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BEFORE THE

**SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT,
THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA**

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

U.S. SENATE

February 16, 2011

I - Introduction

Chairman Akaka and distinguished Members of the Subcommittee, thank you for the opportunity to testify today and discuss the efforts of the U.S. Department of Labor and its Office of Disability Employment Policy (ODEP) to improve the hiring of people with disabilities within the Federal government.

At the Department of Labor, Secretary Hilda L. Solis and ODEP are wholly committed to the goal of improving employment opportunities and outcomes for people with disabilities no matter what sector – be it public, private, or non-profit – they want to work in. I know this hearing is focusing on federal hiring practices, and one of my guiding beliefs in leading ODEP is that the Federal government, as the Nation's largest employer, can and must do more to be a model employer of people with disabilities.

ODEP offers research and technical assistance resources which could help make the Federal government a more attractive place to work for people who may have disabilities,

but also have the skills and capacity to help the Federal government achieve its goals for the American people. We also have several projects that are specifically aimed at helping Federal agencies recruit, hire, retain, and support workers with disabilities.

II –The Big Picture: Changing Perceptions and Expectations

While I will discuss some of these efforts specifically, my most important goal for ODEP is an overarching one: The only way to achieve better employment outcomes for people with disabilities is by changing the expectations of prospective and current employees, as well as those of hiring managers and supervisors. With more than 2.5 million employees performing a comprehensive range of job duties and responsibilities, the Federal government is a logical place to start.

People with disabilities must believe that the Federal government is a place that will both welcome and nurture their talent so that they can ascend to the highest ranks of the Federal service. At the same time, federal hiring managers must understand that their agencies will better serve the public if they focus on the abilities of their job applicants and employees, rather than their disabilities.

I believe that under the leadership of President Barack Obama, the Federal government is making progress toward these goals, and never before have so many top leaders at our Federal agencies been committed to changing perceptions and expectations.

III –Why ODEP is Committed to Improving Employment Outcomes

At ODEP, we embrace and do all we can to encourage this trend. We were established in 2000 as an office within the Department of Labor to bring a committed focus to disability employment policy and to advance the employment of people with disabilities. To achieve this goal, ODEP casts a wide net and works with partners in the private and public sectors, including the Federal and State governments to create and highlight new policies and proven strategies that improve employment outcomes. For example, in July 2010, ODEP partnered with members of the entertainment industry to launch the Lights, Camera, Access initiative. Together, they created a database of 125 people with disabilities interested in careers in this sector and held a hiring event for them in October 2010. To date, two individuals with disabilities have jobs in this exciting industry and we expect more to be hired.

I strongly believe in this mission and its importance to our economic vitality. Each person that finds a job strengthens the U.S. economy and our nation's financial future. Implementing sound and innovative policies that improve employment opportunities for people with disabilities is especially important because this population continues to be markedly underrepresented in the United States' workforce. The most recent report, issued this month by the Department of Labor's Bureau of Labor Statistics (BLS) shows that only 31.6 percent of working age people (16-64) with disabilities are actually in the American labor force. In comparison, for people reporting no disabilities the participation rate is 76.4 percent. Closing this gap would likely yield savings for the government, as it would mean that millions of Americans who are currently disconnected

from the economy would begin earning income, paying taxes, and reduce their dependence on public resources. It is worth noting that monthly labor force statistics for people with disabilities became available in February 2009, as a result of a nine year collaboration between BLS and ODEP. The offices are currently working to develop a supplement to this survey to learn even more about disability in the United States.

IV - What the Administration is Doing

These statistics underscore the importance of today's hearing and the need for active, innovative, and coordinated Federal leadership to ensure that people with disabilities are fully integrated into the 21st century workforce. I agree with the recent GAO report on improving work participation for adults with disabilities [(written by another witness here today)] ¹ that a vital first step in addressing this problem is making the Federal government a model employer for people with disabilities.

