

**REPORT OF THE  
SECRETARY OF HEALTH  
AND HUMAN RESOURCES**

**The Provision of the  
Virginians with Disabilities  
Act Which Exempts Employees  
Covered by the Federal  
Rehabilitation Act of 1973**

**TO THE GOVERNOR AND  
THE GENERAL ASSEMBLY OF VIRGINIA**



**Senate Document No. 24**

**COMMONWEALTH OF VIRGINIA  
RICHMOND  
1989**

**TABLE OF CONTENTS**

	Page
EXECUTIVE SUMMARY . . . . .	i
BACKGROUND AND PURPOSE . . . . .	1
I. Legal Analysis--Protecting Virginians with Disabilities from Discrimination in Employment . . . . .	1
II. Summary of Meetings . . . . .	12
III. Conclusions and Recommendations . . . . .	14
APPENDIX A: SJR 14	
APPENDIX B: Section 51.5-41 of the Code of Virginia	
APPENDIX C: Employment Complaints Handled by the Virginia Department for Rights of the Disabled	

## EXECUTIVE SUMMARY

The 1988 Virginia General Assembly was concerned that some Virginians with disabilities have access to courts for employment related grievances while others do not. Employers who are covered by the federal Rehabilitation Act of 1973 are expressly exempt from coverage by the Virginians with Disabilities Act. The General Assembly directed the Secretary of Health and Human Resources to study the exemption, its effect on persons with disabilities and the potential effect on employers should the exemption be removed.

Section 503 of the Rehabilitation Act requires contractors and subcontractors with federal contracts in excess of 2,500 for goods or non-personal services including construction not to discriminate against, and to take affirmative action to employ and advance in employment, qualified handicapped persons. A handicapped person who believes that a contractor or subcontractor has failed to take affirmative action or has discriminated against him or her may file a complaint with the U.S. Department of Labor. The remedies available under Section 503 are debarment of the contractor from future contracts, termination of present contracts and individual remedies such as back pay and front pay. There is no access to the courts.

Section 504 of the Rehabilitation Act precludes discrimination against qualified handicapped persons in federally assisted programs whether operated by public agencies or private concerns. Each federal agency administering federal assistance programs have responsibility to issue regulations implementing Section 504 in its programs. A person seeking redress of a violation of Section 504 has access to federal court as well as an

administrative remedy available.

The study included a legal analysis, statistics on grievances and meetings with representation from business, local government and the disability community.

### Findings

1. Despite the patchwork of protection, all aggrieved parties have access to court except those whose employers were federal contractors covered by Section 503 of the Rehabilitation Act of 1973.
2. Persons covered by Section 503 of the Rehabilitation Act of 1973 only have federal administrative remedies.
  - a. Redress against federal contractors covered under Section 503 of the federal Rehabilitation Act of 1973 was sought by 89 individuals through the Virginia Department for Rights of the Disabled during its first three years. Of those, 32 individuals filed grievances with the Office of Federal Contract Compliance Programs within the Department of Labor.
3. Persons covered by Section 504 of the Rehabilitation Act of 1973 have a federal administrative remedy and access to federal court.
4. The number of employers covered under Section 504 of the Rehabilitation Act of 1973 was greatly expanded by the Civil Rights Restoration Act in March, 1988.
  - a. Private employers who received federal financial assistance and who were covered by Section 504 of the Rehabilitation Act of 1973 had 57 complaints lodged against them with DRD during the three-year period.
  - b. Forty-one persons with disabilities brought complaints to DRD against

local government employers.

c. Redress against the state in employment matters was sought by 53 people through DRD.

5. Dispute resolution assistance from the Virginia Department for Rights of the Disabled (DRD) was sought by 649 individuals who had employment related complaints between July 1, 1985 and June 30, 1988. Of that number, 359 were covered by the Virginians with Disabilities Act. Suits were filed by the Department in only four cases.

### Conclusions

It has been concluded that there is no need, at this time, to pursue further the removal of the exemption for employers covered by Section 504 as the aggrieved Virginian with a disability has access to federal court as well as the availability of an administrative remedy.

The lack of access to any court for aggrieved individuals with disabilities whose employer or potential employer is covered by Section 503 requires additional study.

