

William & Mary Law School

William & Mary Law School Scholarship Repository

Faculty Publications

Faculty and Deans

9-2011

Assessing Post-ADA Employment: Some Econometric Evidence and Policy Considerations

John J. Donohue III

Michael Ashley Stein

Christopher L. Griffin Jr.

William & Mary Law School, clgriffinjr@wm.edu

Sascha Becker

Follow this and additional works at: <https://scholarship.law.wm.edu/facpubs>



Part of the [Disability Law Commons](#), and the [Labor and Employment Law Commons](#)

Repository Citation

Donohue, John J. III; Stein, Michael Ashley; Griffin, Christopher L. Jr.; and Becker, Sascha, "Assessing Post-ADA Employment: Some Econometric Evidence and Policy Considerations" (2011). *Faculty Publications*. 1241.

<https://scholarship.law.wm.edu/facpubs/1241>

Copyright c 2011 by the authors. This article is brought to you by the William & Mary Law School Scholarship Repository.

<https://scholarship.law.wm.edu/facpubs>



Assessing Post-ADA Employment: Some Econometric Evidence and Policy Considerations

*John J. Donohue III, Michael Ashley Stein, Christopher L. Griffin, Jr., and
Sascha Becker**

This article explores the relationship between the Americans with Disabilities Act (ADA) and the relative labor market outcomes for people with disabilities. Using individual-level longitudinal data from 1981 to 1996 derived from the previously unexploited Panel Study of Income Dynamics (PSID), we examine the possible effect of the ADA on (1) annual weeks worked; (2) annual earnings; and (3) hourly wages for a sample of 7,120 unique male household heads between the ages of 21 and 65, as well as for a subset of 1,437 individuals appearing every year from 1981 to 1996. Our analysis of the larger sample suggests the ADA had a negative impact on the employment levels of disabled persons relative to nondisabled persons but no impact on relative earnings. However, our evaluation of the restricted sample raises questions about these findings. Using these data, we find little evidence of adverse effects on weeks worked but strong evidence of wage declines for the disabled, albeit declines beginning in 1986, well before the ADA's passage. These results therefore cast doubt on the adverse ADA-related impacts found in previous studies, particularly Acemoglu and Angrist (2001). The conflicting narratives that emerge from our analysis shed new light on, but also counsel caution in reaching final conclusions about, the impact of the ADA on employment outcomes for people with disabilities.

I. INTRODUCTION

Research on the measurable effects of antidiscrimination initiatives indicates that numerous factors can impact the efficacy of civil rights statutes seeking to equalize opportunities for targeted groups.¹ Gerald Rosenberg (1991), for example, has argued that judicial

*Address correspondence to Christopher L. Griffin, Jr., Visiting Assistant Professor, Duke Law School, 210 Science Dr., Box 90360, Durham, NC 27708; email: cgriffin@law.duke.edu. Donohue is C. Wendell and Edith M. Carlsmith Professor of Law, Stanford Law School; Stein is Executive Director, Harvard Law School Project on Disability and Cabell Research Professor, William & Mary School of Law; Becker is at UC Berkeley School of Law and is a Ph.D. candidate in jurisprudence and social policy.

The authors thank Christine Jolls, participants at the 2009 American Law and Economics Association Annual Meeting, and two anonymous referees for extremely helpful feedback.

¹In this article, efficacy is calibrated using econometrically measurable outcomes. An interesting issue is whether a narrow focus on the measured wages and employment data fully captures important but harder to quantify effects relating to the overarching purpose of civil rights laws in transforming social attitudes. For a discussion of this broader issue within the context of disability law, see Stein (2004b).

decisions alone were incapable of generating the major economic improvements for African Americans that emerged around 1965. These economic gains were not simply the byproduct of judicial decisions following the passage of the Civil Rights Act of 1964, but were instead generated by a comprehensive federal government enforcement effort, concentrated in the South, of related antidiscrimination policies that included voting rights and school desegregation (Butler & Heckman 1977; Donohue & Heckman 1991; Heckman & Payner 1989).

A key congressional aspiration in enacting the Americans with Disabilities Act (ADA) was increasing labor market participation among disabled workers. In addition to prohibiting discriminatory action throughout the employment relationship, Title I compels employers to provide reasonable accommodations to “qualified” employees with disabilities.² This reasonable accommodation mandate has become both a central defining feature of the ADA as an antidiscrimination statute for its advocates (Stein 2004a) and a lightning rod for its critics (Epstein 1992).

The ADA set forth legislative findings documenting the widespread exclusion of people with disabilities from the workplace and expressing congressional intent to remedy that situation. But both congressional and judicial support for the effort to incorporate the disabled more fully into the workforce has not been consistent and comprehensive throughout the existence of the ADA (Stein & Stein 2007).³ Indeed, for the first 10 years after the ADA’s passage, the effectiveness of the statute was undercut by federal benefits rules that penalized disabled workers who secured employment by depriving them of their federal health-care benefits or monetary supplements.⁴ Moreover, Congress has yet to enact a comprehensive jobs program for workers with disabilities similar to those passed for nondisabled benefit recipients during the mid-1990s welfare reform.⁵ Finally, while Congress did enact federal tax benefits designed to increase the employment of persons with disabilities, these tax credits have been profoundly underutilized (GAO 2002).

A growing debate has developed regarding the impact of the ADA on the employment of individuals with disabilities. Initial empirical studies comparing pre- and post-ADA

²To be considered qualified, individuals must be capable of performing the essential job functions of the positions they seek, either with or without the provision of reasonable accommodations. For an overview of the reasonable accommodation mandate, see Stein (2003).

³This disregard led Richard Burkhauser to criticize the ADA’s lack of conjoined work initiatives by contrasting various European policies directed toward “transferring” people with disabilities from social welfare networks into the workforce (Burkhauser 1997; Burkhauser & Hirvonen 1989).

⁴The Ticket to Work and Work Incentives Improvement Act of 1999 extended the length of time that people with disabilities receiving public assistance could continue to receive health-care coverage after obtaining gainful employment. On July 26, 2000 (the ADA’s 10th anniversary), the Clinton Administration announced a series of policy initiatives to allow disabled people receiving Social Security disability-related benefits to earn additional income without losing cash benefits.

⁵For a description of one of the failed efforts to enact a federal jobs program for the disabled by one of its congressional supporters, see Dole (1994).

employment data have painted a fairly dismal picture of disabled employees' labor market participation, suggesting that the law may actually have impaired the employment prospects of its intended beneficiaries. Some recent studies have raised questions about this dire assessment, although both sides concede that post-ADA disability-related employment has not improved significantly.

Achieving a greater understanding of post-ADA employment effects is of considerable importance both within and outside the United States. Notably, the ADA's reasonable accommodation mandate has been adopted by the UN Convention on the Rights of Persons with Disabilities,⁶ as well as the EU Employment Framework Directive (an umbrella antidiscrimination policy) (European Union Council 2000). These enactments have considerably broadened interest in disability law and policy, although it should still be noted that three-quarters of the world's nations lack any relevant domestic statute or legal provision protecting the disabled from employment discrimination (Stein & Lord 2008).

This article reexamines the impact of the ADA on the employment and wages of disabled workers. We contribute to the literature in two important ways. First, we expand the period of observation to understand long-term trends in the employment status of the disabled. Second, unlike many of the earlier studies, we employ individual-level panel data to observe the same individuals before and after the adoption of the ADA. Expanding the timeframe and utilizing the longitudinal structure of our data improves our ability to identify the true impact of the ADA by controlling for preexisting trends and compositional changes in the disabled population. At the same time, there is a cost to our approach since the size of our Panel Study of Income Dynamics (PSID) data set is small relative to the Current Population Survey (CPS), and when we restrict our sample to the same 1,437 male, household-head workers over a 16-year data period, we sacrifice some statistical power to reduce compositional bias.

To frame our discussion, Section II discusses the results of major studies on post-ADA employment effects as well as data-related pitfalls left unaddressed in the literature. Section III sets forth our initial analysis from the PSID, a longitudinal data set that, to our knowledge, has not been previously used to explore Title I's impact on the employment of the disabled. These data are unique in their ability to track the same individuals over time, from 1968 through 2007.⁷ Unlike the more frequently used CPS, PSID data allow us to chart the measured employment and earnings of the same disabled workers over a broader span of time. Section IV presents the results from our regression-based analysis without imposing any extraordinary constraints on the data. We find that employment levels for the disabled relative to the nondisabled (when measured as the number of annual weeks worked) declined by about three weeks after 1994 (when Title I became fully enforceable) but that earnings (conditional on receipt) were not measurably affected. Section V adds the condition that individuals represented in the sample remain the same over time so that longitudinal estimates are perfectly comparable. Using this "restricted" data set, we observe that

⁶For an overview of the treaty and its implications, see Stein (2007).

⁷The PSID maintains annual family-level data files from the program's inception in 1968 through 1997, after which they appear biennially through 2007.

the initial estimates are highly sensitive to whether one controls for individual fixed effects. Without such controls (see Column 1 in Table 6), a picture of substantial relative declines in weeks worked by the disabled emerges in the 1990s; with such controls, no such employment decline appears.

These results are important for several reasons. First, they reinforce the growing evidence that econometric analyses of law and policy can yield quite different results across different data sets, years, and statistical models (Donohue & Wolfers 2005). Second, we argue that the longitudinal data contained in the PSID reduce the confounding effect of compositional change, that is, who self-identifies as “disabled” after disability laws change. In this regard, our approach can provide a cleaner estimate of the impact of the law on a given panel of workers over an extended period of time. This benefit does come at the cost of our diminished ability to observe the performance of younger disabled workers entering the market at about the time of the adoption of the ADA, as well as make for a relatively small sample size.⁸ Finally, this article underscores the challenge confronting policymakers in crafting a disability policy that addresses the difficult conditions confronting disabled male household heads in the modern U.S. economy. Section VI concludes.

