



Information on Employing People with Disabilities For Small Employers*

A “Win-Win-Win” strategy.

Employing people with disabilities is good for the individual, the business and society.

*As of July 26, 1994, provisions of Title I of the Americans with Disabilities Act (ADA) pertaining to the employment of individuals with disabilities do not apply to private employers with less than 15 employees.

This fact sheet is not intended to address the many issues or ADA requirements an employer with 15 or more employees must legally comply with when hiring people with disabilities. It is intended to provide useful information for the smaller employer who may be considering hiring an individual with a disability.

Why Hire a Person with a Disability?

- It's ability, not disability, which counts.
- People with disabilities don't want special treatment, only an equal opportunity to do a job well and be successful.
- People with disabilities have equal or higher job performance ratings, higher retention rates and lower absenteeism.
- People with disabilities are already proven to have met and/or exceeded many challenges.
- People with disabilities are motivated by the desire to give something back, opportunities for personal growth, job flexibility and social inclusion.
- Businesses that hire and accommodate people with disabilities can receive special tax benefits.

Financial Incentives for Hiring People with Disabilities (Tax Credits and Deductions)

Work Opportunity Tax Credit (WOTC) - Provides 2 years of Federal tax credits on wages to businesses that hire individuals from targeted low-income groups. Group E includes persons with disabilities who are referred to an employer by a qualified rehabilitation program or qualified program for veterans. Group H includes individuals who are certified by a designated local agency as receiving Supplemental Security Income *Contact WOTC Center, Toll Free at (866) 593-0173*

Tax Deduction: Section 190 Internal Revenue Code

A maximum tax deduction of \$15,000 per year may be taken by a business of any size for the removal of architectural or transportation related barriers. The renovations must comply with applicable standards. <http://www.irs.gov>

Tax Credit (ADA) for Small Business - Businesses with less than 30 employees or \$1 million or less per year in total revenue can receive a tax credit for the cost of accommodations provided to an employee (or customer) with a disability. The credit covers 50% of eligible expenditures up to \$10,000 (max. credit per year of \$5,000). *Section 44 of the Internal Revenue Code*

When is a Person Considered Disabled?

There are differing technical definitions used by specific government agencies and programs, but in general the term applies to a person who either has, has a record of having or is regarded as having a physical or mental impairment that substantially limits one or more major life activity such as hearing, seeing, speaking, breathing, performing manual tasks, walking, caring for oneself, learning or working.

What Special Requirements Must Be Met?

There are no special requirements that must be met for small employers*. People with disabilities have the same basic needs as every other employee and need to be able to access the same facilities, equipment and services that other employees need to accomplish their job requirements. Employers are never expected to lower their standards or provide preferential treatment to employees with disabilities. Persons with disabilities should be qualified to do the job they are hired to do. The same rules should apply to every employee regarding safety, attendance, work ethic, and the quantity and quality of work that is produced.

What is a “Reasonable Accommodation”?

A reasonable accommodation is any modification or adjustment to a job or the work environment that will enable a qualified applicant/employee with a disability to participate in the application process or to perform essential job functions. It also includes adjustments to assure that a qualified individual with a disability has rights and privileges in employment equal to those of employees without disabilities. Although the ADA rules do not apply to small employers*, information and technical assistance are still available to small employers. *ADA-Accommodations, accessibility, general information, 800-514-0301(voice), 800-514-0383(TDD), <http://www.ada.gov>*

There are several programs available to persons with disabilities that can help provide specialized assistive equipment and services at no cost to the employer. *For more information contact the Calif. Department of Rehabilitation. (916) 263-8687 (Voice), (916) 263- 8944 (TTY) <http://www.rehab.cahwnet.gov/>*

Finding Qualified Applicant's to Hire.

Ticket to Hire is a free national referral service for employers. <https://www.socialsecurity.gov/work/>. Your local Calif. Dept. of Rehabilitation office can also help with qualified referrals. www.rehab.cahwnet.gov/.