## BACKGROUND AND PURPOSE

This report results from the 1988 General Assembly request (SJR 14) that the Secretary of Health and Human Resources study the provision of the Virginians with Disabilities Act which exempts employers covered by the Federal Rehabilitation Act of 1973. The study included a legal analysis of state and federal protection of Virginians with disabilities from discrimination in employment, meetings with businesses and disability representatives, and a review of employment complaints handled by the Virginia Department for Rights of the Disabled since it was created in July, 1985. The resulting findings and recommendations are included herein.

### I. LEGAL ANALYSIS--PROTECTING VIRGINIANS WITH DISABILITIES FROM DISCRIMINATION IN EMPLOYMENT

#### A. INTRODUCTION

The Virginians with Disabilities Act, enacted in 1985,<sup>1</sup> was the result of several years of discussion and compromise involving many interested parties including the State government, local governments, organizations supporting the rights of persons with disabilities and various business groups.

The express purpose of The Virginians with Disabilities Act is to prevent discrimination against qualified Virginians with disabilities and to assist and encourage such persons to "...participate fully and equally in the social and economic life of the Commonwealth and to engage in remunerative employment."<sup>2</sup>

---

<sup>1</sup>Va. Code Ann. §51.5-1 et. seq. (Recodified Repl. Vol. 1988 & Cum. Supp. 1987).

<sup>2</sup>Id. at §51.5-1

The goals of The Virginians with Disabilities Act are in accord with those expressed in the Federal Rehabilitation Act of 1973 ("the Rehabilitation Act"),<sup>3</sup> and, in several places, the language of the two statutes is similar.<sup>4</sup>

Chapter 9 of The Virginians with Disabilities Act, Rights of Persons with Disabilities, contains several sections that are intended to prevent discrimination in employment against otherwise qualified persons with disabilities, §51.5-41, and to afford state remedies to persons who are victims of such discrimination, §51.5-46. Section 51.5-41 is set forth below:

**B. VIRGINIA EMPLOYERS CURRENTLY EXEMPT FROM COMPLIANCE  
WITH THE VIRGINIANS WITH DISABILITIES ACT**

The classes of Virginia employers currently exempt from the requirements of The Virginians with Disabilities Act are defined by the scope of coverage of the Federal Rehabilitation Act. The Rehabilitation Act prohibits discrimination by three classes of employers: federal agencies; employers that are federal contractors; and employers that are recipients of federal financial assistance. It also requires affirmative action of federal employers and contractors, but does not require affirmative action by employers that are recipients of federal assistance.

**1. The Federal Employer**

Section 501 of the Rehabilitation Act ("Section 501") specifically requires the federal government not to discriminate against, and to take

---

<sup>3</sup>Federal Rehabilitation Act of 1973, Pub. L. No. 93-112, 87 STAT. 391 (Codified at 29 U.S.C. §701 et. seq.).

<sup>4</sup>Compare, e.g., Va. Code Ann §51.5-40 and 29 U.S.C. §794.

affirmative action to hire, place and advance, qualified handicapped persons. Section 501 covers all of the departments, agencies and instrumentalities in the executive branch of the federal government, and all are specifically exempt from coverage under §51.5-41.F. of The Disabilities Act. During its first three years, the Department for Rights of the Disabled assisted 46 individuals with complaints against federal government agencies.

## **2. The Federal Contractor or Subcontractor**

Section 503 of the Rehabilitation Act ("Section 503") requires contractors and subcontractors with federal contracts in excess of \$2,500 for goods or non-personal services including construction not to discriminate against, and to take affirmative action to employ and advance in employment, qualified handicapped persons. Accordingly, any Virginia corporation or institution that is a defense contractor or subcontractor, for example, or is providing goods to federal agencies pursuant to the federal procurement act or is conducting research for a federal agency pursuant to a research contract would be covered by Section 503, and, therefore, exempt from coverage by The Virginians with Disabilities Act under §51.5-41.F. The Virginia Department for Rights of the Disabled has assisted 89 individuals who had complaints about employers covered by Section 503 during its first three years.

## **3. The Employer Receiving Federal Financial Assistance**

Employers receiving federal financial assistance, e.g., through federal grant programs, are subject to the requirements of Section 504 of the Rehabilitation Act which precludes discrimination against qualified handicapped persons in federally assisted programs whether operated by public agencies or private concerns.



