



# Equal Employment Opportunity Commission

## Affirmative Action for People with Disabilities in Federal Employment

Section 501 of the Rehabilitation Act of 1973 requires federal agencies to engage in **Affirmative Action** in employment for people with disabilities. On January 3, 2017, the EEOC published **new regulations** explaining what agencies must do to comply with this requirement.

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### Hiring

The regulations require **targeted recruitment programs** that could involve, for example, partnerships with disability organizations, internship programs, or specialized training. They also must have **sufficient staff** to handle Schedule A applications and reasonable accommodation requests from job applicants, and provide staff appropriate training and resources.

### Reasonable Accommodation

Agencies must have **comprehensive, written** reasonable accommodation procedures, and provide anyone denied an accommodation with a **written** notice explaining the denial and providing instructions on how to appeal. Agencies must also inform accommodation coordinators and hiring officials that **all** available agency resources are considered when determining whether an accommodation is too expensive, and explain how to access them.

### Accessibility

Agencies must give job applicants and employees information about their rights under Section 508 of the Rehabilitation Act (requiring accessibility of electronic and information technology) and the Architectural Barriers Act (requiring physical accessibility), and tell them how to file complaints under those laws.

### Personal Assistance Services

"Personal assistance services" ("PAS") means help with activities of daily living, such as eating and using the restroom. The regulations require agencies to provide PAS to employees who need them because of a targeted disability, unless doing so would cause undue hardship. Agencies must use **professional providers** (not coworkers), and give primary consideration to employee preference when choosing a provider.

### Goals

Each agency must adopt the goal of having **12%** of its workforce be people with disabilities, and **2%** of its workforce be people with targeted disabilities. The goals apply at both higher and lower levels of employment to permanent, full-time, non-seasonal employees. Each year, agencies must check whether they have met the goals based on voluntary self-report data and other records. If goals have not been met, the agency must take **steps** that are designed to increase their percentages. Because the goals apply to an agency's entire workforce, they will help with hiring, retention, and advancement.

### Oversight

Agencies must keep records, including the number of people with disabilities who apply, are hired, and are converted into the competitive service, and make those records available to the EEOC. Agencies must also submit **Affirmative Action Plans** to the EEOC annually, explaining whether they have met their goals and, if not, how they plan to do so in the future. If the EEOC determines that an agency has failed to take sufficient steps to improve employment of individuals with disabilities, it will disapprove the agency's plan and report the failure to Congress.

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