

MEMORANDUM

TO: ALL PARTIES INTERESTED IN A BETTER ECONOMIC FUTURE FOR PEOPLE WITH DISABILITIES

FROM: NEIL ROMANO, ASSISTANT SECRETARY
OFFICE OF DISABILITY EMPLOYMENT POLICY
U.S. DEPARTMENT OF LABOR

DATE: JANUARY 15, 2009

SUBJECT: "EMPLOYMENT FIRST" CREATING OPPORTUNITIES TO MOVE TO INTEGRATED EMPLOYMENT

As Assistant Secretary for the U.S. Department of Labor and a former business owner, I know that a strong America depends on harnessing the productivity of all its citizens, including people with disabilities. But I have seen first hand the challenges our nation faces in improving employment and economic self-sufficiency for people with disabilities. The greatest challenges are not with employers or people with disabilities themselves, but with our public system of disability assistance. Limited coordination of benefits and services across agencies and conflicting policies make it more difficult for a youth or adult with a disability to become self-sufficient and participate fully in all of the benefits our nation has to offer.

These systemic obstacles impact heavily on individuals with intellectual and other significant disabilities and high support needs, who continue to be considered unable to be integrated into the community's workforce and earn prevailing wages. Instead, they are often placed in sheltered employment with sub-minimum wages or non-work day activities.

Several states have moved forward to implement policies that focus on integrated, community-based employment earning at or above the minimum wage as the first option for individuals with intellectual and other developmental disabilities. Using these "Employment First" policies, states are tapping the skills and contributions of these individuals to match employer demand for a reliable, productive workforce through customized employment opportunities. In these Employment First states, sheltered employment with sub-minimum wages and non-work "day activities" are no longer acceptable employment outcomes. Through this renewed effort there is the opportunity also to provide a path to economic empowerment through asset development strategies for workers that enhance employment profitability.

In October 2008, I brought together key thought leaders from various sectors to discuss integrated employment for individuals with intellectual disabilities. I have attached to this memo a summary of those discussions. It stresses the importance of the Employment First activities being undertaken in the states, and the need to expand those initiatives through a variety of actions in order to establish integrated, productive employment as the primary goal and service for individuals with intellectual and other complex disabilities requiring high levels of support. I invite you to read the summary and to share your suggestions with the Office of Disability Employment Policy (www.dol.gov/odep) about including people with disabilities in

sustainable economic growth initiatives with the active engagement of the employer community. As government transitions to the leadership of a new administration, it is an important time for all interested parties to consider how to best advance this vision of individuals with intellectual and other developmental disabilities as contributors to renewed economic growth.

Executive Summary

Advancing Employment and Economic Self-Sufficiency: A Roundtable on Employment for People with Intellectual and Other Developmental Disabilities

Thursday, October 30, 2008 – Friday, October 31, 2008
Bureau of Labor Statistics Conference Room
U.S. Department of Labor
2 Massachusetts Avenue, NE
Washington DC 20212

The following individuals external to ODEP contributed to the development of the Roundtable agenda as well as to the creation of the Executive Summary and supporting materials: William Kiernan, Serena Lowe, David Mank, Celane McWhorter, Michael Morris, Chas Moseley, Sara Weir and Madeleine Will.

INTRODUCTION

To consider the prevailing paradigm of isolation and segregation of people with intellectual and other developmental disabilities from integrated employment at minimum wage or above, and to develop a focus that embraces new possibilities for employment and self-sufficiency, the U.S. Department of Labor's Office of Disability Employment Policy (ODEP), under the leadership of Assistant Secretary Neil Romano, hosted a two-day roundtable in October 2008. The roundtable brought together key thought-leaders from various sectors to discuss promoting integrated, competitive and customized employment at minimum wage or above for individuals with intellectual and other significant and complex disabilities who have high support needs. The Roundtable focused on two primary objectives:

1. Identifying the current barriers that lead to underemployment and lower wages for persons with intellectual and other significant and complex disabilities; and
2. Identifying and discussing innovative strategies that can facilitate the goal of integrated, competitive and customized employment for such individuals, specifically in the areas of transition, asset development and workforce development and employment.

The dialogue centered around three key topics:

- strengthening support for the transition from high school;
- increasing meaningful, integrated and customized employment at minimum wage or above as the central focus of service providers and government authorities; and
- optimizing income and asset development for individuals with intellectual and other significant, complex disabilities who have high support needs so that such individuals can accrue assets through employment.

BACKGROUND

The majority of individuals with intellectual and other significant, complex disabilities who have high support needs are unable to achieve the American dream of a job, a family and financial security. Instead, they are caught in a cycle of poverty by the laws, regulations and policies of the public and private programs providing their supports and services. Individuals with significant disabilities and high support needs continue to be considered “nonfeasible” for typical employment, often relegated to institutions, day programs or sheltered work environments at sub-minimum wages. Although public finance to support adults living with intellectual disabilities in the U.S. grew from \$2.3 billion in 1955 to \$82.6 billion in 2004, tens of thousands of persons living with intellectual and other developmental disabilities continue to live in institutions and nursing homes or are relegated to segregated day programs. Family supports and innovative employment programs receive limited funding, waiting lists are growing rapidly, and family caregivers are aging. When they are fortunate enough to live in the community, earn a salary and accumulate savings, individuals with intellectual and other developmental disabilities are likely to be penalized by having cash and social insurance benefits reduced or completely eliminated. This counterproductive conflict deters many such individuals from even considering meaningful education or employment opportunities.

Fortunately, innovative strategies have emerged over the last few years that, if fully implemented, would remove most of the existing barriers to employment and self-sufficiency for individuals with intellectual and other significant, complex disabilities. For example, ODEP’s research has documented that such individuals are successfully employed in typical work places with competitive salaries and benefits through customized employment, a strategy of individualizing employment tasks and supports for the person and the employer in a way that meets the needs of both. Customized employment has been advanced and supported through the Department of Labor and is providing new meaning to daily life for individuals who heretofore would be placed in segregated day programs. In addition, through the evolution of the CMS supported Medicaid Infrastructure Grants, states are now able to explore employment strategies using Medicaid long term service dollars.

Because of these and other new resources and approaches, a handful of states have adopted policies that require employment to be a prime consideration for Medicaid Waiver dollars. These “Employment First” initiatives can significantly increase employment opportunities for individuals with intellectual and other developmental disabilities and high support needs.

THE ROUNDTABLE

The Office of Disability Employment Policy convened a *Roundtable on Advancing Employment and Economic Self Sufficiency for People with Intellectual and other Developmental Disabilities*, on October 30-31, 2008. Participants at the Roundtable spent two days discussing barriers and facilitators specific to this broad group of individuals, in order to develop a roadmap that, when implemented, would create opportunity for people with intellectual and other significant disabilities to have the choice to work in integrated community jobs at minimum wage or above. Discussions both at the roundtable and subsequently have focused on several strategies for moving toward and finally achieving the systemic changes needed. The foundation of these strategies is based on initiatives underway in several states, commonly known as "Employment First," under which employment is considered the first service provided to individuals with intellectual disabilities and the goal for all.

A synopsis of the key observations identified during the two-day roundtable is available on the ODEP website (www.dol.gov/odep). It provides information focused on maximizing self-sufficiency among persons with intellectual and other developmental disabilities through a strategic focus on Employment First activities nationally. Interested persons are encouraged to visit the ODEP website and review materials as they are posted, and to determine what actions they can take within their own state or agency in order to move to Employment First practices. For additional information, contact ODEP at (202) 693-7880.