**WorkforceGPS**

**Transcript of Webinar**

**Best Practices for Encouraging Disability Self-Identification by Apprentices**

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GRACE MCCALL: Welcome to "Best Practices for Encouraging Disability Self-Identification by Apprentices."

So without further ado, I'd like to turn things over to our moderator today, Zach Boren division chief Office of Apprenticeship, U.S. Department of Labor. Zach.

ZACH BOREN: All right. Well, thanks Grace and thanks for everyone joining us today. Especially our sponsors, partners and our staff. I'll be your moderator for the presentation today. I'll be joined by some disability experts a bit later in this presentation. Today's session we'll start with a quick overview of the requirement to extend the premise of the invitation to self-identify as an individual with disability.

Then we'll hear from the experts on the best practices for encouraging disability self-identification from EARN and the OFCCP. Both these organizations have extensive knowledge and expertise with how the disability self-identification process works and how workers respond to disability of self-identification invitation. Finally, we'll take some questions from you all. Hope you will send us some questions. And let's move to the next slide. All right.

Well, under the revived apprenticeship EEO regulations covered registered apprenticeship sponsors' need to extend invitations to – apprentices and applicants to self-identify as an individual with a disability. For OA sponsors registered prior to January 18th 2017 this requirement lets into effect just in January, on January 18th and OA sponsors registered on or after January 18th 2017 will begin this process two years after the registration date. Sponsors registered with state apprenticeship agencies were all set to implement the requirement.

But as for the date by which they will do depends on whether or not their state EEO plan has been approved by the department. So you should check with your state if you have a question on whether or not that has gone into effect. The requirement applies to sponsors with five or more apprentices who are required to maintain an affirmative action program and sponsors with state apprenticeship agencies will also and carry out this invitation. In terms of the profits – (inaudible) – it's an invitation.

Apprentices and applicants for apprenticeship are not required to provide the information, they are given a place on the form for individuals to indicate that they don't wish to answer. It's a completely voluntary form. Secondly, apprentices and applicants are invited to say whether or not they have a disability. Not what type of disability they might have. The sponsors do not need to seek additional information about the nature of the individual with disability. All sponsors will gather this information using a standard form which you'll see shortly that we have on our website.

Sponsors may provide a hard copy of the form for applicants and apprentices, or provide the form online, whoever works best for the cost. It is in the sponsor's best interest to have as many apprentices and applicants provide the information available. And this gives sponsors the data they need to know for the disability composition of their workforce. The sponsors will need to know the disability composition of the workforce, so they can evaluate it against the new national and aspirational goal.

That 7 percent of each major occupational group within the sponsors' apprenticeship workforce be comprised of individuals with disabilities. Note that this is really a goal not a hard and fast number or a quota that sponsors must meet. So that the Office of Partnership will evaluate sponsors' good faith efforts to increase the proportion of individuals with disabilities in an apprenticeship program. Sponsors' good faith efforts include a two-step process.

If the sponsor is underutilized for disability, the sponsor must determine if there are impediments to EEO in its personnel processes. And if there are impediments in the program for individuals with disabilities that too is for the sponsor to engage in a targeted outreach and recruitment activity to address the underutilization. Sponsors will not be found to be deficient during the program review if they simply fail to meet this goal.

But EEO regulations expect sponsors to take the steps described above to include qualified individuals with disabilities in the program. As always candidates for apprenticeship programs must meet basic qualifications for a sponsor established and establishes for entry into the program. Sponsored are not required to hire individuals who do not meet the program's basic qualification whether or not those applicants are individuals with disabilities.

So that said we have bold apprentices and applicants for apprenticeship must receive the invitation to self-identify. For current apprentices it's really straightforward no later than January 18th, so that means now. For OA registered sponsors with five or more apprentices should invite all current apprentices voluntarily to complete the form. After that once a year sponsors must issue a reminder inviting apprentices to update their responses to the form if they wish to. With the applicants for apprenticeship, invitations involve a two-stage process.

For now for OA registered sponsors with five or more apprentices must invite all individuals who apply for their programs to complete the form. Once the individuals are accepted into the apprenticeship program, but before they begin the apprenticeship the sponsor must once again provide the invitation to complete the voluntary disability disclosure form. At this stage it's easy because the form is incorporated into the 671 form which is the form that every registered apprenticeship sponsor needs to fill out.

And the accepted applicant will simply complete the entire application form in the self-ID form. So here is what it looks like, this is the top of the form. ETA Form 671 section 2, that all sponsors will need to use to invite applicants and apprentices to disclose the disability. You can download this form from our EEO website, we'll show you that website a bit later. And actually at the end of this – at the end of this slide you can get a direct link to that. So I will be posting the slides for this webinar on our website as well, so you'll be able to find it.

