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Folder Title:

Disability EO [Executive Order] 03/13/1998

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Row:

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Section:

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March 12, 1998

PHOTO OPPORTUNITY FOR SIGNING OF THE
DISABILITY EMPLOYMENT EXECUTIVE ORDER

DATE: March 13, 1998
LOCATION: Oval Office
TIME: 9:40 - 9:55 AM
FROM: Maria Echaveste/Bruce Reed
Bill White/Diana Fortuna

I. PURPOSE

To highlight an Administration initiative aimed at increasing employment for people with disabilities.

II. BACKGROUND

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The Executive Order establishes a task force of federal agencies to make recommendations aimed at removing workplace barriers for people with disabilities in areas such as employment discrimination, health care, housing, education, telecommunications, child care, and rehabilitation and training. **The Task Force** will be chaired by Labor Secretary Herman and co-chaired by Tony Coelho, Chair of the President's Committee on Employment of People with Disabilities. (Coelho is traveling on business and is unable to attend.) Secretaries of relevant federal agencies are members. The task force will issue its first report later this year with recommendations designed to bring the employment rate of people with disabilities as close as possible to the rate of the general population.

The disability community is very cognizant of your longstanding commitment to their priorities. However, they believe that their issues have been absent from our budget initiatives. They are looking (1) to extend health care and tax credits to those on the disability rolls seeking to return to work and (2) to shift Medicaid from an emphasis on nursing home care to home and community-based care. Congress is considering legislation on both these issues, but we have so far withheld our support because of cost concerns. This task force should help address some of the concerns of the community.

III. PARTICIPANTS

MEMBERS OF THE TASK FORCE (OR THEIR REPRESENTATIVES)

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DISABILITY COMMUNITY

Justin Dart	Justice for All
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IV. PRESS PLAN

White House photo only.

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Talking points attached.

TALKING POINTS
DISABILITY EMPLOYMENT EXECUTIVE ORDER
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- o That is why I'm so pleased today to sign an executive order aimed at building -- building employment opportunities for people with disabilities and addressing the unacceptably high unemployment rates among people with disabilities.
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- ① ED ESTABLISH TRASH FANS
TO MAKE RECOMMENDATIONS DISCLOSED
TO LOWER THE UNEMPLOYMENT
RATE FOR DWN
- ② CHARGED BY HOME/CAROL
- ③ ORIGINATING FROM YOUR
APPROPRIATE w/ DISAB-

Justin

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PRESIDENT CLINTON SIGNS EXECUTIVE ORDER ESTABLISHING NATIONAL TASK FORCE ON EMPLOYMENT OF PEOPLE WITH DISABILITIES

The President today signed an Executive Order establishing a National Task Force on Employment of Adults with Disabilities that will create a coordinated and aggressive national policy to bring working-age individuals with disabilities into gainful employment at a rate approximating that of the general adult population.

"Since 1993, we have created 15 million new jobs. But the unemployment rate among people with disabilities is far too high, and that is why I'm so pleased to sign today an executive order that will design a strategy to make equality of opportunity, full participation, inclusion, and economic self-sufficiency realities for all 30 million working-age Americans with disabilities," declared President Clinton.

Charged with developing and recommending to the President a federal policy to reduce employment barriers for persons with disabilities, the Task Force will submit four reports, the first by November 15, 1998, and the last on July 26, 2002, the 10th anniversary of the initial implementation of the employment provisions of the Americans with Disabilities Act. Alexis M. Herman, Secretary of Labor, will Chair the Task Force. Tony Coelho, Chairman of the President's Committee on Employment of People with Disabilities, will serve as Vice-Chair.

Policy recommendations are expected to address such areas of widespread concern as discrimination, accommodations; access to health care; consumer-driven, long-term supports and services; transportation; accessible and integrated housing; telecommunications; assistive technology; community services; child care; education; vocational rehabilitation; training services; job retention; on-the-job supports; and economic incentives to work.

Key components of the Task Force's directive include analyzing existing programs and policies to determine what changes, modifications and innovations may be necessary to remove barriers to work; developing and recommending options to address the barrier of health insurance coverage; analyzing youth programs related to employment and the outcomes of those programs for young people with disabilities; and evaluating whether federal studies related to employment and training can and should include a statistically significant sample of adults with disabilities.

The Task Force also will include the Secretary of Education; the Secretary of Veterans Affairs; the Secretary of Health and Human Services; the Commissioner of the Social Security Administration; the Secretary of the Treasury; the Secretary of Commerce; the Secretary of Transportation; the Administrator of the Small Business Administration; the Chair of the Equal Employment Opportunity Commission; the Director of the Office of Personnel Management, and the Chair of the National Council on Disability. These officials are required to make the activities and initiatives of this Executive Order a high priority within their respective agencies.

