

TITLE 5 - GOVERNMENT ORGANIZATION AND EMPLOYEES**PART III - EMPLOYEES****Subpart F - Labor-Management and Employee Relations****CHAPTER 72 - ANTIDISCRIMINATION; RIGHT TO PETITION CONGRESS****SUBCHAPTER I - ANTIDISCRIMINATION IN EMPLOYMENT****§ 7203. Handicapping condition**

The President may prescribe rules which shall prohibit, as nearly as conditions of good administration warrant, discrimination because of handicapping condition in an Executive agency or in the competitive service with respect to a position the duties of which, in the opinion of the Office of Personnel Management, can be performed efficiently by an individual with a handicapping condition, except that the employment may not endanger the health or safety of the individual or others.

(Pub. L. 89–544, Sept. 6, 1966, 80 Stat. 523, § 7153; renumbered § 7203 and amended Pub. L. 95–454, title I, § 101(b)(2), title VII, § 703(a)(1), title IX, § 906(a)(2), Oct. 13, 1978, 92 Stat. 1118, 1216, 1224.)

Historical and Revision Notes

Derivation	U.S. Code	Revised Statutes and Statutes at Large
5 U.S.C. 633(2)9.		June 10, 1948, ch. 434, 62 Stat. 351.

The authority of the President to prescribe rules is added on authority of former section 633 (1), which is carried into section 3302. The section is rewritten as a general prohibition instead of specifying the personnel actions included in former section 633 (2)9. The words “in an Executive agency or in the competitive service” are added for clarity.

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

Amendments

1978—Pub. L. 95–454, § 703(a)(1), renumbered section 7153 of this title as this section.

Pub. L. 95–454, §§ 101(b)(2), 906 (a)(2), substituted “Handicapping condition” for “Physical handicap” in section catchline, “handicapping condition” for “physical handicap” wherever appearing in text, and “Office of Personnel Management” for “Civil Service Commission”.

Effective Date of 1978 Amendment

Amendment by sections 101(b)(2) and 906(a)(2) of Pub. L. 95–454 effective 90 days after Oct. 13, 1978, see section 907 of Pub. L. 95–454, set out as a note under section 1101 of this title.