



SELN Case Manager Employment Training Curriculum

Module 1: The Importance of Employment **August, 2017**

1 – Importance of Employment

2 – The Employment Conversation

3 – Employment & the ISP

4 – The Employment Process

Module Objectives

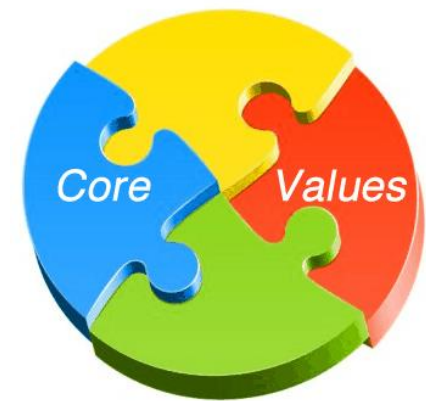


- Assist individuals with disabilities, families and community members in understanding the positive impact that work has on a person's quality of life.
- Help individuals with disabilities and families understand how changes in policies, regulations, and services and supports emphasize the exploration of employment.

We believe that employment is simply a person working at an individual job in a local business ...

- Earning prevailing wage
- Working alongside peers who do not have disabilities
- At a business located within the community, and not owned or managed by the support organization (or provider)

Values that Ground the Employment Discussion



- Employment of people with disabilities is a natural part of the human experience
- Employment is a civil right (Americans with Disabilities Act-1990)
- Employment is an informed choice
- Competitive, integrated employment is possible/
Employment is not defined by a disability group
- People need to have dignity of risk

ThinkWork expectations video from home page (short)
<http://www.thinkwork.org>

Why Work?

- ✓ Get out of poverty
- ✓ More independence
- ✓ Make Friends
- ✓ Make a contribution to the community
- ✓ Positive image and valued role
- ✓ Opportunities for learning and relationships
- ✓ Because people want to work



Why Work, What do Studies tell us?