April 17, 1998

TO: Barbara Chow, OMB
Bill White, Public Liaison
Larry Matlack, OMB
Lori Schack, OMB

FROM: Diana Fortuna 

CC: Elena Kagan

SUBJECT: Attached materials for first meeting of the Disability Executive Order Task Force this Wednesday, April 22

Attached is an agenda, invitation, and panel information for the first meeting of the task force created by the disability EO. The Department of Labor is off to a very ambitious start, which is both good and a reminder that we need to keep abreast of what they're doing. Salient points are:

- It's an all-day meeting with an invited audience of 150-200. However, discussion is supposed to happen only among members of the Administration.
- A number of Cabinet secretaries will be there for the opening sessions or part of the day (Herman, Rubin, Shalala, Riley, Apfel, among others). Each will be asked to speak at the opening for 3-5 minutes.
- Then there will be 3 panels: one on health care (which is causing great angst in that world), one on education and training (with Judy Heumann, Ray Uhalde, and Susan Daniels), and one on civil rights. Material on all 3 are attached. Supposedly DOL, Tony Coelho, and Marca Bristo are thinking of "challenging questions" to ask of the panelists, so that it will be lively.
- DOL has formed a staff group that will do most of the work. It will meet a week or two after this first meeting, so OMB might want to have someone there. I will attend. I had mentioned to you that they are looking for easy ideas/low-hanging fruit, but I had thought it was for their November report. Now I hear they may want to vote on some low-hanging fruit ideas at their July meeting!

SECRETARY OF LABOR
WASHINGTON

Paul R. K...
219. 6181

Opening sess
9-1080

MEMORANDUM FOR ^{yes} ROBERT RUBIN, Secretary of the Treasury
^{??} WILLIAM DALEY, Secretary of Commerce
^{Dep} RODNEY SLATER, Secretary of Transportation
^{yes} DONNA SHALALA, Secretary of Health and Human Services
^{yes} RICHARD RILEY, Secretary of Education
^{yes} TOGO WEST, Acting Secretary of Veterans Affairs
^{yes} AIDA ALVAREZ, Administrator of the Small Business
Administration
^{Colvin} ^(Apfel later) KEN APFEL, Commissioner of the Social Security
Administration
^{yes} JANICE LACHANCE, Director of the Office of Personnel
Management
^{yes} MARCA BRISTO, Chair of the National Council on Disability
^{yes} TONY COELHO, Chair of the President's Committee on
Employment of People with Disabilities
^{yes} PAUL IGASAKI, Chair of the Equal Employment
Opportunity Commission

FROM: ALEXIS M. HERMAN, Secretary of Labor

Alexis M. Herman

DATE: APRIL 10, 1998

RE: President's Task Force on Employment of Adults with Disabilities

The first meeting of the President's Task Force on Employment of Adults with Disabilities will take place on **Wednesday, April 22, 1998 from 9:00 a.m. to 3:45 p.m.** at the Department of Labor's Francis B. Perkins Building, Great Hall (1st Floor), 200 Constitution Avenue, N.W. Attached is the agenda for the first meeting.

Your attendance as a member of the task force is most important at the opening session of the meeting from 9:00 a.m. to 10:15 a.m. If you are not able to attend this session, please designate your Deputy Secretary or another senior official to represent your agency at this inaugural meeting.

Following the opening session of the meeting, a series of panel discussions/presentations on issues relating to employment of adults with disabilities will take place. You are also invited to attend these sessions. However, if that is not possible, please designate a senior official from your department or agency to represent you during the sessions of the meeting that you cannot attend yourself.

W. White

Attached is a response form. Please fax this form back to Paul Richman, Acting Chief of Staff of the Policy Office at the Department of Labor, at (202) 219-6924, by close of business Wednesday, April 15, 1998 to confirm your attendance at this meeting and the name of your designee who will represent your agency at the sessions of the Task Force that you cannot attend. If you have any questions or require additional information, please contact Mr. Richman at (202) 219-6181.

Thank you for your assistance and cooperation. I look forward to working with you to carry out the mission of the Task Force.

attachments

Panel 1

Moses Howard

From: aimparato@ncd.gov[SMTP:aimparato@ncd.gov]
Sent: Tuesday, April 14, 1998 1:32 PM
To: Moses Howard; Ogle Becky; bwilliam@osaspe.dhhs.gov; mbristo@aol.com
Subject: one page description of our panel

Getting a job and keeping your health care and long-term services and supports: removing the health care/personal assistance services barrier to employment

Our panelists will include: Margaret Hamburg, M.D., Assistant Secretary for Planning and Evaluation, HHS; Nancy-Ann Min DeParle, Administrator, Health Care Financing Administration; and Chris Jennings, Special Assistant to the President for Health Policy Development, White House Domestic Policy Council.

Dr. Hamburg will begin with an overview of the health care and long-term services barriers faced by many people with disabilities when they seek employment. For many people with significant health conditions, it is difficult or impossible to obtain affordable health insurance in the private market. The health insurance portability act passed in the last Congress did not completely eliminate pre-existing condition exclusions, and did nothing about insurers that charge exorbitant rates to insure people with chronic health conditions. For people who need assistance with basic activities like bathing, dressing, transferring, and toileting, eligibility to receive financial assistance to help pay for these services often terminates when a person leaves an institution or takes a job. The Administration must continue to work to expand options for people who wish to live in the community and receive consumer-directed supports that will enable them to live as independently as possible. Dr. Hamburg will also talk about demonstration projects ASPE is considering along with the Social Security Administration to encourage innovation at the state level around disability, health care, and long-term services and supports.

