

115TH CONGRESS
2D SESSION

H. R. 5658

To amend the Rehabilitation Act of 1973 to clarify the definition of competitive integrated employment.

IN THE HOUSE OF REPRESENTATIVES

APRIL 27, 2018

Mr. GROTHMAN (for himself, Ms. TENNEY, Mr. ESTES of Kansas, and Mr. KING of Iowa) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the Rehabilitation Act of 1973 to clarify the definition of competitive integrated employment.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Workplace Choice and
5 Flexibility for Individuals with Disabilities Act”.

6 **SEC. 2. CLARIFICATION OF DEFINITION OF COMPETITIVE**
7 **INTEGRATED EMPLOYMENT.**

8 Section 7(5) of the Rehabilitation Act of 1973 (29
9 U.S.C. 705) is amended—

10 (1) in subparagraph (B)—

1 (A) by striking “not including” and insert-
2 ing “including social and interpersonal inter-
3 actions with colleagues, vendors, customers, su-
4 periors, or other such persons who the employee
5 may come into contact with during the work
6 day and across workplace settings, other than”;

7 (B) by inserting before the semicolon at
8 the end the following: “, except that such inter-
9 actions shall not be considered solely at the
10 work unit level”; and

11 (C) by striking “and” at the end;

12 (2) by striking the period at the end of sub-
13 paragraph (C) and inserting “; and”; and

14 (3) by adding at the end the following:

15 “(D) for which an individual may have
16 been hired through—

17 “(i) contracts and subcontracts
18 awarded pursuant to chapter 85 of title
19 41, United States Code;

20 “(ii) State set-aside contracts in-
21 tended to support employment for individ-
22 uals with disabilities; or

23 “(iii) other contracts subject to man-
24 dated direct labor-hour ratio of persons
25 with disabilities.”.

1 **SEC. 3. RULE OF CONSTRUCTION.**

2 Nothing in the amendments made by this Act shall
3 be construed to reduce the number of jobs available for
4 referral by a State agency or other entity.

5 **SEC. 4. SENSE OF CONGRESS.**

6 It is the sense of Congress that individuals who are
7 hired pursuant to community rehabilitation programs,
8 chapter 85 of title 41, United States Code, State set-aside
9 contracts, or mandated direct-labor hour ratio programs,
10 should be considered—

- 11 (1) part of the competitive labor market; and
12 (2) an employment outcome for State vocational
13 rehabilitation purposes.

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