

Socio-Cultural Barriers for People with Disabilities in the Public Employment Sector of Nepal

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ABSTRACT

Employment is vital for persons with disabilities (PWD) as it fosters financial stability, independence, and purpose. This research investigates the constitutional and legal frameworks affecting PWD's access to public service employment in Nepal, identifying key barriers they encounter. A qualitative research design was employed to analyze relevant constitutional and legal documents. Data collection utilized historical content analysis, case studies, observations, and key informant interviews to uncover barriers faced by employed PWD in accessing public employment. The study involved narratives from ten purposively selected cases of employed individuals with disabilities. Observations focused on the availability of disability-friendly infrastructure and physical challenges faced by these employees. Key informants included policy advocates and leaders from disability organizations, providing insights into the effectiveness of existing policies. Data analysis was conducted using content analysis methods. Findings indicate that while Nepal's Constitution (2015) and the Act Relating to the Rights of Persons with Disabilities (2017) demonstrate a commitment to enhancing employment opportunities for PWD, significant barriers persist. Public institutions often lack disability-friendly infrastructures, and societal attitudes, coupled with insufficient awareness and training among employers, further exacerbate discrimination against PWD in public sector jobs. Consequently, individuals with disabilities face exclusion from employment opportunities, limiting their economic participation.

Keywords: inclusion, legal policy, public employment, persons with disabilities, socio-cultural barriers

Introduction

Development encompasses more than just the act of building infrastructure and measuring performance; it also involves a holistic approach that prioritizes the well-being of individuals and communities. As Mishra (2019) emphasizes, effective development should integrate ethical considerations and social responsibility, linking green recovery initiatives

with the care of people rather than focusing solely on monetary gains. This perspective aligns with Mishra and Aithal's (2023) assertion that building ethical capital through human resource practices is essential for fostering an inclusive environment. In the context of Nepal, where rapid urbanization and infrastructural development are underway, it is crucial to ensure that these efforts do not overlook



the needs of marginalized groups, including persons with disabilities (PWD). The ethical implications of development demand that we not only create accessible environments but also cultivate a culture of inclusivity and support for all individuals. By prioritizing ethical practices and integrating social care into development strategies, we can foster a sustainable recovery that benefits both the economy and society as a whole (Mishra & Aithal, 2022; Maskey & Mishra, 2018; Mishra et al., 2023). Ultimately, this comprehensive approach to development will enhance the quality of life for all citizens, ensuring that progress is measured not just in economic terms but also by the well-being and inclusion of every member of society.

Access to public service employment for persons with disabilities (PWD) is a critical issue that reflects broader societal attitudes toward disability and inclusion. In Nepal, a nation characterized by rich cultural diversity and diverse geographical challenges, ensuring equitable access to public sector jobs for PWD is both a legal obligation and a moral imperative. The advocacy for inclusive employment transcends mere compliance with laws; it embodies the principles of equality and social justice. Employment is pivotal in the lives of PWD, offering financial stability, independence, and a sense of purpose. It serves as a gateway to social inclusion and personal development. Public sector roles are particularly significant for many PWD due to their perceived security and better regulation compared to the private sector, which can often be less predictable and more discriminatory (Central Bureau of Statistics, 2021). Thus, public service employment is not solely about job opportunities; it is integral to achieving equal social status and integration for PWD. Nepal's legislative frameworks have made significant progress in supporting PWD employment. The [Constitution of Nepal \(2015\)](#) guarantees the right to work and participate in public life (Constitution of Nepal, 2015), while the [Act Relating to Rights of Persons with Disabilities \(2017\)](#) provides detailed provisions for equitable employment, including quotas and necessary accommodations (Act Relating to Rights of Persons with Disabilities,

2017). The National Disability Policy (2019) further consolidates efforts to create an inclusive environment in employment (National Disability Policy, 2019). Despite these advancements, implementation remains inadequate. Physical barriers in public buildings hinder access for PWD, as many facilities lack essential features such as ramps and accessible restrooms (UNESCAP, 2020). Additionally, attitudinal barriers stemming from persistent stereotypes contribute to discriminatory practices that undermine employment prospects for PWD (Ghimire, 2022).

Problem Statement

There is a pressing need for increased awareness among employers regarding the capabilities of PWD. Insufficient training can lead to inadequate accommodations in the workplace, creating environments that are not fully inclusive (Bhattarai, 2021). According to the National Census Household 2021, approximately 2.3% of the population identifies as having a disability (Central Bureau of Statistics, 2021). This statistic underscores the necessity for targeted measures to ensure that PWD have equal access to employment opportunities within the public sector.