Nancy-Ann Min DeParle will talk about one step that Congress and the Administration took in the Balanced Budget Act to enable people with disabilities to purchase Medicaid coverage as a supplement to employer-provided health insurance. The Act created a new optional state program whereby people earning less than 250 percent of poverty would be able to buy into Medicaid coverage and thereby maintain the level of health care and personal assistance that they were receiving before they began working.

Chris Jennings will discuss managed care protections for people with disabilities enrolled in managed care that the Administration is seeking to implement as a follow-up to recommendations from the Presidential Advisory Commission on Consumer Protection and Quality in the Health Care Industry. He will also talk about other strategies for addressing health care and long-term service barriers as part of the Administration's overall health care policy agenda. Finally, he will comment on pending legislative attempts to encourage social security recipients to return to work, including the Bunning-Kennelly bill and the Kennedy-Jeffords bill.

Panel 2

Executive Order Task Force Testimony for April 22, 1998
Outline for the Education, Entitlement and Workforce Development Panel

Prepared by: OSERS Proposed Witness: Judy Heumann

I. Introduction

- A. Long-Range Opportunities--Severity of disability does not necessarily equate to a loss of opportunity or a lack of access to services and supports; however, poverty, lack of education and other factors can have a significant impact.
- B. Long-Range Removal of Barriers -- Entitlement disincentives, health care, etc.
- C. Introduction to OSERS programs; Office of Special Education Programs, Rehabilitation Services Administration, and National Institute on Disability and Rehabilitation Research.

II. Collaborating to Meet the Goal of the Executive Order

- A. The Task Force should expect collaboration among Federal agencies.
- B. OSERS' experience with inter-agency collaboration, e.g. RSA's systems change demonstration, welfare reform and welfare-to-work regulations, etc.
- C. Collaborations occurring on the State and local levels, e.g. VR and IDEA.
- D. Collaboration with NIDRR, the President's Committee and others to encourage better data collection related to disability from the Bureau of Labor Statistics.

III. Statement of Issues

- A. Removal of Process Barriers to Collaboration -- The need for the Task Force to identify and address the process requirements for each agency that act as serious impediments to collaboration and efficiency.
- B. Utilization of Technology -- The need for greater understanding among Federal departments of Sect. 508 of the Rehab Act and its implementation at ED, the need for a commitment to universal design standard and procurement policy for Federal agencies, the availability and benefit of assistive technologies, and the need to ensure the accessibility of Federal government web sites, etc. for individuals with disabilities and to, wherever possible, link agency web sites that address disability.
- C. Access to Programs -- The need to work collaboratively to assure that Federal programs not designed exclusively to meet the needs of individuals with disabilities are still able to be utilized by them, e.g. one-stops, welfare-to-work, summer youth, etc.
- D. Survey of Disability -- The need to incorporate questions related to disability on the monthly Bureau of Labor statistics survey.
- E. Federal Hiring Practices -- The need to educate all Federal departments regarding requirements and options related to hiring the most qualified individuals and regarding the existence of hiring authorities designed to increase the number of individuals with disabilities employed by the Federal government.
- E. Transitioning Youth -- The need to improve employment outcomes for the "hardest to serve," e.g. dropouts, adjudicated youth, etc.

IV. Conclusion/Statement of Commitment

Social Security Administration

Panel 2



Employment Strategy



Susan M. Daniels, Ph.D.
Associate Commissioner for Disability

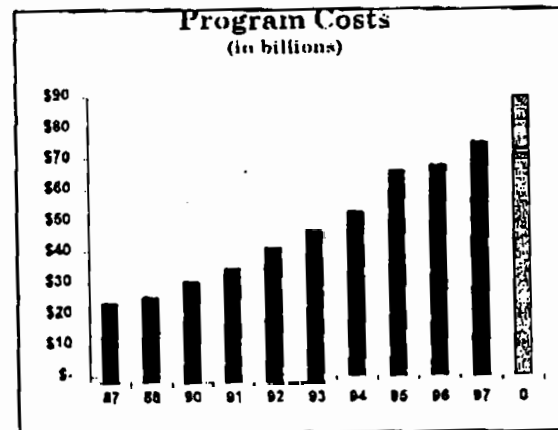
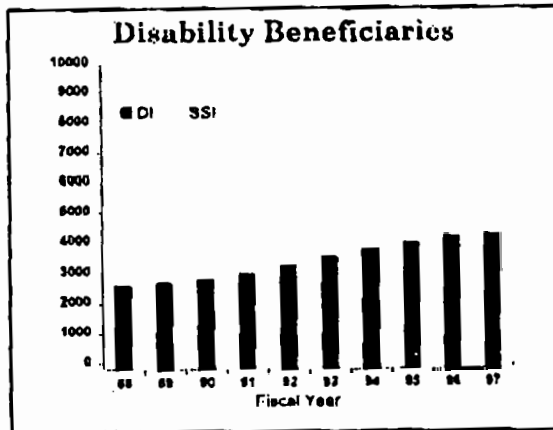


Program Trends

- ▲ Growing Steadily
- ▲ Young People



*This handout is an adjunct to an oral presentation.
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Our Recent Beneficiaries Are . . .

