



It is Westside Regional Center's mission to empower people with developmental disabilities and their families to choose and access community services that facilitate a quality of life comparable to persons without disabilities.

Employment enables adults to lead independent and productive lives while contributing to their community.

Westside Regional Center is looking to partner with local businesses, community agencies and employers to this end.

Inside this booklet you will find information on:

- Tax Credits/Incentives- Resources to Save You Money for Hiring People with Disabilities
- Frequently Asked Questions about Disability Hiring
- Strengthening & Diversifying your Workforce Talent, Brand & Widening your Market Base
- Department of Labor Regulatory Compliance
- Employers and the ADA: Myths and Facts
- Resources to Assist Employers



Employment First is a national movement centered on the premise that all citizens, including individuals with significant disabilities, are capable of full participation in integrated employment and community life, resulting in increased community-based, integrated employment opportunities for individuals with significant disabilities.

Why partner with Westside Regional Center to hire people with disabilities? See below!

Tax Credits/Incentives- Resources to Save You Money

• **Work Opportunity Tax Credit (WOTC)**

Available to employers who hire individuals from certain targeted groups by offering them a federal income tax credit. The WOTC can reduce an employer's federal tax liability by up to \$9,600 per new hire.

• **Empowerment Zone/Renewal Community Tax Incentives**

Receive an incentive to retain or hire individuals who both live and work in an Empowerment Zone or a Renewal Community.

Receive annual tax credits up to \$3,000 per qualified employee in an Empowerment Zone and up to \$1,500 in a Renewal Community.

- **Disabled Access Credit**

Helps small businesses cover the cost of making their businesses accessible to persons with disabilities. The maximum amount of the credit is \$5,000.

- **Architectural and Transportation Tax Deduction**

Businesses may take an annual deduction of up to \$15,000 for expenses incurred to remove architectural and transportation barriers to persons with disabilities and the elderly.

Frequently Asked Questions about Disability Hiring:

Q: What is Disability?

A: Someone with a disability is any person who:

- has a physical or mental impairment which limits one or more major life functions;
- has a record of such an impairment; or
- is perceived as having such an impairment.

Q: Why hire people with disabilities?

A: There are many convincing reasons to hire people with disability. For one, individuals with disabilities, compared to non-disabled employees, generally have

equal or better job performance, lower absenteeism, lower turnover, better safety record, and in more cases, NO increase in insurance or Worker's Compensation rates.

The disabled population also includes many dedicated and committed employees. These individuals are proven survivors whose life experiences have endowed them with unique problem solving skills, the ability to successfully meet challenges, and to overcome adversity. These are the same qualities for which many corporations spend millions of dollars a year, in training and motivation programs, to try to teach their employees. The qualities that most employers are looking for dependability, initiative, reliability, good attendance and punctuality, efficiency, and helpfulness - are qualities possessed by many individuals with disabilities.

People with disabilities who are placed into gainful employment each year return more to the economy than was expended in restoring them to employment.

Q: What does "qualified individuals with disability" mean?

A: According to American Disabilities Act, the term "qualified individuals with a disability" means an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the employment position that such individual holds or desires.

Q: If I hire an employee with a disability, will it increase my workers' compensation insurance rates?

A: Insurance rates are based NOT on whether workers have disabilities, but solely on the relative hazards of the operation and the organization's accident experience.

Q: Do employees with disabilities have a higher absentee rate than employees without disabilities?

A: Studies show that employees with general disabilities are not absent any more than employee without disabilities.

Q: Are people with disabilities unable to tolerate stress on the job?

A: This myth over-simplifies the rather complex human response to stress. The sources of personal and job-related stress vary substantially from individual to individual. Some people may find an unstructured schedule to be very stressful, while others may find it stress-relieving.

Talent Lifecycle- Strengthen and Diversify your Workforce & Brand; Widen your Market Base:

Nearly 40% of employers are having challenges hiring qualified employees. As baby boomers retire, a systematic outreach to the disability community and to veterans with service related disabilities can help your company meet federal and state

compliance requirements and increase profitability, while supporting other key workforce objectives including productivity, engagement, diversity, inclusion, turnover, retention and morale.

Identify and source the right talent

- Assess your needs and talent expectations, and build a qualified candidate pool by connecting you with local and national partners.

Break down barriers in talent management systems and processes

- Applicant to Employee – Identify and implement key policies and processes to increase hiring, engagement and retention of talent.
- Work with your team to build on your current systems and processes, identify any potential barriers, and create workable solutions that enhance candidate quality and positive recruiting and hiring outcomes.