When the Virginians with Disabilities Act was established and this study resolution was passed, Virginia was operating under the limitations of Grove City College v. Bell, 465 U.S. 555 (1984). Grove City had set aside prior judicial and administrative rulings extending coverage of the civil rights laws to an entire institution if any program within the institution received federal aid. The Supreme Court had restricted application of Section 504 and other similar laws to specific activities receiving federal aid.

On March 22, 1988, four years after the Supreme Court's decision in Grove City, Congress greatly expanded the number of Virginia employers likely to be exempt from coverage under §51.5-41.F. when it overrode a Presidential veto and enacted into law the Civil Rights Restoration Act, P.L. 100-259 ("the Restoration Act"). The Restoration Act is intended to restore the scope of Section 504 and other similar federal civil rights laws to their status prior to the Grove City ruling.

The Restoration Act amended Section 504 (and related laws) to make clear that if any part of a recipient entity received federal aid, all of the operations of the entity are subject to the nondiscrimination requirements. This means coverage of Section 504 now extends to all of the employment practices of any employer that receives even one dollar of federal financial assistance. The Restoration Act applies to three types of recipients of federal financial assistance: state and local governments, educational institutions, and certain private organizations. The Restoration Act contains a specific description of each group.

The first category of covered recipients includes state and local governments.<sup>5</sup> If a state or local agency receives federal aid directly, the covered entity is that department, agency or special district or other instrumentality of the state or local government. If a state or local agency received federal aid through another state or local agency, the civil rights statutes apply to both the state or local government entity that distributes federal assistance and each department or agency (and each other state or local government entity) to which the assistance is extended. The Virginia Department for Rights of the Disabled assisted 41 persons with disabilities alleging discriminatory treatment in employment with local governments, and 53 in state employment between July 1, 1985 and June 30, 1988.

The second group of covered recipients are educational institutions. This group includes local education agencies and vocational and other school systems. It also includes colleges, universities, and other post-secondary institutions, as well as public systems of higher education.

The third group of covered recipients are corporations and other private organizations. This group includes an entire corporation, partnership, or other private organization, or an entire sole proprietorship if federal assistance is distributed to such entities as a whole or if they are "principally engaged in the business of providing education, health care,

---

<sup>5</sup>State agencies and institutions are not protected under the doctrine of sovereign immunity. Congress passed legislation in October, 1986 to waive state sovereign immunity under Section 504 and three other similar civil rights statutes. 42 U.S.C. §2000d-7.

housing, social services, or parks and recreation." For other types of corporations, partnerships, private organizations, and sole proprietorships, the covered entity is "the entire plant or other comparable, geographically separate facility" to which federal aid is extended. Fifty-seven individuals received assistance from the Department for Rights of the Disabled who had employment complaints against corporations and other private organizations receiving federal assistance between July 1, 1985 and June 30, 1988.

Finally, any entity which is established by two or more covered entities is also covered by Section 504 as amended by the Restoration Act if it receives federal aid.

**C. PROCEDURES AND REMEDIES AVAILABLE TO VIRGINIANS  
WITH DISABILITIES UNDER CURRENT LAW**

**1. The Virginians with Disabilities Act**

The Virginians with Disabilities Act permits a person with a disability who is an employee (or applicant) to bring suit in state court against a covered employer to remedy unlawful discrimination. The employee can be awarded such affirmative equitable relief as is appropriate, i.e., a court order enjoining any abridgment of the employee's rights under The Virginians with Disabilities Act, compensatory damages, and reasonable attorney's fees.<sup>6</sup>

**2. Section 501 of the Federal Rehabilitation Act**

A federal employee claiming a violation of Section 501 is required to comply with the same administrative and judicial procedures applicable to

---

<sup>6</sup>Va. Code Ann. §51-5-46.A. (Recodified Repl. Vol. 1988).

federal employees pursuing employment complaints under Title VII of the Civil Rights Act of 1964 and has the same rights and remedies as well. 29 U.S.C. §794a. Morgan v. U.S. Postal Service, 798 F.2d 1162, 1164-65 (8th Cir. 1986); Prewitt v. U.S. Postal Service, 662 F.2d 292 (5th Cir. 1981).

### 3. Section 503 of the Federal Rehabilitation Act

A handicapped person who believes that a contractor or subcontractor has failed to take affirmative action or has discriminated against him or her may file a complaint with the U.S. Department of Labor. The federal regulations issued by the Department of Labor pursuant to Section 503, 41 C.F.R. §60-741.1 et seq., vest authority for enforcement in the Office of Federal Contract Compliance Programs (OFCCP) in the Department. The remedies available under Section 503 are debarment of the contractor from future contracts, termination of present contracts and individual remedies such as back pay and front pay. See 41 C.F.R. §60-741.28.