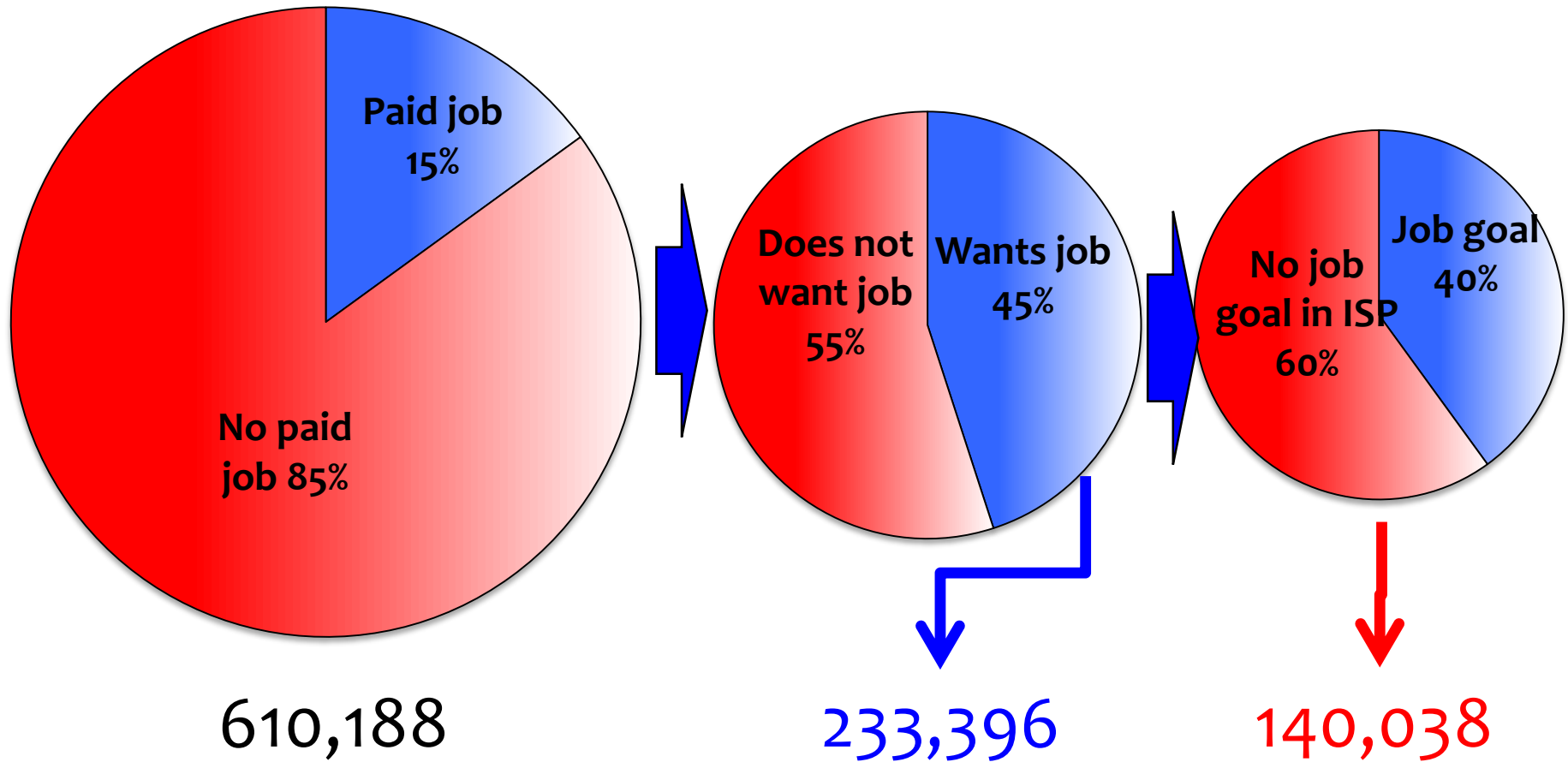


People with disabilities who have greater self-determination (more control over their lives) are:

- Healthier
 - More likely to be employed at higher wages than peers
 - More integrated in their communities
 - Better able to identify and resist abuse
- (Khemka, Hickson, & Reynolds, 2005; Wehmeyer, Kelchner, & Reynolds, 1996; Wehmeyer & Schwartz, 1998).

National Resource Center for Supported Decision-Making
EVERYONE has the Right to Make Choices

Individuals want to work



Source: National Core Indicators Project
2014-2015

Train



Place

to

Place



Train

Collaborating for Employment

John's story

<https://www.youtube.com/watch?v=UYmT4Xjujf4>

What Does This Mean to Me?

Written plan reflects –

- Opportunities to seek employment and work in competitive integrated settings

Change How You Frame Questions About Employment start with:

- How do you spend your day? Are there things that you like to do in the community?
- Have you thought about getting a job?
- Would you like some help finding a job?

Poll:

Everyone I support should have the opportunity to work
Work is an achievable outcome for the people I support