The President demonstrated his personal commitment to this goal when, on the 20th Anniversary of the Americans with Disabilities Act in July 2010, he signed Executive Order 13548, which was titled "Increasing the Federal Employment of Individuals With Disabilities." The Executive Order sets out a comprehensive approach for increasing the Federal government's employment of people with disabilities, including those with targeted disabilities. The Executive Order requires that Federal agencies work together to develop and implement action plans to improve their hiring of people with disabilities and, importantly, that performance targets and numerical goals, including subgoals for

¹ Highlights of a Forum: Actions That Could Increase Work Participation for Adults with Disabilities (GAO-10-812SP, July 2010)

the employment of individuals with targeted disabilities, be built into the plans. Most significantly, it requires that Federal agencies build accountability into these efforts. For example, each agency must designate a senior-level official to be accountable for their plans and they must regularly report their progress to the President, the Office of Personnel Management (OPM), the Office of Management and Budget (OMB), and the public. Because accountability is built into this Executive Order, we can look forward to hiring an additional 100,000 people with disabilities into the Federal government within the next 5 years.

ODEP was one of several agencies to provide input into the development of this Executive Order, but we appreciate that it is the actions taken in response to it that matter most. To this end, we will continue to work closely with OPM, OMB, the Equal Employment Opportunity Commission (EEOC), and others to implement it. For instance, working with OPM we are designing model recruitment and hiring strategies that other Federal agencies can use to increase their employment of people with disabilities. We also assisted OPM in developing training programs that can be disseminated to human resources personnel and hiring managers across the Federal government. We also stand ready to assist all Federal agencies in the development of their own plans to increase hiring of people with disabilities, and to that end, in January, we published a resource tool-kit to assist agencies in implementing the Executive Order. (The link can be found on our website at www.dol.gov/odep under Resources at <http://www.dol.gov/odep/eo13548.htm>.)

For the goals of the Executive Order to be achieved, however, it is not enough for ODEP and the other offices before you today to commit to its successful implementation. Every agency has to buy-in, which is why the EO calls for every agency to develop its own plan, which is required to provide for accountability, continuous improvement, and ongoing training.

To measure the progress agencies are making, each plan will have to include agency-specific outcome measures for hiring and job retention. Accountability should be reflected not only at the agency head level, but also in individual performance standards for hiring managers and supervisors.

In addition, agencies should share their results with stakeholders and the public, and regularly solicit input from agency workers on issues impacting the employment of people with disabilities - such as the availability of accommodations and workplace attitudes. This input should then be used to update and improve agency plans to reflect what is working and what is not.

Agencies should also provide for training at all levels on best practices that can promote the recruitment, hiring, promotion, and retention of people with disabilities. Such best practices should include strategies on career development, the utilization of flexible work environments, the successful implementation of centralized accommodation funds, and action-oriented recruitment strategies that tap into organizations. A centralized

accommodation fund is a pooling of agency resources that can decrease the costs of providing necessary equipment, assistive technology, and services to workers.

V – Beyond the Executive Order

In addition to helping agencies implement the Executive Order, ODEP also provides information and technical assistance through several different methods and mediums that can be used to assist Federal agencies in becoming model employers.

Accommodations

First, we need to make it easier for workers with disabilities to get the necessary accommodations to perform their jobs. Most accommodations are not cost-prohibitive, especially when taking into account the increased productivity that results from their utilization. In fact, data suggests that more than half of all accommodations cost nothing, and most employers actually report financial *benefits* from providing accommodations, as the costs of training new employees goes down and worker production goes up.

Despite these lessons, there still exists an erroneous belief among some employers that reasonable accommodations cannot easily be provided. To help address this concern, ODEP provides technical assistance through the Job Accommodation Network or JAN, which provides practical solutions that benefit both the employer and employee. JAN was established in 1983 and is the country's leading source of free, expert guidance on workplace accommodations. Each month it handles an average of 2,500 phone calls,

1,300 e-mail inquires, and 60,000 website visitors. (JAN can be reached at: www.askjan.org or by phone at 1(800) 526-7234 (Voice) and 1(877) 781-9403 (TTY).)

In an effort that is aimed specifically at Federal agencies, ODEP supports the appropriate use of centralized accommodations funds, which are an effective way to finance accommodations for agency workers. In FY 2010 the Department of Labor established its own Department-wide accommodation fund for providing reasonable accommodations to qualified employees and applicants with disabilities.

