

Paperwork Reduction Act
Submission:
Supporting Statement for the Office
of Disability Employment Policy
(ODEP)

Survey of Employer Policies on the
Employment of People with
Disabilities, OMB No. 1230-0NEW

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OMB SUPPORTING STATEMENT PRA PART A

Survey of Employer Policies on the Employment of People with Disabilities

A.1 Circumstances Necessitating the Information Collection

Labor laws prohibit employer discrimination of individuals with disabilities and promote their employment. The Americans with Disabilities Act (ADA) requires reasonable accommodations such as providing or modifying devices; job restructuring; part-time or modified work schedules; reassignment to a vacant position; adjusting or modifying exams, training materials, or policies; providing readers and interpreters; and making the workplace readily accessible for individuals with disabilities (U.S. Equal Employment Opportunity Commission (EEOC), 2005). Having a disability can incur extra expenses, which strains already meager economic resources. For this reason, policies such as the Stephen Beck, Jr., ABLE Act of 2014 offer tax breaks to individuals with disabilities to help pay disability-related expenses. Employers can also deduct some of their expenses in making accommodations to their business as well as take advantage of tax credits for targeted groups, which include individuals with disabilities. The employer may use the benefit if the worker was referred by vocational rehabilitation or has received Supplemental Security Income (SSI) in the preceding 60 days before being hired (Employment and Training Administration (ETA)).

Despite these laws, people with disabilities face economic disadvantages. For example, the average income of individuals with disabilities is more than a third lower than that of their peers without disabilities, with median incomes of \$20,815 and \$31,425, respectively. Further, individuals with disabilities are almost twice as likely to be below the poverty level as compared to those without disabilities (21.5% versus 12.5%). This difference in poverty rates is also observed in the percentage of people with and without disabilities with income between 100 and 150 percent of the poverty line (14.1% versus 8.1%) (U.S. Census Bureau, 2014). The difference in economic status is due at least in part to the lower employment rate of people with disabilities. The labor force participation rate of people with disabilities age 16 and older is 20.0 percent as compared to 68.4 percent for their peers without disabilities. Additionally, in November of 2016, the unemployment rate for people with disabilities was 10.0 percent, which is over twice the unemployment rate (4.2%) of those without disabilities (U.S. Bureau of Labor Statistics, 2016).

DOL's Office of Disability Employment Policy (ODEP) works to enhance employment of individuals with disabilities. ODEP recently funded two studies to better understand employer concerns with regard to workers with disabilities. The first study, the 2008 ODEP Survey of Employer Perspectives on the Employment of People with Disabilities (OMB 1230-0005, expiration 10/31/2010), was a nationally representative telephone survey of senior executives in 12 industry sectors. The study indicated that less than 20 percent of companies employed people with disabilities and that health care costs, workers compensation costs, and fear of litigation were more likely to be challenges for small and medium companies than for large companies.

The second study included focus groups with business leaders to develop an employer engagement strategy based on a marketing framework to address underlying biases and cultural stereotypes toward those with disabilities. Under authority of Appendix A-HR 5656 of Public Law 106-554 (the Consolidated Appropriations Act, 2001) and in support of ODEP's mission, the Chief Evaluation Office (CEO) seeks to survey employers to better understand their current policies and attitudes related to employees and job seekers with disabilities.

A.2 Purpose and Use of the Information Collection

The CEO of the US Department of Labor contracted with Westat to conduct the 2018 Survey of Employer Policies on the Employment of People with Disabilities. The survey will provide employer perceptions of their efforts to employ individuals with disabilities as well as their attitudes toward people with disabilities. Knowing this information will enhance ODEP's ability to engage employers on how to hire, retain and promote individuals with disabilities through its public education campaigns and technical assistance centers and to provide guidance to groups that advocate for employment of persons with disabilities.

