

Section 503 Updates: A Guide for ERG and BRG Leaders

Talking points, FAQs, and practical
considerations for disability E/BRG leaders

How to Use This Resource

This guide is designed to help employee or business resource group leaders [GU1.1][GU1.2] of federal contractors or subcontractors in the United States to prepare for member questions, align with HR and Legal, and reinforce what the regulatory changes might mean for your organization. It is designed for general informational purposes, specifically to support communication, not to serve as legal or compliance advice.

- Lead with the plain-language message in the first section.
- Use the “what changed / what remains” table to correct misconceptions.
- Use the talking points in E/BRG meetings, leadership briefings, and written updates.
- Route questions about company data collection, self-identification, retention, or state and local requirements to Legal, HR, Privacy, or Compliance.

Please Note: Every organization is different and the impact and considerations can vary. We recommend you adapt the sample language in this guide to your organization’s policies, with guidance from legal counsel.

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Overview of the Modifications

The U.S. Department of Labor's Office of Federal Contract Compliance Programs issued a [final rule](#) on August 21, 2026 making significant changes to the Section 503 regulatory scheme tied to ensuring that federal contractors ("Contractors") meet their obligations related to disability inclusive recruiting and hiring. In sum, the new rule's focus shifts from quantitative disability data collection to qualitative disability inclusion practices.

The rule is effective September 21, 2026, with a separate procedural amendment effective December 21, 2026.

What Has Changed:

- The 7% utilization goal for individuals with disabilities is no longer required.
- Contractors are no longer required to conduct disability utilization analyses.
- Contractors are no longer required to invite applicants or employees to self-identify as having a disability during the application process, at hire, or every five years thereafter.
- The CC-305 voluntary self-identification form has been eliminated.
- Contractors are no longer required to collect and report disability workforce data.

What Has Not Changed:

- Contractors and subcontractors with 50 or more employees and contracts of \$50,000 or more ("Covered Contractors") must still maintain a written Section 503 Affirmative Action Program (AAP).
- Covered Contractors must still maintain an audit and reporting system as part of their AAP.
- Covered Contractors must continue outreach and positive recruitment efforts designed to attract qualified individuals with disabilities.
- Contractors continue to have obligations regarding reasonable accommodation and equal employment opportunity.
- OFCCP also released a final rule revising the Vietnam Era Veterans' Readjustment Assistance Act (VEVRAA) regulations. However, it only resulted in minor changes. As a result, Contractors still are required to track applicant data, to solicit veteran status from applicants and hires, to meet the hiring benchmark and to file reports on the same.

Additional Information on the Modifications

Disability:IN has provided a [full update and guide to the revisions here](#).

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Talking Points for ERG/BRG Leaders

1. This is a change in compliance procedure, not a signal to retreat from disability inclusion, accessibility, outreach, or equal opportunity commitments.

Suggested Language

- The new rule changes certain Section 503 data-related activities tied to measuring compliance performance.
- It does not eliminate the underlying compliance responsibility or the business need to create accessible, disability-inclusive workplaces.
- Nondiscrimination, reasonable accommodation, affirmative outreach, and disability inclusion remain important
- Our organization is reviewing the guidance and will provide an update on any changes in processes and documentation as relevant to these areas and our responsibilities.

2. Distinguish accommodation requests from self-identification invitations.

Applicants and employees may describe a limitation, or self-disclose a disability, to request an accommodation. ERG leaders should connect people with the official process rather than collect medical or disability information.

Suggested Language

- Applicants and employees can still request accommodations, and employers must continue the interactive process.
- A request for an accommodation is different from an employer asking individuals to self-identify.
- The accommodation process remains available. I can connect you with the right team.

3. Outreach and inclusive recruiting continue.

Organizations are encouraged to invest in barrier analysis, accessible application and hiring technology, partnerships with disability organizations for hiring, and clear accommodation request messaging.

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Talking Points for ERG/BRG Leaders

Suggested Language

- The key change concerns disability-status inquiries, especially before an offer.
- As an E/BRG, we can help identify barriers, surface recurring questions, and connect leaders with employee experience.
- We can continue improving accessibility, communicating accommodation pathways and suggesting improvements, and supporting recruiting partnerships with disability organizations and participation in events.
- The E/BRG does not collect disability-status information. Questions about confidential records should go to HR, Privacy, Legal, or Compliance.

