

(6.02) Equal Employment Opportunity - The Handicapped

(a) Background

1 P.L. 80-617, approved June 10, 1948, amended section 2 of the Civil Service Act, in part, as follows:

"...no person shall be discriminated against in any case because of any physical handicap, in examination, appointment, reappointment, reinstatement, reemployment, promotion, transfer, retransfer, demotion or removal, with respect to any position, the duties of which, in the opinion of the Civil Service Commission, may be effectively performed by a person with such a physical handicap: and provided further that such appointment shall not be hazardous to the appointee or endanger the health or safety of his fellow employees or others."

2 Legislation dealing with veterans preference provides for waivers of physical requirements for veterans who can perform the duties of given jobs efficiently.

3 By Presidential letters in 1949 and 1952, the President's Committee on Employment of the Physically Handicapped was established to carry on promotional activities through Governors' committees in the States and Territories and in the District of Columbia. An Executive order in 1955 established an Advisory Council to the President's Committee.

4 The Chairman of the U. S. Civil Service Commission serves as a member of the Council as well as the Committee itself.

5 In the White House policy statement of September 1961, concerning employment and utilization of the physically handicapped in the executive branch of the Federal Government, the President specifically charged all levels of administration and supervision with responsibility for implementation of the policy.

6 In a special message to Congress on February 5, 1963, the President proposed a broad national program designed to direct our national efforts to alleviating the problems of the mentally retarded. He urged that we promote and insure full consideration of the mentally retarded for employment in positions when the performance requirements can be modified to take advantage of their abilities without any detriment to the Federal service.

7 To achieve these goals the Commission modified its regulations (paragraph 213.3102 (t)), to facilitate the use of Schedule A authority for appointment of this group of applicants.

8 P.L. 87-614 authorizes the employment of reading assistants for blind employees "without regard to the Civil Service laws and the Classification Act of 1949, as amended." The procedures under this act, which are unique, are described in FPM chapter 930, subchapter 6.