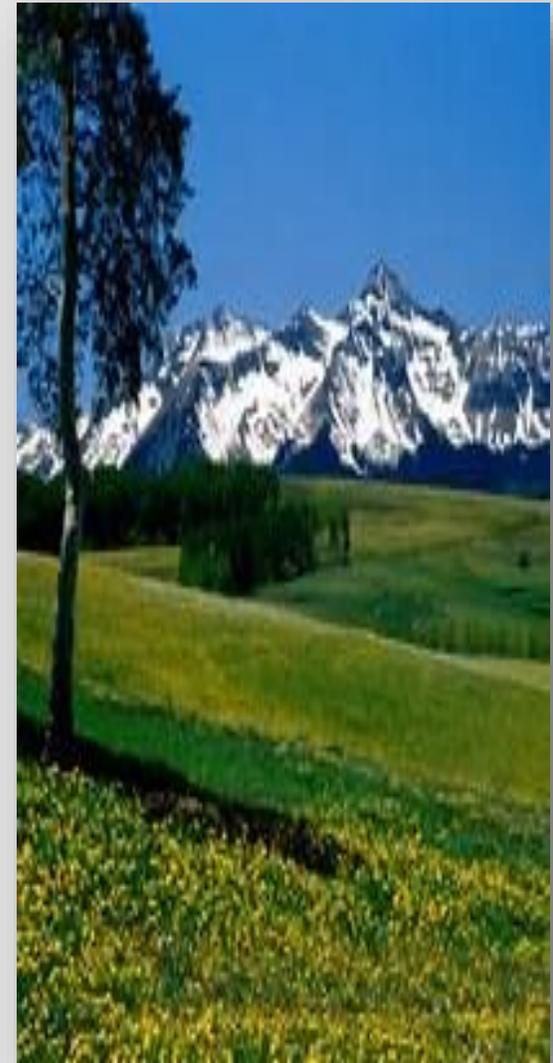


Employment Committee Report^{the}

Community Living Advisory Group

Presented by: Katherine Carol, Bob Lawhead and Josh Winkler

August, 25, 2014



Nationally

- The labor participation rate for the general public is roughly 70%
- The labor participation rate for people with I/DD might be as high as 20%
- Research over decades is very clear – people with I/DD can work – no matter how significant the label of disability.
- Research shows people with I/DD want real jobs. In a 2004 study when more than 200 people in sheltered workshops were asked if they would like to try a real job in the community – 70% said ‘Yes’
- Washington State: For every \$1 spent on Supported Employment, \$1.49 is returned to the state.

Nationally

- **Olmstead Plan**
- **Department of Justice: Rhode Island**
- **National Governor's Association Commitment**
 - **Employment First Initiatives**
- **Workforce Innovation and Opportunity Act**

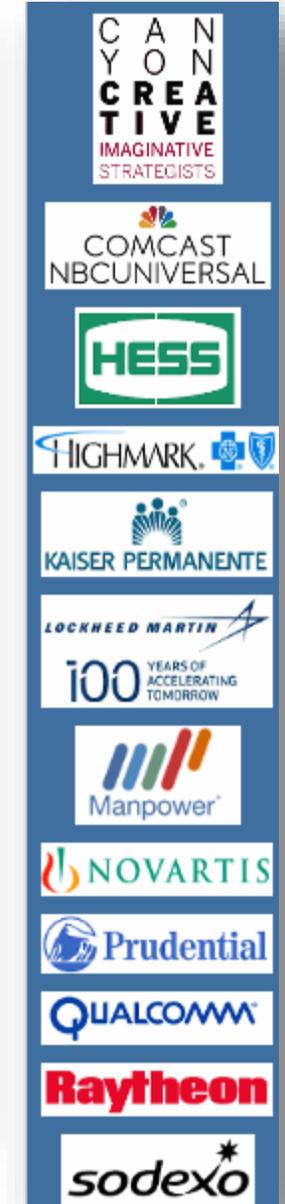
USA

Department of
Labor



- <http://www.dol.gov/dol/media/webcast/20110610-odep-ce/20110610-odep-ce-3.htm>

Companies Actively
**Supporting
Employment**
Initiatives for hiring
People with
Disabilities



