

May 2010 (Vol. 9, No. 5)

DOL's New Online Tool Helps Employers Understand Disability Employment Laws

"Today, we made it easier for employers of all sizes to access the talents of the 36 million Americans with disabilities," said Assistant Secretary of Labor for Disability Employment Policy Kathleen Martinez. "By providing this interactive and easy-to-use online tool, both workers and employers can readily access and understand their rights and responsibilities under our federal disability nondiscrimination laws." To link to the Advisor, click on: <http://www.dol.gov/elaws/odep.htm>

Disability Community Pleased with Obama's EEOC Nominations

President Obama has announced four nominees to the Equal Employment Opportunity Commission (EEOC), including Chai R. Feldblum who played a leading role in both drafting the ADA and the passage of the ADAAA. Tony Coelho, the Chair of the American Association of People with Disabilities stated, "We are delighted to have disability law and policy expert Chai Feldblum begin her term as a Commissioner of the EEOC...I have worked with Chai Feldblum on the original ADA and more recently on the ADA Amendments Act, and I know that she will bring a wealth of expertise and experience in workplace civil rights". To read more, and to access the White House press release, go to: <http://ifactivist.typepad.com/ifactivist/2010/03/president-obama-announces-recess-appointments-to-key-administration-positions.html>

AAPD Announces 2010 Disability Mentoring Day

The American Association of People with Disabilities announced that the 2010 Disability Mentoring Day (DMD) will be held nationally October 20th, with local programming throughout the fall. Annually, DMD connects nearly 20,000 students and job seekers with disabilities to thousands of employers in over 300 locations in the U.S. and 23 foreign countries. AAPD describes DMD as an opportunity for employers to "recruit interns; tap a pool of potential future employees; learn more about the experience of disability; develop lasting relationships with disability community leaders; demonstrate positive leadership in their communities; and attract positive media attention." For more information on how and why to become an employer participant visit the DMD website: <http://www.disabilitymentor.net/>

America's Heroes at Work: Helping Veterans Succeed in the Workplace

America's Heroes at Work, a U.S. Department of Labor initiative, provides information and support to employers on hiring veterans returning from Iraq and Afghanistan. The focus is on service members with hidden disabilities, such as Traumatic Brain Injury (TBI) and Post-Traumatic Stress Disorder (PTSD), which may have an impact on work performance. Resources include fact sheets, web-based training tools, information on accommodations, and more. For additional information visit: <http://www.americasheroesatwork.gov/>

**In April 2010, the employment rate of people 16-64 years of age was 28.9% for persons with disabilities compared with 70.0% for persons without a disability. The gap between the employment rate of persons of 16-64 years of age with and without disabilities was 41.1%, not seasonally adjusted.*

DID YOU KNOW...?

CAP Goes Green Initiative

This program from the Computer/Electronic Accommodations Program allows federal agencies to reuse outdated or excess assistive technology. Through the GSAXcess website, federal agencies can report their surplus property. Examples of items transferred include Braille embossers and closed captioned televisions. For more information see the GSAXcess or CAP webpages: <http://gsaxcess.gov/> or <http://www.tricare.mil/cap/green/reuse.cfm>.

"Disability Employment: Best Practices, Next Practices"

The New Mexico Business Leadership Network will be conducting their annual employer training on June 30th and July 1st in Albuquerque. Kathleen Martinez, Assistant Secretary US DOL Office of Disability Employment Policy, will be the keynote speaker. For more information visit: http://newmexicobl.com/Annual_Training.aspx.

THE DISABILITY EMPLOYMENT SITUATION

April 2010*

[Employment rate of persons aged 16-64 with disabilities:](#)

28.9%

[Employment rate of persons aged 16-64 without disabilities:](#)

70.0%

Employment Gap:

41.1%

[Commonly Used Terms](#)

National Temp Agency Agrees to Settle Disability Discrimination Lawsuit

Olsten Staffing Services Corp, a national temporary employment agency, will pay \$5,000 in lost wages and \$70,000 in damages to settle an ADA discrimination suit. The Equal Employment Opportunity Commission (EEOC) alleged that on two occasions an Olsten staffing specialist decided not to refer an applicant who was deaf for a position, despite his meeting all of the actual job qualifications, and had flagged the applicant's disability as a "concern." EEOC regional attorney John Hendrickson stated, "This case is a reminder that employment agencies, no less than any other employer, have important obligations under the ADA...Decisions concerning whether to refer a job applicant must be based on qualifications, period-not on the basis of a disability".

Federal Agencies Lack Training on Hiring and Managing Employees with Disabilities

Even though they are committed to hiring people with disabilities, almost half of human resource officials responsible for hiring and retaining federal employees indicate they have not received adequate training on how to manage and retain employees with severe disabilities, according to a survey by the Telework Exchange and the Federal Managers Association. Many are also unfamiliar with mandates and noncompetitive hiring rules designed to promote hiring applicants with disabilities. This study, and the teleworking option for federal workers, will soon be presented to the Obama administration. Read more at:

<http://www.washingtonpost.com/wp-dyn/content/article/2010/03/28/AR2010032802856.html>

FCC Releases Paper on Accessibility and Technology Issues

The Federal Communications Commission, in conjunction with the National Broadband Plan, issued the agency's first-ever paper addressing barriers to broadband usage faced by people with disabilities. The paper provides information including inaccessible hardware, software, services, web content and specialized assistive technologies. The paper recognizes the importance of removing barriers to accessibility by promoting industry innovation and building upon ongoing public and private sector collaborative efforts. [Click here to download the paper.](#)

Fedcap Announces Winners of *Words about Work!* Disability Writing Contest

In April, Fedcap Rehabilitation Services, Inc. announced the winners of its *Words about Work!* writing contest. The contest, open to adults and children across the nation, was held during National Poetry Month and focused on overcoming barriers and disabilities in the workplace. Submissions covered topics from the effects of invisible disabilities on work to a child's perspective on his mother's disability. To learn more about the winners and read their work visit: www.wordsaboutwork.org.

GIVE US YOUR FEEDBACK

If you have an EARN success story, tell us about it. We would like to feature your story in this newsletter and on our Web site.

E-MAIL YOUR STORY TO:

EARN@EARNWORKS.COM

EMPLOYMENT RESOURCES

- [Disability.gov](#)
- [Office of Disability Employment Policy](#)
- [Job Accommodation Network](#)
- [Ticket to Work](#)
- [National Organization on Disability](#)

INFORMATION YOU CAN USE

Free DBTAC-NE Webinar, May 21, 1:00 – 2:30 EST. **Disability as Diversity: Including America's Largest Diversity Population in Diversity Planning and Practice**

To register, go to <http://www.ilr.cornell.edu/edi/register/dbtac-NextSteps-webinars.cfm>

EARN SUPPORT

EARN is funded by the [U.S. Department of Labor Office of Disability Employment Policy](#).



ODEP

Office of Disability Employment Policy

EARN offers employers free consultation for successful workplace integration of people with disabilities. To sign up with EARN and to learn more about EARN services, go to www.earnworks.com or call us toll-free at:

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