Congressional Research Service

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Washington, D.C. 20540

Memorandum May 15, 1989

TO : Honorable Robert Dole

Attention: Maureen West

FROM : Sylvia Morrison

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Economics Division

SUBJECT : Effect on Coverage by the Disabilities Discrimination Legislation of Exempting Facilities with Fewer than Fifty Employees from the Requirements of the Legislation

This responds to your question regarding the effect on coverage by the disabilities discrimination legislation of exempting facilities with fewer than fifty employees from the requirements of the law.

As you will note in the attached data from County Business Patterns 1986, which is published by the Bureau of the Census of the Department of Commerce, the total number of business establishments in the United States in 1986 was 5,806,973. ^1 Of these,

3,258,407 employed 1 to 4 persons

1,183,825 employed 5 to 9 persons

689,395 employed 10 to 19 persons

Thus, 5,081,627 businesses each employed fewer than 20 persons. These businesses constituted 87.5 of U.S. businesses in 1986. The effect then, of exempting businesses employing fewer than 20 persons would be to exempt 87.5 percent of all businesses. The data further indicates that 448,769 businesses employed 20 to 49 persons. Thus the total number of businesses employing fewer than 50 persons is 5,530,396. This number constitutes 95.2 percent of all businesses in the U.S. The effect, then, of excluding from the provisions of the legislation all businesses employing fewer than 50 persons would be to exclude 95.2 percent of all U.S. businesses.

^1 As noted in the attached data, this figure excludes government employees, railroad employees, self-employed persons, and some others.

Please let us know at CRS if we can help you further.