Research Objective

This study aims to examine the effectiveness of Nepal's legal frameworks and policies in promoting public service employment for PWD while identifying key barriers that impede their successful inclusion in the public workforce.

Literature Review

Access to public service employment for persons with disabilities (PWD) in Nepal is shaped by a complex interplay of legal frameworks, policies, and social challenges. This literature review examines the evolution of disability rights legislation in Nepal, assesses the impact of policy measures designed to enhance employment opportunities for PWD, and identifies the persistent barriers they encounter in public service employment. Over the past two decades, Nepal has made significant strides in establishing a legal framework that supports disability rights. The

ratification of the United Nations Convention on the Rights of Persons with Disabilities (CRPD) in 2001 marked a pivotal step toward aligning national legislation with global disability rights standards (UN, 2006). This commitment was further solidified by the *Act Relating to Rights of Persons with Disabilities* (2017), which introduced specific provisions such as employment quotas, vocational training, and workplace accommodations aimed at fostering inclusivity in public sector employment (*Act Relating to Rights of Persons with Disabilities*, 2017). A key feature of the 2017 Act is the implementation of a quota system reserving 5% of public sector positions for PWD. While this provision theoretically opens opportunities for PWD, research indicates mixed outcomes. Joshi (2019) notes that bureaucratic inefficiencies and insufficient employer awareness regarding disability rights hinder access to these jobs. Sapkota (2024) argue that challenges in recruitment processes and limited outreach efforts significantly undermine the effectiveness of the quota system. Vocational training is essential for preparing PWD for employment, and the Act mandates tailored vocational programs. However, Vogelauer et al. (2020) highlights that many initiatives lack adequate resources and infrastructure to meet PWD's specific needs, resulting in suboptimal employment outcomes. Acharya and Gurung (2018) emphasize that collaboration between public and private sectors is crucial to enhance the relevance and quality of vocational training programs. The Act also requires public sector employers to make reasonable accommodations, such as providing accessible infrastructure. However, Rai (2019) reveals that many government offices remain physically inaccessible due to inadequate facilities. Koirala and Bhattarai (2021) further point out that a lack of employer training on disability inclusion continues to impede necessary accommodations for PWD. Despite existing legal protections, PWD in Nepal face numerous barriers to full participation in public service employment. Physical inaccessibility, societal discrimination, and ineffective enforcement of disability rights laws are significant obstacles. Singh and Mehta

(2022) identify these systemic barriers as critical challenges to achieving meaningful inclusion of PWD in the workforce. Additionally, Bista and Subedi (2020) highlight disparities between urban and rural areas, noting that rural regions are often ill-equipped to implement disability-inclusive policies. This regional divide exacerbates challenges faced by PWD in accessing public service employment opportunities. This study aims to explore the gap between policy formulation and its implementation concerning public service employment for PWD in Nepal.

Methodology

This research focuses on exploring the constitutional and legal policies affecting persons with disabilities (PWD) in Nepal, particularly the barriers they face in accessing public service employment. To achieve this objective, a thematic analysis of relevant constitutional and legal documents was conducted. A qualitative research design was deemed appropriate for examining the legal provisions related to disabilities.

Research Design

The study employs a qualitative research design, which is suitable for understanding the complexities of disability rights and the barriers faced by PWD in public employment.

Data Collection Methods

Historical Content Analysis

This method was utilized to investigate historical facts and context regarding disability rights legislation in Nepal (Adhikari, 2021; Adhikari, 2022; Adhikari et al., 2024a; Adhikari et al., 2024d). Legal documents, including the Constitution of Nepal and relevant acts, were analyzed to extract thematic content related to disability rights.

Case Studies

Case studies were employed to delve into the personal experiences of employed PWD. This approach allows for an in-depth exploration of participants' feelings and perceptions regarding their employment experiences (Adhikari et al., 2024b; Adhikari et al., 2024c). A purposive

sampling procedure was used to select ten cases of employed individuals with disabilities.

Observations

Observational methods were applied to assess the accessibility of public sector workplaces. This included evaluating infrastructure and identifying physical barriers that hinder PWD from performing their duties effectively.

Key Informant Interviews

To gather insights on the effectiveness of policies and practices related to the employment of PWD, interviews were conducted with key informants, including policy advocacy activists and leaders of disability-related organizations. These interviews provided valuable perspectives on the challenges faced by PWD in accessing public service employment.

Data Analysis

Content analysis was employed as the primary method for analyzing qualitative data collected from various sources (Adhikari, 2020a; Adhikari, 2020b; Adhikari, 2024). This method facilitated the systematic categorization and interpretation of themes emerging from the legal documents, case studies, observations, and interviews.