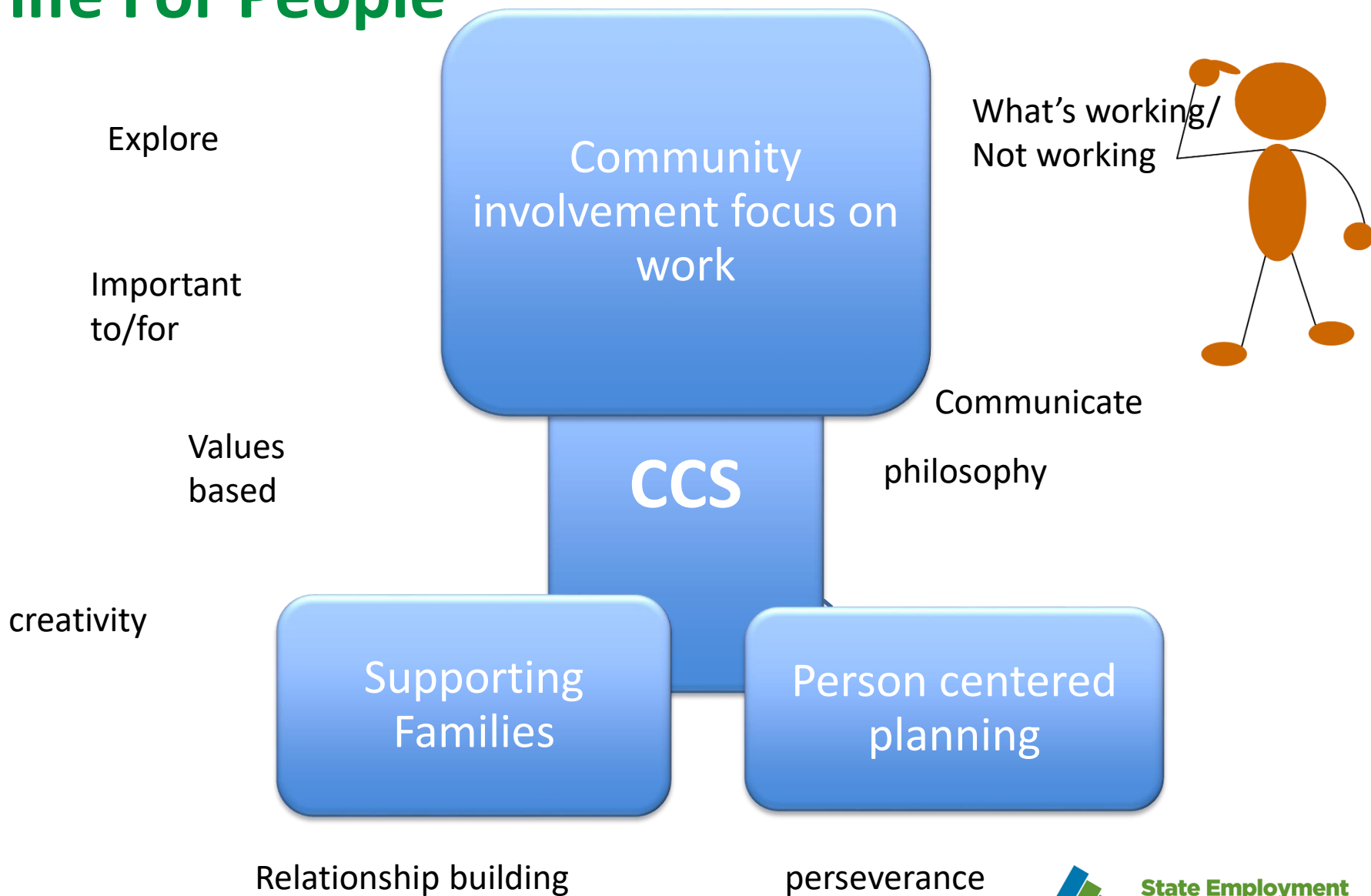
With good planning and support
Everyone can work

Think "employment first" when planning for the future with people with developmental disabilities. It works!

For a copy of Oregon's "Employment First" policy, go to www.ocdd.org or www.arcoregon.org

OREGON COUNCIL ON DEVELOPMENTAL DISABILITIES THE ARC OF OREGON

Case Managers Help to Support a Good life For People



What Will People Do When They are Not Working?

Good Question...



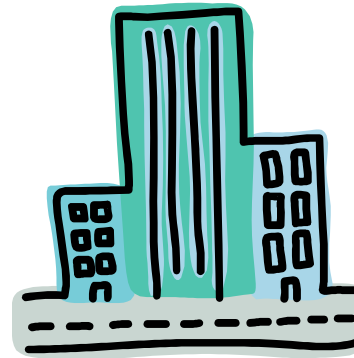
What is Community Life Engagement?

- Supports for people with intellectual and developmental disabilities (IDD) to access and participate in their communities outside of employment
- *Leads to employment* through career exploration & networking
- *Wraps around employment* to fill gaps in time, experience, social connection
- *Supports people in retirement* in integrated ways

Community is
relationships



NOT places



- the real hurdle

Lesson 2

The Evolution of Employment Policy Through Federal Guidance

1970s



Try another way

1980s



Supported Employment

1990 + ...



Customize employment

Self employment



History of Employment

- **1920** Creation of State Federal Rehabilitation System (Civilian Vocational Rehabilitation Act 1920)
- **1950s** Parents advocate for community based services as an alternative to living at home or in an institution
 - Funding for sheltered workshops and day habilitation
- **1984** Supported employment defined in DD Act
- **1986** Supported employment in Rehabilitation Act
- **1999** Olmstead Decision
- XXX Employment First movement begins
- **2011** CMS Employment Guidance
- **2014** Workforce Innovation and Opportunity Act

