

How close are you to reaching your goal for employing people with disabilities?

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Up until very recently, the U.S. Department of Labor (DOL) has elected to not aggressively enforce new disability regulations under Section 503 of the Rehabilitation Act—giving contractors a chance to prepare for the changes in the regulations.

However, at a recent meeting business roundtable, the director of the Office of Federal Contract Compliance Programs (OFCCP), Patricia Shiu, made it clear that the grace period is ending. According to Shiu, “The waiting period is over. They (federal contractors) are now expected to make an effort.”

So, how close are you to reaching your goal for employing people with disabilities?

According to Carol Glazer, president of the National Organization on Disability (NOD), which works on increasing employment opportunities for people with disabilities, complying with new regulations for Section 503 should be viewed as more of a “journey” than a destination.

Background information

Under the regulations, covered federal contractors and subcontractors must invite job applicants (at the preoffer stage) and employees to self-identify as individuals with a disability (IWDs). Contractors and subcontractors also must track the total number of applicants and how many of them are known IWDs, the total number of job openings and the number of jobs filled, and the total number of applicants hired and how many applicants with disabilities were hired, according to the OFCCP.

The new regulations, which went into effect in March 2014, also introduce a 7% goal for employing IWDs. The goal is aimed at giving contractors a benchmark against which they can measure the success of their efforts in outreach to—and recruitment of—IWDs and the change in the representation of IWDs in their workforce. For contractors with more than 100 employees, the goal applies to each job group. For contractors with 100 or fewer employees, the goal applies to their entire workforce.

“You cannot be sanctioned for not *meeting* the goal, but you can be for not *trying*” to reach it, says Glazer. “That’s what the OFCCP will be looking for.”

Although many contractors have taken steps to hire more people with disabilities in light of the rule changes, there is additional work to be done, she says. “Most employers that we see in our universe are not at that 7%.”

What to do

In addition to complying with the new requirements, Glazer offers advice to help contractors reach the utilization goal:

Recognize the benefits of hiring people with disabilities. There are 33 million people with disabilities that are of working age in the United States, Glazer says, but only 21% of them are currently employed. Of the remaining 26 million, “three quarters of them want to work and can work.” There are many “incentives beyond the incentive of compliance” to hire from this “untapped talent pool,” she says. “More and more companies are beginning to realize this is a group that can contribute something to the workforce—not in spite of their disability but because of it.”

For example, Microsoft® and SAP® actively recruit people with autism for software testing and spotting anomalies in code, Glazer says.

Build relationships. Before the new regulations went into effect, contractors already had an obligation to proactively engage in outreach efforts to hire people with disabilities, but “most companies still have not done that,” says Miranda Pax, NOD’s director of external affairs.

Glazer recommends building relationships with organizations that provide services to people with disabilities. Disability organizations understand the needs and talents of IWDs and accommodations to help them succeed in the workplace, she says.

Develop a disability-friendly brand. Do you have senior officials who are willing to disclose their own disability? Are your job postings in an accessible format for people with a vision impairment? Have you considered alternatives to behavioral interviews, which tend not to be ideal for people with autism? Are there pictures of people with disabilities on your website? Being able to answer “yes” to those questions—and other questions like them—will help make your organization more attractive to people with disabilities, Glazer says. “People are watching. Be very intentional in the steps you take.”

Perform a self-assessment. NOD’s [Disability Employment Tracker](#) is a free, confidential, Web-based tool that helps contractors assess their approach to attracting, hiring, and retaining individuals with disabilities. “The Tracker is an ideal way to demonstrate that you are taking strides to include people with disabilities in your workforce,” Glazer says. “More than that, it will help you identify strengths and weaknesses in your disability initiatives.”

Tap other available resources. Glazer says a wealth of information is available to contractors through NOD’s CEO Council and other resources, such as the DOL’s Office of Disability Employment and Job Accommodation Network, Easter Seals, Goodwill Industries, National Industry Liaison Group, and DirectEmployers Association.