

EEOC Issues Regulations on Federal Government's Obligation to Engage in Affirmative Action for People with Disabilities

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U.S. Equal Employment Opportunity Commission

New Rule Implementing Section 501 of the Rehabilitation Act Sets Employment Goals for Federal Agencies

WASHINGTON - The ***U.S. Equal Employment Opportunity Commission (EEOC)*** today published [regulations](#) explaining what federal agencies must do to comply with their legal obligation to engage in affirmative action in employment and otherwise serve as "model employers" for individuals with disabilities. The regulations do not impose any obligations on private businesses or state and local governments. EEOC has also published a [question-and-answer document](#) on the regulations.

Section 501 of the Rehabilitation Act requires federal agencies to create affirmative action plans for the employment of people with disabilities, and to submit those plans to EEOC for approval. On May 15, 2014, EEOC published an [Advance Notice of Proposed Rulemaking](#) (ANPRM) asking for public input on how the EEOC should revise its regulations to clarify what an affirmative action plan must include. On Feb. 24, 2016, the Commission proposed regulations based on the input received, and sought further public comment on their proposals in a Notice of Proposed Rulemaking.

Today, the final regulations reaffirm the federal government's commitment to being a model employer of people with disabilities. The rule consolidates existing requirements from a variety of sources, such as the existing requirements that federal agencies have written reasonable accommodation procedures and seek out qualified job applicants with disabilities. The regulations also include new representation goals for employees with disabilities in the federal workforce and enhanced support requirements that will enable more persons with disabilities to seek federal employment.

The regulations set goals for federal agency workforces of 12 percent representation for individuals with disabilities and 2 percent for individuals with "targeted" disabilities. Targeted disabilities are defined as disabilities that the government has, for several decades, emphasized in hiring because they pose the greatest barriers to employment, such as blindness, deafness, paralysis, convulsive disorders, and mental illnesses, among others. The goals apply at both higher and lower levels of federal employment.

The regulations also require federal agencies to provide personal assistance services to employees

who need them to perform basic human activities at work, such as eating and using the restroom. These services will allow individuals with significant disabilities to enjoy the opportunity and independence of paid employment, which may reduce the amount of taxpayer funds spent on public disability benefits.

"Increasing employment rates for individuals with disabilities is a national priority for the federal government," said EEOC Chair Jenny Yang. "These new regulations provide concrete steps and accountability mechanisms to promote employment and advancement opportunities for people with disabilities across the government. The federal government is committed to leading by example and creating a workplace where people with disabilities can thrive."

Commissioner Chai R. Feldblum, who led an internal work group that developed the regulations, added, "Too many people with disabilities who have the skills and the desire to work remain unemployed or underemployed. These regulations create new opportunities for people with disabilities to achieve the satisfaction and economic self-sufficiency that comes with employment, particularly by setting employment goals for people with targeted disabilities and providing personal assistance services to those who need them in the workplace."

To give agencies sufficient time to come into compliance, the rule will become effective on Jan. 3, 2018. EEOC also will provide agencies with training and technical assistance to support their compliance efforts.

This press release can be viewed in its original on the EEOC website [here](#).

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