- [Instructor] My name is Ashlee Cummings. I'm with Iowa Vocational Rehabilitation Services and I am the business specialist and today we are going to be talking about Section 503.

Section 503, what is that? It prohibits employment discrimination based on disability. Regulations were implemented on March 14th, 2014 and they prohibit employment discrimination against individuals based on disability by federal contractors and subcontractors. It requires federal contractors and subcontractors to take affirmative action to recruit, employ, train, retain and promote qualified individuals with disabilities. It requires federal contractors and subcontractors to aspire to and track progress toward employing individuals with disabilities.

Though Section 503 has been in effect since 1973, there has not been a specific benchmark defining what the percent of individuals with disabilities are to be in the workforce of covered employers, so Section 503 provides that benchmark. It encourages federal contractors and subcontractors with contracts over $10,000 in value to make an effort to ensure 7% of their workforce be individuals with disabilities. So, that 7% goal applies to each job category in the workplace or the entire workforce if there are fewer than 100 employees. Federal contractors and subcontractors with $50,000 or more in value and 50 or more employees must prepare and maintain an Affirmative Action Program, report progress toward achieving the 7% utilization goal and employers with more than 100 employees must apply this goal to each individual job category. Contractors must collect and maintain data on applicants and employees who voluntarily self-identify as having a disability.

So, self-identification. In the past under Title I of the Americans with Disabilities Act, employers were not allowed to ask applicants about disabilities before offering them a job. Under Section 503, it now allows employers to invite applicants to voluntarily self-identify as having a disability both before and after a job offer. Under Section 503, federal contractors are required to invite all applicants and employees to self-identify a disability using form CC-305 or the Voluntary Self-Identification of Disability. If an employer invites a job applicant to voluntarily self-identify for affirmative action purposes, they must use language taken from the U.S. Department of Labor's Office for Federal Contract Compliance Programs form. An applicant or employee completion of the form is voluntary.

So, on this side you'll see on your right-hand side it is actually a copy of the form and then the very first bullet, there's the website where you can find that information. So, the form asks if a person has a disability and it includes a list of disabling conditions. It states that employers must provide reasonable accommodations to qualified individuals with disabilities. The form explains what reasonable accommodations are. And it is also a reminder to employees to let employers know if they need reasonable accommodations to apply for or perform a job. In addition, an employer cannot force the applicant or employee to self-identify or ask for proof of disability. They can ask the applicant or employee if they have a disability but they cannot ask what the disability is. They cannot ask the applicant or employee to take a medical exam. The employer can ask whether the applicant can perform the essential functions of the job with or without reasonable accommodations. The employer must keep all self-identification information separate from other personnel records and cannot be available or used for any employment decision that could lead to adverse impact such as hiring or performance reviews.

Data collection. Section 503 requires federal contractors and subcontractors to maintain several quantitative measurements including the number of applicants who voluntarily self-identified as having a disability, the number of self-identified applicants who were offered a job, the total number of job openings, the total number of filled position by those who have self-identified as individuals with disabilities and the number of current employees who have self-identified as individuals with disabilities, once during the first year and at least every five years thereafter. The data assists contractors in measuring the effectiveness of their outreach and their recruitment efforts. And the Department of Labor's Office of Federal Contract Compliance Programs, they're monitoring Section 503.

Outreach and recruitment. Under Section 503, Affirmative Action Programs for federal contractors must include outreach and recruitment activities. The legislation suggests that contractors create partnerships with disability organizations to assist in finding and recruiting qualified applicants with disabilities. These organizations may include the American Job Centers, State Vocational Rehabilitation agencies, Employment Networks and local disability organizations, the Department of Veteran Affairs, disability services offices at universities and community colleges. Contractors should document all outreach, partnerships, recruitment efforts, and records should be kept for at least three years.

And so, that was a quick overview of Section 503. If you have any questions, be sure to contact us.