Individuals seeking redress of complaints asserted against federal contractors under Section 503 have sought to by-pass the OFCCP process and directly bring an independent, "private right of action" in court. All federal appellate courts that have ruled to date on whether such a private right of action exists have decided that it does not and that Section 503 complaints can only be resolved administratively by the OFCCP. See, e.g., Painter v. Home Bros, Inc., 710 F.2d 143 (4th Cir. 1983).

### 4. Section 504 of the Federal Rehabilitation Act

Each federal agency administering federal assistance programs has responsibility to issue regulations implementing Section 504 in its programs. 29 U.S.C. §794; see also 28 C.F.R. §41.4. Under Section 504 and such program

regulations, the primary remedy available to redress a violation of Section 504 is termination of federal assistance to the particular program in which discrimination has occurred. See, e.g., 45 C.F.R. §100.8 Federal agencies may, however, require recipients to take remedial action, see, e.g., 34 C.F.R. §104.6(a)(1), or seek individual make-whole remedies through voluntary compliance by the particular recipient. See, e.g., 34 C.F.R. §104.6(b).

Unlike Section 503, however, the administrative process is not the only avenue of redress available to complainants under Section 504. A private right of action, independent of any administrative remedies, has been implied in Section 504 by the courts. Thus, a Section 504 complainant may bring an action in federal court against an employer-recipient seeking an order enjoining any discriminatory practices and awarding individual damages. See Consolidated Rail Corp. v. Darrone, 104 S.Ct. 1248, 79 L.Ed.2d 568 (1984).

#### D. THE IMPACT OF REPEAL OF §51-5-41.F.

From the descriptions of covered employers and available remedies in Sections II and III above, it is clear that the current exemption set forth in §51.5-41.F. (see Appendix B) creates a patchwork of employee rights and employer responsibilities which are inconsistent and difficult to understand. Moreover, the recent expansion of the scope of coverage of Section 504 means nearly all employers in certain broad categories, e.g., public schools, public and private colleges, and public and private hospitals, and all employers (regardless of nature or size) participating in certain extensive federal programs, e.g., the Job Training Partnership Act, are now completely exempt

from coverage under The Virginians with Disabilities Act.<sup>7</sup> The effect of the current exemption is that smaller, family-owned businesses are required by Virginia law not to discriminate against workers with disabilities and can be called upon to respond to charges of discrimination in state court while many state and local agencies and larger, state-wide businesses cannot. Those employers who are covered by Section 504 can, however, be called upon to respond to charges of discrimination.

There is no legal barrier to repealing §51.5-41.F. The federal Rehabilitation Act generally does not preclude state regulation of discrimination against persons with disabilities. Muncy v. Norfolk and Western Ry. Co., 650 F. Supp. 641 (S.D.W.Va. 1986) And, there is no inherent conflict between The Virginians with Disabilities Act and the Rehabilitation Act that would preclude extension of coverage of The Virginians with Disabilities Act to employers also covered by the Rehabilitation Act. Id. at 644.

While the exemption in The Virginians with Disabilities Act probably was intended, in large part, to prevent unnecessary overlap of federal and state enforcement efforts, federal administrative enforcement efforts have been repeatedly criticized in recent years.

---

<sup>7</sup>The only possible exception here is employers that are state agencies. Section 51.5-40 generally prohibits discrimination against otherwise qualified persons with disabilities in state programs. The language of this section closely tracks Section 504 of the Rehabilitation Act which has been determined to cover the employment practices of federal recipients. Accordingly, one can argue that Section 51.5-41.F. does not exempt state employers from coverage of The Disabilities Act because they are covered under §51.5-40. Nonetheless, reference to state employers in §51.5-41.B. would appear to sweep state agencies into the definition of employers under §51.5-41 generally and, consequently, into the categories of employers exempt under §51.5-41.F.

Repeal of §51.5-41.F. would return both disabled Virginians and Virginia employers to a level playing field. If this section were repealed, all handicapped persons in Virginia would have equal access to state courts to seek remedies for discrimination whether they worked for State or local government, state-wide businesses or local private enterprise. Similarly, all Virginia employers would be subject to the same State policy of non-discrimination, and none would receive an arguably unfair competitive advantage from the perceived relative ineffectiveness of federal enforcement efforts.