Overview of Evaluation

The evaluation research questions are as follows:

- Current practices and attitudes
 - What are the current practices, policies, attitudes, and beliefs of employers related to employees and job seekers with disabilities?
 - What are the views of employers regarding disability employment's¹ impact on sales, revenues, and customer service/satisfaction?
 - Do employers' practices, policies, and attitudes vary by employer characteristics? If so, how do they vary and why?
- Barriers and facilitators
 - What are the perceived successes and challenges employers experience with recruitment, retention, and advancement of people with disabilities (hereafter referred to as disability employment)?
 - What are employers' perceived best practices regarding disability employment?
- Accommodations and technology
 - How do employers perceive that technology has changed employer policies and practices in disability employment and in understanding and providing reasonable accommodations where and when necessary?
- Information flow

¹ Disability employment is defined as the employment of people with disabilities

- What information do employers receive about disability employment policies and “best” practices and how (mode) do they receive such information?

Few of the topics/questions from the 2008 survey will be repeated in the 2018 survey. The 2018 survey is a largely distinct effort that explores new topics not asked about in 2008. Table 1 provides a crosswalk of topics/questions in the 2008 and 2018 surveys. The questions that will be repeated are on the topic of employees with disabilities and include whether the company has any employees with disabilities, recently hired an employee with a disability, and actively recruits people with disabilities and recruitment sources. The questions about attitudes toward hiring, retaining, and advancing individuals with disabilities will also be repeated but have been changed to reflect more recent literature on employer attitudes.

New topics/questions in 2018 include the reasons for not hiring individuals with disabilities, success in retaining and promoting individuals with disabilities, strategies used for hiring, retaining, and advancing employees with disabilities (e.g., workplace flexibility, return to work programs) and issues related to hiring veterans with disabilities. These questions were added because ODEP is interested in understanding how the disability employment landscape may have changed since 2008.. After the 2008 survey, ODEP made a concerted effort to provide technical assistance to employers through its Employer Assistance & Resource Network (EARN) on Disability Inclusion TA Center, a collaborative that researches and collaborates with employers to develop and implement inclusive employer practices and policies that enhance employment outcomes for workers with disabilities. ODEP also shared the 2008 survey findings with its Job Accommodation Network (JAN) TA center, a source of free, expert and confidential guidance on workplace accommodations and employment issues related to the hiring and employment of people with disabilities. ODEP worked with JAN to develop additional guidance for employers to assist in addressing concerns regarding health care costs, workers compensation costs, and fear of litigation among small to medium companies. Additionally, in 2014, ODEP funded the community college career pathways demonstration grants to ensure students with disabilities are trained in specific high demand careers to meet the needs of employers.

In 2013, after the 2008 survey was conducted, the U.S. Department of Labor’s Office of Federal Contract Compliance Programs published a Final Rule in the Federal Register that made changes to the regulations implementing Section 503 of the Rehabilitation Act of 1973, as amended (Section 503) at 41 CFR Part 60-741. Section 503 prohibits federal contractors and subcontractors from discriminating in employment against people with disabilities, and requires these employers to take affirmative action to recruit, hire, promote, and retain these persons. The new rule strengthens the affirmative action provisions of the regulations to aid contractors in their efforts to recruit and hire people with disabilities, and improve job

opportunities for people with disabilities. The new rule also makes changes to the nondiscrimination provisions of the regulations to bring them into compliance with the ADA Amendments Act of 2008.

ODEP has seen a significant increase in requests for technical assistance from employers since Section 503 was amended and an aspirational hiring goal of 7% for people with disabilities set for federal contractors. ODEP implemented a special TA initiative to support employers in implementing the amended Section 503. In addition, the past decade has seen many changes in the workplace including the addition of advanced technologies and related flexibilities. ODEP expects the new survey to shed light on the impact of these regulatory and technological changes. Such information would assist ODEP in identifying the changing needs of both employers and employees with disabilities, and ODEP will modify the contents of its technical assistance accordingly. In addition, ODEP will also use this information to develop new demonstration projects to test effective practices in disability employment.

Comparisons between the 2008 and 2018 surveys can be made on the percentage of employers who have employees with disabilities, recently hired an employee with a disability, and those who actively recruit people with disabilities and their recruitment sources. These are the key metrics for measuring progress toward more participation in the labor force by people with disabilities and thus are important to track over time. While employer attitudes toward hiring, retention, and advancement were asked in both years, these questions cannot be compared due to changes in the item wording.

