

Supported Employment:

History, Policy and Legislation

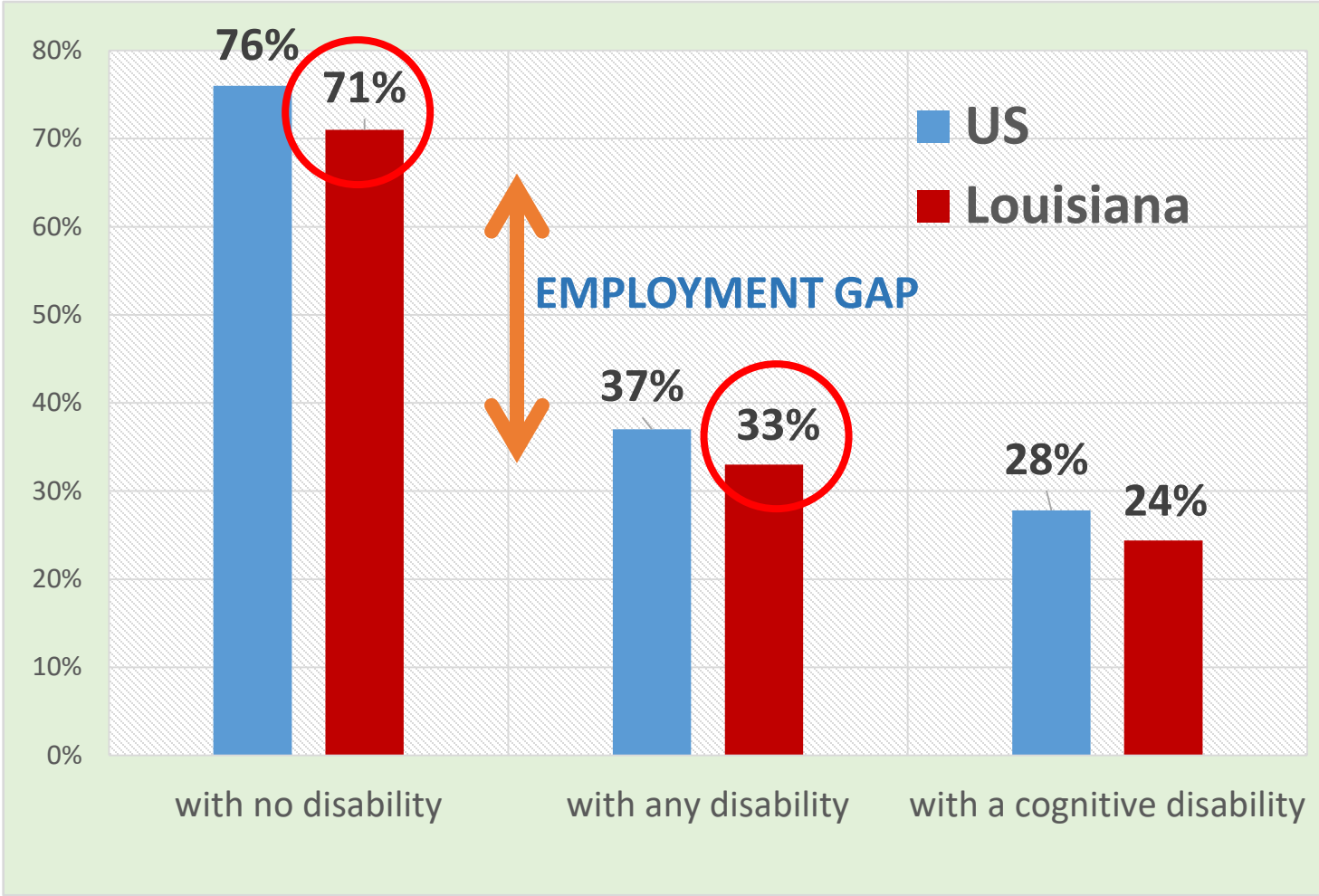


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LSU Health
NEW ORLEANS

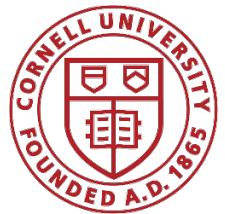
2018 Percentage of Working-Age (21-64) Employed



Employment = Antidote for Poverty

- Individuals with a disability have a **higher rate of poverty** than those without a disability
- 29.4% - Poverty rate of working-age adults with disabilities in LA
- 14.4% - Poverty rate of working-age adults without disabilities in LA

www.disabilitystatistics.org



Perceived Barriers to Employment Access

- Might have difficulty with Internet applications
- May not interview well
- May have no experience
- Might have gaps in their employment history
- May look or talk differently
- May not learn the way companies train
- Belief that hiring people with a disability is a good thing to do if you can **afford** it.

