	98 ⁺	
Not working and that's okay	109	
Missing data	39	11

*Classified as "fully employed", $n = 87$ (24%).

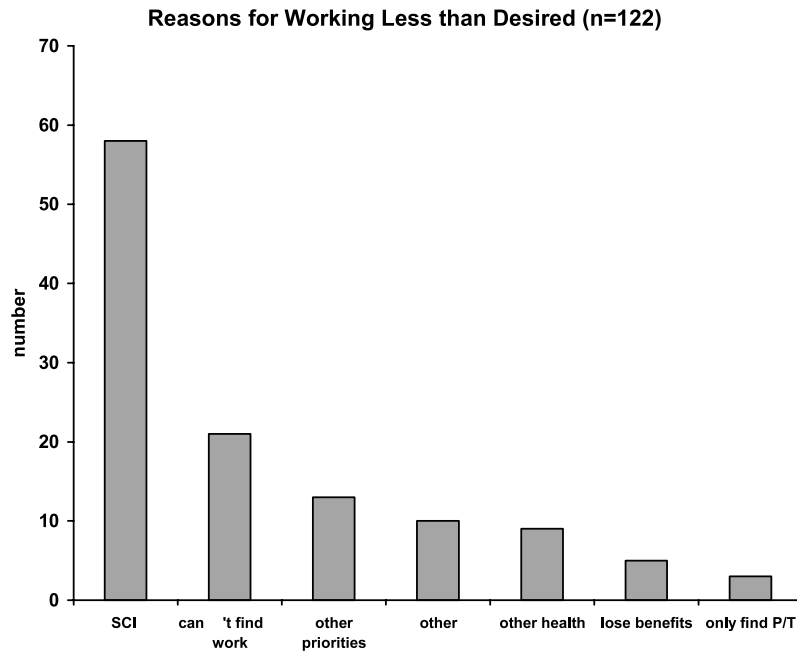
⁺Classified as "underemployed", $n = 122$ (34%).

ble hours, part-time work or job sharing; however, respondents indicated these options were rarely available. Employment re-training and education were identified as important contributors to success, but services and information about them were perceived as difficult to access.

In terms of the impact of policies and third party

Table 3
Participant Ratings of Factors Influencing Getting and Keeping a Job (1–10 scale, 10 = very important). N is less than 357 because many unemployed respondents chose to skip detailed employment questions

Factor	N	Mean	Median	SD
Getting a job				
Availability of educational upgrading	285	7.6	9.0	3.0
Availability of job retraining	287	7.3	8.0	3.1
Assistance seeking employment	290	6.7	8.0	3.0
Vocational counseling	282	5.9	6.0	3.3
Keeping a job				
Accessible work space	295	9.0	10.0	1.9
Sufficient salary	298	8.9	10.0	2.0
Supportive employer	294	8.6	9.0	1.9
Transportation	281	8.3	10.0	2.8
Supportive co-workers	291	8.1	8.0	2.1
Flexible work hours	291	7.7	8.0	2.6



SCI- complications due to SCI
Cannot find work – cannot find appropriate work
Other priorities – other priorities, including: managing household/family, being a student, and other priorities.
Other includes: forced early retirement, decreasing work in chosen field, government cutbacks, laid off while on sick leave from accident, relief work is very sporadic, previous work became too tiring
Other health – have other health problems
Lose benefits – would lose financial benefits if worked more
Only find P/T – can only find part-time work

Fig. 1.

payers, respondents expressed positive and negative experiences. The following are some examples:

“I am a student but the provincial Workers’ Compensation Board opposes my choice to obtain a BA.

As long as I do what WCB wants everything is OK. I don’t like an insurance company telling me what to do with my life.”

“My SCI happened during employment and the em-

ployer modified my job function and allowed flexible hours to accommodate me. I am currently employed with the same employer.”

“Funding agencies (government and insurance companies) are pressured and they pressure people to work at anything and to start quickly to cut costs, even if the job isn’t desirable or suitable.”

“If you start work, welfare stops and you no longer get any assistance with new wheelchairs, medication, etc.”

For some respondents, employers’ attitudes were perceived as having a stereotyped and negative view of the capabilities of people with disabilities in the workforce. Comments included the following:

“It is difficult finding an employer who’s willing to have an employee with a serious disability.”

“You have to try extra hard to show the employer you are just as valuable as able-bodied employees.”

3. Discussion

The participants identified three themes based on their experiences re employment but they were not necessarily fully aware of all the social and political issues related to these themes. The following analysis examines the social and political context of each theme: finding appropriate work, changing policies of third party payers and government, and changing attitudes of employers.