II. PREVIOUS STUDIES

A. Prior Literature

Eighteen years after the ADA’s passage, most scholars agree that the employment rates of disabled workers have declined, although there is still contention over the extent of and reasons for this outcome. Some attribute the drop to the ADA itself and, in particular, to its reasonable accommodation mandate (Jolls & Prescott 2005; Acemoglu & Angrist 2001; DeLeire 2000a, 2000b; Jolls 2000; Epstein 1992). A second group attributes the decline to factors other than the ADA (Hotchkiss 2003, 2004; Houtenville & Burkhauser 2004; Burkhauser & Stapleton 2004; Wittenberg & Maag 2003; Beegle & Stock 2003; Autor & Duggan 2003; Blanck et al. 2003; Tolin & Patwell 2003; Kaye 2003; Bound & Waidmann 2002; Burkhauser et al. 2001; McNeil 2000; Schwochau & Blanck 2000).⁹

The ADA includes two key employment-related provisions: a prohibition on wage and employment discrimination against “qualified individuals with a disability” and a mandate that employers provide “reasonable accommodation” for those protected individuals in

⁸The PSID does add new individuals to the overall “roster”; for example, the children of original 1968 interviewed household heads. Our unrestricted data set generates some compositional change as older workers drop out of our sample, but to be included in any given year’s coefficient estimate, one must have a 1981 observation for comparison, so we are not adding new workers at the time of ADA adoption. Our restricted data set, however, focuses on a static group of individuals, that is, those who appear each year from 1981 through 1996.

⁹Several studies, which are referenced individually, are collected in Stapleton and Burkhauser (2003). Two important articles predating the post-ADA effect studies are Collignon (1997) and Kirchner (1996). Electronic versions of some of these studies, as well as continuing research in this field, are posted on the Cornell University ILR School Employment and Disability Institute homepage, <<http://www.ilr.cornell.edu/edi/m-pubs.cfm>>.

order to guarantee equal employment opportunities. Although a number of studies have found that pre-1990 civil rights laws increased the employment of the primary targeted group (e.g., African-American workers), those laws involved only an antidiscrimination component and did not include a reasonable accommodation requirement (Heckman & Payner 1989; Donohue & Heckman 1991). Consequently, when initial evaluations of relative post-ADA employment rates concluded that the law *impaired* the employment of workers with disabilities, the reasonable accommodation mandate was quickly identified as the likely culprit.

Three major empirical studies have been central to the claim that the ADA's reasonable accommodation mandate has caused a relative decrease in the post-ADA employment rate of persons with disabilities.¹⁰ Initially, DeLeire (2000a) examined the effect of the ADA on labor market opportunities for people with disabilities using data from the Survey of Income and Program Participation (SIPP). Analyzing pooled panels of men aged 18 to 64, DeLeire found that employment of disabled men declined by about 7.2 percentage points from 1990 to 1995 and that the largest declines occurred "for workers in manufacturing industries, workers in blue-collar or managerial occupations, workers with physical or mental disabilities, and workers who became disabled for reasons besides a work-related injury." However, he did not find any effect on the wages offered to disabled men.

Acemoglu and Angrist (2001) also investigated whether the intended employment protection of the ADA improved economic conditions for the disabled. Using CPS survey data for individuals aged 21 to 58 during the period 1988–1997, Acemoglu and Angrist estimated the effect of the ADA on both weeks worked and log weekly earnings. For women and men under 40, they found an average annual decline in employment beginning in 1993 and 1992, respectively, ranging from 1.4 to 2.8 weeks. For those over 40, however, only men experienced a statistically significant drop in employment of 2.1 weeks. However, these effects for older men were attributed to changes in transfer payments and disappeared once Supplementary Security Income (SSI) and Social Security Disability Insurance (SSDI) were included in the analysis. The wage regressions were more ambiguous: no consistent effect emerged for women, while the decline for men after 1993 disappeared when a linear trend was included.

Although the articles by DeLeire and Acemoglu and Angrist are serious and careful studies by highly respected researchers, the authors faced the difficult challenge of identifying the effect of a uniformly imposed federal law such as the ADA using a simple before-after comparison in the employment experience of disabled individuals (Donohue & Heckman 1991). By contrast, Jolls and Prescott (2005) attempted an alternative approach based on variations in disability law both across states and over time, thereby permitting a more nuanced assessment of treatment and control groups. Although they found a steady decline in employment levels among disabled workers during the 1990s relative to the period before the ADA's passage, Jolls and Prescott's work revealed no connection between declines from 1993–1994 and onward and whether the federal law was an innovation over

¹⁰Two other studies that bear noting are Epstein (1992), which foretold a detrimental effect in advance of the ADA becoming operational, and Jolls (2000), which analyzed Epstein's assertions using a price-theoretic framework.

preexisting state law protections. Any adverse outcomes for the disabled population were confined to the immediate postpassage period, before the ADA's effective date, before employers' attitudes about workers with disabilities could improve, and before the courts had defined more precisely the ADA's requirements. Hotchkiss (2004) also exploited state-level variation in disability protection law to conclude that the ADA was not responsible for declining labor force participation rates among the disabled.

These leading studies assessing relative post-ADA employment rates using SIPP and CPS data all reached the same conclusion that the statute has precipitated a decline in employment levels, although Jolls and Prescott found this effect to be limited to the short term. Moreover, all three studies (again, with Jolls and Prescott's caveat regarding short- and long-term effects) concluded that the ADA's reasonable accommodation mandate is the most likely cause of the relative decline in employment.

More recent work, such as Burkhauser et al. (2007), has raised questions about whether the observed decline in the employment of the disabled can be attributed to the ADA. Burkhauser and his co-authors extend and refine the analysis of Acemoglu and Angrist in several important ways. After expanding the observation period from 1988–1997 to 1982–2004, Burkhauser et al. conclude that the “decline in relative employment of working-age people with disabilities not only began well before the implementation of the ADA in 1992, but has continued long afterward.”

B. Identifying Disabled Individuals

When assessing the ADA's impact, it is crucial to have a reliable measure of disability. Yet, since the enactment of the ADA, federal courts on numerous occasions have redefined who is covered by the statute.¹¹ Accordingly, it is unsurprising that no clear and consistent measure exists of the disabled individuals protected by the ADA.¹² The CPS studies discussed above all use the survey's responses to the work-disability question as a proxy for disability.¹³ This fact, in turn, raises several concerns, since the problems surrounding the work-disability question and similar survey questions have long been recognized (Hale 2001).

To begin with, the CPS work-disability question was not intended to correspond to the definition of disability under the ADA (McNeil 2000). In addition, it is at least possible that the composition of respondents who answer affirmatively to the work-disability question changes over time in ways that would undermine the reliability of estimates of the effect of the law (Kirchner 1996; Kruse & Schur 2003).

¹¹For a prominent example, see *Sutton v. United Airlines*, 527 U.S. 471 (1999).

¹²See *Cleveland v. Policy Mgmt. Sys. Corp.*, 526 U.S. 795 (1999), in which the Supreme Court acknowledged the potential overlap between individuals deemed disabled under the ADA and those construed as such under the Social Security system.

¹³The question is “Do you (Does anyone in this household) have a health problem or disability which prevents (you/them) from working or which limits the kind or amount of work (you/they) can do?” and the possible answers are “Yes” or “No.”

One can imagine two ways the presence of the law could influence self-reports of disability. On one hand, some nonworking individuals who did not previously identify themselves as disabled might now choose to do so in the wake of the advent of the law. This could result from either greater awareness of the concept of disability in the workplace, a renewed sense that the disabled were discriminated against, or even hopes that recharacterizing oneself as disabled might lead to improved employment prospects once the law takes effect. In this event, the “disabled” population would grow in a way that might be disproportionately augmented by those with poor prospects in the labor market. The effect of this changing composition of the disabled would likely make the law look worse than it actually was.

On the other hand, the passage of the ADA could also lead to a reduction in the number of those who self-reported as disabled. This effect would operate if the accommodation provision of the ADA led disabled people to reject the notion that their health problem or disability prevents them from working or limits the kind or amount of work they can do (Kirchner 1996). By having the people who receive accommodations under the ADA drop out of the population that answers the work-disability question affirmatively, one is potentially left with more severely disabled people who both have a harder time finding employment and self-report a work disability. This compositional change would also bias the analysis toward findings of declining employment of the disabled population, even if there were a positive effect on employment from the ADA accommodation provision (Kruse & Schur 2003).

C. The Possible Sources of Data—CPS, SIPP, and PSID

The studies discussed above have relied on either the CPS or the SIPP. Inevitably, different data sources have advantages and disadvantages. To resolve deficiencies in the CPS, the U.S. Census Bureau originally established the SIPP to capture economic conditions at multiple times within a two-and-one-half-year window. This aspect of the data instrument also relieved survey respondents from the task, required in the CPS, of remembering economic values or participation levels from up to 12 months prior to the survey. But these advantages of the SIPP are potentially offset in a study of disability in that SIPP interviewers ask questions from the disability module only between June and September of the first year in the panel window. Consequently, any changes in disability status that occur in months from successive waves are not captured.¹⁴

The SIPP only modestly improves on the pure cross-sectional structure of the CPS in terms of allowing the researcher to follow the same individuals across time. The PSID, which provides longitudinal data over a significant timespan, represents a clear improvement in this dimension over the CPS and SIPP. Thus, it appears that clear tradeoffs exist when choosing among the three primary data sets capturing individual disability and employment status. The level of detail in the SIPP makes it more attractive than the vague questions in the CPS and PSID. The SIPP’s major flaw in terms of disability reporting,

¹⁴The SIPP will register an individual’s disability only if it existed before June–September of the first interview year (depending on the rotation group to which the individual was assigned).

however, is a failure to ask the question in the second and third years covered by each panel, which compromises reporting accuracy. Only the PSID data allow for reliable monitoring of individuals over time and thus for observing changes in disability status that may be attributed to passage of the ADA (albeit with a vague question about disability). With these advantages and disadvantages in mind, we turn to our study, which is the first evaluation of the impact of the ADA to use the PSID.