- ▲ Younger
- ▲ Female
- ▲ Poorer
- ▲ Mental Disorders



Society Has Changed

- ▲ The Paradigm Shift
- ▲ Medical Advances
- ▲ Technological Advances
- ▲ The Expectations of People With Disabilities Are Changing

✓ The 1994 Louis Harris:

- ◆ 100 Americans with disabilities
- ◆ 68 are not working;
- ◆ 54 report that they want to work



Social Security Administration



Civil Rights

▲The Americans with Disabilities Act (ADA)

- ✓equality of opportunity,
- ✓full participation,
- ✓independent living, and
- ✓economic self-sufficiency.

▲The Rehabilitation Act

▲The Individuals with Disabilities Education Act

▲De-institutionalization Via Waivers

▲The Clinton Administration



GAO Findings

- ▲Only 4% referred for rehab
- ▲Only 1% of those successfully "rehabed"
- ▲Estimate \$3 billion savings if additional 1% left rolls



...take immediate action to place greater priority on return to work...should develop a legislative package ... April 1996

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Our Customers Say...

▲Health Care Connection

▲Services

- ✓Choice
- ✓Work Incentives

▲All Or Nothing

▲Youth



Health Care Connection

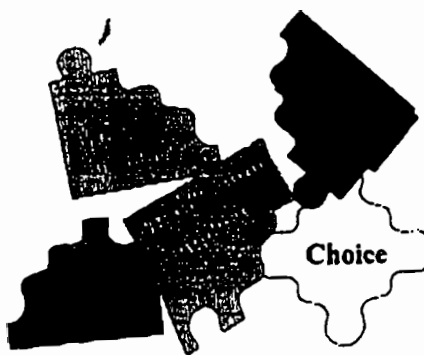


▲More Than Medical

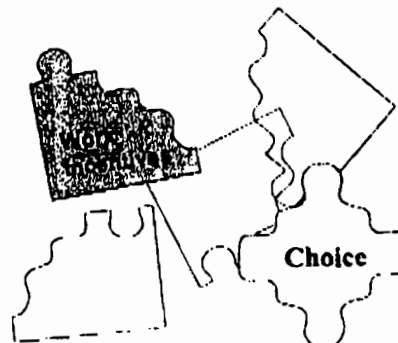
▲Unavailable at Any Price



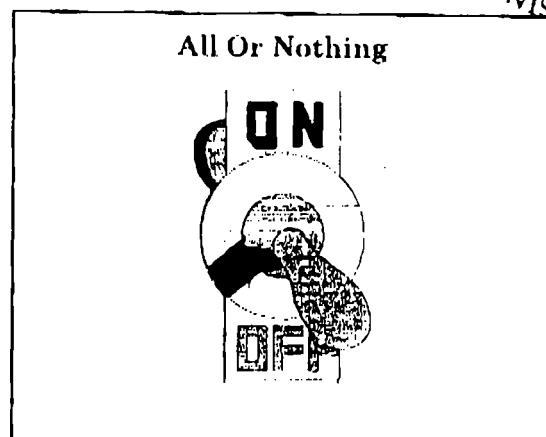
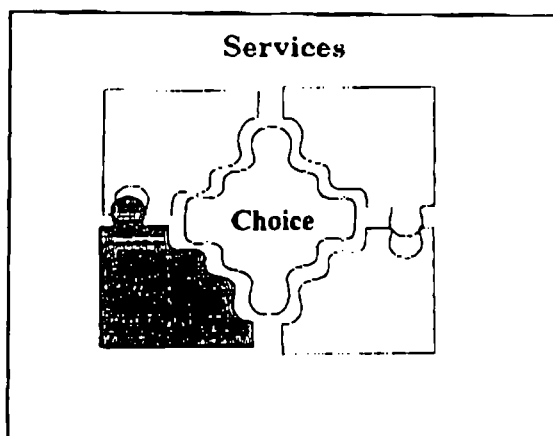
Services



