

# News Release

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## **US Labor Department seeks to improve job opportunities for Americans with disabilities by setting historic hiring goal for federal contractors and subcontractors**

**WASHINGTON** — The U.S. Department of Labor is proposing a new rule that would require federal contractors and subcontractors to set a hiring goal of having 7 percent of their workforces be people with disabilities, among other requirements. The department's Office of Federal Contract Compliance Programs invites public comment on this proposal, which will be published in the Dec. 9 edition of the Federal Register.

OFCCP's proposed rule would strengthen the affirmative action requirements established in Section 503 of the Rehabilitation Act of 1973 obligating federal contractors and subcontractors to ensure equal employment opportunities for qualified workers with disabilities. The proposed regulatory changes detail specific actions contractors must take in the areas of recruitment, training, record keeping and policy dissemination — similar to those that have long been required to promote workplace equality for women and minorities. In addition, the rule would clarify OFCCP's expectations for contractors by providing specific guidance on how to comply with the law.

"This proposed rule represents one of the most significant advances in protecting the civil rights of workers with disabilities since the passage of the Americans with Disabilities Act," said Secretary of Labor Hilda L. Solis. "President Obama has demonstrated a commitment to people with disabilities. This proposed rule would help federal contractors better fulfill their legal responsibility to hire qualified workers with disabilities."

Although Section 503 regulations have been in place for decades, the current unemployment rate for people with disabilities is 13 percent, 1 1/2 times the rate of those without disabilities. Even more discouraging, data published last week by the department's Bureau of Labor Statistics show stark disparities facing working-age individuals with disabilities, with 79.2 percent outside the labor force altogether, compared to 30.5 percent of those without disabilities.

"For nearly 40 years, the rules have said that contractors simply need to make a 'good faith' effort to recruit and hire people with disabilities. Clearly, that's not working," said OFCCP Director Patricia A. Shiu. "Our proposal would define specific goals, require real accountability and provide the clearest possible guidance for employers seeking to comply with the law. What gets measured gets done. And we're in the business of getting things done."

Establishing a 7 percent hiring goal for the employment of individuals with disabilities would be a tool for contractors to measure the effectiveness of their affirmative action efforts and thereby inform their decision-making. The proposed rule also would enhance data collection and record-keeping requirements — including for documentation and processing of requests for reasonable accommodation — in order to improve accountability. Additionally, it would ensure annual self-reviews of employers' recruitment and outreach efforts, and add a new requirement for contractors to list job openings to increase their pools of qualified applicants.

To read the notice of proposed rulemaking or submit a comment, visit the federal e-rulemaking portal at <http://www.regulations.gov>. Comments also can be submitted by mail to Debra Carr, Office of Federal Contract Compliance Programs, U.S. Department of Labor, Room C-3325, 200 Constitution Ave. NW, Washington, D.C. 20210. All comments must be received by Feb. 7, 2012, and should include identification number (RIN) 1250-AA02.

In addition to Section 503, OFCCP enforces Executive Order 11246 and the Vietnam Era Veterans' Readjustment Assistance Act of 1974. As amended, these three laws require those who do business with the federal government, both contractors and subcontractors, to follow the fair and reasonable standard that they take affirmative action and not discriminate in employment on the basis of sex, race, color, religion, national origin, disability or status as a protected veteran. For general information, call OFCCP's toll-free helpline at 800-397-6251 or visit its website at <http://www.dol.gov/ofccp/>.