As you can see individuals do not indicate the nature of their disability on the form only whether or not they have a disability. The form clearly states that the disclosure form is voluntary, and that individuals have the opportunity to indicate that they don't wish to answer. They also have a choice not to complete the form at all. And also the form explains why the information is requested and provides a definition of disability and explains examples of some disability as you'll see on the next slide.

The next slide contains information included on the second half of the voluntary disability disclosure form which describes the definitions of a disability for purposes of the form. That definition comes directly from the Americans with Disabilities Act, from ADA. And it's also spelled out in OA EEO regulations. The definition is one of physical, or mental, or medical condition that substantially limits a major life activity.

Or a history, or record of such an impairment for a medical condition. (Inaudible) – such examples are provided on the form shown on the slide. This is not an exhaustive list of disabilities. These are just some examples. The Office of Apprenticeship is often asked if there's a definitive list of disabilities that count for these purposes. The answer is no. There's no definitive exhaustive list. Because there are many conditions that might fit in to that definition.

However, we encounter this amendment the definition of disability back in 2008 its purpose were to define disability broadly to make it easy for individuals to qualify. One thing that I think that everyone seems to agree on it that at least for invisible disability the apprentices and applicants for apprenticeship are going to be reluctant to self-identify. Since invisible disabilities make up the majority of disabilities this reluctance will have a marked impact on the number individuals who self-identify – (inaudible) – OA to track progress in this area.

More importantly apprentices and applicants are reluctant to self-identify because they fear they will be discriminated against if their supervisors or co-workers know that they have a disability. Not a hypothetical fear. Many individuals with disabilities regularly experience discrimination in their own daily lives. Research confirms that experiences are wide spread for individuals with disabilities.

Our first speaker, Derek Shields from the Employer Assistance and Resource Network on Disability Inclusion, will talk more about this reality. As you know if you're a federal contractor if you participated in OA webinar on disability self-ID back in June federal contractors – (inaudible) – by applicants and self-employed; and employees to self-identify since 2015.

So they've had some time to experience individual's willingness or reluctance to self-identify. And have devolved some strategies, tactics and best practices for helping individuals overcome those concerns. So I'm pleased to welcome Derek Shields, who's going to share some recent research findings on self-ID on disabilities.

DEREK SHIELDS: Thank you Zach. And thank you to the Office of Apprenticeship for having EARN and myself on today. Firstly, I'd like to open with a little background on EARN the Employer Assistance and Resource Network on Disability Inclusion. We serve as a resource for employers seeking to pro-actively recruit, hire, retain in advance individuals with disabilities. We also help employers access training materials and publications on disability topics.

EARN is funded by the U.S. Department of Labor's Office of Disability Employment Policy, or ODEP. And it includes the collaborative of multiple partners with different perspectives. The key for all the content that we share from EARN is so you can access that at our website at askearn.org as displayed on the bottom of this slide. As a critical component of any organizations' disability inclusion framework hiring and retaining the best talent is a multi-step process.

And while the choice to self-identify as a person with a disability is entirely up to the individual, employers are increasingly interested in fostering an environment that encourages self-identification to do a lot of things. We're going to emphasis three, first increase hiring and retention of qualified individuals with disabilities to capitalize on their skillsets. Some might call them unique skillsets, along with their talents, experiences and perspectives.

Next to ensure they're creating and sustaining diverse and inclusive workplaces. And the last is to achieve compliance with federal regulations requiring affirmative action in disability hiring such as sections 501 and 503 of the Rehabilitation Act which cover federal agencies and federal contractors respectively. To make there's success in meeting each of these objectives it is critical that employers create an environment in which employees and applicants are comfortable self-identifying.

Including when a disability may be not a parent. Research has shown that many individuals with disabilities experience fear about doing this active disclosure. This fear can be based on previous negative experiences, may include concerns that the employer will choose not to hire them, focus on their disability rather than their actual work performance. Perhaps limit the opportunities for advancement. And in some cases fear of termination.

It's important to invite employees to disclose their disability through voluntary surveys. And as Zach was discussing voluntary surveys are available to you that gather data about applicant and employee demographics and perceptions of workplace climate and culture. And that can help employers measure whether they're meeting hiring, or retention goals. Also as Zach explained registered apprenticeship sponsors are required to invite apprentices and applicants for apprenticeship to disclose whether or not they have a disability.