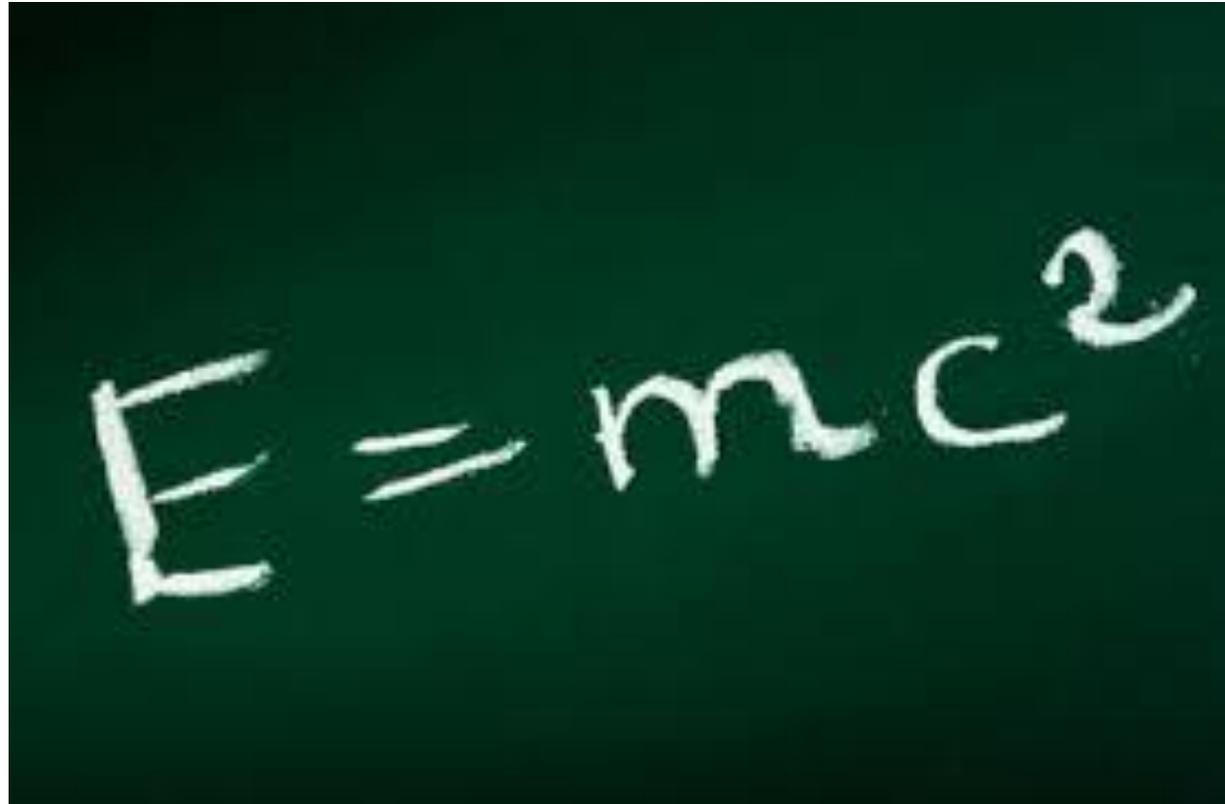
Nationally

Social Security Work Incentives

- **Impairment Related Work Expenses (IRWE)**
- **SSDI & SSI** -- We deduct the cost of certain impairment-related expenses that you need in order to work from your earnings when we decide if you are performing substantial work. Examples of impairment-related expenses are things such as a wheelchairs, certain transportation costs and specialized work-related equipment.
- **SSI** -- We also exclude IRWE from your earned income when we figure your monthly SSI payment amount.
- **Plan to Achieve Self-Support (PASS)**
- **SSI** -- A plan to achieve self-support allows you to use your income and/or things you own to reach a work goal. For example, you can set aside money to go back to school, or to get specialized training for a job or to start a business. Your goal should be a job that allows you to earn enough to reduce or eliminate your need for benefits provided under the Social Security and Supplemental Security Income programs. We don't count the money or resources you set aside under an approved PASS when we decide your initial or continuing eligibility for SSI. Having a PASS may help you qualify for SSI or may increase the amount of your SSI payment.
- **Property Essential to Self-Support (PESS)**
- **SSI** -- We do not count some resources that you need to be self-supporting when we decide if you are eligible for SSI. For example, we don't count property such as tools or equipment that you use for work. Or, if you have a trade or business, we don't count property such as inventory.

Employment = My Community

2



People with Disabilities, Seniors, Friends, Family, Neighbors, Business, Funders, Recreation, Faith-based organizations working together.



