

Assessing the Implementation of the Nigerian Disability Act (2018): Implications for Employment Inclusion of Persons with Disabilities in Kwara State Owned Institutions

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Abstract

The Nigerian Disability Act 2018 represents a critical legislative framework aimed at safeguarding the rights and enhancing the employment inclusion of persons with disabilities (PWDs). However, the translation of this policy into tangible outcomes, particularly at the sub-national level, remains a significant challenge. This study investigates the implementation gap of the

Act within public institutions in Kwara State, with a specific focus on employment inclusion. A descriptive survey design was employed, utilizing structured questionnaires to collect data from 360 respondents drawn from public servants, Persons with Disabilities and officers in disability-focused agencies. Findings indicate a paradoxical situation: while awareness of the Act's provisions, including the 5% employment quota, is reason-

ably high (75%), practical implementation is markedly weak. Less than half of the respondents observed consistent efforts to meet employment quotas or provide equal opportunities. Improvements in physical accessibility were noted, yet systemic barriers such as inadequate reasonable accommodations, attitudinal biases, and a critical lack of monitoring and enforcement persist. The study concludes that without robust enforcement mechanisms, deeper institutional reforms, and targeted sensitization, the Act's objectives will remain unfulfilled in Kwara State. Recommendation suggested that the National Commission for Persons with Disabilities (NCPWD) and the Kwara State Government should conduct an annual compliance audit of all public institutions, publishing results and enforcing sanctions or rewards as needed. Each institution should implement a Disability Inclusion Policy and Action Plan, led by a Disability Inclusion Officer; to guide recruitment, retention, and accommodations. Mandatory disability awareness training should be provided for staff and partnerships with Disabled Persons' Organizations (DPOs) like JONAPWD should support implementation. The State Government and media should also promote sustained public campaigns to highlight the abilities of persons with disabilities and encourage full compliance with the Disability Act.

Keywords: PWDs, Disability Act,

Employment, Policy Implementation, Kwara State.

Introduction

Globally, persons with disabilities (PWDs) confront profound barriers to economic participation, with unemployment rates significantly exceeding those of the non-disabled population. The World Health Organisation (2011) estimates that over one billion people live with a disability, often facing stigma, discrimination, and exclusion from the formal labor market. The adoption of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) in 2006 provided a robust international mandate for inclusion, yet its domestic implementation remains inconsistent, particularly in Africa.

In Nigeria, the passage of the Discrimination against Persons with Disabilities (Prohibition) Act in 2018 was a landmark achievement. The Act explicitly mandates a 5% employment quota for PWDs in public institutions and prohibits discrimination. Despite this progressive legislation, a chasm exists between policy intent and lived reality. This gap is especially pronounced in states like Kwara, where institutional capacity and political will for enforcement are often limited. This study seeks to critically examine this implementation gap, focusing on Kwara State's public institutions as

a microcosm of a broader national challenge.

Despite the legal obligations imposed by the Nigerian Disability Act 2018, preliminary evidence and anecdotal reports suggest that employment inclusion for PWDs in Kwara State remains elusive. Public institutions, which should serve as exemplars of compliance, frequently fail to meet the 5% employment quota. The problem is not merely a lack of policy but a failure of implementation, characterized by weak enforcement, insufficient accommodations, and persistent societal attitudes that hinder full inclusion. This study is therefore motivated by an urgent need to systematically assess the root causes of this implementation failure and its implications for the socioeconomic empowerment of PWDs in the state.

This study seeks to answer the following research question: What is the level of implementation of the Nigerian Disability Act 2018 regarding employment inclusion for persons with disabilities in Kwara State, and what factors facilitates or hinders its effective execution?

The objective of this study is to examine the extent of implementation of the Nigerian Disability Act 2018 in Kwara State public institutions and to analyze its impact on the inclusive employment of persons with disabilities.

This research provides timely empirical evidence on the state of disability inclusion in Kwara State, filling a critical knowledge gap. The findings are intended to inform policymakers, disability rights advocates, and public institution administrators. The study is delimited to public sector organizations within Kwara State, covering the period from the Act's effective date (2019) to the present.