III. OUR ANALYSIS USING PSID DATA

The PSID data appear in two formats: a year-by-year family file in which most of the survey questions pertain to the household head, and a cross-year individual file with information on each household member. We create our data set by matching the individual-level file to the family-level version for the years 1981–1997 and restricting observations to household heads (because survey questions regarding most variables of interest, including disability status, are asked only of the household head).¹⁵

Our initial matching algorithm yields longitudinal data for 18,342 individuals comprising 107,844 person-year observations. We then restrict this sample to male household heads between the ages 21 and 65 to explore the labor market behavior of those most persistently attached to the labor force.¹⁶ After imposing these restrictions, our operational data set consists of 7,120 individuals observed in at least one year during the period 1981 to 1996 (a total of 64,607 person-year observations). Our analysis will compare white versus nonwhite individuals.¹⁷

Tables 1 and 2 report summary statistics for two versions of the operational data set: one for the overall “unrestricted” sample of 7,120 individuals and another describing the “restricted” sample, the 1,437 individuals appearing each year from 1981 to 1996. The PSID question used to identify disability status among heads of households is: “Do you . . . have any physical or nervous condition that limits the type of work or the amount of work you can do?”¹⁸ A χ^2 test for the equality of means in each sample indicates that

¹⁵We are able to track household-head responses consistently across time by arranging a string of household interview numbers in the individual-level set in chronological order and then merging these data with it.

¹⁶Male household heads comprise about 75 percent of all household heads. We note that Richard Burkhauser and his colleagues argue that PSID analysis should examine effects on men, “since their employment decline is much more pronounced than that of women” (Burkhauser & Schroeder 2004). Also, “the PSID and the CPS, capture the same employment trends for men with disabilities over the 1980s and 1990s” (Burkhauser & Schroeder 2004).

¹⁷Responses to the race survey question often generate inconsistency over time; we therefore apply the response that appears in more than half the individual’s total observations.

¹⁸In another section of the PSID survey, however, the question posed is: “[A]re you . . . working now, looking for work, retired, a student, (a housewife), or what?” The responses “temporarily disabled” or “permanently disabled” often are coded, but were not suggested to interviewees as possible answers. The fact that interview participants are not prompted to consider the answer “permanently disabled” implies a likely downward bias in the frequency of affirmative disability reports. As a result, we ignore the employment status question as a measure of disability.

Table 1: Summary Statistics (Unrestricted Data Set)

<i>Variable</i>	<i>Number of Observations</i>	<i>Mean</i>	<i>SD</i>
Currently disabled	64,525	0.13	0.34
Currently employed	64,601	0.85	0.36
Annual weeks worked	56,465	40.79	16.94
Real annual wages (2000)	63,629	31,055	36,151
Real hourly wages (2000)	48,832	17.29	33.30
Age	64,607	39.16	11.20
White	64,607	0.70	0.46
Less than high school education	64,607	0.20	0.40
High school graduate	64,607	0.37	0.48
Some college education	64,607	0.21	0.40
College graduate	64,607	0.14	0.35
Some postgraduate study	64,607	0.08	0.27
State unemployment rate	63,190	6.78	1.98

NOTE: The incidence of disability is measured using the PSID's work limitation question.

SOURCES: Panel Study of Income Dynamics, 1981–1996 and the U.S. Statistical Abstract for unemployment.

Table 2: Summary Statistics (Restricted Data Set)

<i>Variable</i>	<i>Number of Observations</i>	<i>Mean</i>	<i>SD</i>
Currently disabled	22,974	0.12	0.33
Currently employed	22,992	0.90	0.30
Annual weeks worked	20,521	43.34	14.03
Real annual wages (2000)	22,790	37,508	41,593
Real hourly wages (2000)	18,759	19.23	22.18
Age	22,992	40.77	9.04
White	22,992	0.78	0.41
Less than high school education	22,992	0.14	0.35
High school graduate	22,992	0.35	0.48
Some college education	22,992	0.22	0.41
College graduate	22,992	0.17	0.38
Some postgraduate study	22,992	0.12	0.32
State unemployment rate	22,869	6.81	2.08

NOTE: The incidence of disability is measured using the PSID's work limitation question.

SOURCES: Panel Study of Income Dynamics, 1981–1996 and the U.S. Statistical Abstract for unemployment.

the two groups are statistically indistinguishable with the sole exception of state unemployment rates, the difference between which is marginally different from 0 at the 5 percent level.

On average, the male household heads in our sample report being disabled 13 percent and 12 percent of the time in the unrestricted and restricted data sets, respectively.¹⁹ Note that this is different from the claim that 12–13 percent of the household heads

¹⁹In this section, we refer to summary statistics from the unrestricted data in Table 1 unless otherwise noted.

in our data are disabled, since, as we show, disability reports can vary over time for the same individual. In the unrestricted (restricted) data, about 4,889 (884) people, or 69 percent (62 percent) never report a disability, while only 21 individuals, or less than 1 percent, report having a disability each year they appear in the restricted data set.

With respect to average employment, PSID interviewees held jobs 85 percent of the time when the interview was conducted. This response variable reflects answers to a question about *current* employment status and, as a result, potentially understates the extent of employment during the data collection year. The effects of relying on this variable for analyzing the impact of the ADA in a multiple regression framework are discussed in the next section. We therefore use an alternative measure of annual employment available in the PSID survey: annual weeks worked, which is asked retrospectively of respondents.²⁰ Over the 16-year period of observation, individuals averaged approximately 41 weeks worked per year. Converting nominal earnings to constant 2000 dollars, we find that (unconditional) average annual wages and salaries amounted to just over \$31,000, while the average real hourly wage was approximately \$17.

Turning to demographic characteristics, we find that 70 percent of the men in our data set were white and that average age over the period 1981–1996 was 39 years. Thirty-seven percent of our sample had obtained only a high school degree, while another 21 percent attended some college, and another 14 percent had at least a college degree. Finally, we collected data on unemployment rates to proxy for economic conditions in each state in which PSID participants resided; the average across states and years was just under 7 percent.

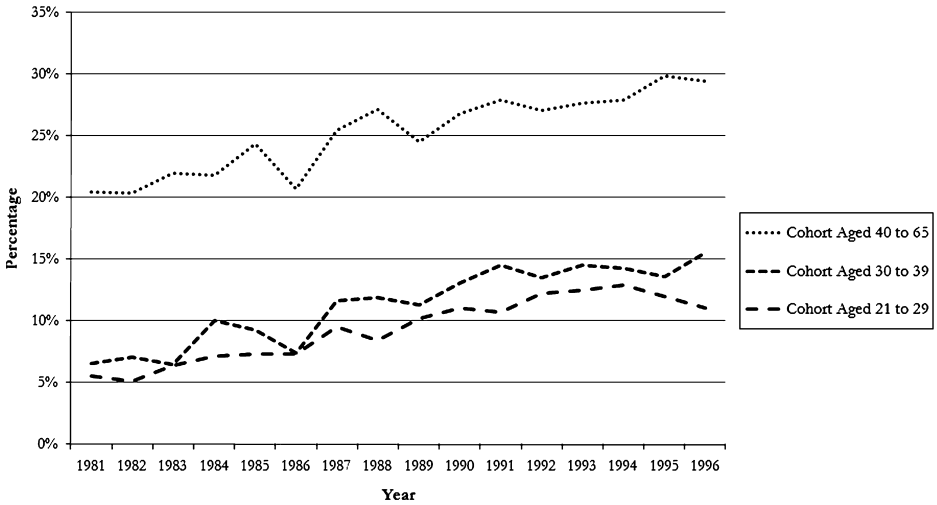
Figure 1 provides information on the percentage of individuals reporting a disability over the duration of our observation period. Since natural aging and continuing exposure to potentially disabling disease or injury will tend to drive this proportion upward, we separate the data into three cohorts defined by age reported in 1981. As expected, the disabled share in each cohort increases from 1981 to 1996, and the older initial cohorts have higher rates of disability. Note that the share of disabled persons in the cohort aged 40 to 65 rises from roughly 20 percent to 30 percent by 1996. The cohorts aged 21 to 39, on the other hand, begin with a much lower rate of disability, closer to 5 percent in 1981, rising to 16 percent in the final year of observation.²¹

Figure 2 portrays the evolution of cohort disability shares when we fix the age groups but allow their members to change over time at five-year intervals. If the relationship

²⁰Requiring interviewees to recall information on employment status and earnings from the previous year undoubtedly introduces measurement error (due, e.g., to reporting biases or imperfect recall). However, since these indicators are used as dependent variables in the analysis, such measurement error will not bias our estimates.

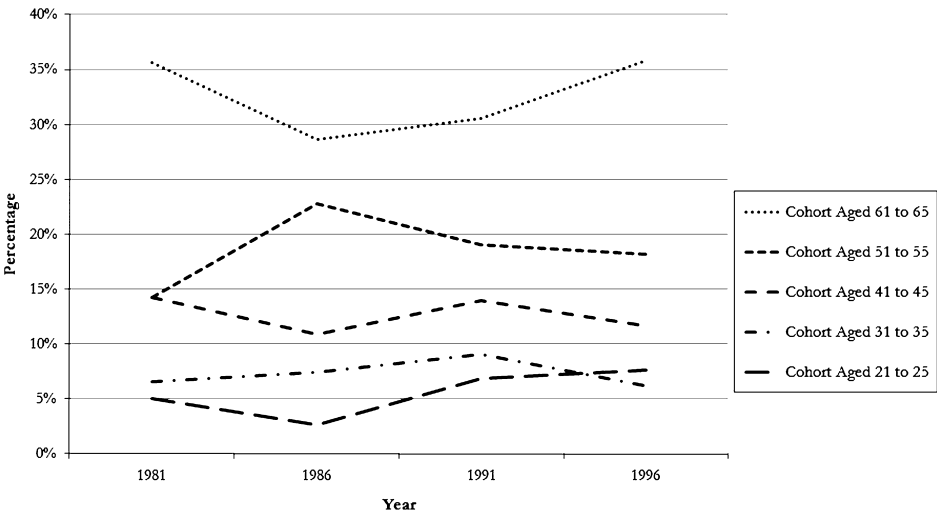
²¹The older two cohorts experienced a dip in disability share in 1986 that we pursued with data analysts at the PSID. According to one helpful representative, “[t]he only difference in 1986 compared to other waves is that [the work limitation questions] were asked after a series of questions on Activities of Daily Living (‘ADLs’). This could be some kind of measurement issue—asking a global questions about whether [one has] a physical or nervous condition that limits the amount and type of work you do after . . . questions about whether you have ADLs somehow might reduce the likelihood of [one] reporting affirmatively to the first question.” Indeed, this is the only difference in the way the questions were asked from 1985 to 1987, and when the questions regarding ADLs were removed in 1987, the percentage disabled returned to levels consistent with the year-to-year changes from 1981 to 1985.