Repeal of §51.5-41.F. would also conform Virginia nondiscrimination law to the nondiscrimination laws in most other states. Of the more than forty states that now prohibit discrimination against persons with physical and/or mental disabilities under state law only Virginia, North Carolina and South Carolina specifically exclude from coverage those employers covered by the Rehabilitation Act. See South Carolina Code §43-33-580.

## II. SUMMARY OF MEETINGS

As part of this study, the Secretary of Health and Human Resources and the Director of the Department for Rights of the Disabled met with representatives of the business community to discuss the current exemption of employers covered by the Rehabilitation Act from coverage by the Virginians with Disabilities Act. The discussions focused on Section 503 of the Rehabilitation Act which covers contractors and subcontractors with federal contracts in excess of \$2,500.

An employee with a disability who perceives discriminatory action by an employer covered by Section 503 can file a complaint with the Office of Federal Contract Compliance Programs (OFCCP) in the Department of Labor. There is no access to the courts for such an aggrieved individual.

The Virginia Manufacturers Association expressed concern about dual enforcement by state and federal governments. The added cost to manufacturers who would have to respond to two related legal mandates is a major issue for them. A number of potential alternatives were identified and require further study for legality and feasibility.

The Secretary of Health and Human Resources and the Director of the Virginia Department for Rights of the Disabled met with representatives of local government to discuss removal of the exemption for employers covered by Section 504 of the Rehabilitation Act. Access to federal courts for aggrieved individuals with disabilities whose employer is covered under Section 504, as well as the provision of an administrative remedy through the Office of Civil Rights, was acknowledged. The local government representatives expressed concern over complying with two mandates whose intent may be the same yet have



different elements which could create additional implementation burdens on localities. The effect of the recent passage of the Civil Rights Restoration Act was discussed. As the exemption of employers covered by Section 504 from coverage by the Virginians with Disabilities Act did not preclude the filing of an action in federal court by an aggrieved individual with a disability, it was determined that removal of the exemption may not be warranted at this time.

### III. CONCLUSIONS AND RECOMMENDATIONS

- A. An aggrieved individual with a disability currently has access to our federal courts as well as the provision of an administrative remedy through the Office of Civil Rights if his employer receives federal financial assistance and is subject to the requirements of Section 504 of the Rehabilitation Act.

Many of the concerns of persons with disabilities about redress against employers covered by Section 504 were eliminated with the passage of the Civil Rights Restoration Act on March 22, 1988. It has been concluded that there is no need, at this time, to pursue further the removal of the exemption for employers covered by Section 504.

- B. The exemption of employers covered by Section 503 of the Rehabilitation Act from coverage by the Virginians with Disabilities Act needs to be examined further. The lack of access to any court for aggrieved individuals with disabilities is one which deserves additional careful scrutiny. Accordingly, the Secretary of Health and Human Resources will convene a task force in 1989 to further study the issue. The strong feelings regarding this issue deserve additional time and critique.

SENATE JOINT RESOLUTION NO. 14

Offered January 20, 1988

Establishing a joint subcommittee to study the provision of the Virginians with Disabilities Act. which exempts employers covered by the Federal Rehabilitation Act of 1973.

Patron—Gartlan

Referred to the Committee on Rules

WHEREAS, it is the policy of the Commonwealth to encourage and enable persons with disabilities to engage in remunerative employment; and

WHEREAS, discrimination against otherwise qualified persons with disabilities by employers is prohibited; and

WHEREAS, any person with a disability has the right to petition any circuit court having chancery jurisdiction and venue to enjoin the abridgement of rights; and

WHEREAS, this right is denied to any person with a disability whose employer is covered by the Federal Rehabilitation Act of 1973; and

WHEREAS, because the federal remedies are burdensome to use and at times are limited to administrative complaint, persons with disabilities may effectively be denied recourse against discrimination; and

WHEREAS, employers concerned by the Federal Rehabilitation Act of 1973 are apprehensive about enforcement by two levels of government should the exemption be removed; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That a joint subcommittee be established to study this exemption, its effect on persons with disabilities, and the potential effect on employers should this exemption be removed.