It's important now when you're collecting this information that you're clear about the purpose of the survey; for example, regulatory compliance, anonymous monitoring, engaging success in diversifying your workforce. It's also important that when you collect the information to ensure that the survey is voluntary and employees are not forced or coerced into responding to it. And lastly, it's important to be clear about the benefits to employees and sharing this information.

For example, and include a disclaimer on the survey that explains the company's desire to diversify its workforce, support all employees equally and learn more about employees in order to assess whether efforts to recruit and retain individuals with disabilities and other minority groups are proving successful. Like registered apprenticeship sponsors, federal contractors must use a mandatory self-identification form approved by the U.S. Department of Labor.

Contractors use one approved by DOL's Office of Federal Contract Compliance Programs under Section 503 who is here today with us as well. This form cannot be altered. It is important to note that invitation to self-identify as individuals with disabilities are permissible only when the question is being asked for affirmative action purposes. Such as those prescribed by OAs EEO regulations Section 503, or a voluntarily adopted program. There are several strategies employers can take to create an environment that encourages self-identification.

These strategies are covered on the next several slides which I'll address now. So individuals with disabilities have reported that they're more likely to self-identify if they see that their employee is making a concerted effort to recruit and hire individuals with disabilities and react positively to other employees' self-identification. Some strategies for fostering such a disability inclusive culture can include the following.

First, making sure disability is included in your company's diversity statement. This sends a message to current employees, potential employees and to your customers that you value disability in the same manner that you value other forms of diversity. Next, conducting enhanced recruitment efforts to better target and appeal to jobseekers with disabilities. There are a wide range of tactics employers can use to increase the appeal of their organizations to jobseekers with disabilities.

These include such actions as posting positions on online disability affiliated job boards. Importantly, partnering with local agencies and service providers who assist jobseekers with disabilities. These entities are across the country, you'll find these local partners in your state vocational rehabilitation offices, other community based service providers and importantly at your American job centers. Next, tapping into local colleges and universities to recruit – (inaudible) – interns, or soon to be graduates with disabilities from those campuses.

And right after exploring programs geared toward students with disabilities, potentially internship programs like the workforce recruitment program for college students with disabilities. It is important to note that the apprenticeship EEO regulations require all registered sponsors to recruit universally. This is from sources that can reach potential apprentices from all communities regardless of disability, status, race, or national origin, or sex.

Now another inclusive strategy is to include an invitation to individuals with disabilities to apply as part of your standard equal employment opportunity statement in recruitment materials. And indicating through recruitment materials your willingness to provide reasonable accommodations during the hiring and interviewing processes. You might consider advertising the existence of employee resources or affinity groups, particularly any geared toward employees with a disability interest as part of your company's benefits and your company's professional development opportunities.

You'll also want to evaluate applicants' screening processes to ensure that those practices do not unintentionally exclude people with disabilities and ensure that hiring staff are aware of appropriate and legal interview practices and guidelines. In fact ensuring that screening and selection processes do not have an unjustified disparate impact on the basis of disability or any other prohibited basis is required under the apprenticeship EEO regulations.

Another important step to ensure your work places, spaces, processes and opportunities are accessible and meet universal design standards you should routinely assess the level of physical, programmatic and social access of your workplace and make needed improvements. This should be done whether you've been asked to make an accommodation or not and then includes assessing many elements of your organization including your website acceptability, online application system, your physical spaces like break rooms, or cafeterias.

Also your locations for offsite work functions such as a holiday party. And importantly, emergency plans to ensure that they include evacuation and safety procedures for employees with sensory, mobility and cognitive disabilities. Again accessible workplaces are a basic requirement of the EEO laws. Conducting these assessment and improvements and pro-actively sharing information with staff will increase comfort levels, encourage disclosure, and heighten sensitivity and awareness among workers without disabilities.

Some additional strategies from the EARN inclusion at work framework that have proven effective for employers include the items listed on this slide. First, consider conducting disability inclusion training. Some may refer to this as awareness, or sensitivity training. And doing this for all staff is part of your overall diversity training efforts, regardless of whether or not you're aware of staff members with disabilities is considered the best practice.

Next, having ongoing training will help reduce stigma, fear and misperceptions regarding how to interact and communicate with individuals with disabilities. It also provides an opportunity for all staff to better understand their legal rights and employers' legal responsibilities. Such trainings can help educate staff on the diversity that exists among people with disabilities. Sends a message that you value individuals with disabilities as both employees and customers.

