



EMPLOYER ENGAGEMENT QUICK GUIDE

TITLE V OF THE REHABILITATION ACT OF 1973 (AS AMENDED)

Title V of the Rehabilitation Act of 1973 was the first civil rights protection for people with disabilities in the United States. While the Rehabilitation Act applies ONLY to federal employers or businesses that receive federal funds, it paved the way for the broader reach of the Americans with Disabilities Act in prohibiting discrimination against people with disabilities in employment.

WHAT THE LAW SAYS

Section 501 of the Rehabilitation Act:

- » prohibits disability discrimination in employment within any federal executive branch agency, including the U.S. Postal Service
- » requires an affirmative action plan for recruitment to meet target goals for an inclusive workforce

Section 501 applies to qualified job seekers as well as employees with existing or newly acquired disabilities.

Section 503:

- » prohibits employment discrimination against qualified individuals with disabilities in any entity receiving federal contracts or subcontracts of \$10,000 or more.
- » mandates affirmative action for recruitment, hiring, promotion and retention of qualified individuals with disabilities in these businesses.

Section 504:

- » addresses equal access to federally funded programs and services for people with disabilities.
- » led the way to the Americans with Disabilities Act.

SIGNIFICANCE

When the Rehabilitation Act was passed in 1973, previous legislation had provided for restoration and training of individuals with disabilities, but did not address workplace discrimination. Title V was the first legislation to confront the reality of prejudice in employment practices, making it landmark legislation.

Federal agencies and contractors were the first employers impacted by Title V since funding was tied to the requirements of the law. Nearly twenty years later, the Americans with Disabilities Act would expand protections in the private sector as people with disabilities began to assert their rights in mainstream America.



ENFORCEMENT

Each section of Title V is enforced by a different federal agency.

- » **Section 501** is enforced by the U.S. Equal Employment Opportunity Commission (EEOC) after a complaint is filed with the federal agency where the alleged discrimination has taken place.
- » **Section 503** is enforced by the U.S. Department of Labor, Office of Federal Contract Compliance Programs (OFCCP).
- » **Section 504** is enforced by the U.S. Department of Justice, Civil Rights Center.

The federal agencies must respond to discrimination complaints within a designated time frame and will provide a right to sue letter if the claim is found to be valid.

RESOURCES ON TITLE V EMPLOYMENT DISCRIMINATION

- » EARN: Section 501 Info Center:
<https://askearn.org/topics/federal-state-government-employment/federal-government-employment/section-501/#1487800013642-7d27851b-0965>
- » US DOL Employment Law Guide: Federal Contracts-Equal Opportunity in Employment: Employment Nondiscrimination and Equal Opportunity for Qualified Individuals with Disabilities:
<https://webapps.dol.gov/elaws/elg/503.htm>
- » Checklist for Compliance with Section 503 pdf:
https://www.dol.gov/sites/dolgov/files/ofccp/regs/compliance/ChecklistforCompliancewithSection503_JRF_QA_508c.pdf
- » Employment Rights: Who has Them and Who Enforces Them
<https://www.dol.gov/agencies/odep/publications/fact-sheets/employment-rights-who-has-them-and-who-enforces-them>

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