Strengthen your workforce through talent diversity

- Diverse talent strengthens innovation and engagement, and encourages new talent to join your team. The inclusion of employees with disabilities is an important element of an engaged workforce. Approximately 36 million people report having a disability, making disability one of the largest minority groups in the country and one that anyone can join at any time.

- Bring disability into your current diversity initiatives. Job seekers and employees with a disability cut across all demographics and represent a wide range of skills, education, knowledge and experience.

Support and educate your workforce and management teams through training and education:

- Help corporations through training for Human Resources, supervisors and co-workers. Customize best-practices in courses.

Market Reach

Recruitment and employment of people with disabilities can have a positive impact on both your brand as an employer and with your customers. Increase your customer base among a community with an annual buying power of over \$2 Trillion.

Your customers: Broaden and appeal to new market-base

- Brand loyalty! A global community of potential customers for your corporation, and many more who have a personal connection to someone with a disability.
- Position your brand in the disability community.
 - Communicate your disability inclusion efforts to the disability community. Disability perspective as part of your brand.

Your workforce: Strengthen or secure your talent brand.

- Build partnerships that connect employers and job seekers with a disability.
- Leverage an extensive network of public and private organizations and associations nationally to help you attract top talent and increase awareness of your organization’s disability inclusion initiatives.

Business Drivers

Impact Key Workforce Challenges

- Research confirms that employees with disabilities have lower rates of absenteeism and turnover than employees without disabilities – a direct correlation to achieving decreased recruiting & onboarding costs, increased revenue through retention of organizational knowledge and higher productivity.

Leverage Federal and State Hiring Incentives

- Identify and access federal and local workforce hiring and training incentives designed to support employers and employees in this journey.

Develop Metrics to Ensure Outcomes

- Work with your leadership to identify the appropriate data tracking methods and data collection points to demonstrate that hiring initiatives are creating demonstrable results for your business and brand.

US Department of Labor Regulatory Compliance

On March 24, 2014, The Office of Federal Contractor Compliance (OFCCP) began enforcing newly finalized regulations that for the first time required Federal Contractors to move beyond “Good Faith Outreach.” OFCCP has set a 7% goal by contractor location and job grouping.

Manage Changing Expectations

- Section 503 and 4212 Final Rules require outreach and recruitment and the demonstration of effective recruitment, hiring and retention for people with disabilities and veterans.
- Work with your organization to develop and implement plans in line with the new regulations and to ensure the accurate depiction of hiring efforts and identify barriers before an audit.

Identify and Address “Red Flags” Before OFCCP

- As new Affirmative Action Plans are created to add disability, work with your teams to target outreach in specific establishments and job groups to limit red flags that can initiate audits.
 - Entry level, high turnover positions are targets for potential statistically significant hiring rates.

Employers and the ADA: Myths and Facts

- The **Americans with Disabilities Act (ADA)** is a landmark federal law that protects the rights of people with disabilities by eliminating barriers to their participation in many aspects of living and working in

America. In particular, the ADA prohibits covered employers from discriminating against people with disabilities in the full range of employment-related activities, from recruitment to advancement, to pay and benefits.

The foundation for the ADA is America's promise of equal access to opportunity for all citizens.

- Being inclusive of people with disabilities — in recruitment, retention, promotion, and in providing an accessible environment — gives businesses a competitive edge. Below are some of the common myths about how the ADA affects employers and research and facts that negate them.

Myth: The ADA forces employers to hire unqualified individuals with disabilities.

Fact: Applicants who are unqualified for a job cannot claim discrimination under the ADA. Under the ADA, to be protected from discrimination in hiring, an individual with a disability must be qualified, which means he or she must meet all requirements for a job and be able to perform its essential functions with or without reasonable accommodations.

Myth: When there are several qualified applicants for a job and one has a disability, the ADA requires the employer to hire that person.

Fact: An employer is always free to hire the applicant of its choosing as long as the decision is not based on disability. If two people apply for a data entry position for which both speed and accuracy are required, the employer may hire the person with the higher speed and level of accuracy, because he or she is the most qualified.

Myth: The ADA gives job applicants with disabilities advantages over job applicants without disabilities.

Fact: The ADA does not give hiring preference to persons with disabilities.

Myth: Under the ADA, employers must give people with disabilities special privileges, known as accommodations.

Fact: Reasonable accommodations are intended to ensure that qualified individuals with disabilities have rights in employment equal — not superior — to those of individuals without disabilities. A reasonable accommodation is a modification to a job, work environment or the way work is performed that allows an individual with a disability to apply for a job, perform the essential functions of the job, and enjoy equal access to benefits available to other individuals in the workplace.