County Business Patterns 1986

United States

CBP-86-1

U.S. Department of Commerce

Bureau of the Census

Table 1b. United States—Establishments, Employees, and Payroll for Industries by

Employment-Size Class: 1986

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| SIC Code | Industry | Total | Employment-size Class | | | | | | | | |
|  |  |  | 1 to 4 | 5 to 9 | 10 to 19 | 20 to 49 | 50 to 99 | 100 to 249 | 250 to 499 | 500 to 999 | 1,000 or more |
|  | **Number of establishments** | **5 806 973** | **3 258 407** | **1 133 825** | **669 395** | **448 769** | **156 286** | **84 834** | **22 164** | **8 466** | **4 827** |
|  | **Number of employees** | **83 380 465** | **5 565 875** | **7 460 051** | **9 270 065** | **13 601 675** | **10 709 097** | **12 684 166** | **7 575 807** | **5 780 228** | **10 733 501** |
|  | **Payroll, first quarter (1,000)** | **391 731 037** | **21 181 966** | **27 608 088** | **36 131 706** | **55 490 435** | **45 538 719** | **58 070 918** | **39 072 766** | **32 961 868** | **75 674 571** |
|  | **Payroll, annual ($1,000)** | **1 608 810 889** | **112 202 430** | **113 783 227** | **148 847 778** | **228 008 940** | **185 971 778** | **234 725 497** | **156 007 629** | **131 741 365** | **297 522 245** |
|  | **AGRICULTURAL SERVICES, FORESTRY, AND FISHERIES** |  |  |  |  |  |  |  |  |  |  |
|  | **Number of establishments** | **68 076** | **45 682** | **12 763** | **6 278** | **2 512** | **546** | **217** | **58** | **16** | **4** |
|  | **Number of employees** | **412 010** | **69 575** | **83 492** | **82 187** | **73 691** | **36 553** | **32 425** | **19 373** | **10 365** | **4 349** |
|  | **Payroll, first quarter ($1,000)** | **1 202 984** | **167 042** | **228 633** | **249 049** | **225 196** | **109 907** | **104 827** | **64 570** | **39 564** | **14 200** |
|  | **Payroll, annual ($1,000)** | **5 764 717** | **1134 890** | **1 077 835** | **1 145 922** | **1 007 652** | **476 766** | **422 734** | **271 356** | **165 800** | **61 759** |
| 07 | Agricultural services |  |  |  |  |  |  |  |  |  |  |
|  | Number of establishments | 64 505 | 43 206 | 12 278 | 5 953 | 2 317 | 490 | 191 | 52 | 14 | 4 |
|  | Number of employees | 384 284 | 66 291 | 80 283 | 77 822 | 67 699 | 32 721 | (D) | 17 382 | (D) | 4 349 |
|  | Payroll, first quarter ($1,000) | 1 097 557 | 155 510 | 216 826 | 233 226 | 205 936 | 99 212 | (D) | 54 513 | (D) | 14 200 |
|  | Payroll, annual ($1,000) | 5 310 391 | 1 063 343 | 1 025 904 | 1 076 582 | 927 911 | 434 189 | (D) | 231 204 | (D) | 61 759 |
| 071 | Soil preparation services |  |  |  |  |  |  |  |  |  |  |
|  | Number of establishments | 552 | 319 | 117 | 68 | 34 | 8 | 5 | 1 | - | - |
|  | Number of employees | 4 774 | 559 | (D) | 900 | 1 107 | 608 | (D) | (D) | - | - |
|  | Payroll, first quarter ($1,000) | 16 246 | 559 | (D) | 900 | 1 107 | 608 | (D) | (D) | - | - |
|  | Payroll, annual ($1,000) | 72 948 | 9 234 | (D) | 2 453 | 4 186 | 2 343 | (D) | (D) | - | - |
| 072 | Crop services |  |  |  |  |  |  |  |  |  |  |
|  | Number of establishments | 3 360 | 2 031 | 581 | 367 | 231 | 94 | 49 | 6 | 1 | - |
|  | Number of employees | 35 137 | 3 226 | 3 839 | 4 897 | 6 959 | 6 555 | 7 418 | (D) | (D) | - |
|  | Payroll, first quarter ($1,000) | 111 219 | 10 508 | 13 884 | 16 156 | 24 059 | 20 264 | 21 519 | (D) | (D) | - |
|  | Payroll, annual ($1,000) | 488 030 | 73 812 | 64 421 | 79 414 | 102 927 | 78 171 | 73 833 | (D) | (D) | - |
| 074 | Veterinary services |  |  |  |  |  |  |  |  |  |  |
|  | Number of establishments | 15 788 | 8 329 | 4 797 | 2 167 | 408 | 21 | 3 | - | - | - |
|  | Number of employees | 89 823 | 18 072 | 31 593 | 27 811 | 10 602 | 1 207 | 538 | - | - | - |
|  | Payroll, first quarter ($1,000) | 275 654 | 45 039 | 95 078 | 93 649 | 36 067 | 3 345 | 2 469 | - | - | - |
|  | Payroll, annual ($1,000) | 1 198 094 | 213 582 | 409 049 | 399 085 | 150 440 | 15 438 | 10 501 | - | - | - |
| 075 | Animal services, except veterinary |  |  |  |  |  |  |  |  |  |  |
|  | Number of establishments | 6 223 | 4 463 | 1 002 | 524 | 176 | 41 | 14 | 3 | - | - |
|  | Number of employees | 31 517 | 7 605 | 6 447 | 6 883 | 4 992 | 2 725 | 1 949 | 916 | - | - |
