Recruit & Hire

Disabled Veterans

The ADA requires employers to ensure that online job announcements, recruiting information, and application processes are accessible to individuals with disabilities, including applicants who have service-connected disabilities. There are also a number of steps an employer can take to recruit and hire veterans with disabilities:

- Be sure to state on your advertisement or vacancy that FAU is an equal opportunity/equal access institution and that individuals with disabilities, including “disabled veterans” or veterans with service-connected disabilities, are encouraged to apply;
- Make written recruiting materials, such as application forms and brochures available in alternate formats;
- Send vacancy announcements to, and ask for referrals from, government, community, military organizations, and career centers that train and/or support veterans with disabilities;
- Post advertisements and vacancy announcements in publications for veterans;
- Attend job fairs and use online resume databases that connect job-seeking veterans with civilian employers;

Remember to make sure there is nothing in a job announcement or on an application form that would discourage anyone with a disability from applying. For example, a vacancy announcement should not describe how a function “must” be performed (e.g. “requires extended standing”) since reasonable accommodations can assist in performing a function in a different way.

Family Video to Pay $70,000 to Settle EEOC Disability Discrimination Suit

The U.S. Equal Employment Opportunity Commission (EEOC) filed a consent decree resolving a disability discrimination lawsuit brought against Family Video Movie Club, Inc., known as Family Video. Family Video is the largest privately-owned movie and game retailer in the United States with more than 7,000 employees.

EEOC and Family Video entered into a three-year consent decree resolving the lawsuit that has been submitted to U.S. District Court Judge Richard J. Arcara for approval. As part of the consent decree, Family Video has agreed to pay Spoonley $70,000 in monetary relief. The consent decree also enjoins Family Video from engaging in further disability discrimination or retaliation, and requires Family Video to hire an equal employment opportunity (EEO) coordinator to implement discrimination policies and procedures, provide training, monitor and investigate discrimination complaints.

The suit, brought under the Americans with Disabilities Act (ADA), alleges Family Video subject ed Jeffrey Spoonley, a sales associate with major depression and social anxiety disorder, to harassment because of his disability, and terminated him after he complained of the harassment.

Elizabeth Grossman, the EEOC’s regional attorney for the New York District Office, said “Employers cannot harass, discriminate or fire employees with disabilities based on perceptions or prejudice. The EEOC will continue to vigorously enforce federal law by prosecuting companies which discriminate by firing workers because of their disabilities or retaliate against employees who complain about such discrimination.”

Reprint from EEOC Press Release (3-14-12)
As of February 12, 2012, the EEOC extended the same recordkeeping requirements as currently exist under Title VII and the ADA to GINA (Genetic Information Nondiscrimination Act). Specifically, the following steps will be required for purposes of compliance with GINA:

- All employment and personnel records must be kept for a period of one year from the date the record is made or the personnel action is taken, whichever is later. In the case of an involuntary termination, the employer must keep employment records for a period of one year following the termination.
- For records relating to a discrimination charge filed with the EEOC, or a civil action under GINA brought by the EEOC or the Attorney General, the employer must preserve all employment records relevant to the EEOC charge or action until its final disposition.

The new rule does not impose any reporting requirements under GINA. These new recordkeeping obligations go into effect on April 3, 2012.

South Florida Congressman Allen West has found a new battleground for fighting federal rules: the swimming pools and hot tubs in local communities, hotels and resorts. The Sun Sentinel reports that at the behest of the hotel industry, West and some fellow Republicans are trying to fend off what they consider a costly requirement that all public pools and spas be made accessible to the disabled by installing a permanent lift. Some public pools are scrambling to meet the May 21 deadline before facing fines of up to $55,000, but pressure from Congress and the industry prompted the Justice Department to propose delaying the rule until September 17. Advocates for the disabled are pushing hard against a delay so that those who need a lift are not excluded through another summer vacation season.

Congressman West, is reported to have called it “another example of the bureaucratic nanny-state” imposing rules without considering the cost and warned that some owners may close pools rather than risk fines. Defenders of the rule call it a vital step in the long historic struggle against discrimination and exclusion from swimming pools.

This article is a partial reprint from SunSentinel.com By William Gibson, April 1, 2012.

Involved in a traumatic farming accident at the age of eight years old, Jeff Glasbrenner became a below-the-knee amputee. Most people might see this as a tragedy but Jeff saw it as an opportunity to embrace, not a tragedy to regret.

Today Jeff is a World Record holder for points scored in a single wheelchair basketball game. In the 2004 National Championship game, he scored 63 points and pulled down 27 rebounds. He is a two-time World Champion, three-time Paralympian (2000, 2004, 2008), four-time National Champion and Euro cup Champion.

Jeff is also a public speaker and available for team-building events. Jeff Glasbrenner is this quarter’s profile—Without Limitations!