Myth: Providing accommodations for people with disabilities is expensive.

Fact: The majority of workers with disabilities do not need accommodations to perform their jobs, and for those who do, the cost is usually minimal. According to the Job

Accommodation Network (JAN), a service from the U.S. Department of Labor's Office of Disability Employment Policy, 57% of accommodations cost absolutely nothing to make, while the rest typically cost only \$500. Moreover, tax incentives are available to help employers cover the costs of accommodations, as well as modifications required to make their businesses accessible to persons with disabilities.

Myth: The ADA places a financial burden on small businesses that cannot afford to make accommodations for individuals with disabilities.

Fact: Businesses with fewer than 15 employees are not covered by the employment provisions of the ADA. Moreover, a covered employer does not have to provide a reasonable accommodation that would cause an "undue hardship." Undue hardship is defined as an action requiring significant difficulty or expense when considered in light of factors such as an organization's size, financial resources and the nature and structure of its operation.

Myth: ADA lawsuits are flooding the courts.

Fact: The majority of ADA employment-related disputes are resolved through informal negotiation or mediation. The Equal Employment Opportunity Commission (EEOC), which enforces the ADA's employment provisions, carefully investigates the merits of each case and offers many alternatives to litigation as a way to resolve any potential problem. The number of ADA employment-related cases, whether filed privately or by the

EEOC, represents a tiny percentage of the millions of employers in the U.S.

Myth: The ADA is frequently misused by people with vague complaints or diagnoses.

Fact: If an individual files a complaint of discriminatory treatment, denial of accommodation or harassment under the ADA and does not have a condition that meets its definition of disability, the complaint is dismissed. While claims by people with false or minor conditions may get considerable media attention, the reality is that these complaints are usually dismissed.

Myth: The ADA protects employees who have difficult or rude personalities or are troublemakers.

Fact: Improper behavior in and of itself does not constitute a disability, and having a disability does not excuse employees from performing essential job tasks and following the same conduct standards required of all employees. The courts have consistently ruled that "common sense" conduct standards, such as getting along with co-workers and listening to supervisors, are legitimate job requirements that employers can enforce equally among all employees.

Myth: Under the ADA, an employer cannot fire an employee who has a disability.

Fact: Employers can fire workers with disabilities under three conditions:

- The termination is unrelated to the disability or
- The employee does not meet legitimate requirements for the job, such as performance or production standards, with or without a reasonable accommodation or
- Because of the employee's disability, he or she poses a direct threat to health or safety in the workplace.

Resources to Assist Employers

A number of resources are available to assist employers in understanding their responsibilities under the ADA:

Job Accommodation Network (JAN)

www.AskJAN.org 1-800-526-7234 (V/TTY)

JAN is a free, confidential service from the U.S. Department of Labor's Office of Disability Employment Policy that provides individualized accommodation solutions and technical assistance on the ADA. Among the areas that JAN can address are:

Accommodation options and low-cost solutions

Hiring, retaining and promoting qualified employees with disabilities

Employer responsibilities under the ADA

Addressing accessibility issues, including accessible technology

Equal Employment Opportunity Commission (EEOC)

www.eeoc.gov 1-800-669-4000 (V); 1-800-669-6820 (TTY)

The EEOC enforces the ADA's employment provisions. The section of its Web site titled "Disability Discrimination" provides access to numerous publications, including several specifically designed to answer employer questions and concerns.

U.S. Department of Justice (DOJ) ADA Home Page

www.ada.gov 800-514-0301 (V); 800-514-0383 (TTY)

The ADA Home Page includes many excellent resources for employers. The "ADA Business Connection" section of the site includes business briefs and tax incentive information.

Americans with Disabilities Act National Network

www.adata.org 1-800-949-4232 (V/TTY)

The Americans with Disabilities Act National Network, sponsored by the U.S. Department of Education's National Institute on Disability, Independent Living, and Rehabilitation Research, consists of 10 regional centers and an ADA Knowledge Translation Center which provide ADA information, training and technical assistance across the nation.

Ongoing funding is available for disabled employee work placement, job coaching and support through regional centers, vocational rehabilitation and service provider agencies.



Association of Regional Center Agencies

For more information on Adult Employment Services & Supports, please contact Westside Regional Center at (310) 258-4000

(Sources: CA.gov, Dol.gov, Hire-Ability, Disability Solutions)