An increases comfort in disclosing the individuals with non-visible disabilities. Next, it's important to – (inaudible) – flexible, workplace policy is an option. Offering all employees the ability to work remotely, work from home, or to modify schedules as needed to adjust to personal, family, or medical situation. This is where he sends a message that you will accommodate disability related needs in the same manner that you will accommodate other personal needs.

It's also important to design, implement and communicate fair systems for staff to raise, or address issues, or complaints including performance management issues. Providing information about how to file a complaint or discrimination with your registration agency is required by the apprenticeship EEO rule. Next be sure to hold all employees to the same performance standards and expectations and communicate those clearly.

Employees with disability should not be held to either higher or lower expectations than others and their performance successes and challenges should be responded to and addressed in the same manner as other employees. Again, nondiscrimination and performance in selection standards is required both by the apprenticeship EEO rule and by the ADA. Next develop and communicate a clear process for apprentices to request reasonable accommodations and how these will be considered within the organization.

Apprentices often make the decision to disclose their disability based on need for a reasonable accommodation. You should have a clear process in place and communicate it to supervisors, HR personnel and employees regarding how applicants and apprentices should request disability related accommodations and the process and timeline by which HR, or supervisors will consider and respond to the reasonable accommodation request.

Consider providing the combination policies and procedures on the organization's intranet and in any online or printed materials related to your orientation, onboarding, or employee handbooks. A few more suggestions for creating a disability inclusive workforce would be fostering a supportive supervisor/staff relationship. This is an important one for many supervisors, disability may be an uncomfortable topic and providing training and management practices of disability awareness and etiquette can increase the supervisors' comfort in discussion disability issues.

Another strategy is implement professional development programs for employees and apprentices with disabilities. Organizations should consider including individuals with disabilities in mentoring or other training and development programs that have been used to increase the presence of underrepresented groups. This includes women and racial ethnic minorities to advance into management positions.

And last of the suggestion is implement a disability employee resource group that is open to anyone with an interest in disability issues. The presence of a disability ERG was sometimes called an affinity group, or business resource group, or BRG is a visible sign of organizational commitment to this population. Research has showing that ERGs are a particularly important factor in influencing the decision to disclose among individuals with a less apparent disability.

And finally, we recommend to think creatively. Employers have considerable opportunity to be creative in their efforts to build and sustain a diverse and inclusive workplace that encourages employees to share aspects of their identity including the presence of a visible, or non-visible disability with one another. It is this inclusiveness and openness that will ultimately lead to a more diverse productive workforce.

So now I'm going to turn to a research survey that was conducted by Cornell University in 2011. So we looked at some strategies and now let's look at some responded content. The survey has responded to a series of questions about disability self-disclosure. And these were the common reasons where individuals with disabilities that they provided are being fearful to disclose and specifically to disclose their disability when invited to do so. First risk of being fired, or not hired. Followed by that the employer may focus on the individual's disability rather than the individual's abilities.

Next, there's a risk of losing health insurance, or a fear of limited opportunities. And then we wrap up with the supervisor is not supportive, or flexible, or at risk of being treated differently by the supervisor or coworkers. And finally, an important one the desire for privacy. The important takeaway from this place of concerns from Cornell's researchers is that it's the sponsor's responsibility to ensure the work environment is welcoming for individuals with disabilities, so they will feel comfortable disclosing a disability when invited to do so.

Now let's look at some important factors for disclosing a disability, these again were gathered from the research conducted by Cornell. And similarly these were the common reasons individuals responding to the survey gave for disclosing.

Note how many of these track back to the strategies that I previously discussed for creating an environment that encourages self-identification; a need for an accommodation; supportive supervisor relationship; disability friendly workplace; active disability recruiting; knowing of the successes of others. Disability included in the company's diversity statement. Company offers flexible work opportunities.

There's a belief that exists that I can have new opportunities at the workplace. And the last one disability awareness training is being provided to all employer and employees. Out of this list, six of them relate back to the strategies that I previously covered.

Next, on the research conclusions and takeaways. This was from the research shows it's important for employers to understand issues around disability disclosure. The timing of this disclosure and to whom an individual discloses is important to individuals with disabilities. That could happen at the applicant stage, it could happen at the onboarding stage, or it could happen after becoming apprentice. Next, in terms of supportive workplaces progressive policies aren't enough, a culture of inclusivity is key.

Many individuals with disabilities do not identify themselves as part of the disability community, so this process could help them discover that. And last, there remains a stigma associated with disability in our society and being viewed as different is a key takeaway. This summary of findings should be used in prioritizing your disability inclusion strategies and implementation plan to help foster a more disability inclusive environment.

