

Obama Takes Aim At Contractors Who Discriminate

WASHINGTON -- With an unemployment rate of 13 percent among workers with disabilities, the Obama Administration is now wielding one of the few sticks it has to combat hiring discrimination against Americans with disabilities -- federal tax dollars.

First Posted: 12/ 8/11 01:00 PM ET Updated: 12/ 8/11 06:24 PM ET

Labor Department officials announced Thursday morning that they're putting forth a draft rule that would require federal contractors to set a hiring goal of 7 percent when it comes to workers with disabilities. Current law forbids contractors from discriminating against the disabled, but employers merely have to show good faith and aren't held accountable to any particular figures.

Deputy Secretary of Labor Seth D. Harris told reporters that the affirmative-action rule would help chip away at an unemployment rate that's one-and-a-half times the rate for the general population. With a sluggish economic recovery and dismal jobs market, officials noted that a staggering 79 percent of Americans with disabilities are already outside of the labor force, not looking for jobs. The rate among those without disabilities is 30.5 percent.

"This is part of a larger Obama Administration strategy to increase the employment of people with disabilities," Harris said. "This will replace a good-faith effort with clear measures."

Holding contractors to certain standards is one way for the federal government to influence hiring and employment practices in the larger economy. The rule would ultimately affect 200,000 businesses holding nearly \$700 billion worth of federal contracts across all industries. Though the landmark 1990 [Americans with Disabilities Act](#) forbids discrimination against the disabled in all U.S. workplaces, it does not set measurable hiring goals like the new rule would.

"It has a ripple effect on the entire labor force," Patricia Shiu, director of the Labor Department's contractor-compliance office, said of such a rule. Shiu added that the rule is ultimately a "civil rights" issue.

Since the rule must undergo a public-comment and review period, the 7 percent figure isn't set in stone. Officials said they've merely recommended the number, and suggested the final rule would see a rate from 4 to 10 percent. Though the final number won't necessarily be a quota, companies that fall short of the benchmark would find themselves in talks with the Labor Department about why they're not reaching the goal, potentially jeopardizing their contracts with the government.

Lara Schwartz, spokeswoman for the American Association of People with Disabilities, praised the proposed rule as "groundbreaking."

"This is first time that the protection of job opportunities will be clear and enforced," Schwartz said. "This is a move forward."

House Republicans have been railing for months against employment rules like the one now being proposed. Arguing that such regulations are an added burden on businesses, GOP members have brought forth a handful of bills aimed at making executive-branch rules far more difficult to enact.

The House [passed a bill](#) Wednesday called the Regulations From the Executive in Need of Scrutiny Act, or REINS Act. That bill would effectively give the controlling party of either chamber of Congress veto power over any major regulation put forth by the White House.

But Harris said the new Labor Department rule would provide a much-needed update to existing regulations, "assuring that people with disabilities have an opportunity to succeed in the workplace."