

# Government Code

**19230.** The Legislature hereby declares that:

(a) It is the policy of this state to encourage and enable individuals with a disability to participate fully in the social and economic life of the state and to engage in remunerative employment.

(b) It is the policy of this state that qualified individuals with a disability shall be employed in the state service, the service of the political subdivisions of the state, in public schools, and in all other employment supported in whole or in part by public funds on the same terms and conditions as the nondisabled, unless it is shown that the particular disability is job related.

(c) It is the policy of this state that a department, agency, or commission shall make reasonable accommodation to the known physical or mental limitations of an otherwise qualified applicant or employee who is an individual with a disability, unless the hiring authority can demonstrate that the accommodation would impose an undue hardship on the operation of its program. A department shall not deny any employment opportunity to a qualified applicant or employee who is an individual with a disability if the basis for the denial is the need to make reasonable accommodation to the physical or mental limitations of the applicant or employee.

**19231.** As used in this article, "individual with a disability" means any individual who has a physical or mental disability as defined in Section 12926.

**19232.** Each state agency shall be responsible for establishing an effective affirmative action program to ensure individuals with a disability, who are capable of remunerative employment, access to positions in state service on an equal and competitive basis with the general population. Each state agency shall develop and implement an affirmative action employment plan for individuals with a disability, which shall include goals and timetables. These goals and timetables shall be set annually for disabilities identified pursuant to guidelines established by the Department of Human Resources, and shall be submitted to the department no later than June 1 of each year beginning in 1978, for review and approval or modification. Goals and timetables shall be made available to the public upon request.

**19233.** The department shall be responsible for the following:

(a) Outline specific actions to improve the representation of individuals with a disability in the state workforce and to ensure equal and fair employment practices for employees who are individuals with a disability.

(b) Survey the number of individuals with a disability in each department by at least job category and salary range for the purpose of developing goals and timetables

pursuant to Section 19232 and compare those numbers with the number of individuals with a disability in the workforce.

**(c)** Establish guidelines for state agencies and departments to set **goals** and **timetables** to improve the representation of individuals with a disability in the state workforce. Goals and timetables shall be set by at least job category.

**19234.** Each state agency shall annually review its **hiring** activities designed to achieve the employment objectives established pursuant to subdivision (c) of Section 19233 to determine if any category of individuals with a disability have been disproportionately excluded on a non-job-related basis from employment. If any category has been so excluded, the agency shall correct that underrepresentation.

**19236.** The Department of Human Resources **shall** provide technical assistance, statewide **advocacy**, coordination, and **monitoring** of plans to overcome any underrepresentation determined pursuant to Section 19234.

**19237.** On or before November 15 of **each year**, the department **shall report to the Governor and the Legislature** on the current activity, future plans, and past accomplishments of the overall employment program for individuals with a disability in state government, including an evaluation of the achievement of annual employment objectives.

Highlighting added by  
Eric L. Nelson, Ph.D.  
[trendsinstatwork.blogspot.com](http://trendsinstatwork.blogspot.com)