Now we'll turn to examine several steps employers can take to encourage disability self-identification as stated in the do ask, do tell research report published by the conference board in 2015. The report published research on what companies were doing to encourage employees with disabilities to voluntarily self-identify. Based on a survey of 98 companies and interviews with disability experts the research made the following recommendations to foster disability inclusion and increase self-identification.

First, indicate why the information is being requested. Make it clear that it is a new federal requirement for apprenticeship sponsors. Next, let apprentices and applicants know that the information will only be used to see how many individuals with disabilities are currently in the program and to help expand the participation of individuals in the program. Third, communicate the benefits of self-identification. This will appeal to the apprentices' self-interest, also appeal to the support of the program's diversity inclusion journey.

And connect with the employee resources groups or other affinity groups. And last and importantly, provide the Americans with Disabilities Act definition of disability and some examples of disability as that covered earlier that illustrates what a disability is. The voluntary disability disclosure form that registered apprenticeship sponsors contains this information.

So looking at self-identification campaigns and best practices to connect to the research with actual employer practices I want to share some ideas from the National Business & Disability Council that's housed at the Viscardi Center to promote self-identification.

These include implementing disability training using people first language. Incorporating disability messaging into recruitment and other corporate campaigns. Educating staff on creating accessible environments. And making the process for requesting and obtaining reasonable accommodations simple and easy to follow. On the next slide the National Business & Disability Council also recommends that employers partner with disability organizations when they're conducting outreach and recruitment for new apprentices.

This could include State Vocational Rehabilitation Agencies, Centers for Independent Living and disability student services at varied universities and colleges. In many communities there are additional partners that could also serve as a referral source for qualified candidates with disabilities. These employer practices reinforce the inclusion of work framework, Cornell's research findings, and the conference board's report do ask, do tell.

I've provided two links at the bottom of this slide to a self-identification guide from the National Business & Disability Council and – (inaudible) – strategy for an effective campaign published by disability – (inaudible) – formerly known as the U.S. Business Leadership Network. And finally our address askearn.org is displayed again on this slide. The site contains more details and resources to assist in self-identification and fostering a more disability inclusive framework. Please feel free to reach out to EARN with any questions you may have. Now I'll turn it back to Zach.

MR. BOREN: Well, thanks Derek. Now we'll hear from the national Office of Federal Contract Compliance Programs, or OFCCP in the U.S. Department of Labor. Director Craig Leen is with us. He'll provide us with some brief message about the agency and we'll turn the presentation over to Margaret Kraak, who's the branch chief of training, education, and program development at OFCCP. Turning over to you director.

CRAIG LEEN: Thank you so much. It's a pleasure to be here today. As mentioned I'm the director of OFCCP Craig Leen. I'm a parent of two children on the autism spectrum. My daughter has a very substantial intellectual disability as well. I've also been very involved in the disability community for many years including when I was in local government. I used to be the city attorney at Coral Gables, Florida. And in that position I really pushed to be able to have more programs for people with disabilities.

Recreational programs, other sort of programs, programs for employees. And it was inspired by the fact that when I moved to Coral Gables my daughter was not able to participate in any program that the city offered. And I thought that that not only was a shame, but really was not right. Coral Gables is a city that's known for outreach to its citizens, customer service, things like that. Really a high level of service.

And I remember I couldn't even have my daughter participate in this one program and she needed to learn how to swim because she has autism and that's one of the leading causes of death for children with autism is drowning. So it was very important to me that that sort of program be offered. So anyway we changed everything in Coral Gables. I was very involved initially with something called the declaration of principles of inclusion for people with autism and other special needs. And then a more general one for people with disabilities.

So that got the attention of our dean at that time, Dean Acosta at FIU Law where I also was a teacher. And so when he became secretary of labor he did offer me this opportunity to be the director of OFCCP. So one of my primary focuses as director has been to really put emphasis on disability inclusion and to treat discrimination against individuals with disabilities the same as we treat discrimination based on race, or gender, or the other protections OFCCP enforces.

And I thought that that was very important that it be look at the same way and that people with disabilities would be able to be included in all aspects of life. So that's been a real focal point of my time as director. One of the things we did based on that was the focus reviews based on Section 503 and disability inclusion which I know there's federal contractors on the line in the webinar that you're aware of those.

We issued a directive that there be 500 reviews just based on Section 503 of some of the biggest companies in the United States as well as their corporate headquarters. So that list has already been issued, some of you may be on that list. So one thing I want you to know whether you're on the focus review list, or whether you're reviewed ever my OFCCP in a regular compliance review, or even if you're not a contractor.