Thematic Review of Related Literatures

This review synthesizes existing literature on disability inclusion, focusing on the global and African context, the specific challenges in Nigeria, and the implementation gaps of legal frameworks. It aims to identify the conceptual territory this study occupies and highlight its contribution to filling existing knowledge gaps.

The adoption of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) in 2006 established a powerful global norm for disability rights, emphasizing inclusion, accessibility, and non-discrimination (Degener, 2016). However, a significant body of literature critiques the pervasive "implementation gap" between these international standards and domestic realities, particularly in low and middle-income countries (LMICs). Palmer & Harley (2012) argue that this gap often

stems from a lack of financial resources, weak political will, and insufficient disaggregated data to monitor progress. In the specific context of employment, studies show that even in countries with strong anti-discrimination laws, such as the Americans with Disabilities Act, PWDs still face lower employment rates and wage disparities, pointing to the resilience of attitudinal and systemic barriers (Schur et al., 2014).

In Africa, the challenge is often more fundamental. While many countries have ratified the UNCRPD and enacted national disability laws, as exemplified by the African Union Protocol on the Rights of Persons with Disabilities (2018), implementation is frequently tokenistic. Research by Mji et al. (2017) highlighted that policies often lack accompanying implementation strategies, budgetary allocations, and monitoring frameworks. A scoping review by Morwane et al. (2021) confirms that employment barriers for PWDs in Africa are multifaceted, including not only discrimination and inaccessible environments but also a critical lack of access to relevant skills training and vocational rehabilitation services. This suggests that effective employment inclusion requires an integrated approach that links education, training, and labour market policies which is a connection often missing in practice.

Nigeria's Discrimination against Persons

with Disabilities (Prohibition) Act, 2018, is a central focus of this study. Initial analyses praised the Act for its comprehensiveness, particularly its 5% employment quota and the establishment of the National Commission for Persons with Disabilities (NCPWD) (Dauda & Opute, 2020). However, emerging scholarship is increasingly critical of its enforcement. Oye-Lithur (2021) argues that without strong punitive measures for non-compliance and an independent, well-funded monitoring body, the Act risks becoming another "paper tiger." This aligns with a World Bank (2020) rapid assessment which found that awareness of the Act among Nigerian employers is low, and understanding of what constitutes "reasonable accommodation" is even lower. Furthermore, studies point to a fundamental challenge at the sub-national level; as Nigeria is a federation, state governments are crucial for implementation, yet they often lack the capacity or political incentive to domesticate and enforce federal laws effectively (Ibrahim, 2022). This makes state-level studies, like this one on Kwara State, particularly valuable.

Recent literature has emphasized the importance of an intersectional approach to disability studies, recognizing that experiences of discrimination are compounded by other factors such as gender, type of disability, and geographic location (Grech, 2016). For instance, women with

disabilities in Northern Nigeria face double marginalization due to gender norms and disability stigma, which further limits their employment opportunities (Adebayo, 2021). Similarly, individuals with psychosocial or intellectual disabilities are often more excluded from employment initiatives than those with physical or sensory disabilities (Umeasiegbu et al., 2019). This study contributes to this emerging discourse by disaggregating the experiences of PWDs in Kwara State.

This study is anchored in the Social Model of Disability, developed by Mike Oliver (1996). The model posits that disability is not an individual or medical issue but a product of social, environmental, and institutional barriers that limit participation. It distinguishes between impairment (a physical or sensory condition) and disability (the social exclusion caused by inaccessible environments and negative attitudes). The model argues that inclusion can only be achieved by removing discriminatory barriers and restructuring institutions to embrace diversity. The Social Model is highly relevant to this study on the implementation of the Nigerian Disability Act 2018 and employment inclusion in Kwara State. It aligns with the Act's objective of ensuring equal participation for persons with disabilities and provides a framework for analyzing how physical, attitudinal, and policy barriers restrict employment opportunities. It shifts focus from personal limitations

to systemic exclusion, supporting the argument for structural reforms such as accessible workplaces, inclusive recruitment, and attitudinal change among employers. Despite its influence, the model has been criticized for underplaying the personal and medical realities of impairment (Shakespeare, 2006) and for limited applicability in non-Western contexts with differing cultural views on disability (Grech, 2015). Nonetheless, it remains valuable to this study as it highlights how societal and institutional structures shape inclusion outcomes. It guides data interpretation and informs policy recommendations aimed at accessibility, enforcement, and public awareness to achieve genuine inclusion.

