

JOTF JOB OPPORTUNITIES TASK FORCE

Advocating better skills, jobs, and incomes

TESTIMONY IN SUPPORT OF HOUSE BILL 312:

Reasonable Accommodations for Applicants with Disabilities

TO: Chairman Derrick E. Davis, and Members of the Economic Matters Committee

FROM: Derrell Frazier, Policy Advocate

DATE: February 11, 2020

The Job Opportunities Task Force (JOTF) is an independent, nonprofit organization that develops and advocates policies and programs to increase the skills, job opportunities, and incomes of low-skill, low-wage workers and job seekers in Maryland. We support House Bill 312 as a means to remove barriers and increase investments in low-wage workers and workers with disabilities to employment.

It is well known that disabled persons are less likely to be employed than non-disabled persons, and if employed, to earn lower wages. In 2017, 16.9 percent of disabled men and 18.3 percent of disabled women in the U.S. we're seeking employment but was unsuccessful. Unemployment rates amongst non-disabled workers we're lower compared to disabled workers. The average wages earned by disabled workers compared to non-disabled workers were sixteen percent less. Scholars have debated the many reasons that this is currently an issue. The elimination of productivity-related wage differentials requires investment in rehabilitation and training. Employment discrimination should not occur because they are unaware of the capabilities of disabled people. Everyone deserves access to economic opportunities and livable wage jobs.

Current law allows state policy to assure that all persons have equal opportunity in employment and in all labor management-union relations. As such, discrimination in employment is prohibited on the basis of race, color, religion, ancestry or national origin, sex, age, marital status, sexual orientation, gender identity, or disability (unrelated in nature and extent so as to reasonably preclude the performance of the employment).

HB 312 seeks to prohibit an employer from failing or refusing to make a reasonable accommodation for the known disability of an otherwise qualified applicant through adjustments of the employment application process. The bill specifies examples of adjustments to the employment application process, including allowing alternatives to on-line applications. An employer is not required to accommodate the disability of a qualified applicant if the accommodation would cause undue hardship on the conduct of the employer's business.

For those reason, we urge a **FAVORABLE** vote on HB 312.

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