

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)—

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 hired through—

17 “(i) contracts and subcontracts  
18 awarded pursuant to chapter 85 of title  
19 41, United States Code;

20 “(ii) State set-aside contracts in-  
21 tended to support employment for individ-  
22 uals with disabilities; or

23 “(iii) other contracts subject to man-  
24 dated direct labor-hour ratio of persons  
25 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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