

116TH CONGRESS
2D SESSION

H. R. 8341

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

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 22, 2020

Mr. GROTHMAN introduced the following bill; which was referred to the Committee on Education and Labor

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 paid—

17 “(i) by a contractor—

18 “(I) of the Federal Government
19 under a contract with the Federal
20 Government for which priority was
21 given to the contractor on the basis of
22 the bid of the contractor involving
23 supporting employment for individuals
24 with disabilities; or

1 “(II) of a State government
2 under a contract with the State gov-
3 ernment for which priority was given
4 to the contractor on the basis of the
5 bid of the contractor involving sup-
6 porting employment for individuals
7 with disabilities;

8 “(ii) by a subcontractor at any tier of
9 a contractor—

10 “(I) of the Federal Government
11 under a subcontract for which priority
12 was given to the subcontractor on the
13 basis of the bid of the subcontractor
14 involving supporting employment for
15 individuals with disabilities; or

16 “(II) of a State government
17 under a subcontract for which priority
18 was given to the subcontractor on the
19 basis of the bid of the subcontractor
20 involving supporting employment for
21 individuals with disabilities; or

22 “(iii) under a contract mandating di-
23 rect labor-hour ratio of individuals with
24 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 jobs meeting the defi-
7 nition in section 7(5)(B) of the Rehabilitation Act of 1973
8 (29 U.S.C. 705), and which derive from Federal or State
9 contracts managed by community rehabilitation programs
10 for the purposes of supporting employment for people with
11 disabilities, shall be eligible to be considered—

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

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