By integrating these methodologies, this research aims to provide a comprehensive understanding of the constitutional and legal landscape for PWD in Nepal and identify key barriers to their access to public service employment.

Results and Discussion

This study investigates the progress and ongoing challenges faced by persons with disabilities (PWD) in accessing public sector employment in Nepal. While legal frameworks such as the [Constitution of Nepal \(2015\)](#), the [Act Relating to Rights of Persons with Disabilities \(2017\)](#), and the [National Disability Policy \(2019\)](#) aim to promote inclusion, their implementation remains inadequate. By collecting perspectives from PWD, government officials, and disability advocacy activists, this research provides a

comprehensive understanding of the barriers faced by PWD, including issues of physical accessibility, societal prejudice, and gaps in enforcement and awareness.

Legal and Policy Framework

Nepal has made significant strides in establishing a legal foundation that supports the rights of PWD. The [Constitution of Nepal \(2015\)](#) includes provisions aimed at promoting inclusivity and protecting the rights of persons with disabilities, particularly in public service employment. Although it does not specify detailed procedural guidelines for public service employment, it articulates principles of equality, inclusion, and special protection for marginalized groups.

- Article 18 emphasizes the right to equality for all citizens, including PWD, stating that "All citizens shall be equal before the law" and prohibiting discrimination based on various grounds.
- Article 42 affirms the right to social justice, ensuring that marginalized groups, including PWD, have the right to employment in state structures based on inclusion.
- Article 41 specifically addresses the rights of persons with disabilities, guaranteeing their access to public services and facilities.

The [Act Relating to Rights of Persons with Disabilities \(2017\)](#) provides specific provisions to enhance employment opportunities for PWD in the public sector. Key sections include:

- Section 6, which prohibits discrimination in employment based on disability.
- Section 15, mandating a reservation system for public service positions for PWD.
- Section 9, requiring reasonable accommodations in the workplace.
- Section 17, which mandates vocational training and skill development programs for PWD.

The **National Disability Policy (2019)** establishes guidelines aimed at ensuring equitable access to public service employment for PWD by emphasizing inclusive recruitment processes and reasonable accommodations.

Challenges in Implementation

Despite these legal frameworks, implementation remains weak. Interviews with policymakers revealed a disconnect between written policies and practical application. One policymaker noted that "our policy is only for written," highlighting the need for localization to ensure effective implementation. Document analysis indicated that many public institutions have yet to adopt necessary accommodations fully, and adherence to job quotas is often lacking.

Physical Barriers

A significant challenge identified in this research is the lack of physical accessibility in public sector workplaces. Many government buildings do not meet accessibility standards; essential features such as ramps, elevators, and accessible restrooms are often absent. Case studies illustrate this issue: participants reported needing assistance from colleagues to navigate inaccessible facilities, which undermines their ability to function independently.

Attitudinal Barriers

Societal attitudes toward PWD also present substantial barriers within the public service employment sector. Many individuals reported experiences of discrimination during hiring processes and felt overlooked for promotions. Interviews with employers revealed a lack of understanding regarding the abilities and rights of PWD. Advocacy activists highlighted that negative stereotypes persist, limiting hiring and advancement opportunities for PWD.

Awareness and Lack of Training

A significant challenge identified through triangulated data is the lack of awareness and training among public sector employers regarding necessary accommodations for persons with disabilities (PWD). Advocacy activists revealed

that "many organizations are not well-informed on how to make reasonable accommodations for PWD, such as modifying workspaces or adjusting workloads. They are not prepared to implement these changes. Government buildings are not disability-friendly, making it difficult for many individuals with disabilities to access them without assistance for their daily work. Most offices are located on upper floors, and there is no means of access other than stairs. We have requested that rooms be relocated to the ground floor to facilitate easier access for PWD, but our requests have been ignored. Officials have stated that senior officers should occupy the top-floor rooms." This commentary highlights that the lack of awareness contributes to an unsupportive work environment, making it challenging for PWD to succeed in public service employment. Although legal frameworks mandate reasonable adjustments to support PWD in the workplace, many employers remain unaware of what these adjustments entail. For instance, one case study participant reported a complete absence of formal training on disability rights or inclusion. Consequently, even when PWD are hired, they often do not receive the necessary support to perform their jobs effectively. This lack of awareness extends to coworkers, who may not know how to interact with or assist their disabled colleagues. This underscores the necessity for comprehensive training programs aimed at enhancing understanding and implementation of accommodations. These findings suggest that addressing the gaps in awareness and training is critical to improving working conditions for PWD in public employment. Training programs should focus on educating public sector employers about their legal obligations and providing practical guidance on accommodating PWD in the workplace. Furthermore, raising awareness among the broader workforce will help reduce stigma and foster a more inclusive environment.