Just if you are a company that wants to do the right thing you should really be working hard to comply with the Americans with Disabilities Act and with Section 503 of the Rehabilitation Act. And there's a lot of good things and best practices that we could – we plan to talk about today. So first, I think that it would be a very excellent sign, a great sign of good faith efforts to meet your 7 percent hiring goal to have one of these apprenticeship programs for people with disabilities. And to include people with disabilities in your apprenticeship program.

That to me when we go outside I'm going to be telling all our staff that if you have a comprehensive apprenticeship program that's a good sign and that's something we should note. And in fact for companies that don't have that if they do have problems where they are not complying with Section 503, that may be the sort of program we require in our conciliation agreement.

So in fact we have a list of best practices, so if you like you go to our website, Section 503 website, it's called a Section 503 focused review landing page. But just look up I just checked, look on Google, OFCCP Section 503 and you'll go right to the page. You'll see that we have a number of best practices that I highly recommend companies adopt. Whether you're a federal contractor or not. Now obviously you don't have jurisdiction over federal contractors. But these best practices are good for every company, it's something we worked on with the office of disability employment policy.

So for example, and I'm going to read them to you. The first is a centralized accommodation system. Every company should be looking at that. I'm not going to go through why these are all good, I could talk to you for 20 minutes about it. But it says it on the website. So take a look at it, centralized accommodation system, accessible online recruiting tools. CEO leadership through correspondence and video. What I mean by that is that your CEO, your top person at your company should send correspondence in a video or something like that to all of your staff letting them know that you have a welcome environment for people with disabilities.

Frankly you should play it whenever anyone applied to your company even. Even people that are perspective hires, just to let them see that, "Hey, this is a safe place. This is a good place for me to apply. I know I'm going to be treated well here." Four, coordination with state or local vocational rehabilitation agencies. That's something that we will likely include in conciliation agreements as well if we find a Section 503 violation.

This is a good way to increase hiring on people with disabilities. Five, comprehensive and welcoming self-ID program. Margaret can talk a little bit about that because the self-IDM program makes a big impact. I just talked to a federal contractor, I won't mention the name, but one of the representatives, they told me they had a 14 percent self-ID rate which was much higher than any other company I heard of.

And in fact they told me they had the highest rate in the country, that's what they said. And I asked, "Well, how did you possibly that?" Because many companies don't even make 7 percent. "So how did you get to 14?" And he told me that they just did campaign after campaign and it was very positive and they made them fun and interesting and everyone knew that if you self-ID that it was not going to harm you in any way. If anything it might help you. So that was what he told me and obviously it worked for them.

So that's a really good thing to do, Margaret is going to talk more about that. Six, disability inclusion program. That's something that can make a big impact. And in fact these can be – these apprenticeships can be disability inclusion programs. Now I'm not endorsing any of these companies I have to say that because the lawyer's here, but we do have on our website a list of sample disability and inclusion programs.

And I'm just going to read, CVS Health Abilities in Abundance program. CVS Health collaboration with the national consortium of state operated comprehensive rehabilitation centers. Well, we have the EARN program listed there which is ODEP. And the mental health toolkit from EARN as well. In addition to that we have Microsoft Office hiring program. Microsoft's disability hiring program and Microsoft's supported employment program. And finally we have – (inaudible) – program.

And we're hoping to add a lot more. So any federal contractor that would like their disability inclusion program to be included on this page please let us know because we would be happy to include it. But the main point of this, is if you have an inclusion program or specific program dedicated to individuals with disabilities and you call it that well it is in the interest of some with a disability that meets the requirements of that program to ID and to participate in the program because it's a benefit to them.

Some of these hiring programs are really helpful to people with disabilities. Several of them relate to people with cognitive disabilities who may have certain challenges in the interview process. Perhaps they don't provide eye contact, perhaps they have social anxiety. Perhaps having lots of interviews in one day really doesn't work for them and doesn't allow them to show you the skill and this amazing person that they are and someone that you would want to hire if you gave them that opportunity.

So having a hiring program like that can be really helpful, either for an apprenticeship program, or more generally. So anyhow I've given you a little bit of an overview of what we're doing at OFCCP. Wait I have two more best practices. Actually, one of them is extremely important employee resource groups. Very important. One thing we found the companies with a higher self-ID rates they typically have employee resource groups for people with disabilities, for parents of people with disabilities.

For different types of disabilities. And what it leads to is you get leaders in your company who are a part of these resource groups, who have these abilities and who have self-ID and then you can help run your self-ID program through them. And they can really be the advocate to others to participate and they'll know – (inaudible) – because you have these leaders in these employee research groups who are really pushing the self-ID campaign.