Methodology

This study employed a quantitative, cross-sectional survey design. This approach was deemed appropriate for collecting standardized data from a large sample to objectively assess the level of policy implementation across multiple institutions. The study population comprised 3,596 individuals, including public servants in disability-related roles, employed and unemployed PWDs, and officers in disability-focused bodies (see Table 1).

Table 1: Study Population

Category	Estimated Population
Public servants in Institutions and MDAs (Disability related)	1,200
Persons with disabilities employed or seeking employment in public service	2346
Officers in disability-related bodies (Social Development and KOSO-DA)	50
Total	3596

Source: Fieldwork, 2025

Using Taro Yamane’s formula, a sample size of 360 was determined as seen below:

$$n = \frac{N}{1 + N(e)^2}$$

$$n = \frac{3596}{1 + 3596(0.05)^2} =$$

$$n = \frac{3596}{9.99} = 359.96 \approx 360$$

A stratified random sampling technique was used to ensure representation across different ministries, departments, and types of disabilities. The distribution is shown in Table 2.

Table 2: Sampled Distribution

Category	Population	Sample Size
Public servants in Institutions & MDAs (Disability-related)	1,200	120
Persons with disabilities	2346	235
Officers in disability-related bodies	50	5
Total	3596	360

Source: Fieldwork, 2025

Data was collected using a structured questionnaire divided into sections on demographics, awareness of the Act, institutional implementation efforts, workplace accessibility, and perceived barriers. The instrument was validated by experts in public policy and special education. A pilot study was conducted in a similar institution outside Kwara State, and reliability was confirmed with a Cronbach’s Alpha coefficient of 0.78, indicating good internal consistency.

Questionnaires were administered both physically and electronically (via Goo-

gle Forms), with field assistants providing support where needed (sign language interpretation). Data were analyzed using the Statistical Package for the Social Sciences (SPSS version 25). Descriptive statistics (frequencies, percentages, mean, and standard deviation) were used to summarize the data. Inferential statistics (Chi-square tests) were employed to examine relationships between variables, such as the association between a respondent’s employment status and their perception of institutional compliance.

Results and Discussion

Demographic Characteristics of Respondents

The sample was diverse, with 55% female and 45% male respondents. A majority (60%) were aged 25-44, and 80% had tertiary education or higher. Seventy-five percent (75%) of respondents identified as persons with disabilities, with physical disabilities (40%) and visual impairments (20%) being the most reported. Sixty percent (60%) were employed full-time, predominantly in public institutions.

The analysis of the survey items revealed several critical trends, summarized in the table below and discussed thereafter.

Table 3: Summary of Respondent Perceptions (N=360)

S/N	Questions	SA	A	N	D	SD
1	I am aware of the provisions of the Nigerian Disability Act 2018, especially regarding employment inclusion.	120 (33.3%)	150 (41.7%)	40 (11.1%)	30 (8.3%)	20 (5.6%)
2	I understand the 5% employment quota for persons with disabilities mandated by the Nigerian Disability Act 2018.	110 (30.6%)	140 (38.9%)	50 (13.9%)	40 (11.1%)	20 (5.6%)

S/N	Questions	SA	A	N	D	SD
3	My institution has made efforts to implement the provisions of the Nigerian Disability Act 2018 regarding the employment of persons with disabilities.	90 (25.0%)	120 (33.3%)	70 (19.4%)	50 (13.9%)	30 (8.3%)
4	Persons with disabilities are given equal employment opportunities in my institution as required by the Nigerian Disability Act 2018	80 (22.2%)	110 (30.6%)	80 (22.2%)	60 (16.7%)	30 (8.3%)
5	There is a visible effort in my institution to fulfill the 5% employment quota for persons with disabilities.	70 (19.4%)	100 (27.8%)	90 (25.0%)	60 (16.7%)	40 (11.1%)
6	The workplace in my institution is physically accessible for persons with disabilities (e.g., ramps, elevators, accessible restrooms).	130 (36.1%)	140 (38.9%)	30 (8.3%)	30 (8.3%)	30 (8.3%)

