



**CONSORTIUM FOR CITIZENS  
WITH DISABILITIES**

May 7, 2021

Director Jenny R. Yang  
Office of Federal Contract Compliance Programs (OFCCP)  
U.S. Department of Labor  
200 Constitution Ave NW  
Washington, DC 20210

RE: Ideas and Recommendations to Improve Workforce Inclusion for People with Disabilities

Dear Director Wang,

Thank you for including representatives of the Consortium for Citizens with Disabilities (CCD) Employment and Training Task Force in a meeting on March 19, 2021, to discuss the efforts of your office to improve federal contractor compliance in recruitment and hiring of individuals with disabilities.

The CCD is a coalition of more than 100 national disability organizations working together to advocate for national public policy that ensures the self-determination, independence, empowerment, integration and inclusion of children and adults with disabilities in all aspects of society. There is no greater manifestation of inclusion than empowering more people with disabilities to enter the workforce. As such, our Employment and Training Task Force works hard to review, understand, and comment on those policy issues affecting the 21 million working age people with disabilities.

The Employment and Training Task Force reflected on the information you shared on March 19, including the OFCCP common findings and recommendations that have been made by your office to federal contractors. In response to your request for additional ideas and resources, we offer the ideas and recommendations described below. In some cases, we offer resources that may support your team.

We would be happy to review and discuss these ideas with you at any time. Again, we appreciate the opportunity to assist OFCCP in generating ideas to improve outcomes for all individuals with disabilities.



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Ideas and Recommendations for OFCCP

1. Identify and share opportunities for collaboration and education of business partners, including federal contractors, and provide them the support they need to recruit, hire, train and retain individuals with disabilities in their workforce. CSAVR offers The NET as an example of an available resource to support recruitment and hiring of qualified candidates with disabilities. (<https://www.csavr.org/the-net>)
2. In OFCCP procurement activities, require disability inclusion in contracts and grants that provide services and hire staff. Model language can be created and put into future procurements across the federal government.
3. Provide disability awareness and inclusion strategies for all Federal agencies (GSA can provide this training). Also, review the training to evaluate how successful it is in changing behavior, and identify new training opportunities to create a culture of inclusion at Federal level. Then, scale this to state and local government as training to improve hiring of people with disabilities in public government jobs
4. Facilitate more focused 503 enforcement, building upon the focused reviews done in the past Administration, but with a stronger emphasis on targeting bad actors and supporting compliance of contractors. As part of this, we recommend targeted training to auditors, providing them with the right tools so that they can ask questions that would allow them to identify non-compliance risk factors and dig deeper on enforcement issues of certain contractors. The National Organization on Disability (NOD) is one entity that provides compliance support to federal contractors. (<https://www.nod.org/>)
5. Assess contractor outreach to Veterans with disabilities who fall under both 503 AND VEVRAA programs. Contractors should be evaluated not only on outreach to veterans, but also on their disability diversity and inclusion efforts to capture their commitment. Better linkages should be created between contractors and the veterans service organization/military service organization communities to ensure contractors understand resources available, use of WOTC/priority of service/preferences that facilitate hiring of vets with significant disabilities – especially those with non-service-connected disabilities.

Resources to support this approach include: DOL VETS and its Office of Research and Policy, National Association of State Workforce Agencies (NASWA), Veterans Service Organizations and Military Service Organizations with employment programs –



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Paralyzed Veterans of America (PVA) Veterans Career Program, Goodwill Industries, EasterSeals, Disabled American Veterans (DAV), Military Officers Association of America (MOAA).

6. Establish a Chief Accessibility Officer of the United States: Designating a Chief Accessibility Officer is a best practice that many companies are starting to adopt and can help drive greater inclusion. The government itself could benefit from a designated officer responsible for coordinating disability inclusion and accessibility internal to the federal workforce.
7. Centralize coordination and enforcement: Establish a formal coordinating committee composed of the main enforcement agencies (OFCCFP, EEOC, and DOJ Civil Rights), along with the White House, OPM, NCD, CMS, and ODEP to focus on disability inclusion and nondiscrimination. Coordinating policy and enforcement action across the whole of government could significantly improve outcomes.
8. Systematic reviews of compensation and hiring under Section 503.  
(<https://www.dol.gov/sites/dolgov/files/ofccp/BTN/sheets/MonetaryReliefQ12021.xlsx>)
9. Replacing the Section 503 Focused Reviews: OFCCP wants to chart a new course in their work and has recently announced they are ending their Section 503 Focused reviews. While we understand this decision, we do have some concerns that an adequate replacement program needs to be put into place instead. For example, conducting compensation and hiring audits based on disability status as part of other review processes would collect new data to be drive further decision making.
10. Increase website accessibility
11. PWDs as a protected class under EO 11246: Executive Order 11246 – Equal Employment Opportunity was a landmark policy change under the Johnson Administration. Since then, in 2002 and 2014, that EO has been amended to broaden the categories of protected classes of individuals. Disability status is not currently covered under 11246 and adding people with disabilities would be a relative easy task for the executive branch. It would create further impetus for federal contractors to adopt similar best practices: [Section 503 Best Practices for Federal Contractors | U.S. Department of Labor \(dol.gov\)](#)
12. Strengthen the 7% utilization goal by mirroring the EEOC rule on 12%, disaggregate the data and set a separate targeted disability goal, and encourage self-reporting of data without penalty to create a culture of sharing disability data. Work closely with the Office of Disability Employment Policy (ODEP) within the Department of Labor to access



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their resources, programs, and expertise  
(<https://www.dol.gov/agencies/odep/resources>).

