Issue Brief: Disabled Individuals/Affirmative Action
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Key Words (4-6)
• Special Disabled Veterans
• Veteran of Vietnam Era
• Physical and Mental Handicap
• Unemployment

Description (2 sentences)
In order to promote fair and equal employment opportunities for those who are either mentally or physically handicapped, the Federal government has enacted numerous policies to protect these individuals for discriminatory practices, especially war veterans. Both the Rehabilitation Act of 1973 and Vietnam Era Veterans Readjustment Assistance Act of 1974 require that federal contractors and subcontractors use Affirmative Action to advance employment for disabled individuals.

Key Points (4-6)
• Nearly one half of working age people with disabilities are unemployed
• Government contracts of more than $10,000 must include a clause that a contractor agrees to take affirmative action to employ, advance in employment, and treat qualified individuals with disabilities without discrimination in all employment practices
• When a government contractor has 50 or more employees and a contract of $50,000 or more, the contractor also must prepare and maintain an affirmative action program

• Images (2-4)

Pictured above is a veteran receiving handicapped training in order to enter the workforce.

Brief (500-700 words)

Affirmative action is not an institution that is only associated with race and/or ethnicity. The federal government has also taken measures to ensure the fair treatment of individuals that have either have a mental or physical disability. Section 503 of the Rehabilitation Act of 1973 requires Federal government contractors and subcontractors to take affirmative action to employ and advance in employment qualified handicapped individuals. Handicapped individuals are defined as "any person who (1) has a physical or mental impairment which substantially limits one or more of such person's major life activities, (2) has a record of such impairment, or (3) is regarded as having such an impairment. For purposes of this part, a handicapped individual is "substantially limited" if he or she is likely to experience difficulty in securing, retaining, or advancing in employment because of a handicap.

Although the federal government aims to assist handicapped or disabled individuals in general, special emphasis has been put on providing aid to those who have fought on the
front lines for our country. Section 402 of the Vietnam Era Veterans Readjustment Assistance Act of 1974 requires Federal government contractors and subcontractors to take affirmative action to employ and advance in employment qualified special disabled veterans and veterans of the Vietnam era. "Special disabled veteran" means (a) a veteran who is entitled to compensation (or who, but for the receipt of military retired pay, would be entitled to compensation) under laws administered by the Veterans Administration for a disability (i) rated at 30 percent or more, or (ii) rated at 10 or 20 percent in the case of a veteran who has been determined under Section 1506 of Title 38 U.S.C. to have a serious employment handicap; or (b) a person who was discharged or released from active duty because of a service-connected disability. "Veteran of the Vietnam era" means a veteran, any part of whose active military, naval or air service was during the period August 5, 1964, through May 7, 1975, who (i) served on active duty for a period of more than 180 days and was discharged or released there from with other than a dishonorable discharge, or (ii) was discharged or released from active duty because of a service-connected disability. These definitions have been taken from the Department of Labor regulations. Despite the fact that being disabled does not have any direct connections to the notion of racism, in regards to affirmative action, the concept encounters similar opposing views. Opponents of affirmative action for disabled individuals often find the fact that many disabled individuals are not capable of performing professional tasks at the same caliber as individuals without those respective conditions. Although oppositions of Federal policies are often made, the repercussions for not strictly abiding by the Rehabilitation Act of 1973 and Vietnam Era Veterans Readjustment Assistance Act of 1974 are harsh. If the Office of Federal Contract Compliance Programs (OFCCP) determines that a contractor has violated these provisions, it may impose a variety of sanctions, including canceling, terminating or suspending a contract or excluding the contractor from future government contract.

Aside from veterans, it is clear other disabled individuals encounter discrimination in the work force as well. According to figures cited by the Royal Association for Disability Rights (Radar), fewer than one in 20 public sector appointees are disabled. Radar, which was established in 1997 and aims to achieve a "just and equal" society, got the statistics from a Government Equalities Office factsheet. Radar was founded and is run by disabled individuals and has over 800 members nation wide. This shows the capacity of disabled individuals to band together and fight for equality and equal opportunity employment.

General References (3-5)
• Section 503 of the Rehabilitation Act of 1973
• Section 4212 of the Vietnam Era Veterans' Readjustment Assistance Act of 1974 (VEVRAA)
• University of California San Diego Policy and Procedure Manual

Websites (3-5)
• http://www.workworld.org/wwwebhelp/affirmative_action_and_people_with_disabilities.htm
• http://www.fedshirevets.gov/hire/hrp/dvaap/index.aspx
• http://www2.ed.gov/about/offices/list/osers/products/employmentguide/index.html
• http://www.ambition.co.uk/news/2454-Disabled-people-'face-employment-discrimination'