4. E/BRGs continue to have a strategic role as a channel for connection, education, and feedback.

Employee/Business resource groups are a way to support accessibility and disability inclusion across the organization. E/BRG participation should not be treated as a disability disclosure. As a result, participation totals should not be presented as workforce disability representation. Participation should be open to all employees regardless of individual disability status. This helps to promote critical allyship and allows for inclusion of those with family and friends with disabilities.

Suggested Language

- Our E/BRG remains a place for connection, education, feedback, and allyship.
- Any employee of [Company] is welcome to join, learn from, and contribute to conversations around disability inclusion and accessibility.
- We play a key role in connecting employee experience with leadership to advance engagement and access for all.

5. Questions about processes and implications of these modifications should be directed to appropriate internal teams.

Suggested Language

- Questions about disability data, onboarding, or retention should be addressed through a coordinated review by Legal, HR, Privacy, Compliance, and Recruiting.
- ERGs can inform that work without owning the legal determination.
- Please route any questions to [contact or internal resource.]

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What ERG Leaders Can Do Now

- Align with Legal and HR on the organization's approved explanation of the rule and where employees should direct policy questions.
- Prepare a short internal communication that separates what changed from what remains and guidance in alignment with your internal teams.
- Reinforce and promote accommodation pathways to help make sure applicants and employees know where to find and how to use the current process.
- Collect themes and recurring questions without collecting or recording members' disability status.
- Continue programming on accessibility, career development, disability inclusive leadership, and best practices for disability inclusion.
- Offer feedback on barriers in recruiting, onboarding, workplace technology, communications, and advancement.
- Use operational indicators to tell a broader story of progress, while clearly stating what each indicator does and does not measure. Any use of employee or applicant data should be reviewed by the appropriate internal teams. These may include:
 - Accessibility of application portals, recruiting technology, and digital hiring tools.
 - Quality and reach of partnerships with disability organizations, job boards, and recruiting events.
 - Clarity and accessibility of accommodation information and request channels.
 - Accommodation process indicators already tracked by HR, interpreted carefully and with appropriate privacy protections.
 - Career development opportunities, promotion, and retention outcomes where the organization has a lawful basis to use previously collected or voluntarily provided data.
 - ERG participation and engagement as a measure of program reach, not as a proxy for disability prevalence because participants may include allies.

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Frequently Asked Questions

Does the final rule mean our company should stop disability inclusion work?

- No. Core nondiscrimination and affirmative action obligations remain. Outreach, recruiting, accessibility, and accommodations are continuing areas of legal obligation.
- Sample message: “The certain requirements changed, but disability inclusion is still an imperative. We should continue removing barriers and expanding opportunity for all employees.”

Can an applicant or employee still request an accommodation?

- Yes. The interactive process and accommodation obligations remain. Individuals should be directed to the official accommodation channel.

Can an applicant voluntarily disclose a disability?

- An individual may voluntarily disclose information. It is recommended that pre-offer information should not be recorded or shared with hiring decision-makers. Organization-specific handling should be confirmed with counsel.

Can we still ask job applicants to self-identify as having a disability?

- The final rule rescinds the Section 503 requirement to invite self-identification. Additionally, voluntary pre-offer invitations are not advised and companies should treat any exception as a legal and business judgment that must be consistent with the ADA. E/BRG leaders should not interpret or approve an exception.
- Sample message: “Please route that question through [appropriate Legal, HR, or Recruiting contact]. Our ERG’s role is to support a disability inclusive applicant experience, but we do not oversee or manage this process.”

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Frequently Asked Questions

What if an applicant requests an accommodation?

- The accommodation process remains in place. Employers are still obligated to engage in an interactive process consistent with the ADA and Section 503,
- Sample message: "Our accommodation obligations remain valid and important. We can help provide information on the approved process for our organization."

Can companies continue neurodiversity or disability-focused hiring programs?

- Companies may continue outreach through community partners, disability-focused hiring fairs, and programs intended to advance qualified individuals with disabilities. These activities should not depend on prohibited pre-offer disability inquiries.

Can disability questions be included in onboarding?

- Post-offer and mid-employment inquiries are an evolving area and any such activity would require documenting the specific legal and business purpose in consistency with the ADA. These questions should be routed to the appropriate Legal, HR, Privacy, or Compliance teams.

What happens to disability data already collected?

- It is recommended that employers continue to follow applicable retention and confidentiality requirements for previously collected data. It also noted that existing data may inform advancement analysis when used lawfully.



ERG leader message:

"Existing information remains sensitive. Questions about retention or use should go to Privacy, Legal, Compliance, or HR."

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