S/N	Questions	SA	A	N	D	SD
7	My institution provides reasonable accommodations (e.g., assistive devices, flexible work schedules) for persons with disabilities.	100 (27.8%)	130 (36.1%)	60 (16.7%)	40 (11.1%)	30 (8.3%)
8	Training and development opportunities are equally accessible to persons with disabilities in my institution.	90 (25.0%)	120 (33.3%)	80 (22.2%)	50 (13.9%)	20 (5.6%)
9	There are significant barriers (e.g., physical, attitudinal, or systemic) that hinder the full implementation of the Nigerian Disability Act 2018 in my institution.	140 (38.9%)	110 (30.6%)	40 (11.1%)	40 (11.1%)	30 (8.3%)
10	The implementation of the Nigerian Disability Act 2018 has not been adequately monitored or enforced in my institution.	130 (36.1%)	100 (27.8%)	50 (13.9%)	50 (13.9%)	30 (8.3%)

Source: Fieldwork, 2025

Discussion of Findings

The data reveals a significant disconnect. While 75% of respondents were aware of the Act, and 69.5% understood the 5% quota, this knowledge has not robustly translated into action. Only 58.3% felt their institutions had made implementation efforts, and a mere 47.2% observed visible efforts to meet the quota. This gap underscores a core problem of institutional inertia and a lack of accounted implementation mechanisms, supporting Onu's (2020) findings on policy enforcement challenges in Nigeria.

The findings indicated a trend towards "tokenistic" compliance. While 75% reported improvements in physical accessibility (ramps, restrooms), provisions for deeper inclusion such as reasonable accommodations (63.9%) and accessible training opportunities (58.3%) were less consistent. This aligns with the Social Model's emphasis that removing physical barriers is only the first step; true inclusion requires dismantling attitudinal and systemic barriers that hinder career advancement and daily productivity.

A striking 69.5% of respondents identified significant persistent barriers, and 63.9% reported inadequate monitoring and enforcement, which points to a critical accountability deficit. The absence of effective oversight, as argued by Oye-Lithur (2021), renders legislation impotent. Institutions perceive compliance as

optional rather than mandatory, allowing bureaucratic inertia and discriminatory attitudes to prevail.

Conclusion

This study concludes that the implementation of the Nigerian Disability Act 2018 in Kwara State's public institutions is characterized by a rhetoric-reality gap. There is sufficient awareness of the law, but this has not been matched by committed action. Progress is skewed towards visible, infrastructural adaptations, while deeper, systemic changes necessary for meaningful employment inclusion such as equitable hiring practices, provision of accommodations, and professional development for PWDs are lagging. The fundamental obstacle is the lack of a strong enforcement regime that holds institutions accountable. Therefore, without strategic interventions to address these systemic failures, the Act's promise of inclusive employment will remain largely unfulfilled in Kwara State.

Recommendations

In light of the results, the following recommendations are considered most relevant:

1. The National Commission for Persons with Disabilities (NCPWD), in collaboration with the Kwara

State government, should institute a transparent, mandatory annual compliance audit for all public institutions. Audit results should be published, and clear sanctions for non-compliance (budget restrictions) must be enforced alongside incentives for compliant institutions.

2. Each public institution should be mandated to develop and fund a Disability Inclusion Policy and Action Plan. This plan should outline specific, measurable steps for recruitment, retention, career progression, and provision of accommodations, overseen by a designated Disability Inclusion Officer or Committee.
3. Mandatory disability equality and sensitivity training should be integrated for all staff, particularly those in HR and management roles. Recruitment processes must be audited for bias and made accessible.
4. Institutions should formally partner with Disabled Persons' Organizations (DPOs) like the Joint National Association of Persons with Disabilities (JONAPWD) for guidance, monitoring, and to create a pipeline for recruiting qualified PWDs.
5. The State Government, in collaboration with media bodies, should initiate a sustained campaign to

shift public attitudes, highlighting the capabilities of PWDs and the legal mandates of the Disability Act, thereby creating a social environment that demands compliance.

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