Figure 1: Percentage disabled by 1981 age cohort (1981–1996).



SOURCE: Panel Study of Income Dynamics.

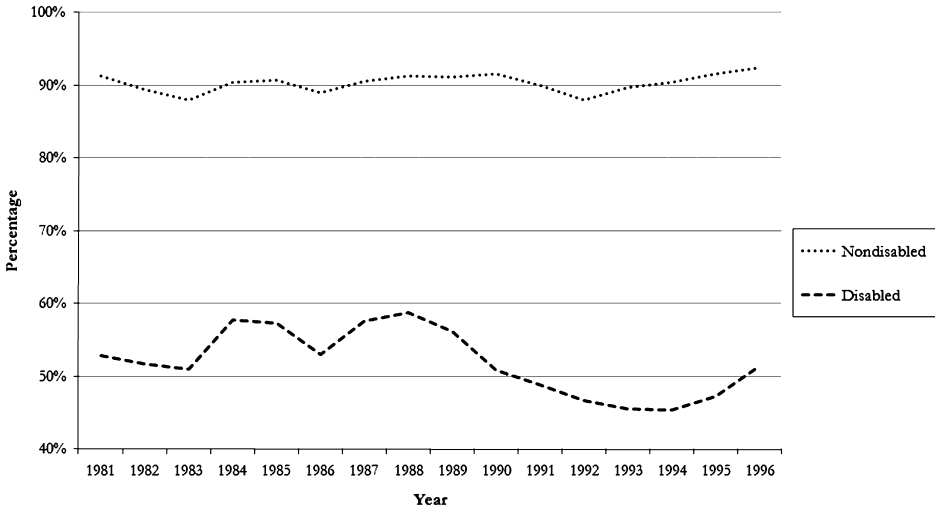
Figure 2: Percentage disabled by age cohort in five-year intervals (1981–1996).



SOURCE: Panel Study of Income Dynamics.

between age and disability shifted significantly between 1981 and 1996, then our empirical model should control for this phenomenon accordingly. However, all five curves in Figure 2 suggest that disability shares were relatively constant comparing 1981 and 1996, albeit with some intervening swings over time within each cohort. The biggest shifts across

Figure 3: Percentage employed by disability status (1981–1996).



SOURCE: Panel Study of Income Dynamics.

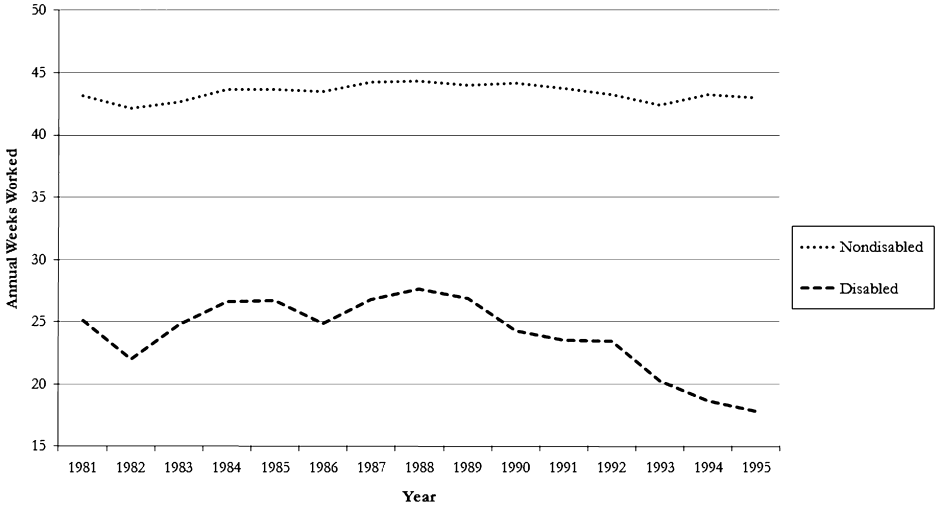
the endpoints of the entire 1981–1996 period were the *increase* in disability experienced by the 21–25 and 51–55 age cohorts and the *decrease* in disability for the 41–45 age cohort.

Figures 3 through 6 document changes in employment and wage levels by disability status. As such, they represent the starting point for our inquiry into the labor market effects of the ADA on the disabled population relative to nondisabled people. Figure 3 shows that between 1981 and 1996, the percentage of nondisabled individuals with jobs remained high and relatively constant at about 90 percent, while employment in the disabled community fell during the 1990s from a peak of nearly 60 percent in 1988 to about 52 percent by 1996. Given that the ADA was signed into law on July 26, 1990, this deterioration in the employment levels of the disabled appears to begin just prior to enactment and continues through the early years of ADA enforcement before showing signs of reversal after 1994. At first glance, then, this simple graphical depiction intimates that disabled individuals may have faced increasing employment obstacles under the ADA regime, while the nondisabled labor force was largely unaffected.

Figure 4 provides a somewhat finer measure of participation by showing the average number of annual weeks worked over time for disabled and nondisabled individuals.²² Average weeks worked for the nondisabled remain fairly stable at about 43 weeks per year. Disabled individuals also experienced labor supply stability through the 1980s, with an average of 25 weeks worked and a peak of about 27 weeks in 1988. This five-month difference

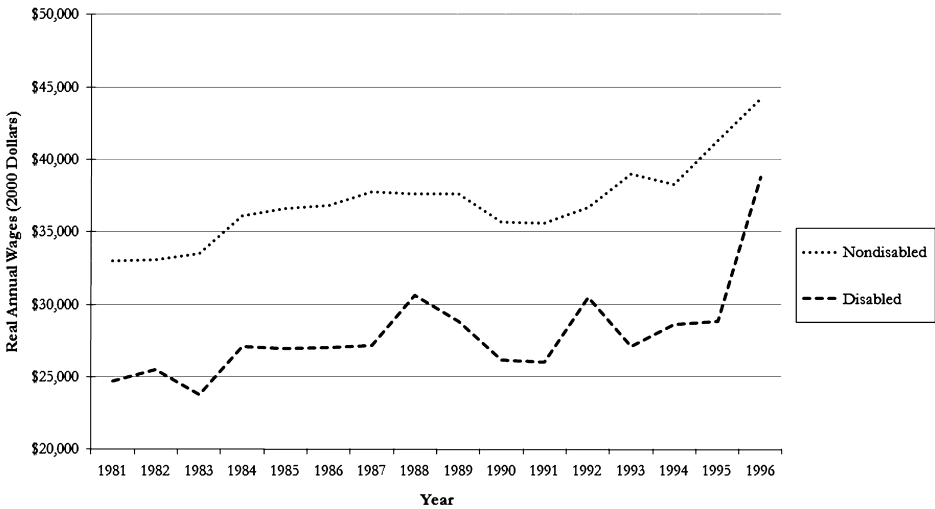
²²Figures 4 and 6 only include observations through 1995 because the necessary data are not available in 1996.

Figure 4: Average annual weeks worked by disability status (1981–1995).



SOURCE: Panel Study of Income Dynamics.

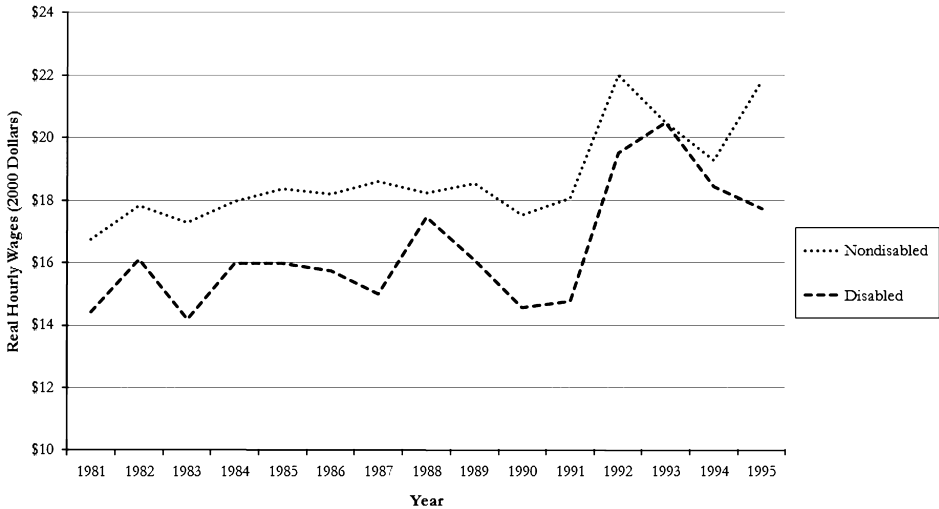
Figure 5: Conditional average real annual wages by disability status (1981–1996).



SOURCE: Panel Study of Income Dynamics.

in average annual employment between the two groups is significant in its own right. However, despite no material change for the nondisabled in the 1990s, the gap between the nondisabled and disabled grew substantially, with average weeks worked among the disabled declining from 23 to 18 between 1991 and 1995.

Figure 6: Conditional average real hourly wages by disability status (1981–1995).



SOURCE: Panel Study of Income Dynamics.

Figures 5 and 6 illustrate the time series for real wages and salaries (measured in constant 2000 dollars), showing annual earnings and earnings per annual hours worked. Figure 5 depicts real income increases for both the disabled and nondisabled populations, which follow the same general pattern, albeit with an unusually sharp increase for the earnings of the disabled in 1996. Unless the 1996 jump represents some delayed ADA-induced improvement, Figure 5 provides little evidence that the ADA had any appreciable effect on relative wages of the male household heads in our sample.

