

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 2.2-203.2:3 of the Code of Virginia, relating to the Secretary of*
3 *Administration; policy of the Commonwealth regarding employment of individuals with disabilities;*
4 *report deadline.*

5 [H 1098]

6 Approved

7 **Be it enacted by the General Assembly of Virginia:**8 **1. That § 2.2-203.2:3 of the Code of Virginia is amended and reenacted as follows:**9 **§ 2.2-203.2:3. Policy of the Commonwealth regarding the employment of individuals with**
10 **disabilities; responsibilities of state agencies; report.**11 A. As used in this section, "state agency" means any agency, institution, board, bureau, commission,
12 council, or instrumentality of state government in the executive branch.13 B. It shall be the policy of the Commonwealth to promote and increase the employment of
14 individuals with disabilities directly employed at all levels and occupations by state agencies,
15 institutions, boards, and authorities of the Commonwealth. To assist in achieving this policy, it shall be
16 the goal of the Commonwealth to increase by five percent the level of employment of individuals with
17 disabilities by the state by fiscal year 2023. The Secretary shall coordinate and lead efforts to achieve
18 the goals of the Commonwealth established by this section.

19 C. To further this goal, the Commonwealth shall:

20 1. Use available hiring authorities, consistent with statutes, regulations, and prior executive orders;

21 2. Increase efforts to accommodate individuals with disabilities within state government employment
22 by increasing the retention and return to work of individuals with disabilities;23 3. Expand existing efforts for the recruitment, accommodation, retention, and advancement of
24 individuals with disabilities for positions available in state government;25 4. Designate senior-level staff within each state agency to be responsible for increasing the
26 employment of individuals with disabilities within the state agency; and27 5. Require state agencies to prepare a plan to increase employment opportunities at the agencies for
28 individuals with disabilities.29 D. Each state agency shall submit a plan to increase employment opportunities for individuals with
30 disabilities to the Secretary no later than December 31, 2017, and each July 1 thereafter. The Secretary
31 shall (i) establish guidelines regarding the development and content of state agency plans and (ii)
32 establish a reporting system for tracking and reporting the progress of state agencies toward meeting the
33 employment goals of the Commonwealth established by this section.34 E. All state agencies shall examine existing policies relating to the employment of individuals with
35 disabilities, including a review of recruitment efforts, interviewing criteria, testing procedures, and
36 resources to accommodate applicants and workers with disabilities.37 F. Nothing in this section shall be construed to require (i) the creation of new positions or the
38 changing of existing qualification standards for any position or (ii) any state employee or applicant for
39 state employment to disclose his disability status involuntarily.40 G. The Secretary, in collaboration with the Department of Human Resource Management, shall
41 develop an annual report on the number of individuals with disabilities directly employed by the state
42 agencies. The information shall be included in the annual demographic report of the Department of
43 Human Resource Management.44 H. The Secretary shall report on the progress of state agencies toward meeting the employment goals
45 of the Commonwealth to the Governor and the Chairmen of the House Committee on Appropriations
46 and the Senate Committee on Finance by ~~July~~ September 1 of each year.

ENROLLED

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