Table A.2.1. Crosswalk of Topics and Questions: 2008 and 2018 Surveys

	2008 Survey	2018 Survey
Employees with Disabilities		
Any employees with a disability	X	X
Number of employees with a disability	X	
Percent of employees with a disability		X
Recently hired an employee with a disability	X	X
Reasons for not hiring		X
Actively recruit individuals with a disability	X	X
Recruitment sources	X	X
Information needed to persuade to hire	X	
Hiring, Retention, and Advancement		
Success in retaining employees with disabilities		X
Success in promoting employees with disabilities		X
Attitudes toward hiring, advancing, and retaining	X	X
Resources needed to better hire, advance, and retain	X	
Strategies used to hire		X
Strategies used to advance		X
Strategies used to retain		X

Accommodations

Data collection on accommodations	X	
Perceived benefits of accommodations		X

Information sources

Aware of ODEP TA Centers, One Stops, etc.	X
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Veterans Issues

Ever hired a Veteran with a disability		X
Perceived barriers to hiring Veterans with disabilities		X

To address the research questions, the study will include three data collections: (1) a telephone survey of employers similar to the 2008 survey, (2) qualitative telephone interviews with Human Resources (HR) managers from a subsample of employers, and (3) six case study site visits at companies demonstrating experience with disability employment to develop a nuanced understanding of how disability employment processes are implemented and managed in companies, as well as explore barriers to implementing and managing disability employment processes. Table A.2.2 provides a detailed summary of which data sources will be used to answer the research questions.

Table A.2.2 Data Sources for Research Questions

Research questions	Data Source		
	Telephone survey with HR manager	Qualitative interviews with HR managers	Case Studies
What are the current practices, policies, attitudes, and beliefs of employers related to employees and job seekers with disabilities?	✓	✓	✓
What are the views of employers regarding disability employment’s role/connection with sales, revenues, and customer service/satisfaction?	✓	✓	✓
Do employers’ practices, policies, and attitudes vary by employer characteristics? If so, how do they vary and why?		✓	
Barriers and facilitators			
What are the perceived successes and challenges employers experience with recruitment, retention, and advancement of people with disabilities (hereafter referred to as disability employment)?		✓	✓
What are employers’ perceived best practices regarding disability employment?		✓	✓
Accommodations and technology			
How do employers perceive that has technology changed employer policies and practices in disability employment and in understanding and providing reasonable accommodations where and when necessary?	✓	✓	✓
Information flow			
What information do employers receive about disability employment policies and “best” practices and how (mode) do they receive such information?	✓	✓	✓

A.2.2 Telephone Survey with Employers (Employer Survey)

For the Employer Survey, the lead manager for HR will complete a 20-minute computer-assisted telephone interview (CATI). This survey will cover topics such as company policies and practices, successes and challenges of disability employment, information on employment policies and best practices, use of technology and accommodations, and perceived impacts of disability employment on sales, revenues, and customer service/satisfaction. We will analyze these data to provide a picture of current practices and attitudes and the information that companies receive and use.

The telephone survey with employers will include a methods experiment in the ‘Attitudes’ section. In the literature on employers and disability employment, employers report mostly positive attitudes towards hiring individuals with disability, whereas actual rates of disability employment remain low. Researchers hypothesize that social desirability bias or response bias may be responsible for this discrepancy; that is, on average, employers’ attitudes are less positive than survey responses suggest (Kay, Jans, & Jones, 2011). The methods experiment in the employer survey attempts to provide select employers with the opportunity to provide more socially undesirable responses about their attitudes by using two different strategies that the literature suggests may elicit more honest responses but which have not been tested in this context: forgiving wording and ordering of response categories. Forgiving wording involves manipulating the question stem to “forgive” the behavior or attitude in question such as by taking an “everybody-does-it” approach or signaling that the interviewer appreciates the behavior or attitude (Tourangeau et al., 2007; Holtgraves et al., 1997). A second strategy is to order the response categories such that the more socially undesirable response option is read first (Sudman and Bradburn, 1982). Question 27 asks employers whether their company has certain concerns about hiring people with disabilities. A factorial design will be used in which four version of the question stem are used as indicated below. Italics have been added for emphasis but will not appear in the survey as it is a CATI survey:

Group 1: How much of a concern are the following factors to your company in hiring people with disabilities? I would like you to say whether it is not a concern, somewhat a concern, or a major concern. (No forgiving wording, no response ordering)