History of Employment

- Creation of State Federal Rehabilitation System (Civilian Vocational Rehabilitation Act 1920)
 - People with intellectual disabilities were not thought capable of rehabilitation (institutions, segregation and Separate and not equal education)
- Parents advocate for community based services as an alternative to living at home or in an institution (1950's)
 - Government begins funding sheltered workshops (community rehabilitation workshops, adult day habilitation)

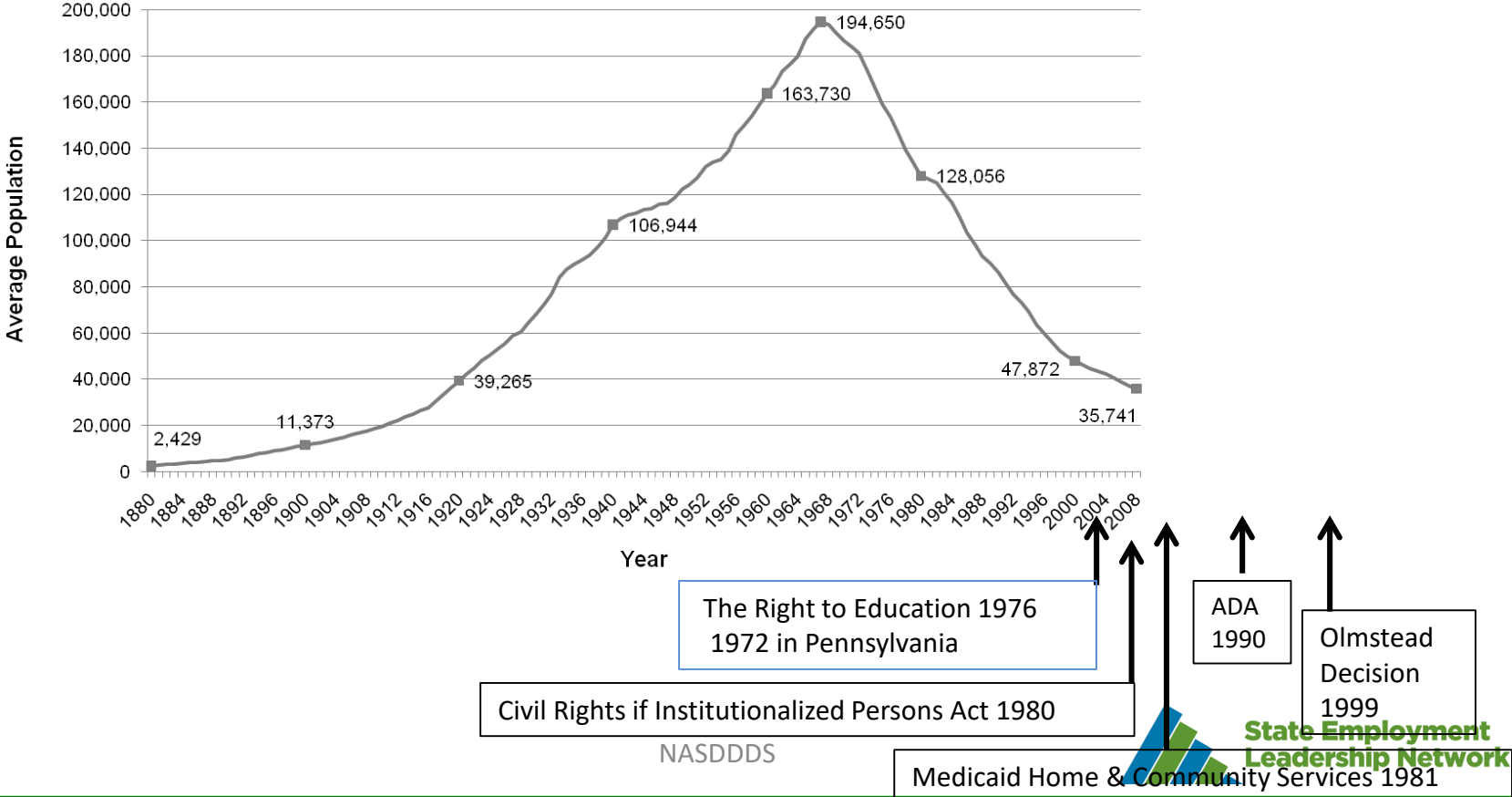
History of Employment

- Federal “developmental disabilities” legislation developed from the “mental retardation” laws of the early 1960s
- Day programs to prevent institutionalization
- 1990 Americans with Disabilities Act (Title I-employment) civil rights for people with disabilities-Civil Rights Act passed in 1965 but excluded people with disabilities

