

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding in Article 2 of Chapter 2 of Title 2.2 a section*
3 *numbered 2.2-203.2:3, relating to the Secretary of Administration; policy of the Commonwealth*
4 *regarding state employment of individuals with disabilities; report.*

5 [H 2425]

6 Approved

7 **Be it enacted by the General Assembly of Virginia:**8 **1. That the Code of Virginia is amended by adding in Article 2 of Chapter 2 of Title 2.2 a section**
9 **numbered 2.2-203.2:3 as follows:**10 ***§ 2.2-203.2:3. Policy of the Commonwealth regarding the employment of individuals with***
11 ***disabilities; responsibilities of state agencies; report.***12 *A. As used in this section, "state agency" means any agency, institution, board, bureau, commission,*
13 *council, or instrumentality of state government in the executive branch.*14 *B. It shall be the policy of the Commonwealth to promote and increase (i) the employment of*
15 *individuals with disabilities directly employed at all levels and occupations by state agencies,*
16 *institutions, boards, and authorities of the Commonwealth. To assist in achieving this policy, it shall be*
17 *the goal of the Commonwealth to increase by five percent the level of employment of individuals with*
18 *disabilities by the state by fiscal year 2023. The Secretary shall coordinate and lead efforts to achieve*
19 *the goals of the Commonwealth established by this section.*20 *C. To further this goal, the Commonwealth shall:*21 *1. Use available hiring authorities, consistent with statutes, regulations, and prior executive orders;*22 *2. Increase efforts to accommodate individuals with disabilities within state government employment*
23 *by increasing the retention and return to work of individuals with disabilities;*24 *3. Expand existing efforts for the recruitment, accommodation, retention, and advancement of*
25 *individuals with disabilities for positions available in state government;*26 *4. Designate senior-level staff within each state agency to be responsible for increasing the*
27 *employment of individuals with disabilities within the state agency; and*28 *5. Require state agencies to prepare a plan to increase employment opportunities at the agencies for*
29 *individuals with disabilities.*30 *D. Each state agency shall submit a plan to increase employment opportunities for individuals with*
31 *disabilities to the Secretary no later than December 31, 2017, and each July 1 thereafter. The Secretary*
32 *shall (i) establish guidelines regarding the development and content of state agency plans and (ii)*
33 *establish a reporting system for tracking and reporting the progress of state agencies toward meeting*
34 *the employment goals of the Commonwealth established by this section.*35 *E. All state agencies shall examine existing policies relating to the employment of individuals with*
36 *disabilities, including a review of recruitment efforts, interviewing criteria, testing procedures, and*
37 *resources to accommodate applicants and workers with disabilities.*38 *F. Nothing in this section shall be construed to require (i) the creation of new positions or the*
39 *changing of existing qualification standards for any position or (ii) any state employee or applicant for*
40 *state employment to disclose his disability status involuntarily.*41 *G. The Secretary, in collaboration with the Department of Human Resource Management, shall*
42 *develop an annual report on the number of individuals with disabilities directly employed by the state*
43 *agencies. The information shall be included in the annual demographic report of the Department of*
44 *Human Resource Management.*45 *H. The Secretary shall report on the progress of state agencies toward meeting the employment goals*
46 *of the Commonwealth to the Governor and the Chairmen of the House Committee on Appropriations*
47 *and the Senate Committee on Finance by July 1 of each year.*