Group 2: *Many employers have concerns about hiring people with disabilities, such costs of accommodation or absenteeism.* How much of a concern are the following factors to your company in hiring people with disabilities? I would like you to say whether it is not a concern, somewhat a concern, or a major concern. (Forgiving wording, no response)

Group 3: How much of a concern are the following factors to your company in hiring people with disabilities? I would like you to say whether it is *a major concern, somewhat a concern, or not a concern.* (No forgiving wording, response)

Group 4: *Many employers have concerns about hiring people with disabilities, such costs of accommodation or absenteeism.* How much of a concern are the following factors to your company in hiring people with disabilities? I would like you to say whether it is a *major concern, somewhat a concern, or not a concern.* (Forgiving wording, response)

Respondents will be randomly assigned to receive each of the question stems.

A.2.3 Qualitative Interviews with HR Managers

We will collect qualitative data from companies through interviews with HR managers. We will analyze the survey of HR managers to identify employers with strong disability employment practices. We will then purposefully select a subsample of high performers and interview mid-level managers from those companies to collect more in-depth information. We will determine if there are certain practices present among high performers that suggest these practices are associated with successful disability employment programs.

We expect 90 respondents to complete qualitative interviews. Each interview will last approximately 45 minutes.

A.2.4 Case Study Site Visits

The purpose of the case studies is to develop a nuanced understanding of how disability employment processes are implemented and managed in companies. We will also explore barriers to implementing and managing disability employment processes. We will sample views of individuals across the spectrum of involvement in disability employment, including: Human Resource (HR) managers, supervisors, disabled employees, colleagues of disabled employees, and senior leadership tasked with creating diversity and inclusion policy. Questions will focus on the life cycle of disability employment. We will ask interviewees to reflect on actual experiences with disability employment, and how they practice company policies. Appropriate to the role of the interviewee, we will ask about the following disability employment processes:

- Sources of information about disability employment
- Recruitment and hiring of employees with a disability
- Accommodations
- Supervision
- Retention and promotion
- Discipline, dispute resolution, and termination
- Company climate and culture
- Costs of disability employment
- Benefits of disability employment

Two data collectors will undertake a site visit to each company to conduct interviews and observe the company culture and climate pertaining to disability employment. Each site visit will last no longer than 2 days. Each interview will last 20-30 minutes.

A.3 Use of Improved Information Technology and Burden Reduction

There is no available technology per se that will limit respondent burden for the employer telephone survey. Though use of electronic media to conduct the surveys is possible, it would not be appropriate with senior level industry executives. The proposed telephone survey will be brief (20 minutes). The survey will be conducted over the telephone, using Computer Assisted Telephone Interviewing (CATI), and many of the questions are closed-ended to further reduce respondent burden. Respondents' names and telephone numbers will be downloaded into the CATI sample management software module. Survey data are entered directly into the CATI system as the telephone interview is taking place. The use of CATI enables precise sample management and fast turnaround of data.

A.4 Identification of Duplication of Information Collection Efforts

Every effort has been made to avoid duplication of collection efforts. This effort does not duplicate information already collected by ODEP, nor does it duplicate information currently being collected by other programs. The study builds on the two studies previously conducted by ODEP to better understand employer concerns with regard to workers with disabilities (see A.1). There is no current information available elsewhere that can be used to provide employer perceptions of their efforts to employ individuals with disabilities as well as their attitudes toward people with disabilities. Efforts to identify duplicate sources of information included a review of recent literature and surveys.

A.5 Impact on Small Businesses or Other Small Entities

Since some of the data collection respondents will be small businesses, the study team streamlined the data collection process to minimize the impact of this process on small businesses. The employer telephone survey will last for only 20 minutes and respondents will have the option to be called back at a more convenient time. HR Managers that participate in the in-depth interviews will be contacted ahead of time to schedule the interview at a convenient time for them. The case study site visits will be scheduled with participants in advance at a time that is convenient, and the study team will ensure that the visit is efficient and productive.

