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LABOR AND EMPLOYMENT BLOG

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HR personnel have long relied on their employers' intranet sites to streamline standard

functions such as receiving requests from employees and notifying employees of policy changes, but such sites also can support a federal contractor's affirmative action and nondiscrimination obligations toward individuals with disabilities.

Regs Set New Standards

Employers' intranet sites are attracting renewed interest due to revised regulations issued by the U.S. Labor Department's Office of Federal Contract Compliance Programs under [Section 503](#) of the Rehabilitation Act. [Appendix A to Part 60-741](#) of the revised regulations, which went into effect March 24, 2014, encourages contractors to develop written reasonable accommodation procedures in order to satisfy their obligations under the revised rules.

The regulations require federal contractors to establish a nationwide goal of having individuals with disabilities make up 7 percent of their workforce in each job group. Establishments with fewer than 100 employees are required to set a 7 percent goal for their entire workforce.

Still, the revised regulations continue to face a legal challenge by a national construction trade group that has [asked](#) the U.S. Supreme Court to review a ruling by the U.S. Court of Appeals for the District of Columbia Circuit. The lawsuit doesn't put compliance on hold for covered contractors.

Demystify Self-Id Form

Under the regulations, contractors also must use the agency's Voluntary Self-Identification of Disability [form](#) to invite job applicants and employees to voluntarily self-identify as individuals with a disability.

"Employers shouldn't just e-mail the self-identification form to current employees without explaining in advance the reasons why the company is asking them to complete the self-identification form," [Nadine Vogel](#), president of [Springboard Consulting](#), a New Jersey-based firm focusing on disability issues in the global workforce, workplace and marketplace, told participants at the Society for Human Resource Management's Employment Law and Legislative Conference in Washington, D.C., back in late March.

"The employer understands why the company is sending the form, but the employees

may not fully understand why they are being asked to complete the form,” she said during the presentation. Companies will want to stress the anonymity associated with completing the form and explain how the form reinforces the company's branding, messaging and commitment to diversity.

Bloomberg BNA interviewed Vogel after her session.

Bloomberg BNA: During your session, you talked about how companies can use their intranet to centralize the reasonable accommodation request process. How would that work?

Vogel: There should be a visible and accessible section on a company's intranet site that says if you need a reasonable accommodation click here. Of course, the intranet site should be accessible under the Web Content Accessibility Guidelines 2.0 (WCAG) so that it is accessible for individuals who may be blind, have a visual impairment, have limited or no use of a mouse or keyboard, experience navigational challenges.

When placing the form on the site, you will want to ensure it appears in a variety of sections where it can be easily found such as benefits, career and human resources self-services portals.

In creating such a process, you will want to establish criteria that is communicated so your employees know that no matter their specific job or level within the organization, their geography and type of disability, their accommodation request is going to be evaluated with the same set of criteria, guidance and anonymity, ensuring that it is a fair and equitable process.

Having this type of process also provides efficiency from both a budgetary and human resource standpoint by reducing duplication of efforts from researching software that may be needed to the actual licensing. Knowing your accommodation expenses also makes it easier to create a reasonable accommodations fund should that be desired.

Bloomberg BNA: Any practical advice about complying with the requirements related to the self-identification form to current employees?

Vogel: A number of companies are not only sending the form to employees via e-mail, but also posting the form on their intranet.

No matter how the form is delivered, it is critical that a communication strategy is developed and utilized that includes conveying the purpose of the form, how it may fit into a larger diversity-related initiative at the company. Making individuals feel comfortable about disclosing their disability status will likely result in a greater percentage of persons identifying as disabled.

In fact, during my session, we heard from a woman in the audience from the financial service sector say that this was the approach her bank had taken and as a result, the bank discovered that 18 percent of its workforce identified as disabled.

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