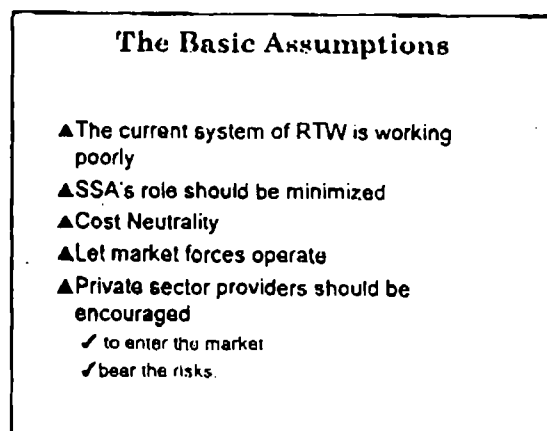
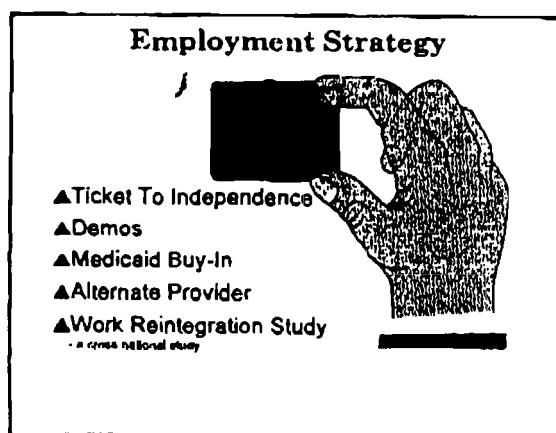
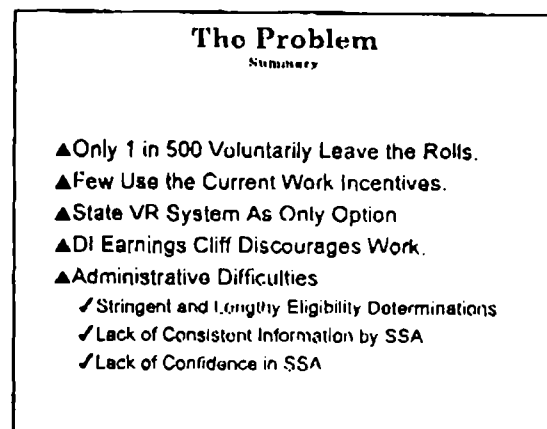
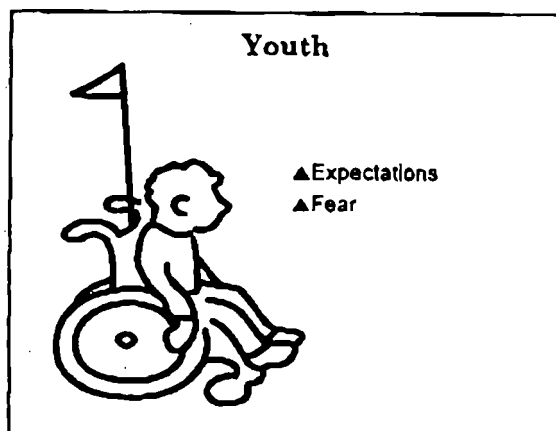
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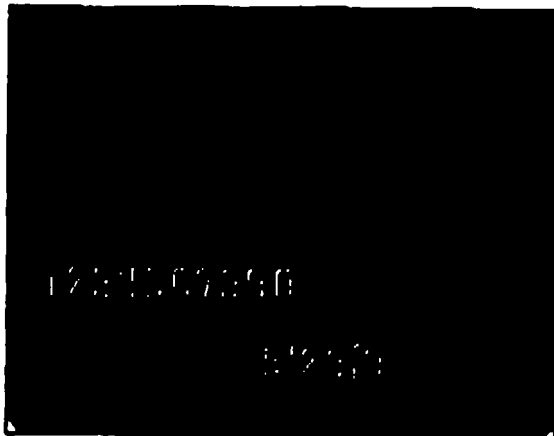
Social Security Administration



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Social Security Administration



The Central Features

- ▲ Payments to providers
 - ✓ based on outcomes
 - ✓ not on service provided
- ▲ Business risks are by providers
- ▲ Encourage different philosophies and methods.
- ▲ SSA is not to get into the rehab business.

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How The RTW Ticket is Used

- ▲ If deposited by the beneficiary and
- ▲ Accepted by a provider
- ▲ Contract
 - ✓ Pay provider 50% of benefits
 - ✓ 5 years, for each month the beneficiary works
 - ✓ The provider is to be paid nothing until and unless the beneficiary is back to work

The System is Voluntary

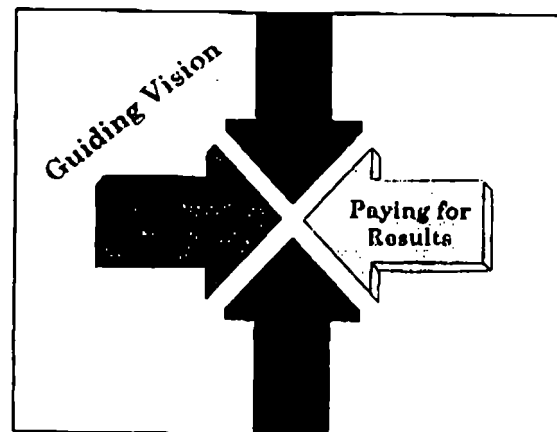
- No beneficiary need deposit the ticket.
- No provider need accept any ticket.
- Consumer is empowered in a most meaningful way.