Figure 6, which plots the average hourly real wage for both groups, reveals that the nondisabled earned about \$2.30 more during the 1980s. Unlike the time path for annual earnings, hourly wages converge substantially by 1993 but diverge in 1995.

Figures 3 through 6 offer an overall sense of the relative labor market performance of the disabled over time, but to assess better the causal impact of the ADA, one must control for individual characteristics that affect employment and wages and that are correlated with disability (or at least the propensity to report a disability) as well as for other factors that may have differential impact on the disabled over time. The following section will use our individual-level panel data to illuminate how the ADA influenced the employment and earnings of the disabled.

IV. EMPIRICAL RESULTS

A. Employment Status

We begin our regression analysis of the ADA’s effect on labor market outcomes for the disabled population with an empirical model for employment status. Using a

difference-in-differences framework, we determine whether the legislation impacted changes in the year-to-year probability that a nondisabled individual was employed relative to a disabled person. Thus, the general empirical specification is:

$$Employed_{it} = \beta_0 + \delta * dis_{it} + \sum_{j=82}^J \beta_{j-81} I_j * dis_{it} + \sum_{j=81}^J \lambda_{j-80} I_j + \varepsilon_{it}, \quad (1)$$

where i and t index individuals and years, respectively; I_j is an indicator for each year; J is the maximum year of observation for the relevant dependent variable; and dis_{it} takes the value 1 when the individual is disabled and 0 otherwise. Each of the coefficients β on the 16 interaction terms represents the difference-in-differences (DD) estimator for a given year relative to 1981. Although Equation (1) generates raw DDs, we can improve on this stark model in two ways. First, we add a vector of covariates that influence employment outcomes. Second, in our fully specified model, we add controls for individual fixed effects.²³ This procedure essentially differences out factors specific to each individual that remain constant across time. The estimation process thus compares annual DDs with respect to the individual rather than across the pooled set of records for each year. The data underlying all regressions in this section are from the unrestricted set.

Equation (1) represents a linear specification for the difference-in-differences estimator whenever the dependent variable is continuous. The logistic equivalent to this model without fixed effects estimates the effects of the ADA using all 18,342 individuals, while the inclusion of fixed effects (conditional logit) reduces the sample size by about 25 percent to 13,760 persons.²⁴

Note that the PSID employment status question identifies this status only at the time of the PSID interview, which can lead to imprecision in our estimates.²⁵ To understand this point, consider a respondent A , employed from January through May, at which time she lost her job, and respondent B , who was unemployed the entire year. A and B will be observationally equivalent with respect to the employment status question as long as A is interviewed after the May job loss. Sample attrition and the crudeness of the employment status question prompt us to consider an alternative measure.

Table 3 displays estimates from Equation (1) when $Employed_{it}$ is measured as the number of weeks worked per year. PSID interviewers generate this variable through retrospective questions; in other words, respondents reveal how many weeks they worked in year t during an interview in year $t + 1$. Because these data are not available in the 1997 annual file, the observation period ends in 1995. The first column of Table 3 shows a strong and

²³A variance inflation factor test run after each regression confirms that none of the difference-in-differences estimates is affected by multicollinearity. We thank an anonymous referee for raising this point.

²⁴Exactly 4,581 persons drop out of our sample when fixed effects are included because these individuals experienced no variation in employment status across their observation span and thus do not contribute to the regression estimates.

²⁵According to the PSID, “[t]he interview period (field season) is roughly between March and November, with 1993 and 1994 being exceptions and going into December.”

Table 3: Annual Weeks Worked, Unrestricted Data Set (1981–1995)

	1	2	3
Disabled * 1982	-2.10* (1.28)	-1.78 (1.18)	-0.26 (1.02)
Disabled * 1983	0.18 (1.32)	1.12 (1.24)	2.48** (1.16)
Disabled * 1984	0.98 (1.38)	0.15 (1.27)	0.99 (1.17)
Disabled * 1985	1.07 (1.47)	0.86 (1.37)	0.86 (1.2)
Disabled * 1986	-0.58 (1.57)	-1.41 (1.48)	-0.11 (1.35)
Disabled * 1987	0.58 (1.52)	-0.43 (1.39)	0.67 (1.32)
Disabled * 1988	1.36 (1.55)	0.74 (1.43)	0.55 (1.30)
Disabled * 1989	0.85 (1.55)	-0.53 (1.41)	-0.50 (1.32)
Disabled * 1990	-1.89 (1.51)	-2.94** (1.39)	-0.81 (1.29)
Disabled * 1991	-2.18 (1.53)	-3.34** (1.41)	-1.01 (1.30)
Disabled * 1992	-1.73 (1.49)	-3.11** (1.37)	-0.51 (1.28)
Disabled * 1993	-4.18*** (1.54)	-4.98*** (1.44)	-0.93 (1.36)
Disabled * 1994	-6.56*** (1.55)	-6.75*** (1.48)	-3.35** (1.41)
Disabled * 1995	-7.21*** (1.63)	-7.51*** (1.52)	-3.64** (1.46)
Covariates included?	No	Yes	Yes
Fixed effects?	No	No	Yes
N	56,400	55,341	55,341

NOTES: * = significant at the 10 percent level; ** = significant at the 5 percent level; *** = significant at the 1 percent level. Column 1 coefficients are difference-in-differences estimates from Equation (1) when *Employed_{it}* is measured as weeks worked per year. Column 2 adds time-varying covariates to Equation (1), and Column 3 adds time-varying covariates and individual fixed-effects to Equation (1). Estimates are based on the unrestricted sample, and all standard errors are clustered at the individual level.

SOURCE: Panel Study of Income Dynamics.

increasing disparity in annual weeks worked for the disabled beginning in 1993, the year after the ADA first became effective.²⁶ Relative to 1981, disabled workers were employed between one and two months less than nondisabled laborers in the period 1993–1995. Adding controls in the second column increases the magnitude of the DD estimates from

²⁶We focus on 1993 as an important year for observing ADA-related changes in our dependent variables because the ADA’s first effective date was 1992 (for firms with at least 25 employees). We allow for a one-year lag to capture any potential employment and wage effects. For similar reasons, 1995 represents another crucial observation date since the ADA’s coverage extended to firms with at least 15 employees in 1994.

1993 to 1995 (in absolute value) while also suggesting an earlier ADA effect dating to 1990, the year of enactment. However, once we control for individual fixed effects, the point estimates fall by about one-half and are significant only in 1994 and 1995. Therefore, the regression analysis in Table 3 appears to validate the casual observation from Figure 4 that employment levels among the disabled declined following enactment of the ADA.

In contrast to the regressions analyzing wage differentials, we do not restrict the dependent variable in Table 3 to nonzero values. (About 7 percent of the observations used in the unrestricted data set indicate no weeks worked.) For most empirical analyses in which the values of the dependent variable cluster around zero, OLS yields biased coefficient estimates. Nevertheless, because the DD methodology merely estimates differences in averages (unadjusted in Column 1 and adjusted in Columns 2 and 3 of Table 3), the presence of zero observations does not contaminate the coefficients on the interaction terms.

B. Annual Earnings

Section 102 of the ADA prohibits not only hiring bias against the disabled but also discrimination “against a qualified individual with a disability because of the disability of such individual in regard to . . . employee compensation . . . and other terms, conditions, and privileges of employment.” Thus, if the law served its intended protective function, we should not observe a significant difference between changes in relative wages. Unlike the approach taken with annual weeks worked, we regress annual earnings on our DD interaction terms *conditional on receiving positive wages*. Since detecting wage discrimination depends on comparisons of individuals receiving a nonzero wage, the empirical strategy of Table 4 requires exclusion of zero-wage observations.

In the next two sections, we estimate the model:

$$Earnings_{it} = \beta_0 + \delta * dis_{it} + \sum_{j=82}^J \beta_{j-81} I_j * dis_{it} + \sum_{j=81}^J \lambda_{j-80} I_j + \varepsilon_{it}, \quad (2)$$

where $Earnings_{it}$ represents either annual or hourly wages. As in our analysis of employment levels, estimates for the baseline model captured by Equation (2) are given in the first column of Table 4, while successive controls for individual time-varying characteristics and fixed effects are added in Columns 2 and 3, respectively.

Although the signs of the point estimates in all three columns of Table 4 suggest a relative decline in wages among the disabled, no clear and sustained pattern of ADA influence emerges as with weeks worked. The emergence of mild statistical significance over time contrasts sharply with the results in Table 3. Based on these estimates, the unrestricted data do not support the proposition that the ADA caused relative wages for disabled workers to deteriorate, although 1993 appears again to be an unusually bad year for disabled workers. The absence of a sustained pattern in wage differentials, combined with the positive coefficients in all three models for 1996, suggests (in keeping with Figure 5) that the wage gap might have started closing in the mid-1990s. Whether this narrowing trend continued into the current century cannot be determined until additional data become available.