Regional Disparities

The study also uncovered significant regional disparities in the implementation of disability-inclusive policies. One advocacy activist noted, "Public institutions in rural regions often lack even

basic accessibility features, and societal attitudes toward disability are more stigmatizing. There is a lack of educational materials for visually impaired students in rural Nepal, resulting in fewer educational opportunities."Interviews with advocacy activists revealed that government offices in rural areas are frequently completely inaccessible. Some participants described being unable to attend job interviews because buildings lacked ramps or were situated on upper floors without elevators. Additionally, societal attitudes toward disability in rural areas tend to be more negative, with PWD often perceived as burdens rather than valuable contributors to the workforce. This highlights the need for targeted interventions to address specific challenges faced by PWD in different regions of Nepal. While urban areas are relatively better equipped regarding accessibility, rural regions lag significantly behind. The study emphasizes that PWD in rural regions encounter far greater challenges in accessing public service employment, exacerbating disparities between urban and rural areas. Although a legal framework for inclusion exists, its execution remains inconsistent. To address these challenges effectively, stronger enforcement of laws, a shift in societal attitudes, and increased employer awareness are essential. Enhancing physical accessibility, providing disability training for employers, and addressing regional disparities are critical steps toward creating a truly inclusive public sector in Nepal.

Conclusion

Nepal's legal framework, anchored by the [Constitution of Nepal \(2015\)](#) and the [Act Relating to the Rights of Persons with Disabilities \(2017\)](#), demonstrates a strong commitment to enhancing employment opportunities for individuals with disabilities (PWD). These foundational documents reflect policies aimed at promoting inclusivity within the public sector. However, despite the existence of these legal frameworks, significant barriers persist that hinder the full participation of PWD in public service employment. While the Constitution and the Act establish legal rights for PWD to access public service employment,

the implementation of these laws is inconsistent. Many public institutions fail to meet established accessibility standards, and physical barriers, negative societal attitudes, and a lack of awareness and training among employers further complicate efforts to ensure equality in employment for PWD. Consequently, individuals with disabilities often face discrimination and exclusion from public sector jobs, severely limiting their career opportunities and economic participation.

Addressing these challenges requires a multifaceted approach that prioritizes improving physical accessibility in public sector buildings. Ensuring compliance with accessibility standards is not merely a legal obligation but a moral imperative that reflects a commitment to inclusivity. This involves not only the installation of ramps and elevators but also comprehensive modifications to create an environment where all PWD can thrive. Moreover, there must be concerted efforts to change societal attitudes through targeted awareness campaigns and training programs. Educating public sector employees and recruitment personnel about the capabilities and potential of PWD can help combat stereotypes and foster a more inclusive work environment. Such initiatives should aim to create a culture where disability is viewed as a diversity issue rather than a limitation. Strengthening the enforcement of existing laws and policies is also crucial. This involves monitoring compliance with legal requirements and ensuring that public sector organizations adhere to quotas and accommodation standards. Effective enforcement mechanisms can help translate legal provisions into real opportunities for PWD. In conclusion, while Nepal has made significant strides in establishing a supportive legal framework for the employment of PWD, much work remains to be done. Addressing physical, attitudinal, and implementation barriers is essential for building a more inclusive public sector. By taking a comprehensive approach to these issues, Nepal can make meaningful progress toward ensuring that PWD have equal opportunities to contribute to and benefit from public service employment. This will

not only fulfill legal obligations but also reflect a broader commitment to social justice and equality for all individuals.

Implications

This research serves as a valuable resource for informing the effective implementation of constitutional and legal policies concerning individuals with disabilities. It emphasizes the need for refining and developing specific policies that address the real-world challenges faced by PWD. By identifying barriers and gaps in current practices, this research aims to create actionable solutions that empower individuals with disabilities, enabling them to fully participate in society and access greater opportunities for personal and professional growth. The implications extend beyond mere compliance with legal frameworks; they highlight the necessity for systemic change within public institutions. Policymakers should prioritize training programs that equip employers with the knowledge required to make reasonable accommodations for PWD. Furthermore, raising awareness among the broader workforce will help reduce stigma and foster an inclusive workplace culture. Ultimately, enhancing the quality of life for individuals with disabilities requires ongoing commitment from all stakeholders—government agencies, employers, advocacy groups, and society at large—to promote inclusion and uphold the rights of PWD within the community. By addressing these critical issues, Nepal can pave the way toward a more equitable society where all individuals have the opportunity to succeed. Interest of conflict: There is no conflict of interest in the issue of research.

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