3.1. *Finding and maintaining appropriate work*

Various pieces of legislation define the extent to which social and economic costs of disability are borne by individuals, governments, and insurance corporations [1]. The legislative framework defines roles and responsibilities of the various players and determines the extent of the rehabilitation services, employment services and income support that many people with disabilities receive [28]. Income support and assistance with employment are closely tied to how the individual’s injury occurred and hence to the organization which assumes primary responsibility for funding and assisting the individual post injury [17]. The contributory insurance programs [workers’ compensation, employment insurance, motor vehicle accident insurance, private insurance and the Canada/Quebec Pension Plans (disability)] provide people with some financial security because they provide income replacement in the case

of accident or disease. There are also non-contributory programs (e.g. provincial assistance/welfare programs) and the tort system (where an injured individual sues for compensation). Each program was developed to meet certain objectives, has different eligibility criteria and provides different levels of benefits. In general, those individuals who sustain a spinal cord injury at work or in a motor vehicle accident and those with private disability insurance are more financially secure than people whose injuries occurred in other ways or do not have private disability insurance. Insurance companies provide compensation to individuals who incur losses; but they are also profit driven and so while legally required to pay certain benefits, they strive to protect their assets, and return the individual to work as soon as possible.

The Workers’ Compensation Board of BC [now known as WorkSafe BC] has adopted a step-wise sequence for returning injured workers to employment. The first step is to return the worker to the same job with the same employer. If this is not possible, the aim becomes returning the worker to a modified job with the same employer. If this is not an option, then returning the individual to a different job utilizing transferable skills with the same employer is the direction pursued. If these three previous steps are not an option, then a modified job with a different employer is the course of action [31].

The Insurance Corporation of BC (ICBC) separates the determination of the extent of injury from compensation for loss. Adjustors contract external health professionals to assess the extent to which a particular injury affects an individual’s ability to function independently in diverse settings. Another department has the mandate of facilitating return to work.

Private disability insurance may be taken out by individuals, groups of self-employed people or by employers who offer this as a benefit. Private disability insurance companies proactively focus on the individual’s return to work. Frequently, long term disability will pay 65–70% of a person’s salary for 2 years if the worker may be able to return to an alternative job more suited to their capabilities. If there is no possibility of return to work, payment will continue for an extended period.

If individuals are not covered by WCB, ICBC or private disability insurance, they may receive provincial social assistance if it is proved that they are incapable of working. The BC social assistance deters recipients from returning to work because once more than \$400 month per month is earned, benefits received while on

social assistance, such as dental care and prescription medications, are lost.

The Canadian federal government withdrew from labor market training between 1997 and 2000. The Canadian provinces assumed new responsibilities for employment [10], such that the BC government initiated pre-employment and employment services for people receiving disability assistance who were interested in improving their employability. BCPA is one of the organizations with a contract with the BC government to deliver planning and employment services. The provincial government also assists people with disabilities to set up their own businesses. Thus, there are some emerging opportunities for employment that may be suitable for some people with SCI.

3.2. Federal and provincial government policies related to maximizing job opportunities

The previous section examined government and insurance policies regarding finding appropriate work. This section focuses on government policies related to maximizing job opportunities for those with disabilities. The obligation to provide accommodations to persons with disabilities is established in Canadian law. The emphasis is on duty to provide accommodation to give the person equal opportunity to work.

The Employment Equity Act (1986) applied to federally regulated companies with 100 or more employees that operate primarily in the fields of banking, transportation and communications. Employers were required to identify workplace barriers and to develop and implement equity plans for women, aboriginal people, members of visible minorities and people with disabilities. They were obligated to report annually to the responsible Minister regarding the representation of the four groups within the workplace. The Act contained no mandatory enforcement procedures; the only penalty was for failure to report employment equity plans. The vision was that employers would be encouraged to implement employment equity because the reports could be scrutinized and used to submit systemic discrimination complaints under the Canadian Human Rights Act. A Federal Contractors' Program (1986) for employment equity required contractors with 100 or more employees and with contracts worth \$200,000 or more with the Federal Government to commit to implement employment equity initiatives. However, employment equity legislation applies to less than 10% of the Canadian work force.

The Employment Equity Act, revised in 1996, included the federal public service as well as federally regulated companies with over 100 employees. In 2001, the Public Service Commission, charged with recruiting qualified people to public service jobs, developed an innovative approach to marketing qualified individuals with disabilities by having them meet directly with managers. The federal government's Rapid Access Co-ordinator locates qualified candidates with disabilities and prepares them for this meeting [14].

In 1994 the Public Service Act Directive on Employment was enacted in British Columbia, making it the only province to introduce an employment equity policy and legislation to address systemic discrimination towards women, native people, persons with disabilities and visible minorities [4]. However, in 2001, cut-backs to the public service including the Employment Equity program occurred [4].

The Canadian Human Rights Act (amended in 1998) prohibits discrimination in employment practices on the basis of disability and stresses the obligation of employers to provide accommodations but limits the employer's duty to accommodate if the accommodation needs of the individual would impose undue hardship. Thus, from a historical lens, the socio-political response of the federal and BC governments to the unemployment of people with disabilities has not been strong. While it is arguable that further changes, even reform, may be required, it is not surprising that people with disabilities, including SCI, remain confused by the frequent changes in government policies and question whether or not enough is being done to ensure they have access to reasonable employment opportunities.