Table 4: Conditional Annual Wages Earned, Unrestricted Data Set (1981–1996)

	1	2	3
Disabled * 1982	746.34 (1,621.09)	-250.37 (1,526.88)	-2,154.84 (1,514.88)
Disabled * 1983	-1,439.19 (1,559.51)	-1,515.24 (1,524.29)	-1,345.93 (1,404.43)
Disabled * 1984	-677.34 (1,593.68)	-2,422.66 (1,546.76)	-2,767.64* (1,424.52)
Disabled * 1985	-1,327.12 (2,081.52)	-3,586.90* (1,931.97)	-1,477.31 (2,170.44)
Disabled * 1986	-1,466.81 (2,165.08)	-3,489.78* (2,006.62)	-3,396.85 (2,280.00)
Disabled * 1987	-2,292.60 (1,999.33)	-5,075.32*** (1,846.41)	-2,669.00 (2,258.61)
Disabled * 1988	1,277.12 (2,969.06)	-868.92 (2,754.10)	-2,713.09 (2,353.06)
Disabled * 1989	-472.67 (1,851.57)	-3,015.72* (1,747.91)	-3,031.66 (2,016.83)
Disabled * 1990	-1,230.19 (1,638.32)	-2,293.60 (1,609.82)	-1,958.07 (2,459.95)
Disabled * 1991	-1,305.43 (1,934.78)	-2,493.43 (1,767.57)	-2,453.83 (2,314.18)
Disabled * 1992	2,092.27 (2,052.83)	-547.28 (1,898.40)	-261.97 (2,440.80)
Disabled * 1993	-3,601.38* (2,049.20)	-6,316.76*** (1,875.92)	-4,472.93* (2,388.32)
Disabled * 1994	-1,341.10 (2,094.54)	-3,886.13* (2,065.29)	-2,716.29 (2,395.19)
Disabled * 1995	-4,185.18* (2,164.31)	-4,293.32** (1,930.05)	-3,075.65 (2,318.36)
Disabled * 1996	2,903.04 (5,285.71)	1,553.52 (5,297.91)	478.99 (5,242.35)
Covariates included?	No	Yes	Yes
Fixed effects?	No	No	Yes
N	54,191	53,049	53,049

NOTES: * = significant at the 10 percent level; ** = significant at the 5 percent level; *** = significant at the 1 percent level. Column 1 coefficients are difference-in-differences estimates from Equation (2) where $Earnings_{it}$ is measured as dollars per year. Column 2 adds time-varying covariates to Equation (2), and Column 3 adds time-varying covariates and individual fixed effects to Equation (2). Estimates are based on the unrestricted sample, and all standard errors are clustered at the individual level.

SOURCE: Panel Study of Income Dynamics.

C. Hourly Earnings

Measurements of earnings power based solely on annual income may tell a different story than measurements based on hourly wage rates. Dividing annual earnings by the number of hours worked may refine our empirical understanding of earnings differences between disabled and nondisabled workers.

As Table 5 shows, there is no evidence from our difference-in-differences estimates that disabled persons experienced an ADA-induced change in relative hourly wages.

Table 5: Conditional Hourly Wages Earned, Unrestricted Data Set (1981–1995)

	1	2	3
Disabled * 1982	0.65 (1.10)	0.42 (1.10)	-0.79 (1.10)
Disabled * 1983	-0.76 (0.84)	-1.02 (0.83)	-1.45* (0.78)
Disabled * 1984	0.37 (1.02)	-0.40 (1.03)	-0.74 (0.97)
Disabled * 1985	-0.06 (1.05)	-1.31 (1.00)	-0.36 (1.32)
Disabled * 1986	-0.14 (1.14)	-1.02 (1.06)	-1.08 (1.29)
Disabled * 1987	-1.27 (1.07)	-1.98** (1.01)	-1.35 (1.40)
Disabled * 1988	1.55 (1.72)	0.75 (1.62)	-0.11 (1.44)
Disabled * 1989	-0.11 (1.13)	-0.85 (1.09)	-1.30 (1.29)
Disabled * 1990	-0.62 (0.82)	-0.76 (0.81)	-0.94 (1.29)
Disabled * 1991	-0.93 (0.99)	-1.27 (0.95)	-1.69 (1.41)
Disabled * 1992	-0.18 (1.94)	-1.07 (1.93)	-0.03 (1.67)
Disabled * 1993	2.34 (3.09)	1.64 (3.08)	1.44 (3.84)
Disabled * 1994	1.52 (1.45)	1.40 (1.50)	0.19 (1.83)
Disabled * 1995	-1.73 (2.10)	-1.64 (2.06)	-1.19 (2.33)
Covariates included?	No	Yes	Yes
Fixed effects?	No	No	Yes
N	45,259	44,469	44,469

NOTES: * = significant at the 10 percent level; ** = significant at the 5 percent level; *** = significant at the 1 percent level. Column 1 coefficients are difference-in-differences estimates from Equation (2) where $Earnings_{it}$ is measured as dollars per hour. Column 2 adds time-varying covariates to Equation (2), and Column 3 adds time-varying covariates and individual fixed effects to Equation (2). Estimates are based on the unrestricted sample, and all standard errors are clustered at the individual level.

SOURCE: Panel Study of Income Dynamics.

Consistent with a pattern observed earlier in Figure 6, the disabled experienced a notable (albeit short-lived) hourly wage increase relative to the nondisabled in 1993. Although this was the largest change in absolute value over the entire observation period, the 1993 change was still not statistically significant in any of the three models.

The evidence in this section is consistent with the following conclusions. First, the ADA had a *negative* impact on the employment levels of the disabled relative to the nondisabled. The fact that our data extend back to the early 1980s helps rule out the possibility that the employment declines that we observe (and that were found in other recent studies) originated prior to the adoption of the ADA. Second, the ADA did *not* cause

any appreciable decline in the wages of disabled workers (relative to the nondisabled). In other words, it would appear that the ADA did not induce a simple adverse shift in the demand for disabled workers, since this would result in both a decline in employment and a reduction in the wages of disabled workers. Rather, the initial evidence from our unrestricted sample would be consistent with a story in which, perhaps most notably when the ADA took effect in 1993, employers were particularly wary of disabled workers (perhaps out of concern that the law would impose onerous burdens on employers), but that disabled workers who did secure employment retained their previous level of hourly wages. In the next section, we consider whether these tentative conclusions remain robust when we eliminate compositional changes in the sample of workers.

V. ANALYZING THE RESTRICTED SAMPLE

In this section, we restrict the data to include only those individuals who appear each year for the entire observation period. In Section IV, the baseline regressions without individual fixed effects counted persons regardless of whether they appeared in the reference year 1981. Thus, for example, the difference-in-differences estimate for 1994 may have been calculated using information on an interview respondent who first appeared in 1988. Consequently, the logic of the regression exercise would be confounded by this compositional change, especially if the individuals appearing after 1981 significantly altered the relative numbers of disabled persons in the data. The inclusion of individual fixed effects in the most fully specified model ameliorated the “anchoring” problem by requiring that all individuals appear in 1981. Otherwise, the regression would drop the entire set of observations for that person. Still, the unrestricted data permitted potentially troublesome compositional changes as some workers dropped out of the sample over time. For example, even if two individuals, *A* and *B*, initially appeared continuously from 1981, but *B* contributed to estimates for three more years than *A* because *B* was interviewed three more times than *A*, estimates from those three years would not be fully comparable with the preceding results. The restricted data set precludes compositional change by including only those persons that appear for the same (maximum) duration. As discussed in Section III, the restricted sample contains the employment and wage histories of 1,437 PSID respondents from 1981 to 1996, of whom 553 were identified as “disabled” for at least one year during the 16 years of data.

The first column of Table 6 initially suggests an even more robust decline in disabled employment levels than Table 3, as the magnitudes of the last three estimates in Column 1 range from -5.7 to -8.6 , but this story changes dramatically when one adds demographic covariates (Column 2) or controls for individual fixed effects (Column 3). Thus, if one accepts the proposition that the restricted data set permits cleaner comparisons of individuals across time, that is, it maximizes the value of the PSID’s longitudinal structure, particularly when controlling for individual fixed effects, then Table 6 provides persuasive evidence *against* a depressive employment effect from the ADA. Moreover, the vast majority of point estimates (11 of 14) in Column 3 are positively signed, though not statistically significant at standard levels. This result suggests that, at least relative to 1981, male disabled

Table 6: Annual Weeks Worked, Restricted Data Set (1981–1995)

	1	2	3
Disabled * 1982	-0.72 (3.04)	-1.20 (2.98)	0.98 (2.59)
Disabled * 1983	-0.40 (3.06)	-0.10 (3.02)	2.17 (2.77)
Disabled * 1984	1.31 (2.93)	1.87 (2.93)	2.71 (2.49)
Disabled * 1985	-0.76 (3.33)	0.18 (3.47)	0.78 (3.11)
Disabled * 1986	-3.82 (3.64)	-2.53 (3.81)	-0.78 (3.34)
Disabled * 1987	-0.01 (3.20)	1.55 (3.34)	2.86 (3.06)
Disabled * 1988	-0.57 (3.10)	1.99 (3.32)	3.07 (2.74)
Disabled * 1989	0.08 (2.93)	3.24 (3.27)	3.70 (2.76)
Disabled * 1990	-5.12 (3.27)	-1.26 (3.62)	0.21 (3.00)
Disabled * 1991	-6.32* (3.36)	-2.06 (3.80)	-1.51 (3.10)
Disabled * 1992	-1.51 (3.21)	2.85 (3.67)	2.48 (2.95)
Disabled * 1993	-5.66* (3.30)	0.36 (3.95)	1.54 (3.28)
Disabled * 1994	-8.35** (3.52)	-2.19 (4.28)	-1.11 (3.52)
Disabled * 1995	-8.62** (3.62)	-0.16 (4.47)	1.36 (3.70)
Covariates included?	No	Yes	Yes
Fixed effects?	No	No	Yes
N	8,938	8,912	8,912

NOTES: * = significant at the 10 percent level; ** = significant at the 5 percent level; *** = significant at the 1 percent level. Column 1 coefficients are difference-in-differences estimates from Equation (1) when *Employed_{it}* is measured as weeks worked per year. Column 2 adds time-varying covariates to Equation (1), and Column 3 adds time-varying covariates and individual fixed effects to Equation (1). Estimates are based on the restricted sample, and all standard errors are clustered at the individual level.

SOURCE: Panel Study of Income Dynamics.

household heads were not suffering employment losses (even if there may be some indication from Table 6 that any improvements were weakening in the 1990s).

Table 7 examines the impact of the ADA on annual earnings for the restricted sample and finds, as was the case in the unrestricted sample, that there are no consistent patterns of change in the relative wages of disabled workers that can be confidently ascribed to the ADA. Once again, 1993 stands out as an unusually bad year for the disabled, with earnings shortfalls (relative to 1981) ranging from \$10,000 (Column 1) to \$5,000 (Column 3).