And then lastly leave them the job, as the chief accessibility officer, or chief diversity officer, or both which is probably best. So yeah. Those are my general comments. I'm going to turn over to Margaret, a colleague at OFCCP. She is one of our leaders, she knows a lot about this topic and it's an honor to work with her and it's an honor to turn it over to her.

MARGARET KRAAK: Thank you, Craig. As Craig mentioned we enforce Section 503 of the Rehabilitation Act which – (inaudible) – discrimination on the basis of disability by federal contractors and subcontractors. In 2013 OFCCP revised these regulations and it was a historic change because we required federal contractors for the first time to offer, or to invite applicants and employees to self-identify as individuals with disabilities.

And it also included a 7 percent hiring goal which is this goal that OA is putting forward. The goal is aspirational and – (inaudible) – some really awesome best practices for meeting that goal. Contractors under are required to engage in meaningful outreach and recruitment to individuals with disabilities and to assess the effectiveness of their effort, taking into consideration the goals and other measures. Next slide. So to encourage self-identification OFCCP actually created a form to make it easier for federal contractors.

And this is very similar to the forms that OA has developed and is going to be using. Federal contractors and subcontractors have been doing this now for the past four years and they've had mixed results. The ones that are more proactive in getting out there and – (inaudible) – actually end up with higher self-identification – (inaudible) – however there are some permissible changes to the form. It can be posted online and it can be in a format that's useful and adaptable to the employer.

However, making the changes it must be readable, it must include the only approved number. And it must provide the reassurance to applicants that the data being collected is totally for government purposes and it's kept confidential. Any data collected on the form is maintained in a separate self-ID form. The next slide. The other thing that OFCCP did to support contractors was to create a video which is on our website and it's downloadable which discusses the importance of providing – of self-identifying. And we're going to play the video, which should be about two minutes.

MS. MCCALL: And as a reminder for people who are listening in over your laptop, if you want to hear the audio for this video you're going to have to unmute your computer speakers.

MS. KRAAK: So these videos is available on YouTube and I – (inaudible). Any organization may download the video for you for training and one contractor actually directly linked to the video on our website. That's 2015 when the video was originally posted. It's viewed over 50,000 times on YouTube. So it's really got a nice viewer rate. Next slid.

So that's the implementation of regulations in 2014, OFCCP continues to stress compliance with the Section 503 requirement. In 2015 – (inaudible) – the business roundtable focusing on disability and best practices for – (inaudible). Many of the research that's gathered during that slide have been posted on a website on the disability focus page, as well as the Section 503 page. (Inaudible) – self-identification – (inaudible) – over quite a few.

But they always stress creating an inclusive workplace and establishing policies for a reasonable accommodation process and flexible scheduling. Disability is the key focus – (inaudible) – as Craig emphasized. And part of our process includes the focus review as well as we're creating a recognition program for those contractors that have outstanding or excellent disability programs. And part of the work process we're focusing, or developing a mentoring program to assist other federal contractors. On the enforcement side again, we're going to be stressing in focus review. So thank you. Thank you for including that.

MR. BOREN: Well, thank you, Margaret. Thank you very much Derek and Margaret and director Leen. We really appreciate you taking the time to share your knowledge with us and our sponsors today and your experience. For the remaining time we'd like to take your questions and just remind you of that chat – (inaudible) – type in any questions you may have for the group here. We also have our counsel Jen who will be joining us from the civil rights division.

And she's here to answer your questions as well regarded OA requirement. So please type those questions and comments into the chat box and we'll address as many of them as we can. And know that we take your feedback and questions very seriously and we want to hear from you always so we can help you with the compliance with the new part of our role. So with that we do have one comment in here that I'll just go ahead and read.

Because one of the ways we have done outreach is by meeting with the VA hospital to speak to staff and veterans with disability and trying to enter the workforce. (Inaudible) – was our goal to include more veterans – (inaudible). Really a great activity, an outreach activity that this organization is doing and I'll you remind folks that on our website you'll find what we call the universal outrage tool.

And that will have a lot of disabilities groups that when you're going out and doing that affirmative action to people with disabilities you're going to find that tool really useful in knowing what disability groups are in your area. So you can find that at the OA EEO website. You can find that at DOL.gov – (inaudible). I appreciate that. Do we have any more questions? That is all – (inaudible) – we ended up with. I guess we answered everything.

Well, really again we'll go our last slide here and remind you of – we do have one more question. I know that for those that deal with new construction projects there's a stigma on what is considered reasonable accommodation. Anyone in the room like to take that one as far as reasonable accommodation?

