

117TH CONGRESS  
1ST SESSION

# H. R. 4762

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

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## IN THE HOUSE OF REPRESENTATIVES

JULY 28, 2021

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

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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 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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