A.6 Consequence to Federal Proposal or Policy if Collection is not Conducted

This data collection will inform ODEP in developing and promoting policies and effective practices to encourage and support employers in recruiting, hiring, retaining and advancing persons with disabilities. Without the information provided by this survey, ODEP will be limited in their ability to develop appropriate supports for potential employers of persons with disabilities. If this information is not collected, ODEP will lack information on the needs and concerns of potential employers of people with disabilities in high growth industries. With this information, ODEP can better formulate targeted strategies and policies for increasing the

employment of persons with disabilities, which is critical to ODEP's mission. The survey scope and burden have been reduced as much as possible without sacrificing the statistical value of the information to be collected.

A.7 Special Circumstances Relating to the Guidelines of 5 CFR 1320.5

There are no special circumstances relating to the general requirements cited in 5 CFR 1320.5. This request fully complies with 5 CFR 1320.5.

A. 8 Federal Register Notice

A.8.1 Federal Register Notice and Comments

DOL published a 60-Day *Federal Register* Notice on May 23rd, 2017, Volume 82, Number 98, pages 23605-23607 to allow the public comments. No public comments were received. A copy of this notice is included in this package.

A.8.2 Consultations Outside the Agency

The following people were consulted in developing the study design.

Technical Working Group

- Jason Bryn, BAE Systems
- Bob Fay, Ph.D., Westat
- Ellen Galinsky, Families and Work Institute
- Lori Golden, Ernst and Young
- Andrew Houtenville, Ph.D., University of New Hampshire
- Peter Rutigliano, Ph.D. Sirota Consulting
- Zary Amirhosseini, Massachusetts General Hospital

A. 9 Payment or Gifts to Respondents

No payments or gifts will be provided to respondents.

A. 10 Assurance of Privacy

Terms of the DOL contract authorizing data collection require the contractor to maintain the privacy of all information collected, unless written permission is provided by the respondent. Privacy is an important part of the study design. A pledge of privacy is a major positive incentive for potential respondents to participate in the study. Its absence would be a significant deterrent and could create complications in implementing the study. The study contractor will protect personal information in accordance with Federal and state laws and contractual requirements. The contractor will take the following precautions to ensure the privacy of all data collected:

- All contract staff, including analysts, coders, editors, and keypunchers, will be instructed in the privacy requirements of the study and will sign statements affirming their obligation to maintain privacy;
- Information will be reviewed and data will be cleaned only by the contracted staff;
- Data files that are delivered will contain no personal identifiers for program participants; and
- Analysis and publication of study findings for the participant survey will be in terms of aggregated statistics only.

All contracted staff must sign a privacy agreement. This agreement requires the signer to keep private any and all information about individual respondents to which they may gain access. Any contractor employee who violates this agreement is subject to dismissal and to possible civil and criminal penalties.

Participants in the employer surveys, qualitative interviews, and case study site visits will be informed that their responses will be kept private to the extent permitted by law. No personally identifiable information (PII) will be recorded on the data collection instruments or notes from any of the data collection activities. All participants will be informed that the information collected will be reported in aggregate form only and no reported information will identify any individuals.

Recordings will be made of the interviews, subject to respondent approval. Interviewers will ensure a private meeting space. Written materials and analyses from the interviews to be used as part of study reports will be prepared in such a way as to protect the identity of individuals. Only the study team staff present at the interviews, the principal investigator, project director, and selected staff helping transcribe the recordings will have access to the notes. Notes will be securely stored in protected electronic files or locked cabinets. Only the staff members present at the interviews or transcribing the recordings will have access to the recordings. All study staff, project leadership, and transcribing staff will sign privacy agreements before the interviews are conducted or before working with the data.

When not in use, all completed hardcopy documents will be stored in locked file cabinets or locked storage rooms. Unless otherwise required by DOL, these documents will be destroyed when no longer needed for the project. Study team members working with the collected data will have previously undergone background checks that may include filling out an SF-85 or SF-85P form, authorizing credit checks, or being fingerprinted.

Study-related reports that Westat submits to DOL will not contain any PII. At the conclusion of the study, the evaluation team will provide DOL with a public-use file (PUF) containing individual-level data that is stripped of all personally identifying information. The PUF will be subject to a disclosure risk analysis.

A. 11 Justification for Sensitive Questions

The survey will ask several sensitive questions. One question will ask about the intentions of the company to expand or contract their workforce, which is an indicator of the financial health of the company. This information is necessary because companies that are not expanding their workforce will not hire any employees, including those with disabilities. It is extremely important to control for this factor in the analysis.