Civil Rights and Employment for All: Colorado's Olmstead Challenge

Report to Colorado's CLAG

August 25, 2014

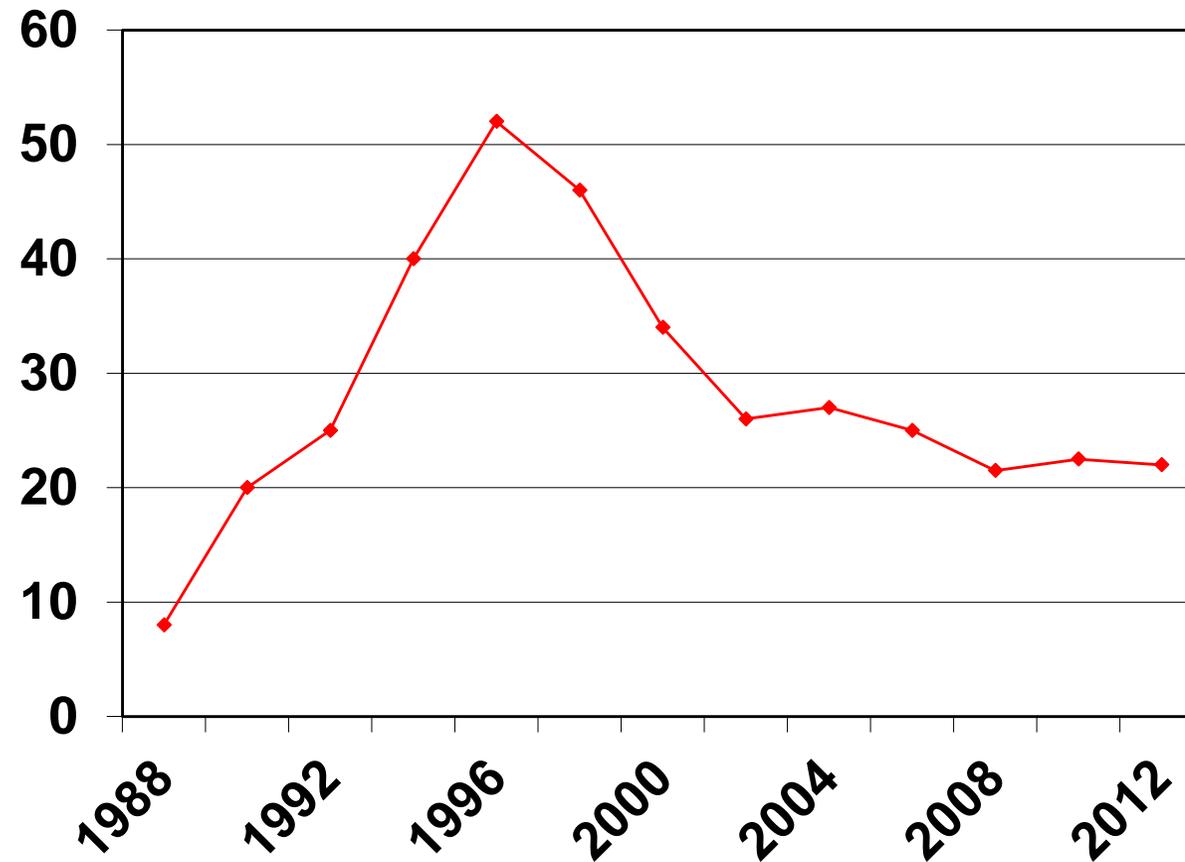
Bob Lawhead rlawhead@communitylinkcolorado.org

Colorado History

Percent Served in Colorado's Integrated Employment Program between 1988-2001*

- 1988: 21%
1990: 44%
1993: 50%
1996: 43%
1999: 42%
2001: 34%
- These data were collected as part of the National Survey of State MR/DD Agencies administered by the Institute for Community Inclusion at University of Massachusetts Boston. ICI staff collected descriptive information during a series of on-site and telephone interviews conducted in 2004.
- * These data were collected as part of the National Survey of State MR/DD Agencies administered by the Institute for Community Inclusion at University of Massachusetts Boston. ICI staff collected descriptive information during a series of on-site and telephone interviews conducted in 2004.

CO growth and decline in Supported Employment (CO DDD data from 2005 & 2013)



◆ %age of U.S. persons w I/DD in SE

DOJ
settlement
agreement in
RI: 4-8-14

DOJ's Eve Hill, commenting on the probe of Rhode Island's discriminatory day service practices.



“Unfortunately, the exploitation and tyranny of low expectations we found are an all-too-common result of the segregation of people with disabilities. That is why we at the Department of Justice will continue to work hard to fight this type of discrimination.”

**DOJ
settlement
agreement in
RI: 4-8-14**

- First statewide settlement the right to receive services in the community, rather than in segregated sheltered workshops and facility-based day programs.
- Redirects funds currently used to support services in segregated settings to those that incentivize services in integrated settings.
- Supported employment placements cannot be in group enclaves or mobile work crews.
- This appears consistent with ODEP's latest integrated employment definition which includes that individuals "are paid directly by the employer."

DOJ settlement agreement in RI: 4-8-14

- The agreement arose out of a DOJ finding that about 80% of Rhode Islanders with I/DD receiving state services are placed in sheltered workshops or facility-based day programs.
- The agreement includes a ten-year consent decree & compliance oversight by a neutral monitor.
- To remedy this, Rhode Island has committed to fund and administer the placement of persons with I/DD into typical jobs in the community that pay at least minimum wage and to expand opportunities for non-work integrated activities.