MR. SHIELDS: Sure, this is Derek. Yeah, so I think – (inaudible) – stigma we have to start with training and awareness to understand what reasonable accommodations are and why they're put in place. So to reduce the stigma we focus on enhancing productivity of our entire workforce. Most of the time reasonable accommodations looked at productivity for disabled workers, but we're fine when we put out productivity tools for non-disabled people.

So why is it in this case in the construction industry we're doing that? So it starts with training and awareness about enhancing everyone's productivity and then being consistent with that. I think it was a theme that we've heard a couple times in the last hour, it's just what you start people become – stigma is removed by consistency of information sharing.

And also the other idea if you're hiring in the construction industry veterans then you're going to be hiring some veterans with disabilities. And if they would share their testimonials it could reduce stigma for all workers with disabilities, not just veterans with disabilities. There was a couple thoughts.

MR. LEEN: I have additional thoughts. I agree with everything that was just said. This is Craig Leen the OFCCP director. Practically speaking most accommodations are reasonable. That's been my experience. In fact most accommodation requests really have no cost and the ones that have a cost in my understanding the median cost was about $500. It's one of the reasons why we talked about the centralized accommodation system.

Because when someone requests an accommodation it's important that budgetary issues not really come in to the consideration of whether the accommodation is reasonable or not. Yes, there are some limitations to when you'll have to grant an accommodation for example, if there's an undue hardship to the company.

But they shouldn't be because you divide your company into a lot of departments and that particular department has a certain budget and they're making determinations whether to grant someone a reasonable accommodation based on that department's budget.

It should be based on – it should be decided by experts generally. And in addition to that it should be decided in a centralized way that's the best practice. In a sense that's to amortize the cost of the accommodation across the whole company.

So then you're making real considerations as to whether something causes undue hardship or not to the company. Not just based on the fact that this particular division may be running out of its budget. So you want to move away from that and you want to move to looking at accommodations objectively based on the need of the person requesting it.

Almost any accommodation will increase productivity by definition if the person is asking for it to help them in their work. And in fact some of the best companies I've met with will generally grant them as a matter of course except for certain limited categories. And your company really should be working toward that goal. And that includes in construction sites. It's something that applies equally to construction companies. Now the type of accommodation requested may be different in a construction company than in our general supply and service contractors.

And we're here to provide you guidance on that. I know it can be more complicated and there are safety issues sometimes and things like that. So we're happy to help you. I know that ODEP has JAN which is – can you talk a little bit about JAN?

MR. SHIELDS: Sure. So this is Derek Shields again. So the Job Accommodation Network has been providing the nation with support services, technical assistance around what are reasonable accommodations and they do a great job. So it's askjan.org to follow up on their content. But what they do is they provide it through a medical diagnosis and a disability definition. So often a worker will come to you say, "I've been diagnosed with cancer, I'm not sure what to do for my task."

JANs online resource will provide based on the types of tasks recommendations for a reasonable accommodation. And we know for the most part when director Leen says that half of the combinations have no cost and then the other half cost on average $500. When you look at the cost of the ones without cost, they're normally for your adjustments and schedule. And here again we do that for personal use.

My kid has a game because I get off a couple hours early to go to the performance and we'll make an accommodation there. But when it comes to a worker who maybe is changing their medicine cycle and they need to come in a couple hours later all of a sudden there's a new stigma on that. And so you can go to the Job Accommodation Networks, experts who have been doing this work for 33 years and get all those relevant support material which will help you in perhaps creating your centralized network at your organization.

MR. BOREN: Okay. Thanks. Good example. Let us take this last question because I want to make sure folks know our apprenticeship program that's for four years. So we'll need to allow for self-identification for each year. So yes. You'll be asking your apprentices and applications on a yearly basis to self-identify. And then you'll be taking those forms and ensuring confidentiality of those forms as well. Yes.

It's a new requirement for all registered apprenticeship sponsors. (Inaudible) – it will be our existing sponsors to ensure they understand the requirement, that it's clear. Showing you those online resources that are available. So a couple of them are right here. Our apprenticeship EEO website has a wealth of information, tons of FAQs, lots of videos, overviews – (inaudible). And then we also have our self-identification page which also provides the form and a lot of answered questions as well.

So we invite you to visit those websites as well as our new website which is called apprenticeship.gov. And with that I just want to thank all of our speakers and everyone who's joined us for this really fabulous webinar. And I hope you all have a great week.

MS. MCCALL: All right. Excellent.

(END)