3.3. Attitudes of employers

Data from the Government of Canada's 2004 survey on attitudes to disability [11] showed that approximately 80% of Canadians agree with the statement that "Canadians with disabilities are less likely to be hired for a job than those without disabilities, even if they are equally qualified." Survey respondents viewed negative attitudes of employers regarding people with disabilities as a barrier to employment. The Canadian Council on Rehabilitation and Work aims at increasing employers' understanding of barriers encountered by those with disabilities. It offers a fee based service to assist employers to proactively address job accommodation problems. It holds national conferences to establish links between organizations providing employment services to persons with disabilities and the

business community. It offers training workshops related to the employment of people with disabilities and publishes reports on employment and disability [12].

The federal government's primary remedy to employers' attitudes has been to focus on anti-discrimination legislation and individual rights (e.g. the Employment Equity Act and the Canadian Human Rights Act) as instruments to achieve equality for people with disabilities. Thus, an individual who has been denied accommodation can file a complaint under the Human Rights Act. However, as Russell (2002) points out, the focus on attitudes and individual rights ignores the barriers to employment erected by economic structures and power relationships. People with disabilities face non-accommodating environments, inadequate income support, lack of opportunities and little political influence which stem from an unfair distribution of societal resources, not from discrimination [9].

People with disabilities have little power in the current economic structures as power lies with the owners of capital. The majority of jobs are in private companies and the owners/managers of these companies are free to choose who will fill these jobs. People with disabilities do not possess the right to a job [27]. This lack of perceived power is a possible explanation for why 'lobby governments for equitable income policies' and 'educate employers' were top priorities for the respondents to the BCPA survey reported here. Only 1/3 of the sample was employed, and the household income was disproportionately low compared to BC general population. These important issues are beyond the scope of the individual to act, so they were asking BCPA to lobby on their behalf.

Additionally, high unemployment is associated with high poverty rates. Louise Arbour, UN High Commissioner for Human Rights, claims there is a long history of reluctance to give effect to economic, social and cultural rights in Canada. Civil and political rights have been championed by Canadian courts when the federal government uses repressive criminal legal power. But there is considerable hesitation regarding social, economic and cultural rights and protecting weaker parts of the population on grounds other than discrimination [2].

4. Limitations

Not all people with spinal cord injuries in BC join the BCPA. Our study was therefore not based on a representative sample of people with spinal cord injuries. Also

it was not possible to follow up on non-respondents so we were unable to compare the profiles of the two groups. The three issues addressed in this paper are not the only factors affecting the employment situation of people with spinal cord injuries from a socio-political perspective. For example, the provision and adequacy of home support services is strongly linked to employment for without these services it is difficult for some people with disabilities to work. Disability related supports (e.g. attendant care and medical equipment) and transportation are also important. In addition, flexibility is needed in income support rules that reduce benefits when income is earned. However, the three issues discussed were the most salient employment-related factors identified by persons with SCI who responded to the community-based survey we conducted in collaboration with the BCPA.

5. Conclusion

A mailed questionnaire distributed to people with SCI on the BCPA data base asked people about their participation and perceptions regarding employment. The data showed three priorities related to employment, namely the need for assistance in finding appropriate work, the impact of changing government policies, and the attitudes of employers. Historical, social and political factors have shaped the employment policies and programs that people with disabilities experience today. There is no coherent set of goals underlying insurance based or government employment programs. Incremental development, during the 20th century, of particular programs to deal with specific demands (e.g. the needs of workers with injuries) led to an array of fragmented policies and programs, which deal with people differently, according to the cause of their disability. Some of these programs (e.g. the Canada Pension Plan and Social Assistance) are part of general welfare state policies that are also fragmented [17]. The cause of a person's spinal cord injury directly affects the amount and type of assistance he/she receives related to returning to work or finding new work. Those with some form of insurance (motor vehicle, worker's compensation, and private disability insurance) receive more help than those not covered by these programs.

In the 1980s disability groups advocated for coordinated, equitable income and employment policies that would treat individuals according to need rather than cause of injury. These efforts were unsuccessful, partly because the federal and provincial governments

could not reach agreement and partly because lawyers and insurance companies benefit from the current system [24]. It is unlikely that these policies will be reformed in the near future. Individual advocacy organizations like the BCPA would likely have greater impact by joining efforts with other disability organizations, for example, the B.C. Coalition of People with Disabilities, as well as other disease/injury specific organizations.

Federal and provincial governments have attempted to change attitudes and increase job opportunities for people with disabilities by enacting legislation (e.g. Employment Equity and Canadian Human Rights) to reduce discrimination and establish individual rights. However, the focus on individual rights ignores structural barriers such as the private ownership or the social economy [27] and the maldistribution of power and resources [8].

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