The survey will also ask questions about employers' hiring practices and policies and concerns about hiring people with disabilities. These questions may be considered sensitive for a variety of reasons. First, there are significant regulations that govern employment procedures regarding job seekers with disabilities and while the survey is *not* asking whether employers comply with these regulations, some employers may consider these questions to be sensitive. Second, as discussed, social desirability bias may prevent some employers from answer honestly questions about their concerns about hiring disabled jobseekers. These questions are necessary because there is no other nationally representative probability survey that provides information about the hiring practices, policies, and concerns of employers related to disabled jobseekers.

A. 12 Estimates of Annualized Burden Hours and Costs

Table A.12.1 provides the number of respondents, frequency of response per respondents, and total number of responses for all the forms; as well as the total burden hours (2,136 hours) and the total burden costs (\$105,236.26) for the data collection.

Table A-12.1 Estimated Annualized Respondent Hour and Cost Burdens

Study Component/Form	No. of Respondents	No. of Responses per Respondents	Total No. of Responses	Burden per Response (In Hrs.)	Total Burden Hours	Average Hourly Wage²	Total Annualized Cost
Initial Screening for Companies Attachment B	12,240	1	12,240	2/60	408	\$13.47	\$5,495.76
Employer Telephone Survey Attachment B	4,800	1	4,800	20/60	1,600	\$58.70	\$93,920.00
HR Manager Qualitative Interview Attachment D	90	1	90	45/60	68	\$57.70	\$3,923.60
Case Study: Employee Interview Attachment H	42	1	42	30/60	21	\$7.25	\$152.25
Case Study: Supervisor Interview Attachment F	36	1	36	30/60	18	\$53.92	\$970.56
Case Study: HR Manager Interview Attachment G	18	1	18	30/60	9	\$57.70	\$519.30
Case Study: Colleague Interview Attachment I	18	1	18	30/60	9	\$17.91	\$161.19
Case Study: Disability & Inclusion Officer Interview Attachment J	6	1	6	30/60	3	\$31.20	\$93.60
TOTAL	17,250	--	17,250	--	2,136	--	\$105,236.26

A. 13 Estimates of Annualized Respondents Capital and Maintenance Costs

² With the exception of 'Employee', the hourly wage rate for the study respondents was taken from Bureau of Labor Statistics, "Occupational Employment Statistics—May 2016 National Occupational Employment and Wage Estimates" found at: [https://www.bls.gov/oes/current/oes_stru.htm#00-0000; Management Occupations \(SOC code 11-0000\)](https://www.bls.gov/oes/current/oes_stru.htm#00-0000; Management Occupations (SOC code 11-0000)). The hourly wage rate for employees with a disability was assumed to be the Federal minimum wage.

There are no capital/start-up or ongoing operation/maintenance costs associated with this information collection.

A. 14 Estimates of Annualized Cost to the Federal Government

The estimated cost of data collection efforts associated with the burden described in item 12 (estimate of burden), and analysis and reporting activities is \$1,497,994. The estimated annual cost \$499,331 per year for three years.

A. 15 Changes in Hour Burden

This is a new collection.

A. 16 Plans for Tabulation and Publication

The *Survey of Employer Policies on the Employment of People with Disabilities Study* data collection activities in this request will support the following major deliverables:

- **Final Report.** The final research report will report the survey, in-depth interview, and case study findings with analysis of the results. The content of this report will include: summary of changes to national disability policies since 2008, a description of the survey, interview, and case study procedures and analytic strategies used for the study, analysis of survey, interview, and case study data, and recommendations for policy, practice, and intervention. The expected completion date of this report is August 2019.
- **Policy Brief 1-4.** Four policy briefs based on the final report results will be developed for DOL. The contractor expects that the content of the policy briefs will include recommendations based on the findings of the contract research, and the audiences for the briefs will be stakeholders in disability employment, such as HR professionals, company executives, and managers responsible for hiring and supervision.

A. 17 Approval to Not Display the Expiration Date

The collection of interview and survey data will show the OMB expiration date on any written instrumentation.

A. 18 Exceptions to Certification Statement

There are no exceptions to the Certification for Paperwork Reduction Act (5 CFR 1320.9) for this study

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