|  | Payroll, first quarter ($1,000) | 86 439 | 16 136 | 14 791 | 19 300 | 14 754 | 9 003 | 7 825 | 4 627 | - | - |
|  | Payroll, annual ($1,000) | 365 688 | 77 913 | 63 428 | 77 292 | 61 702 | 35 051 | 32 229 | 18 069 | - | - |
| 076 | Farm labor and management services |  |  |  |  |  |  |  |  |  |  |
|  | Number of establishments | 773 | 528 | 83 | 63 | 54 | 25 | 13 | 6 | - | 1 |
|  | Number of employees | 11 354 | 769 | (D) | 846 | 1 682 | 1 650 | (D) | 2 585 | - | (D) |
|  | Payroll, first quarter ($1,000) | 30 222 | 4 045 | (D) | 2 655 | 4 957 | 3 982 | (D) | 5 311 | - | (D) |
|  | Payroll, annual ($1,000) | 120 669 | 19 888 | (D) | 10 375 | 21 951 | 14 721 | (D) | (D) | - | (D) |
| 0761 | Farm labor contractors |  |  |  |  |  |  |  |  |  |  |
|  | Number of establishments | 81 | 36 | 10 | 11 | 7 | 11 | 2 | 3 | - | 1 |
|  | Number of employees | 4 148 | 50 | 69 | 159 | 219 | 721 | (D) | (D) | - | (D) |
|  | Payroll, first quarter ($1,000) | 10 347 | 188 | 215 | 436 | 397 | 2 034 | (D) | (D) | - | (D) |
|  | Payroll, annual ($1,000) | 38 954 | 1 925 | 902 | 1 676 | 1 579 | 7 531 | (D) | (D) | - | (D) |
| 0762 | Farm management services |  |  |  |  |  |  |  |  |  |  |
|  | Number of establishments | 498 | 368 | 48 | 36 | 34 | 6 | 5 | 1 | - | - |
|  | Number of employees | 3 753 | 571 | (D) | 488 | 1 029 | 358 | (D) | (D) | - | - |
|  | Payroll, first quarter ($1,000) | 14 924 | 3 370 | (D) | 1 816 | 3 925 | 1 234 | (D) | (D) | - | - |
|  | Payroll, annual ($1,000) | 60 690 | 13 442 | (D) | 7 135 | 17 784 | 4 922 | (D) | (D) | - | - |
| 078 | Landscape and horticultural services |  |  |  |  |  |  |  |  |  |  |
|  | Number of establishments | 34 481 | 24 913 | 5 169 | 2 589 | 1 370 | 289 | 99 | 36 | 13 | 3 |
|  | Number of employees | 198 780 | 32 083 | 33 677 | 34 251 | 40 985 | 19 215 | 14 800 | 11 908 | (D) | (D) |
|  | Payroll, first quarter ($1,000) | 544 289 | 67 729 | 79 303 | 92 918 | 118 539 | 57 892 | 44 281 | 39 626 | (D) | (D) |
|  | Payroll, annual ($1,000) | 2 909 923 | 608 631 | 429 783 | 473 313 | 558 705 | 270 376 | 199 827 | 179 542 | (D) | (D) |
| 08 | Forestry |  |  |  |  |  |  |  |  |  |  |
|  | Number of establishments | 1 690 | 1 050 | 273 | 190 | 116 | 38 | 17 | 4 | 2 | - |
|  | Number of employees | 17 174 | 1 538 | (D) | 2 549 | 3 603 | 2 635 | 2 710 | (D) | (D) | - |
|  | Payroll, first quarter ($1,000) | 58 575 | 4 685 | (D) | 8 304 | 8 965 | 6 532 | 11 828 | (D) | (D) | - |
|  | Payroll, annual ($1,000) | 234 768 | 26 996 | (D) | 34 503 | 35 108 | 23 854 | 43 313 | (D) | (D) | - |
| 09 | Fishing, hunting, and trapping |  |  |  |  |  |  |  |  |  |  |
|  | Number of establishments | 1 811 | 1396 | 204 | 124 | 73 | 10 | 3 | 1 | - | - |
|  | Number of employees | 8 349 | 1 681 | (D) | 1 666 | 2 183 | 638 | (D) | (D) | - | - |
|  | Payroll, first quarter ($1,000) | 31 119 | 6 088 | (D) | 6 276 | 8 082 | 1 387 | (D) | (D) | - | - |
|  | Payroll, annual ($1,000) | 156 258 | 42 215 | (D) | 5 802 | 7 572 | 12 580 | 24 730 | (D) | - | - |
|  | Administrative and auxiliary |  |  |  |  |  |  |  |  |  |  |
|  | Number of establishments | 70 | 30 | 8 | 11 | 6 | 8 | 6 | 1 | - | - |
|  | Number of employees | 2 203 | 65 | (D) | 150 | 206 | 559 | 910 | (D) | - | - |
|  | Payroll, first quarter ($1,000) | 15 728 | 757 | (D) | 1 245 | 2 209 | 2 776 | 6 256 | (D) | - | - |
|  | Payroll, annual ($1,000) | 63 000 | 2 338 | (D) | 5 802 | 7 572 | 12 580 | 24 730 | (D) | - | - |
|  | **Mining** |  |  |  |  |  |  |  |  |  |  |
|  | **Number of establishments** | **34 973** | **16 202** | **6 064** | **5 257** | **4 277** | **1 603** | **994** | **375** | **151** | **50** |
|  | **Number of employees** | **847 143** | **28 627** | **40 503** | **72 354** | **130 691** | **109 607** | **149 988** | **127 990** | **102 854** | **84 529** |
|  | **Payroll, first quarter ($1,000)** | **6 651 600** | **165 414** | **244 542** | **448 328** | **883 200** | **813 691** | **1 248 017** | **1 129 422** | **955 619** | **763 362** |
|  | **Payroll, annual ($1,000)** | **24 481 218** | **761 336** | **897 345** | **1 664 323** | **3 176 826** | **2 895 762** | **4 466 304** | **4 208 887** | **3 601 281** | **2 809 154** |

See footnotes at end of table.

County Business Patterns