

115TH CONGRESS  
2D SESSION

# H. R. 5658

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

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## 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

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## 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)—

(A) by striking “not including” and inserting “including social and interpersonal interactions with colleagues, vendors, customers, superiors, or other such persons who the employee may come into contact with during the work day and across workplace settings, other than”;

(B) by inserting before the semicolon at the end the following: “, except that such interactions shall not be considered solely at the work unit level”; and

(C) by striking “and” at the end;

(2) by striking the period at the end of subparagraph (C) and inserting “; and”; and

(3) by adding at the end the following:

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

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

“(ii) State set-aside contracts intended to support employment for individuals with disabilities; or

“(iii) other contracts subject to mandated direct labor-hour ratio of persons 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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