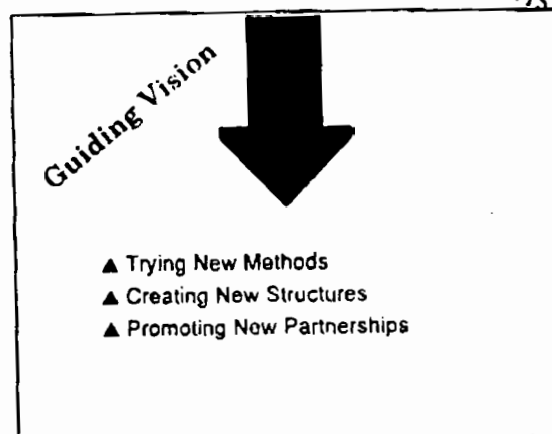
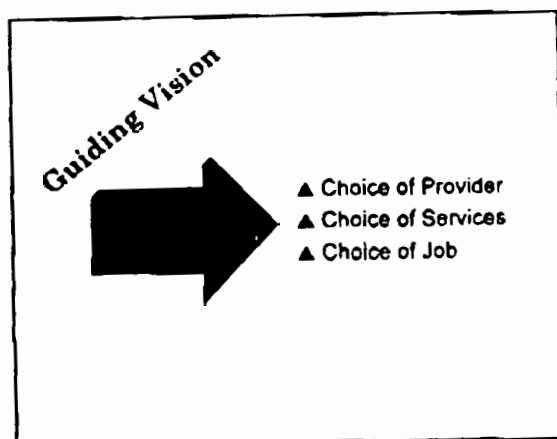
BUYING A TICKET

"Whether it's for a trip, a performance or a lottery, buying a ticket is a first step towards commitment to a journey, either physical or imaginary. It's the procurement of a passport, a decision to enter. It's an act that creates or defines possibilities and choices. It's the door to the avenue of delightful anticipation."

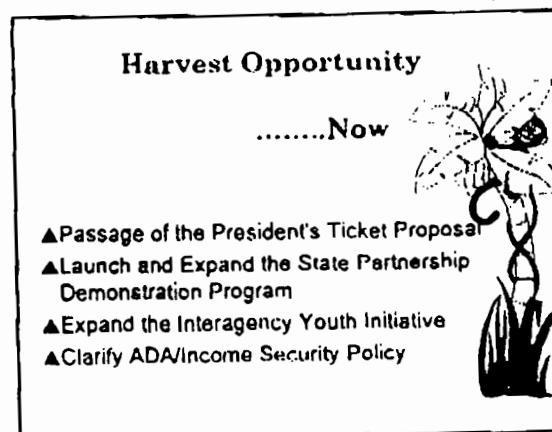
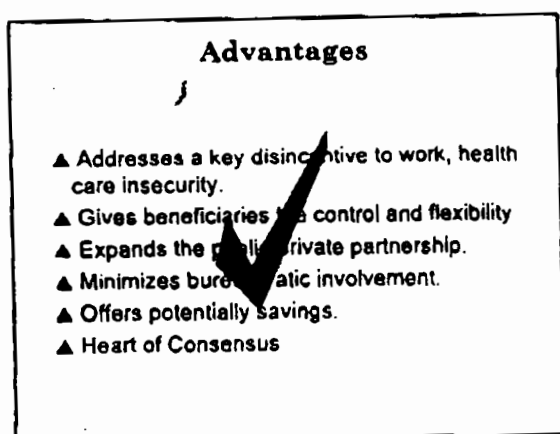
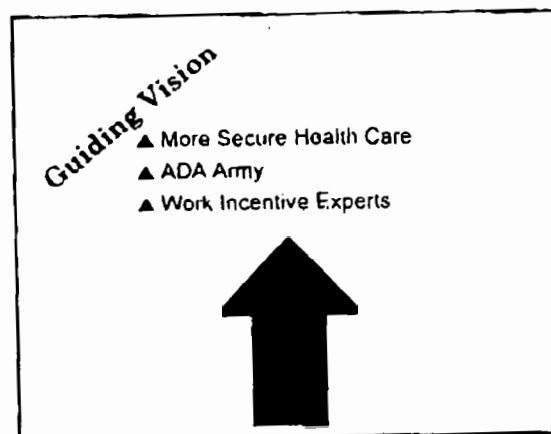
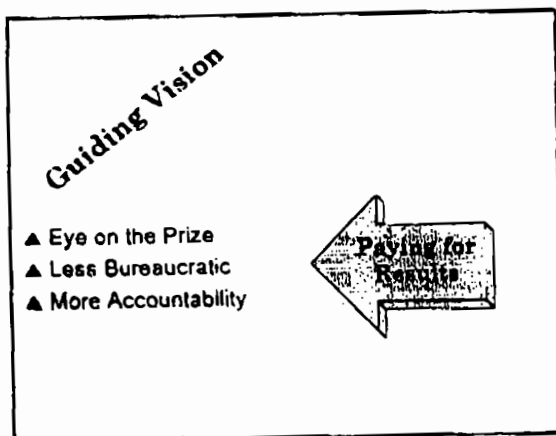
"Simple Pleasures."