Colorado's HCBS DD & SLS Waiver Day Services for 2012

Total number of people w I/DD served	7,991	100%
People with I/DD in segregated settings	4,693	59%
People w I/DD employed in integrated settings	365	5%
People w I/DD employment in congregate settings	636	8%
People w I/DD in community congregate settings	5,205	65%
People w I/DD in congregate/segregated settings		95%

What will Colorado Do?

- 59% of Coloradans with I/DD are served in segregated facilities (compared to 80% in RI).
- 95% of Coloradans with I/DD are served in either congregate community (small group) or segregated facilities.
- 5% of Coloradoans with I/DD are served in the target service identified by DOJ as being Olmstead-compliant (integrated employment).
- Should Colorado be concerned about an impending Olmstead-based lawsuit or DOJ investigation???

Current Colorado Realities

- Of the number of people with Intellectual and Developmental Disabilities 59% (4,963) receiving day services under the two IDD HCBS waivers in 2012 (7,991) were served in segregated facility settings.
- **23%** are served in Supported Employment and most of those placements are in enclaves.

Colorado

Employment Focus

- One-person, one-job arrangements within typical businesses with wages paid by the employer at a prevailing wage, and which includes regular meaningful interaction with non-disabled persons."
- This definition provided the group and others concerned with integrated employment with a benchmark by which to judge integrated employment services and outcomes.

**National
Trends**
Colorado
Impact

- **Olmstead / Colorado Community Living Plan**
- **Department of Justice / Rhode Island**
- **Employment First Initiatives**
- **National Governor's Association**

WIOA



UNITED STATES DEPARTMENT OF LABOR Employment and Training Administration

The WIOA Resource Page

DOL, in coordination with the U.S. Departments of Education (ED) and Health and Human Services (HHS), is working diligently to ensure that states, local areas, other grantees, and stakeholders are prepared for implementation of WIOA. The WIOA Resource Page will provide information and resources for States, local areas, non-profits and other grantees, and other stakeholders to assist with implementation of the Act. This page will be updated to reflect newly developed materials, including responses to frequently asked questions.

Stakeholder Input and Engagement

Input from the state and local workforce leaders and practitioners, as well as other stakeholders, is critical to the success of WIOA implementation. DOL, in collaboration with the Departments of Education and Health and Human Services, will provide workforce system partners and stakeholders with opportunities to provide input in-person and virtually throughout the implementation period.

We are pleased to [announce](#) a series of Webinars to engage the public in implementation of WIOA. Session topics and registration information are provided below. Please check back on August 19, 2014 for a list of discussion questions for these sessions.

- Thursday, August 21 - Strengthening the One Stop System – [Register Now](#)
- Friday, August 22 - Job-Driven Training for Adults and Dislocated Workers – [Register Now](#)
- Monday, August 25 - Integrated Performance Reporting and the ETPL – [Register Now](#)
- Tuesday, August 26 - Consultation with Consumers, Advocacy Groups, and Direct Service Providers on Services for Individuals with Disabilities – [Register Now](#)
- Thursday, August 28 - The Migrant and Seasonal Farmworker Program – [Register Now](#)
- Tuesday, September 2 - Services to Individuals with Disabilities – [Register Now](#)
- Friday, September 5 - Services to Disconnected Youth – [Register Now](#)
- Thursday, September 11- Strategic Program Alignment and Unified Planning – [Register Now](#)
- Friday, September 12- WIOA and Registered Apprenticeship – [Register Now](#)
- Monday, September 15 -The Indian and Native American Program – [Register Now](#)

The U.S. Department of Education invites you to submit comments and recommendations for implementation of WIOA on Department of ED's WIOA [blog](#)



Lopsided Heart Creations



The Shining Beautiful Series



**CrippleConcepts.com and
Winkler Industries, LLC**

Recommendations

1

Employment First.

Focus on youth, public school and other services, including transition efforts, are geared toward successful employment opportunities and that schools be measured on their success and capitalize on the **Workforce Innovation and Opportunity Act**.

#2

Fully fund **DVR** to pull down federal matching funds.

#3

Increase the dissemination of good employment

outcomes and **best practices** AND

PROFESSIONAL TRAINING and
DEVELOPMENT

#4

Host a **Community Employment Summit** including employers, faith-based leaders, non-profits, civic engagement, Department of Labor/Local Affairs, Veterans and Senior organizations to focus increasing employment outcomes.

#5

Develop **Colorado Hires Program** promoting state government hiring practices which include recruitment and hiring qualified individuals with disabilities.

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