The joint subcommittee shall be composed of twelve members to be appointed in the following manner: three members of the House Health, Welfare and Institutions Committee, to be appointed by the Speaker; two members of the Senate Rehabilitation and Social Services Committee to be appointed by the Senate Committee on Privileges and Elections; one member representing the Board for the Rights of the Disabled; and six citizen members, including one representative each from local government, retailers and manufacturers, and three representatives of disability interests, all to be appointed by the Governor.

The joint subcommittee shall complete its work and make its recommendations to the 1989 Session of the General Assembly.

The indirect costs of this study are estimated to be \$10,650; the direct costs of this study shall not exceed \$8,640.

Official Use By Clerks	
Agreed to By The Senate	Agreed to By The House of Delegates
without amendment <input type="checkbox"/>	without amendment <input type="checkbox"/>
with amendment <input type="checkbox"/>	with amendment <input type="checkbox"/>
substitute <input type="checkbox"/>	substitute <input type="checkbox"/>
substitute w/amdt <input type="checkbox"/>	substitute w/amdt <input type="checkbox"/>
Date: _____	Date: _____
_____ Clerk of the Senate	_____ Clerk of the House of Delegates

## APPENDIX B

### SECTION 51.5-41

#### CODE OF VIRGINIA

Discrimination against otherwise qualified persons with disabilities by employers prohibited. - A. No employer shall discriminate in employment or promotion practices against an otherwise qualified person with a disability solely because of such disability.

B. It is the policy of this Commonwealth that persons with disabilities shall be employed in the state service, the service of the political subdivisions of the Commonwealth, in the public schools, and in all other employment supported in whole or in part by public funds on the same terms and conditions as other persons unless it is shown that the particular disability prevents the performance of the work involved.

C. An employer shall make reasonable accommodation to the known physical and mental impairments of an otherwise qualified person with a disability if necessary to assist such person in performing a particular job, unless the employer can demonstrate that the accommodation would impose an undue burden on the employer.

1. In determining whether an accommodation would constitute an undue burden upon the employer, the following shall be considered:

a. Hardship on the conduct of the employer's business, considering the nature of the employer's operation, including composition and structure of the employer's workforce;

b. Size of the facility where employment occurs;

c. The nature and cost of the accommodations needed, taking into account alternate sources of funding or technical assistance included under §51-5-18 and §51.5-26;

d. The possibility that the same accommodations may be used by other prospective employers;

e. Safety and health considerations of the person with a disability, other employees, and the public.

2. Notwithstanding the foregoing, any accommodation which would exceed \$500 in cost shall be rebuttably presumed to impose

an undue burden upon any employer with fewer than fifty employees.

3. The employer has the right to choose among equally effective accommodations.

4. Nothing in this section shall require accommodations when the authority to make such accommodations is precluded under the terms of a lease or otherwise prohibited by statute, ordinance or other regulation.

5. Building modifications made for the purposes of such reasonable accommodation may be made without requiring the remainder of the existing building to comply with the requirements of the Uniform Statewide Building Code.

D. Nothing in this section shall prohibit an employer from refusing to hire or promote, from disciplining, transferring, or discharging or taking any other personnel action pertaining to an applicant or an employee who, because of his disability, is unable to adequately perform his duties, or cannot perform such duties in a manner which would not endanger his health or safety or the health or safety of others. Nothing in this section shall subject an employer to any legal liability resulting from the refusal to employ or promote or from the discharge, transfer, discipline of, or the taking of any other personnel action pertaining to a person with a disability who, because of his disability, is unable to adequately perform his duties, or cannot perform such duties in a manner which would not endanger his health or safety, or the health or safety of others.

E. Nothing in this section shall be construed as altering the provisions of the Virginia Minimum Wage Act, §40.1-28.9 of the Code of Virginia.

F. This section shall not apply to employers covered by the federal Rehabilitation Act of 1973. (Emphasis added)

G. No employer who has hired any person because of the requirements of this section shall be liable for any alleged negligence in such hiring.

APPENDIX C

EMPLOYMENT COMPLAINTS HANDLED BY THE  
VIRGINIA DEPARTMENT FOR RIGHTS OF THE DISABLED

	<u>1985-86</u>	<u>1986-87</u>	<u>1987-88</u>
Private	63	115	181
Federal Government	9	22	15
Federal Contractor	23	21	45
Local Government	7	15	19
State Government	19	21	13
Federal Funds to the Private Sector	<u>22</u>	<u>20</u>	<u>15</u>
TOTALS	147	214	288