Randy Lewis, former VP of Walgreens



Why should People with Disabilities Seek Competitive Integrated Employment?

- ✓ Get out of poverty; pay taxes
- ✓ Increase independence & economic self-sufficiency
- ✓ Reduce reliance on social programs
- ✓ Opportunities to make friends and expand relationships
- ✓ Make a contribution to the community
- ✓ Positive image and valued role within the family and community
- ✓ Better physical and mental health
- ✓ Opportunities for learning
- ✓ Better quality of life



What is Supported Employment?

- Competitive employment in integrated settings with ongoing supports
- Collaboratively funded service
- Opens the door to employment for people with high support needs
- Individualized package of services
- Place and train model

<https://youtu.be/OV04MwKm0fQ>



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SE components

- Assessment
- Job Development and Marketing
- Job Placement
- Job Site Training
- Fading and Stabilization
- SE Follow-along and Maintenance



Historical Notes



- 1918: Vocational Rehabilitation (VR) started by an Act of Congress for WWI veterans
- 1920: VR extended to civilians with physical disabilities
- 1943: VR extended to persons with intellectual disabilities mental illness
- 1964: Civil Rights Act of 1964, the President's Committee on MR (PCMR)

<https://youtu.be/qXD7TckuVjM>

<https://youtu.be/ABFpTRIJUuc>

<https://youtu.be/bE0ta93FuKQ>

<https://youtu.be/pFHOCc6Z8lg>



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Historical Notes (continued)


1970's: Advocates push
“deinstitutionalization” and free
appropriate public education in
the Least Restrictive Environment

1973: Rehab Act called for Affirmative
Action in hiring and prohibited
discrimination against persons
with disabilities





Historical Notes (continued)

- 
- Early 1980's: Successful employment demonstrations - universities around the US
 - 1984: US Dept. of Ed - Office of Sp. Ed and Rehab Services (OSERS) funded 5 year 27 state projects to implement Supported Employment
 - 1986: Rehab Act (PL 99-506) additional funds for SE via Title VI part C for all states



Historical Notes

Expanded SE to individuals with disabilities other than mental retardation: brain injury, physical, autism, mental illness

1990: ADA enacted

1992: Rehab Act amendments:
supports and services must be available to achieve employment



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Current policy trends & issues

- Ticket to Work - the past 20 yrs., the # of workers getting disability payments has more than doubled to 8.95 million. About \$140 billion in payments in FY 2013
- CMS-Principles of integration & choice establish basis for court, legislative and policy changes in funding and service delivery that supports meaningful employment outcomes for individuals with I/DD
- WIOA



U.S. Policies and Trends

▶ Court and Legislative

- ▶ Olmstead integration mandate
 - ▶ Rhode Island settlement
- ▶ Workforce Innovation Opportunity Act (WIOA)

▶ Policy Changes

- ▶ EEOC policy directing implementation of Section 503 of Rehab Act
- ▶ 1915 (c) HCBS Waiver program rule changes

▶ Initiatives

- ▶ State Employment Network (SELN) activities and collaborations with NASDDDS
- ▶ Employment First
- ▶ National Governor's Association Conference
- ▶ States as Model Employers (SAME)



2014: CMS HCBS Ruling

The Centers for Medicare and Medicaid Services (CMS) new ruling for Home and Community Based Services (HCBS) is meant to ensure that Medicaid's home and community-based services programs in residential and non-residential settings (e.g., adult day centers) provide full access to the benefits of community living and offer services *in the most integrated settings*.



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Workforce Innovation & Opportunity Act (WIOA)

With the passage of the Workforce Innovation and Opportunity Act (WIOA), Congress has reauthorized the Workforce Investment Act of 1998 (WIA), including the Rehabilitation Act, through 2020.