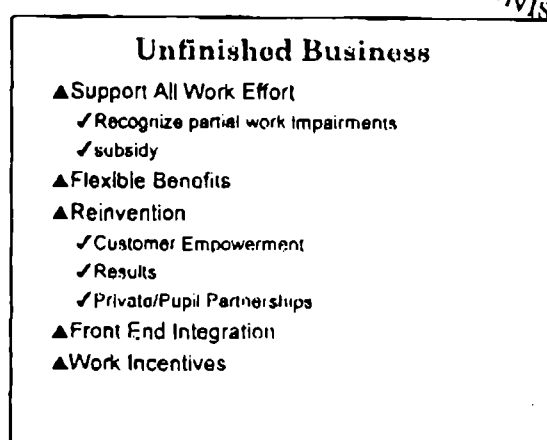
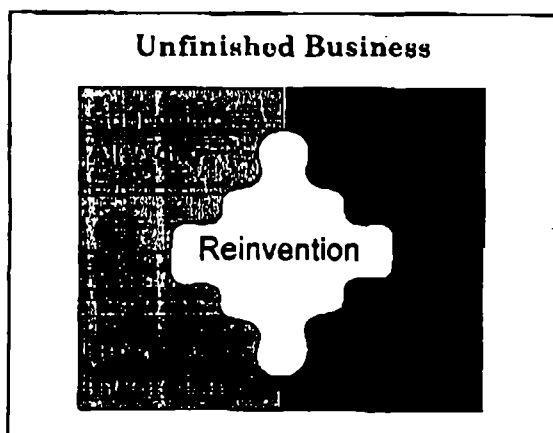
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Outline of Ray Uhalde's Remarks
To be presented at First Meeting of
President's Task Force for Promoting Employment of Persons with Disabilities

Education and Training Panel

April 22, 1998

Introduction

- Challenge is to bring excluded groups -- welfare recipients, older workers, disadvantaged adults, persons with disabilities -- into the workforce, equipped with the skills to meet the demands of today's labor market, given:
 - low unemployment, strong employment growth
 - projections of continued strong employment growth
 - rising skill levels required for many jobs, with many involving computer-related occupations and less dependent on manual skills
- Opportunity is changing nature of work leading to off-site work arrangements made available by tele-commuting and greater self-employment -- both of which can open doors for excluded groups, particularly persons with disabilities.

Current Programs

- DOL operates mainstream employment and training programs to provide skills to persons that are needed to obtain and keep meaningful employment, as well as assist in the matching of individual skills to job openings.
- Major employment and training programs in terms of administrative structure, eligibility requirements, and data on the provision of services to persons with disabilities are:
 - JTPA programs for adults and youth administered through State and local government (Titles II and III);
 - Employment Service/One-Stop system administered through State government;
 - Job Corps administered directly by DOL; and
 - Welfare-to-Work administered through a combination of formula allocations to State and local government and competitive grants to State and local govt.

- Major problems with respect to serving persons with disabilities are: (1) insufficient number of program participants; and (2) barriers to dealing adequately with needs of persons with disabilities.

Major Initiatives Underway

- Significant need to increase access to mainstream DOL programs for persons with disabilities and DOL has launched several initiatives to achieve this objective.
- Initiatives underway include:
 - One-Stop Disability Initiative aimed at increasing access to all JTPA programs;
 - Job Corps Disability Strategy for inclusion of individuals with disabilities;
 - Welfare-to-Work grant process open to organizations providing services to persons with disabilities;
 - Interagency workgroup, including DOL, Education/ RSA, SSA, and HHS, planning to provide financial support related to systems change grant proposals developed in coordination with them; and
 - Revitalization of DOL employment and training grant program with the intention that this grant program will be able to work in concert with other systemic efforts of Task Force partnership agencies.

Issues to Consider

- There are various short- and long-term issues that need to be addressed and resolved in order to improve the provision of employment and training services to persons with disabilities.
- (a). Short-term - The Task Force could provide input or direction related to ETA initiatives that are in-process or underway. For example:
- Assisting the implementation of the One-Stop Disability Initiative, facilitating interagency aspects of the Initiative, and identifying necessary resources to assist states in creating a fully accessible One-Stop infrastructure.
 - Having Task Force representation on the Job Corps workgroup carrying-out their disability strategic plan as points of expertise, advisors on expanding recruitment efforts, and to identify budget requirements for long-range improvements in accessibility of Job Corps Centers.