13. Coordination and focus on Schedule A to include guidance and a checklist/tool for properly onboarding individuals with disabilities into a federal office, division or agency, including:
  - Confirmation that all accommodation needs are met, and strong advocacy from agency leadership in support of the employee for any unaddressed accommodation gaps.
  - Initial orientation of the office and introductions to other staff.
  - Creation of a performance management plan within 30 days of initial hire.
  - Assignment of an office peer support during first week of employment, to help the employee ease into their new work environment and engage with other colleagues
  - Assignment of a mentor based on the feedback of the employee, within 30 days for start date, to coach and support the individual's professional growth over time.
  - Schedule and make available any necessary training the individual needs to effectively complete tasks assigned to them.
14. Improve reasonable accommodations within the federal government: Improving reasonable accommodations procedures has had significant benefits for private sector employers who are committed to recruiting, hiring, and retaining workers with disabilities. Likewise, the federal workforce ought to review current reasonable accommodations procedures and work towards making the process less time consuming, legalistic, and adversarial. Accommodations should be offered as a matter of course and interim accommodations that need to be further reviewed should automatically be provided. Supervisors currently have too much authority to deny accommodation requests and denials ought to be automatically reviewed by higher authorities.
15. Neurodiversity in the federal workforce: Private sector employers such as Microsoft have had great success establishing dedicated neurodiversity programs. The White House ought to consider issuing an executive order to establish neurodiversity programs in every department, agency, and subagency.
16. Implement reforms to promote greater inclusion, recruitment and enforcement of job-seekers with the most significant disabilities in the federal government
  - Transform federal recruitment and hiring process to assure all aspects are accessible to individuals with the most significant disabilities, including implementing alternative application models.



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- Implement a universal design for all required onboarding and training activities required of all federal employees.
  - Assure any training and assessment tools are accessible to individuals with the most significant disabilities.
  - Offer alternative/flexible work schedules to accommodate employees with disabilities who may need to be on leave due to medical visits, have rest-breaks in the middle of a traditional work day due to the impact of the disability or treatment protocols, or need to take temporary leave due to mental health incidences.
  - Connect with staff from SAMHSA to advise on other workplace strategies to specifically help support people with mental illness to sustain employment in the government over time (for example, job sharing, cross-training, etc.).
17. Collect better annual data. Improvement of Affirmative Action Plan Verification Interface (AAVI) <https://www.dol.gov/agencies/ofccp/aavi> Process and Data
  18. Enhance the concept of entering linkage agreements between contractors and disability partner organizations to recruit and hire people with disabilities as a best practice. This would address the issue of finding qualified candidates with a disability. This was proposed in Sec 503 rulemaking but was eventually dropped as a requirement. Recommend for OFCCP to revisit the requirement in future rulemaking opportunities and/or encourage as a best practice. The Society for Human Resource Management (SHRM) offers this resource: <https://www.shrm.org/ResourcesAndTools/hr-topics/behavioral-competencies/global-and-cultural-effectiveness/Pages/4-Ways-to-Hire-More-People-with-Disabilities.aspx>
  19. Provide resources to help contractors achieve accessibility throughout the hiring process - including web accessibility for application, employment testing, and HR systems (NRTC research on applications - <https://www.blind.msstate.edu/research/current/project-7-investigation-online-job-application-accessibility-and-usability>)
  20. Coordinate resources with existing TA projects, such as JAN and the ADA National Network, for employers' and employees' training and assistance
  21. Provide resources on procuring and developing accessible technologies in the workplace from HR to technical databases
  22. Publicize more readily digestible and available public data

In addition, we offer a list of potential subject matter experts for you to consider as you select individuals to participate in advisory committees on relevant topics.



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1. Lauren Lobrano, Director, Veterans Career Program, PVA - <https://pva.org/find-support/veterans-career-program/>
2. Joseph M. Ashley, Rh.D., CRC, Owner and Principal, Ashley Consulting, LLC, and former Assistant Commissioner for the Virginia Department of Aging and Rehabilitative Services - [jmarhd@gmail.com](mailto:jmarhd@gmail.com)
3. David Leon, Deputy Director, Virginia Workforce Programs, Virginia Department of Aging and Rehabilitative Services - [david.leon@dars.virginia.gov](mailto:david.leon@dars.virginia.gov)
4. Kathy West Evans ([KWest-Evans@CSAVR.org](mailto:KWest-Evans@CSAVR.org)) and Rita Martin ([RMartin@CSAVR.org](mailto:RMartin@CSAVR.org)), Council of State Administrators of Vocational Rehabilitation (CSAVR)

Respectfully,

American Council of the Blind  
American Foundation for the Blind  
Association of People Supporting Employment First (APSE)  
Institute for Educational Leadership (IEL)  
Lutheran Services in America – Disability Network  
National Council on Independent Living (NCIL)  
National Disability Rights Network (NDRN)  
National Organization on Disability (NOD)  
RespectAbility  
SourceAmerica  
Spina Bifida Association  
TASH  
United Spinal Association