With the large year-to-year swings in the various estimated effects and the generally statistically insignificant coefficients, though, the conclusions one can draw from

Table 7: Conditional Annual Wages Earned, Restricted Data Set (1981–1996)

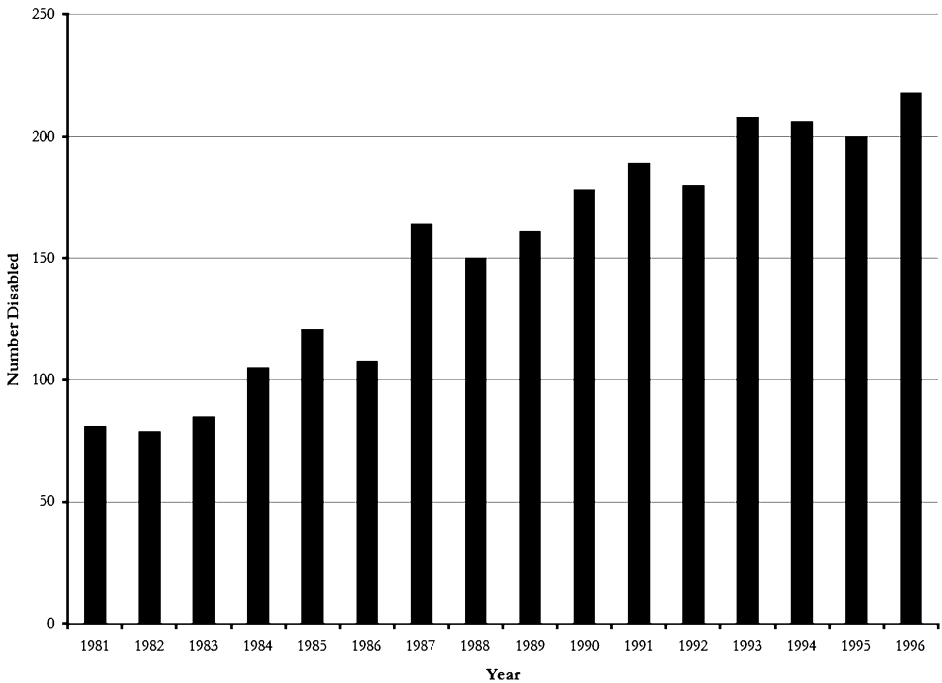
	1	2	3
Disabled * 1982	39.15 (2,961.84)	-1,052.64 (2,772.77)	-2,782.06 (2,332.88)
Disabled * 1983	-4,719.64* (2,758.93)	-4,221.60 (2,739.45)	-1,714.85 (2,068.69)
Disabled * 1984	-2,745.25 (2,583.90)	-2,610.32 (2,715.76)	-1,746.00 (2,073.51)
Disabled * 1985	-7,072.15** (3,431.43)	-5,604.07* (3,038.50)	-1,348.42 (4,222.21)
Disabled * 1986	-5,275.17 (3,801.62)	-2,668.13 (3,500.84)	-1,348.96 (4,160.80)
Disabled * 1987	-8,634.13** (3,750.00)	-6,209.00* (3,318.33)	-3,076.81 (4,332.98)
Disabled * 1988	-7,146.01* (4,111.81)	-5,002.83 (3,691.88)	-2,901.21 (4,345.29)
Disabled * 1989	-4,471.59 (3,375.95)	-2,798.21 (3,315.48)	-4,129.82 (3,694.59)
Disabled * 1990	-5,970.43* (3,230.28)	-2,613.86 (3,351.33)	-2,326.68 (4,784.707)
Disabled * 1991	-8,632.74** (3,717.52)	-5,330.25 (3,413.56)	-3,546.62 (4,074.81)
Disabled * 1992	-5,749.60 (4,376.94)	-5,105.32 (4,270.72)	-3,621.80 (4,546.63)
Disabled * 1993	-10,357.58** (4,126.61)	-7,234.62* (3,823.49)	-5,256.63 (4,295.34)
Disabled * 1994	-4,135.76 (4,660.38)	-911.29 (4,592.39)	-1,517.86 (4,131.87)
Disabled * 1995	-9,655.74** (4,548.16)	-5,885.46 (4,355.23)	-4,675.97 (3,755.64)
Disabled * 1996	-5,379.76 (4,367.12)	-3,067.75 (4,586.23)	-5,261.67 (4,574.79)
Covariates included?	No	Yes	Yes
Fixed effects?	No	No	Yes
N	19,762	19,648	19,648

NOTES: * = significant at the 10 percent level; ** = significant at the 5 percent level; *** = significant at the 1 percent level. Column 1 coefficients are difference-in-differences estimates from Equation (2) where $Earnings_{it}$ is measured as dollars per year. Column 2 adds time-varying covariates to Equation (2), and Column 3 adds time-varying covariates and individual fixed effects to Equation (2). Estimates are based on the unrestricted sample, and all standard errors are clustered at the individual level.

SOURCE: Panel Study of Income Dynamics.

Table 7 are uncertain. On one hand, the poor outcomes in 1993 suggest a story in which the ADA damaged the earnings profile for the disabled by a substantial amount. A year later, however, circumstances seemed to improve substantially. Might this suggest that employer fears about the possible costs of the ADA initially caused them to shun disabled workers, but that this initial effect was quickly overturned? On the other hand, the return to substantial (though insignificant) disparities in 1995 and 1996 may suggest that 1994 was simply an outlier. Still, 1996 does not look all that different from 1987 in terms of the relative earnings of the disabled, which may suggest that

Figure 7: Number disabled in the restricted sample by year (1981–1996).



SOURCE: Panel Study of Income Dynamics.

forces other than the ADA primarily drove the apparent deterioration in the earnings of the disabled.

One explanation for why the Column 1 estimates in Table 7 display a significant downward wage effect, while Column 3 does not, might be differential self-reports of disability status over time. Figure 7 plots the number of individuals reporting a disability among the 532 people in the restricted sample who reported a disability at least once but not for the entire observation period. Among these individuals, we do observe changes in self-identification that may have been influenced by the ADA's passage (or modifications to Social Security and other transfer payments). Since our constant restricted sample naturally ages over time, the overall trend in the number reporting a disability increases as one might expect. However, with the exception of the 1986–1987 change (which should be discounted because of data reporting problems in 1986), the 1992–1993 increase represents the largest jump in our data. In fact, from 1993 through 1996, the number never drops below 200, which is 38 percent of the 532 “sometimes-disabled” population. This post-1992 spike might be attributed to hopes that the ADA would benefit people who claim a disability. Thus, when we control for individual fixed effects in Column 3, we capture the probable fact that those reporting a disability have better outcomes overall regardless of whether they claim to be disabled in a given year.

Table 8: Conditional Hourly Wages Earned, Restricted Data Set (1981–1995)

	1	2	3
Disabled * 1982	0.01 (2.07)	-0.64 (2.06)	-1.25 (2.33)
Disabled * 1983	-2.30 (1.71)	-2.59 (1.64)	-3.37 (2.16)
Disabled * 1984	1.08 (3.33)	0.40 (3.25)	-0.72 (2.90)
Disabled * 1985	0.19 (2.32)	-1.22 (2.28)	-0.79 (2.18)
Disabled * 1986	-2.72 (2.66)	-2.63 (2.48)	-4.27** (1.92)
Disabled * 1987	-2.15 (1.99)	-2.71 (1.87)	-5.26*** (1.90)
Disabled * 1988	-0.90 (2.41)	-1.24 (2.33)	-2.88 (2.55)
Disabled * 1989	-2.62 (1.94)	-3.12 (1.95)	-4.48** (2.24)
Disabled * 1990	-2.89 (1.87)	-3.52* (1.93)	-5.03** (2.31)
Disabled * 1991	0.62 (2.97)	1.30 (2.89)	-2.96 (2.60)
Disabled * 1992	-3.58 (2.29)	-3.65 (2.29)	-6.34** (2.98)
Disabled * 1993	-5.44** (2.46)	-6.30** (2.48)	-6.54** (2.90)
Disabled * 1994	-3.91 (2.68)	-4.50 (2.74)	-6.22* (3.26)
Disabled * 1995	1.59 (9.48)	0.82 (9.21)	0.38 (8.32)
Covariates included?	No	Yes	Yes
Fixed effects?	No	No	Yes
N	7,194	7,169	7,169

NOTES: * = significant at the 10 percent level; ** = significant at the 5 percent level; *** = significant at the 1 percent level. Column 1 coefficients are difference-in-differences estimates from Equation (2) where $Earnings_{it}$ is measured as dollars per hour. Column 2 adds time-varying covariates to Equation (2), and Column 3 adds time-varying covariates and individual fixed effects to Equation (2). Estimates are based on the restricted sample, and all standard errors are clustered at the individual level.

SOURCE: Panel Study of Income Dynamics.

Table 8 estimates the hourly wage effects of the ADA, again using the restricted sample. While the unrestricted data yielded no evidence of a sustained ADA impact on the hourly wages of the disabled, the same regressions estimated on the restricted set do suggest an adverse ADA impact on hourly wages (note again the negative estimate in 1993). But when one looks at the timing of these wage shifts, the link to the ADA becomes less clear. For example, controlling for individual fixed effects in Column 3 reveals an adverse trend in hourly wages for the disabled, but one that begins in 1986, well before the ADA became law. While relative real hourly wages of the disabled fell by about \$6 beginning in 1992, such disparity first appears in 1986 as a \$4 shortfall relative to the nondisabled in 1981. Since

the series of negative point estimates remains rather consistent from the pre-ADA period through 1994, we cannot readily attribute the decline in hourly wages to the legislation itself. Moreover, though one might conclude that the early days of the ADA did not boost the hourly wages of the disabled, the estimates for 1995 suggest some positive news regarding earnings. Might this suggest that a decade of earnings erosion for the disabled, initially caused by forces in the U.S. labor market other than the ADA, was beginning to reverse in 1995, or is this just another ephemeral swing?