- Assess America's Labor Market Information technologies, such as America's Job Bank, Talent Bank, Career Net, etc., to ensure that these tools meet standards of accessibility for individuals with disabilities, and exploring feasibility for disability resume bank.
- (b). Long-term issues - The Task Force can do a great deal to help us indentify ways to increase participation of individuals with disabilities throughout all ETA programs, particularly in the area of identifying and obtaining resource requirements to implement changes. The Task Force can also assist ETA in:
- Reviewing all ETA programs for ways to increase participation of individuals with disabilities. For youth with disabilities this includes our JTPA Title II-C youth program, Job Corps, School-to-Work program, BAT programs and the possible "At Risk Youth" pilot program, among others.
 - Leveraging Welfare-to-Work systemic coordination and partnerships (e.g., transportation, housing, etc.) to serve more people with disabilities;
 - Assessing and determining feasible ways of inducing local workforce development service delivery systems to aggressively pursue inclusion of consumers with disabilities into the mainstream JTPA system.
 - Ensuring that local School-to-Work programs seamlessly integrate students with disabilities into local systems and avail them the same opportunities for workplace transition as those without disabilities;
 - Examining the extent to which Unemployment Insurance Claimants transition to Social Security Disability income supports and assessing methods of intervention and provision of employment opportunities;

Conclusion

- With unemployment levels at historic lows and technology creating new avenues of employment for individuals with disabilities who have the right types of skills, it is an important time to fully integrate this population throughout all ETA programs and I'm making a commitment to the Task Force that we will pursue this course over the long-term.
- In fact, current Senate workforce legislative proposals to forge stronger linkage with rehabilitation services is very consistent with our vision of integrated service delivery systems that have "no wrong doors."

- At the same time, while we are working together to include persons with disabilities into the mainstream employment and training programs, it is imperative that the Task Force address various issues associated with work disincentives for persons with disabilities, particularly access to health care that you heard testimony about earlier today.
- In the absence of fixing the very serious work disincentives that prevent persons with disabilities from seeking employment, our efforts to improve employment and training services for such individuals will be futile, in terms enhancing employment and economic opportunities for them.
- In order to impact long-term employment, it will also be necessary to identify 1) ways to transition youth with disabilities off SSI and into the world of work; 2) develop individual skills and employability through systems change and 3) develop methods of reaching individuals with disabilities before they enter public supports under SSI/SSDI.
- I am looking forward to working closely with the Task Force in achieving their objectives.

DRAFT - 4/14/98 - 5:00 p.m.

PRESIDENTIAL TASK FORCE ON EMPLOYMENT OF ADULTS WITH DISABILITIES

AGENDA

April 22, 1998

9:00 a.m. - 3:45 p.m.

The Great Hall

United States Department of Labor

Francis B. Perkins Building

200 Constitution Avenue, N.W.

Washington, D.C.

9:00 a.m. - 9:15 a.m. - Opening Remarks - Secretary of Labor Alexis M. Herman, Chair of the President's Task on Employment of Adults with Disabilities

9:15 a.m. - 9:30 a.m. - Remarks of Tony Coelho, Vice Chair of the President's Task on Employment of Adults with Disabilities

9:30 a.m. - 10:15 a.m. - Brief review by Task Force members of their Departments'/agencies' responsibilities and areas of concern and policy focus in supporting employment for individuals with disabilities.

3-5 min.
each

10:15 a.m. - 10:45 a.m. - Break

10:45 a.m. - 12:00 p.m. - Panel Discussion/Presentation - Health Care, PAS, Wrap-Around Services as Work Barriers

J

12:00 Noon - 1:00 p.m. - Break for Lunch

1:00 p.m. - 2:10 p.m. - Panel Discussion/Presentation - Education, Income Security Programs and Workforce Training Issues

2:20 p.m. - 3:10 p.m. - Panel Discussion/Presentation - Equal Employment Opportunities, Civil Rights, and Affirmative Action: Policy and Enforcement Issues for Adults with Disabilities ?

3:10 p.m. - 3:25 p.m. - Break

3:25 p.m. - 3:45 p.m. - Closing Session conducted by the Chair and Vice Chair - Discussion of Upcoming Task Force Work

Note: Anticipated audience size is 150 - 200.

Panel 3

Equal Employment Opportunities, Civil Rights, and Affirmative Action: Policy and Enforcement Issues for Disabled Adults - 2:20 p.m. - 3:10 p.m.

Ownership: Paul Miller, Liz Savage, Randy Cooper

- Panelists --

Bernard E. Anderson, AS, ESA/DOL
Paul Miller, Commissioner, EEOC
Bill Lann Lee, Assist. AG for Civil Rights/DOJ

- Discussion areas --

EEOC: Complaint process effect on backlog of ADA Title I complaints; estoppel; recent policy issuances (mental disability); conflicts with FLSA, FMLA or Workers Compensation laws/regulations; coordinated enforcement and litigation strategies between OFCCP and EEOC; recent and pending judicial decisions affecting employment.

DOJ: Constitutionality issues affecting employment; enforcement of ADA Title II affecting employment

DOL: Identifying systemic discrimination of adults with disabilities; Section 503 complaint process; coordinated enforcement and litigation strategies between OFCCP and EEOC; technical assistance to Federal contractors.