



Center for Assistive Technology and
Environmental Access (CATEA)
Georgia Institute for Technology
490 10th Street · Atlanta, GA 30318

<http://www.workrerc.org>

WORKPLACE ACCOMMODATIONS POLICY HIGHLIGHTS 4.03

April-June 2006

The Work RERC is interested in continuously improving its products and dissemination methods. We would appreciate feedback about our Workplace Accommodations Policy Highlights newsletter, in terms of what aspects you find the most useful and how it might be improved. Please go to: <http://tornado.coa.ad.gatech.edu/survey/WorkRERC/waph1.htm> We thank you in advance for your suggestions.

Overview

This month's issue of *Workplace Accommodations Policy Highlights* addresses the flurry of activity on the federal level regarding people with disabilities and their employment prospects. During the past two months, the U.S. Department of Labor's Office of Disability Employment (ODEP) has been busy promoting and developing new research initiatives regarding the employment of individuals with disabilities. ODEP developed new grant opportunities with the aim of developing methodologies and models to increase the level of employment for people with disabilities.

The federal government also made some efforts to incorporate public opinion into policy activities regarding people with disabilities. The National Institute on Disability and Rehabilitation Research (NIDRR) held a public meeting with the Interagency Committee on Disability Research (ICDR) with the purpose of getting public comments on the federal disability research agenda. The Equal Employment Opportunity Commission (EEOC) hosted a roundtable discussion on emergency preparedness in the workplace for people with disabilities. The Department of State also held a public meeting for the Advisory Committee on Persons with Disabilities.

Finally, Elaine L. Chao, Secretary of Labor, announced the theme for this year's National Disability Employment Awareness Month, "Americans with Disabilities: Ready for the Global Workforce."

Policy/Regulatory Activities

Access Board to Create Advisory Committee for Refresh of 508 Standards
4.18.2006 – The US Access Board, an independent federal agency devoted to accessibility for people with disabilities, is establishing an advisory committee to aid in the process of updating its access standards for electronic and information technology and guidelines for telecommunication products. The committee will

review current standards and guidelines and present recommendations and suggestions to the Board about needed updates. The committee's recommendations will be used to revise Section 508 of the Rehabilitation Act, as it pertains to technology purchased by federal agencies. The committee will host a forum at which various stakeholders may provide their input on the new standards. Applications for the committee were accepted by the Board until May 18, 2006. Information on the committee was published in the *Federal Register* at [http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=2006_register&docid=fr18ap06-19]. [Source: Access Board]

Associate Director on Disabilities of White House Policy Council Named

4.20.2006 – Ollie Cantos, former General Counsel to the American Association of People with Disabilities (AAPD), was recently appointed to the position of Associate Director on Disabilities of the White House Domestic Policy Council. Most recently, Cantos served as Special Counsel at the US Department of Justice, where he supported and advocated many disability related efforts. He will serve as the point person for disability-related policy coordination, which means occasionally briefing the President on disability matters. [Source: AAPD]

College Students with Disabilities Ready for Summer Employment

4.12.2006 – ODEP is now offering a free CD database of 1,900 qualified college students with disabilities who are seeking full or part-time employment. The database will be available for potential employers to search a pre-screened pool of applicants from across the US. The students have skills ranging from computer science and business to communications, engineering, and more. The CD-ROM database is being offered in cooperation with the Department of Defense through ODEP's Workforce Recruitment Program. The full press release can be viewed at [<http://www.dol.gov/opa/media/press/odep/odep20060663.htm>]. [Source: ODEP]

EEOC Holds Employer Roundtable on Disability & Emergency Preparedness

6.7.2006 – The Equal Employment Opportunity Commission (EEOC) hosted a roundtable discussion on emergency preparedness as it relates to people with disabilities in the workplace on June 7, 2006. The meeting served as a follow-up to the meeting on the same topic held by the EEOC last October. For more details, see [<http://www.eeoc.gov/abouteeoc/meetings/10-25-05/roundtable.html>]. Information from the October 2005 meeting is at [<http://www.eeoc.gov/abouteeoc/meetings/10-25-05/index.html>]. [Source: NCD & EEOC]

ICDR Holds Public Meeting on National Disability & Rehabilitation Agenda

4.18.06 - The Interagency Committee on Disability Research (ICDR) and the National Institute on Disability and Rehabilitation Research (NIDRR) held a public meeting seeking comments on the federal disability and rehabilitation agenda. The meeting was held in Washington, DC, on May 23, 2006. Participants submitted comments and any supporting information in written form prior to the meeting.