VI. CONCLUSION

This article has offered new evidence on the relationship between the Americans with Disabilities Act and the labor market fortunes of the class protected by its landmark provisions. Using individual-level longitudinal data from 1981 to 1996 from the PSID, a previously unexamined source, we examine the annual number of weeks worked, annual earnings, and hourly wages on a full sample of 7,120 unique male household heads between the ages of 21 and 65 (a total of 64,607 person-year observations) and a “restricted” sample of 1,437 individuals appearing each year from 1981 to 1996. The conflicting pictures that emerge from the analyses of these two different samples shed new light on, but also counsels caution in reaching final conclusions about, the economic impact of the ADA.

Our analysis of the unrestricted sample suggested the ADA had a *negative* impact on the employment levels of the disabled relative to the nondisabled but no impact on relative earnings; however, our evaluation of the restricted sample raised questions about these findings. For the restricted sample—in which we look at the identical 1,437 workers over our entire sample period—we see little evidence of adverse effects on weeks worked in our individual fixed effects model, but strong evidence of wage decline for the disabled, albeit one that began in 1986, well prior to the adoption of the ADA.

The restricted data set enables us to see how the identical set of 1,437 workers fare over our 1981–1996 data period. Recall that 884 of these workers were never disabled over this timeframe, 21 were always disabled, and the remaining 532 workers move in and out of what the PSID identifies as a “disabled” condition. The restricted sample has the considerable advantage of protecting against biases caused by law-induced changes in self-identified disability status, but this benefit comes with two costs. First, the relatively small sample size necessarily generates higher standard errors in our restricted sample estimates that make it hard to distinguish statistically insignificant effects from true noneffects. Second, by focusing on more mature workers at the time of ADA enactment, we miss what is happening to new entrants to the labor market. Thus, workers who already have jobs (or at least more job experience) when the ADA comes into effect may be in a different position than those coming into the labor market for the first time.

Our analysis also underscores once again the difficult employment situation confronted by the average male household head with a disability, one that, at least given our admittedly imprecisely measured definition of disability, has not seen major and sustained improvements during the post-ADA years. On the other hand, this article provides

evidence that the more mature workers who were found in every year of our sample did not suffer the same dis-employment effects that previous empirical analyses have attributed to the ADA.

REFERENCES

- Acemoglu, Daron, & Joshua D. Angrist (2001) "Consequences of Employment Protection? The Case of the Americans with Disabilities Act," 109 *J. of Political Economy* 915.
- Autor, David H., & Mark G. Duggan (2003) "The Rise in the Disability Rolls and the Decline in Unemployment," 118 *Q. J. of Economics* 157.
- Beegle, Kathleen, & Wendy A. Stock (2003) "The Labor Market Effects of Disability Discrimination Laws," 38 *J. of Human Resources* 806.
- Blanck, Peter, Lisa Schur, Douglas Kruse, Susan Schwochau, & Chen Song (2003) "Calibrating the Impact of the ADA's Employment Provisions," 14 *Stanford Law & Policy Rev.* 267.
- Bound, John, & Timothy Waidmann (2002) "Accounting for Recent Declines in Employment Rates Among the Working-Aged Men and Women with Disabilities," 37 *J. of Human Resources* 231.
- Burkhauser, Richard V. (1997) "Post-ADA: Are People with Disabilities Expected to Work?" 549 *Annals of the American Academy of Political & Social Science* 71.
- Burkhauser, Richard V., Mary C. Daly, & Andrew Houtenville (2001) "How Working Age People with Disabilities Fared Over the 1990s Business Cycle," in P. P. Budetti, R. V. Burkhauser & Petri Hirvonen (1989) "United States Disability Policy in a Time of Economic Crisis: A Comparison with Sweden and the Federal Republic of Germany," 67 (Supplement 2, Part 1) *Milbank Q.* 166.
- Burkhauser, Richard V., & Petri Hirvonen (1989) "United States Disability Policy in a Time of Economic Crisis: A Comparison with Sweden and the Federal Republic of Germany," 67 *Milbank Q.* 166.
- Burkhauser, Richard V., Andrew J. Houtenville, & Ludmila Rovba (2007) "Accounting for the Declining Fortunes of Working-Age People with Disabilities," unpublished manuscript.
- Burkhauser, Richard V., & Mathis Schroeder (2004) "A Cross-National Comparison of the Employment for Men with Disabilities: The United States and Germany in the 1980s and 1990s," *Michigan Retirement Research Center Research Paper* 2004-071.
- Burkhauser, Richard V., & David C. Stapleton (2004) "The Decline in the Employment Rate for People with Disabilities: Bad Data, Bad Health, or Bad Policy?" 20 *J. of Vocational Rehabilitation* 185.
- Butler, Richard, & James J. Heckman (1977) "The Government's Impact on the Labor Market Status of Black Americans: A Critical Review," in F. E. Bloch & L. J. Hausman, eds., *Equal Rights and Industrial Relations*. Madison, WI: Industrial Relations Research Association.
- Collignon, Frederick C. (1997) "Is the ADA Successful? Indicators for Tracking Gains," 549 *Annals of the American Academy of Political & Social Science* 129.
- DeLeire, Thomas (2000a) "The Wage and Employment Effects of the Americans with Disabilities Act," 35 *J. of Human Resources* 693.
- (2000b) "The Unintended Consequences of the Americans with Disabilities Act," 23 *Regulation* 21.
- Dole, Bob (1994) "Are We Keeping America's Promises to People with Disabilities?—Commentary on Blanck," 79 *Iowa Law Rev.* 925.
- Donohue, John J., & James Heckman (1991) "Continuous Versus Episodic Change: The Impact of Civil Rights Policy on the Economic Status of Blacks," 29 *J. of Economic Literature* 1603.
- Donohue, John J., & Justin Wolfers (2005) "Uses and Abuses of Empirical Evidence in the Death Penalty Debate," 58 *Stanford Law Rev.* 791.
- Epstein, Richard A. (1992) *Forbidden Grounds: The Case Against Employment Discrimination Laws*. Boston, MA: Harvard Univ. Press.
- European Union Council (2000) *Directive Establishing a General Framework for Equal Treatment in Employment and Occupation, 2000/78/EC*.

- General Accounting Office (GAO) (2002) *Business Tax Incentives: Incentives to Employ Workers with Disabilities Receive Limited Use and Have an Uncertain Impact*. Available at <<http://www.gao.gov/new.items/d0339.pdf>>.
- Hale, Thomas W. (2001) "The Lack of a Disability Measure in Today's Current Population Survey," 124 *Monthly Labor Rev.* 38.
- Heckman, James J., & Brook S. Payner (1989) "Determining the Impact of Federal Antidiscrimination Policy on the Economic Status of Blacks: A Study of South Carolina," 79 *American Economic Rev.* 138.
- Hotchkiss, Julie L. (2003) *The Labor Market Experience of Workers with Disabilities: The ADA and Beyond*. Kalamazoo, MI: W. E. Upjohn Institute for Employment Research.
- (2004) "A Closer Look at the Employment Impact of the Americans with Disabilities Act," 39 *J. of Human Resources* 887.
- Houtenville, Andrew J., & Richard V. Burkhauser (2004) *Did the Employment of People with Disabilities Decline in the 1990s, and Was the ADA Responsible? A Replication and Robustness Check of Acemoglu and Angrist (2001)*. Available at <<http://digitalcommons.ilr.cornell.edu/edicollect/91>>.
- Jolls, Christine (2000) "Accommodation Mandates," 53 *Stanford Law Rev.* 223.
- Jolls, Christine, & J. J. Prescott (2005) *Disaggregating Employment Protection: The Case of Disability Discrimination*. Available at <<http://lsr.nellco.org/harvard/olin/papers/496>>.
- Kaye, H. Stephen (2003) *Improved Employment Opportunities for People with Disabilities*. Available at <http://dsc.ucsf.edu/view_pdf.php?pdf_id=27>.
- Kirchner, Corrine (1996) "Looking Under the Street Lamp: Inappropriate Uses of Measures Just Because They Are There," 7 *J. of Disability Policy Studies* 77.
- Kruse, Douglas, & Lisa Schur (2003) "Employment of People with Disabilities Following the ADA," 42 *Industrial Relations* 11.
- McNeil, John M. (2000) *Employment, Earnings, and Disability*. Available at <<http://www.census.gov/hhes/www/disability/emperndis.pdf>>.
- Rosenberg, Gerald N. (1991) *The Hollow Hope: Can Courts Bring About Social Change?* Chicago, IL: Univ. of Chicago Press.
- Schwochau, Susan, & Peter David Blanck (2000) "The Economics of the Americans with Disabilities Act, Part III: Does the ADA Disable the Disabled?" 21 *Berkeley J. of Employment & Labor Law* 271.
- Stapleton, David C., & Richard V. Burkhauser, eds. (2003) *The Decline in Employment of People with Disabilities: A Policy Puzzle*. Kalamazoo, MI: W.E. Upjohn Institute for Employment Research.
- Stein, Michael Ashley (2003) "The Law and Economics of Disability Accommodations," 53 *Duke Law J.* 79.
- (2004a) "Same Struggle, Different Difference: ADA Accommodations as Antidiscrimination," 153 *Univ. of Pennsylvania Law Rev.* 579.
- (2004b) "Under the Empirical Radar: An Initial Expressive Law Analysis of the ADA," 90 *Virginia Law Rev.* 1151.
- (2007) "Disability Human Rights," 95 *California Law Rev.* 75.
- Stein, Michael Ashley, & Janet E. Lord (2008) "Future Prospects for the United Nations Convention on the Rights of Persons with Disabilities," in G. Quinn & O. M. Arnardóttir, eds., *The UN Convention on the Rights of Persons with Disabilities: European and Scandinavian Perspectives*. Leiden: Martinus Nijhoff Publishers.
- Stein, Michael Ashley, & Penelope J. S. Stein (2007) "Beyond Disability Civil Rights," 58 *Hastings Law J.* 1203.
- Tolin, Tom, & Martin Patwell (2003) "A Critique of Economic Analysis of the ADA," 23 *Disability Studies Q.* 130.
- Wittenberg, David, & Elaine Maag (2003) *Real Trends or Measurement Problems: Disability and Employment Trends from the Survey of Income and Program Participation*. Available at <http://www.urban.org/UploadedPDF/410635_Real_or_Measurement.pdf>.