- Increased VR role in transition
- Limitations on sub-minimum wage
- Changes in definition of supported employment
- Focus of supported employment state grants on youth
- Increased emphasis on role of general workforce development system:



WIOA Definitions

- **Competitive integrated employment** defined: The Rehabilitation Act previously used “competitive” employment but never defined. WIOA defines competitive integrated employment as full-time or part-time work at **minimum wage** or higher, with wages and benefits similar to those w/o disabilities performing the same work, and **fully integrated** with co-workers without disabilities. **Considered the optimal outcome** under WIOA.
- **Customized employment** - “competitive integrated employment, for an **individual with a significant disability**, based on an individualized determination of the strengths, needs, and interests of the individual with a significant disability,” “designed to meet the specific abilities of the individual with a significant disability and the business needs of the employer,” and “carried out through **flexible strategies.**” As a result, customized employment is now among the available services from public VR nationally.



WIOA - emphasis on transition

- 15% VR Budget Must Be Used For Transition Services
- Pre-Employment Transition Services:
 - Job Exploration Counseling & Support
 - Work-based Learning Experiences
 - Counseling On Post-secondary Opportunities
 - Workplace Readiness Training
 - Training On Self-advocacy
- Each Local VR Office Must Engage In Pre-employment Transition Coordination With All Local Schools And Workforce System



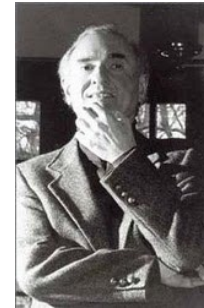
Louisiana Policies and Trends

Bambi Polotzola, Executive Director of Louisiana Governor's Office of Disability Affairs (GODA)

- ▶ State As Model Employer (SAME) Task Force,
http://gov.louisiana.gov/assets/Programs/GODA/SAME_Report.pdf
- ▶ Employment First State Leadership Mentoring Project – Vision Quest
<http://gov.louisiana.gov/assets/Programs/GODA/LouisianaEmploymentFirstReport2018.pdf>
- ▶ Governor's new Executive Order on the state's policies for recruiting and hiring individuals with disabilities
<http://gov.louisiana.gov/assets/ExecutiveOrders/JBE-18-08.pdf>

Key advocates of SE...

- Wolf Wolfensberger
 - “Valuing Lives” <https://youtu.be/m3FM7eoXzsY>
 - Social role valorization
<https://youtu.be/H6T3tXV3eX4>
 - Normalization
<https://youtu.be/QdQAFPAktR0>
- Marc Gold
 - The “Gold” Rule
 - Try Another Way
 - <https://youtu.be/u-zeVeY2zYY>
- Paul Wehman
 - SE Best Practices
<https://youtu.be/brdosCwEhTA>
 - VCU RRTC
<https://vcurrtc.org/>



Marc Gold

“A lack of learning in any particular situation should first be interpreted as an inappropriate or insufficient use of teaching strategy, rather than an inability on the part of the learner.”

- Marc Gold, 1980

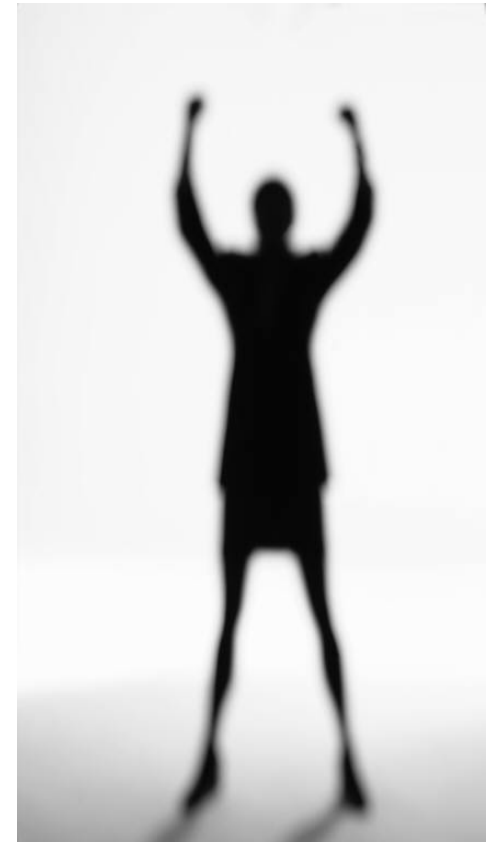


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We Learned that...

- The ability to become successfully employed in a competitive job was not related to an individual's place in the continuum
- Individuals would always need
 - individualized support
 - intensive support at first
 - ... then “faded” for the individual job
 - tenure



Important SE principles

- ALL individuals are capable of working in competitive, community based integrated employment if they are provided
 1. instruction/training-systematic
 2. The necessary on-going follow along supports



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