Full details of the event can be viewed at

[listserv.access.gpo.gov/scripts/wa.exe?A2=ind0604&L=ncd-news-l&D=0&P=153].

[Source: NCD]

Public Meeting of the Advisory Committee on Persons with Disabilities

4.21.2006 – The US Department of State and the US Agency for International Development (USAID) held the third public meeting of the Advisory Committee on Persons with Disabilities on May 1, 2006. The Advisory Committee was established in June 2004 to serve in an advisory capacity to the Secretary of State and the Administrator of USAID on matters regarding the interests of persons with disabilities. The advisory committee provides information that assists the agencies in formulating and employing US foreign policy and assistance. It is comprised of Secretary of State Condoleezza Rice, USAID Administrator Randall Tobias, and Executive Director Stephanie Ortoleva (all ex-officio members), as well as eight members from outside the United States government: Senda Benaissa, Walter Bollinger, Joni Eareckson Tada, Vail Horton, John Kemp, Albert H. Linden, Jr., Kathleen Martinez, and John Register. [Source: Department of State]

Judicial Activities

U.S. Supreme Court Addresses Workplace Discrimination Case

4.21.2006 – In the case of *Burlington Northern & Santa Fe Railroad Co. v. White* (Case No. 05-259), the US Supreme Court will answer the question, “What protection does Title VII of the Civil Rights Act of 1964 offer employees who report workplace discrimination?” In this particular case, Sheila White worked at a rail yard run by Burlington where she allegedly experienced sexual harassment and “anti-woman” attitudes. The company performed a formal investigation that corroborated her complaints but also uncovered complaints about her job performance. White filed a discrimination charge with the EEOC, as well as another stating that the company over-analyzed her performance and she was suspended thereafter for insubordination. At issue in this case is the question of whether and when an employer can safely discharge, demote, or otherwise discipline an employee if the same employee has also reported discrimination or cooperated in an enforcement proceeding to remedy workplace discrimination. The decision in this case will be far-reaching and is likely to affect decisions under the Americans with Disabilities Act (ADA). [Source: The Kansas City Daily Record, 4/21/2006]

Studies/Reports/ Publications

DBTACs Seeking Comments on ADA

4.20.2006 – The national network of ADA & IT Technical Assistance Centers (DBTACs) is currently seeking public comment on experiences with the ADA. Feedback is requested on personal experiences in the areas of employment, building access, and more. The centers want to identify training gaps and issues where more technical assistance is needed. To fill out the brief survey, please visit [<http://www.adata.org/>].

More Than 50 Million Americans Report Some Level of Disability

The US Census Bureau issued a report stating that approximately 18 percent of Americans in 2002 reported that they had a disability, while 12 percent reported a severe disability. The *Americans with Disabilities: 2002* report is based on data compiled with the Survey of Income and Program Participation (SIPP) from June to September 2002. The study also found that among people with disabilities, “more than half of those 21 to 64 years old had a job, more than 4-in-10 of those ages 15 to 64 used a computer at home, and a quarter of those age 25 to 64 had a college degree.” The report defines a person as having a disability if they have difficulty performing a specific activity such as seeing, hearing, bathing, or doing light housework, or had a specified condition, such as Alzheimer’s disease or autism. View the Census Press Release at [http://www.census.gov/Press-Release/www/releases/archives/aging_population/006809.html] and the full report in Portable Document Format (PDF) at [<http://www.census.gov/prod/2006pubs/p70-107.pdf>].

Reasonable Accommodation for Attorneys with Disabilities

The US EEOC’s latest ADA fact sheet addresses myths about attorneys with disabilities and aims to enhance diversity in the legal profession. It focuses on the application of the reasonable accommodation obligation under the ADA to lawyers with disabilities and their employers. The paper addresses the misconception that attorneys with disabilities who require accommodation are less competent or productive. It discusses the rights and responsibilities of both legal employers and attorneys with disabilities and uses many real-life examples to provide different legal employers with specific ideas on the wide range of accommodations available for lawyers with various disabilities. The new publication is available on the agency's web site at [<http://www.eeoc.gov/facts/accommodations-attorneys.html>]. [Source: EEOC]

Other Items of Interest

2006 National Disability Employment Awareness Month Theme

5.4.2006 – Secretary of Labor Elaine Chao recently announced that the theme for this year’s National Disability Employment Awareness Month, observed in October, will be “Americans with Disabilities: Ready for the Global Workforce.” The theme is now available for federal, state, and local government agencies to use in planning events that emphasize the skills of job candidates with disabilities. This theme “highlights the fact that workers with disabilities are an underutilized and ambitious group of Americans eager to pursue their career dreams,” said Secretary of Labor Elaine L. Chao. [Source: ODEP]