Recruitment and Hiring

In addition to helping those who already have jobs access the accommodations they need to be successful, ODEP also has several initiatives to help employers recruit, hire, and retain qualified applicants with disabilities.

We provide a searchable online database of recruitment resources as well as a call center through our Employer Technical Assistance Center, and the Employer Assistance Resource Network (EARN). This resource is available to all employers at www.askearn.org. I encourage all Federal managers and supervisors to use it.

ODEP also co-sponsors the Workforce Recruitment Program, or WRP, with the Department of Defense. The WRP is a recruitment and referral program that can connect Federal managers and supervisors with postsecondary students and recent graduates with disabilities who are eager to prove their abilities in the workplace through summer or

permanent jobs. WRP provides work experience for students through temporary as well as permanent jobs. Some WRP interns remain in their intern agency as permanent employees. Since 1995, WRP has provided Federal employment opportunities to over 5,500 students. A good example of a WRP success story is Nadia I. While a graduate student in social work, Nadia worked as an intern at the Department of Defense in 2001. Nadia used that experience to launch her Federal career and today she is a public health analyst at the Department of Health and Human Services. Another example is Rachel D. Rachel started working as an WRP intern with the President's Committee on the Employment of People with Disabilities in the Summer of 1999. She gained even more experience with WRP internships at the Department of Commerce and DOL and accepted a permanent Federal job in October 2002. Rachel now works at OPM as a program analyst. This searchable database is available to Federal Human Resource Specialists, Equal Opportunity Employment Specialists, and other hiring officials in Federal agencies at the WRP Federal website at: <https://wrp.gov>.

DOL also partners with the District of Columbia (DC) Public School System and the DC Department of Disability Services to operate Project Search, a small intensive work experience that targets high school seniors with developmental disabilities that are graduating without a standard diploma. Project Search brings these students to a classroom within DOL staffed by a certified Special Education teacher and two job coaches. Within these supports, students are placed in job rotations to learn soft skills and other job skills necessary to prepare them for entry-level jobs in the Federal government. In the first year, two of nine students who completed the program were

hired by DOL as office automation clerks. One student works in DOL's Career Assistance Center and the other in the Veterans' Employment Training Service. Two other Federal agencies, the Department of Health and Human Services and the Department of Education are now also establishing this results-oriented program in their agencies.

Also, with the support of our sister agencies, the Department has made important progress in promoting the Schedule A hiring authority, an important tool for increasing the numbers of new Federal hires with disabilities and highlighting individuals with disabilities as an untapped source of excellent applicants. We also see an opportunity to coordinate efforts to implement the Executive Orders on Veterans Hiring and Hiring Individuals with Disabilities. The employment rate for disabled veterans, like that of people with disabilities, remains too low. The sharing of information and best practices among all the agencies implementing these initiatives, including the Departments of Defense and Veterans Affairs, may enhance employment outcomes for both populations.

VI – ODEP's Role in the Future as the Face of the Federal Workforce Changes

While I am proud of the work ODEP is doing today, I am also focused on addressing the issues that we know are going to be important to the workforce in the future. We must recognize that the Federal workforce, like our population as a whole, is changing. Federal workers are aging on the job, and we know that people are more likely to experience an onset of disability after the age of 50. At the same time, experienced workers are also often the most valuable. This means that we must learn to take better

advantage of emerging, assistive technologies and workplace flexibility models.

Research shows that strategies like telework and flextime contribute greatly to a more inclusive workplace and can dramatically enhance the employability of people with disabilities. ODEP has conducted some of this research and we will continue to disseminate this information across the Federal government.

VII - Conclusion

Improving federal employment outcomes for people with disabilities is a major undertaking but it also holds great potential. As a model employer, the Federal government can be a catalyst for raising the labor participation rate of people with disabilities and thereby add to the economic dynamism that has made our nation special from its earliest days. ODEP is proud to play a role in this effort and is proud of the commitment this Administration has shown to this goal. Working with your Committee, we will make our country stronger by improving job opportunities in the Federal government for people with disabilities. This will improve the lives of individuals, strengthen our economy, and result in a government better able to respond to the needs of its people.

Thank you again for this opportunity to testify and I am ready to answer any questions you may have.