DisabilityInfo.Gov Receives American Association of Webmasters Award

5.17.2006 – DisabilityInfo.gov, a comprehensive federal website for disability related information, was awarded the 2006 Gold Award for outstanding design and quality of content by the American Association of Webmasters (AAWM). AAWM gives awards to webmasters and designers who show exceptional achievement in web design, content, and creativity, as well as having spent considerable effort on their sites not only for themselves but for a positive contribution to the World Wide Web community. DisabilityInfo.gov is managed by ODEP and contains content contributed by 21 federal agencies. [Source: ODEP]

President Bush to Nominate Individuals to NCD

5.9.2006 – President George W. Bush announced that he intends to nominate four individuals to the National Council on Disability (NCD). He will nominate these individuals to be Members of the NCD who will serve the remainder of three-year terms expiring September 17, 2007, once they are confirmed. The individuals include John Vaughn (FL), Victoria Ray Carlson (IA), Chad Colley (FL) and Lisa Mattheiss (TN). The full White House press release is at [<http://www.whitehouse.gov/news/releases/2006/05/20060508-11.html>]. [Source: NCD]

Self-Employment for Adults and Youth with Disabilities: Grant Opportunity

5.2006 – ODEP now has a grant opportunity available for up to \$5 million of funding for national technical assistance, research cooperative agreements, and multiple sub-national cooperative agreements for pilot projects. These projects will investigate, develop, and validate system models that will increase self-employment opportunities for people with disabilities. More details can be found in the *Federal Register* at [http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=2006_register&docid=fr19my06-80]. [Source: ODEP]

Upcoming Events NCD Hosts Disability Policy Seminar

The National Council on Disability (NCD) will host a disability policy seminar on July 26, 2006, in Washington, D.C., to commemorate the 16th anniversary of the Americans with Disabilities Act (ADA). The focus of the seminar will be discussing the findings in the NCD's report entitled "National Disability Policy: A Progress Report," which will be released during the seminar.

First National Conference for Mentoring Youth with Disabilities

Partners for Youth with Disabilities, along with the US Department of Labor's ODEP, is sponsoring the "Aspire, Achieve, and Empower: First National Conference for Mentoring Youth with Disabilities." The conference will be held in Boston, Massachusetts, on September 13-15, 2006. The focus will be to bring together experts in the field, researchers and others interested in the inclusion of youth with disabilities in the mentoring movement by addressing best practices and sustainability. For more information and to register for the conference, please view the following site: [<http://www.regonline.com/pyd>].

Job Accommodation Network (JAN) Conference

The Job Accommodation Network (JAN) will be hosting a conference in Boston, Massachusetts, on September 18-19, 2006, entitled "Empowering Employers to Build an Inclusive Workforce." The focus will be to help employers recruit, hire, and retain employees with disabilities. For more information, please visit [<http://conference.jan.wvu.edu/Symposium.htm>].

The Future of Disability Statistics: What We Know and Need To Know

The Cornell University Rehabilitation Research and Training Center on Disability Demographics and Statistics (StatsRRTC) will be hosting a State-of-the-Science Conference entitled "The Future of Disability Statistics: What We Know and Need to Know." The event will be held October 5-6, 2006, in Arlington, Virginia. Its focus will be on current statistics on the characteristics and status of working-age people with disabilities derived from current survey and administrative data. The conference will also consider options for improving future data collection and data distribution efforts. Go to [www.StatsRRTC.org] to register and for other program details.



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Avonne Bell, WAPH Editor: avonne.bell@cacp.gatech.edu

The Center for Advanced Communications Policy (CACP) produces a bi-monthly newsletter, *Workplace Accommodations Policy Highlights*, which reviews policy, regulatory framework and market factors that can be useful in reducing barriers to integrating people with disabilities into the workforce. The primary objectives of the Rehabilitation Engineering Research Center on Workplace Accommodation, a federal program funded by The National Institute on Disability and Rehabilitation Research (NIDRR), U.S Department of Education, are to identify, design, develop, and promote new assistive devices and universally-designed technologies that will enable all individuals, and particularly those with disabilities, to achieve the greatest degree of independence and integration in the workplace. To accomplish its mission, the RERC engages in a comprehensive program of research, development, training, and information dissemination.

For further information on items summarized in this report, or if you have items of interest that you would like included in future editions, please contact the editor, Avonne Bell, Graduate Research Assistant (avonne.bell@cacp.gatech.edu) or Lynzee Head, MS, Research Scientist (lynzee.head@cacp.gatech.edu).