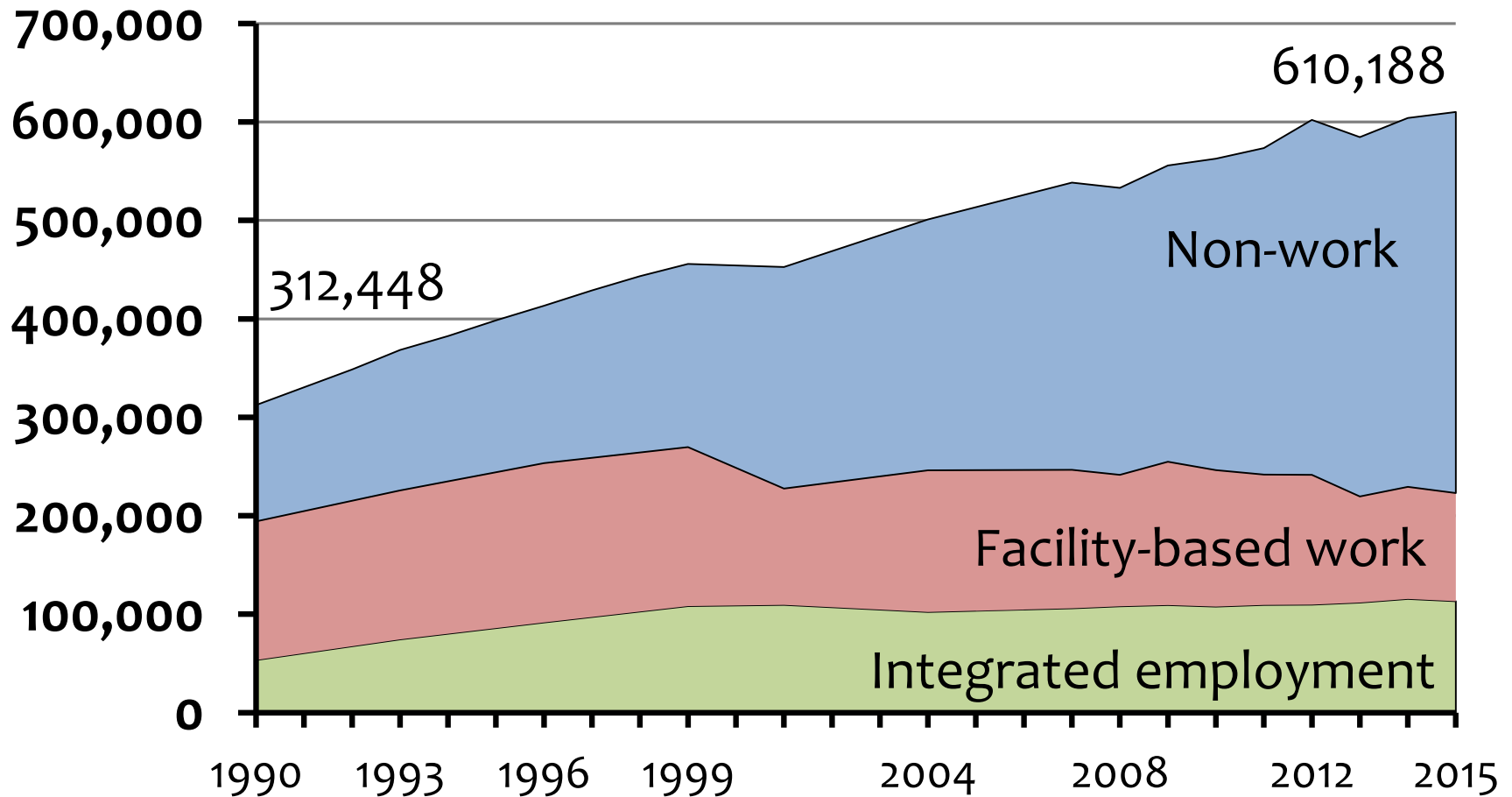


Or replace with next two slides

The Impact of Public Policy

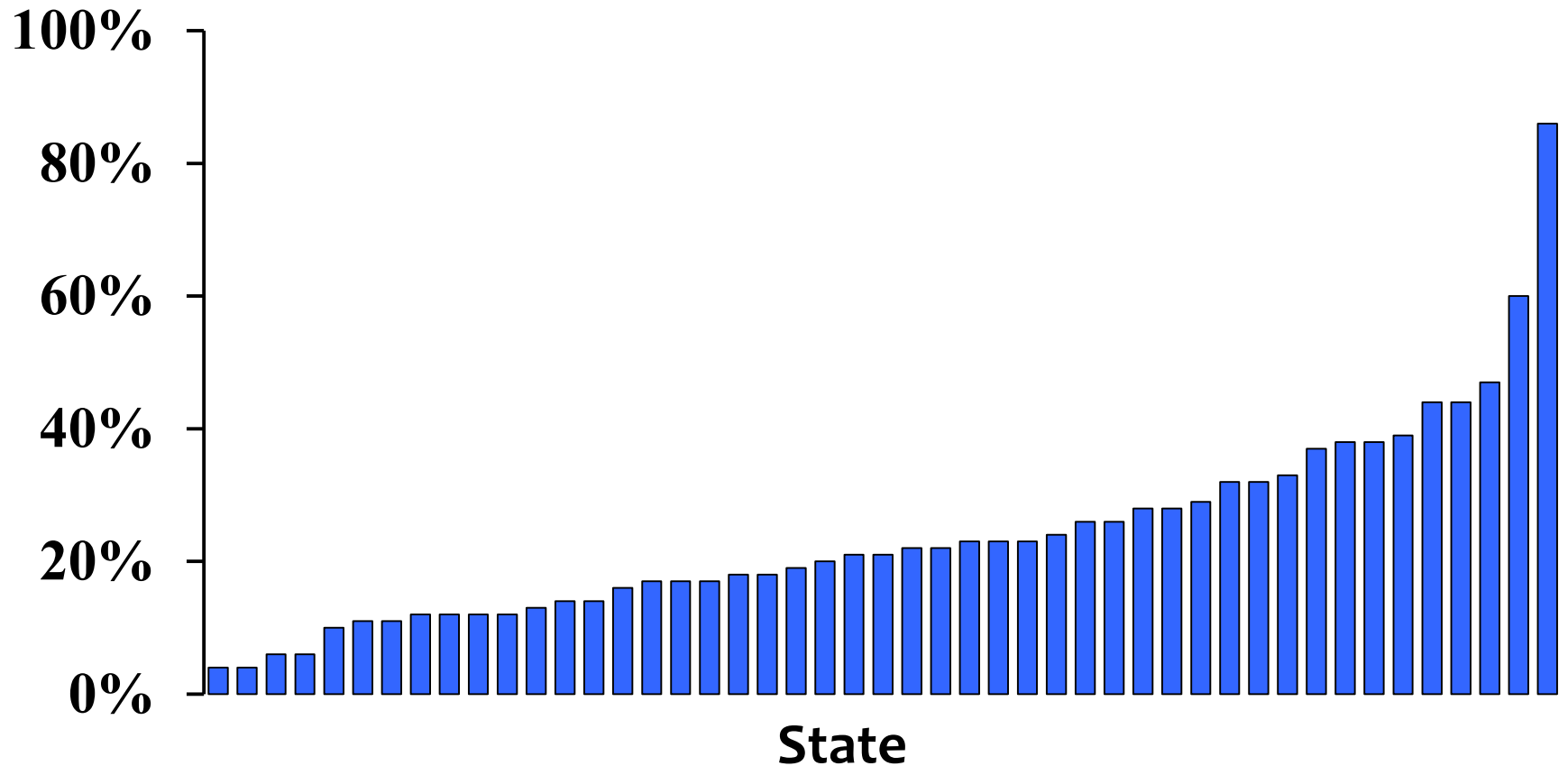


Number in Employment and Day Services



Source: ICI National Survey of State IDD Agency Day and Employment Services

Participation in integrated employment services varies widely



Source: ICI National Survey of State IDD Agencies 2015



Current Policy Influences

CMS Employment Guidance

CMS Settings Rule

Department of Justice

WIOA

State employment First policies

CMS 2011 Employment Guidance

- ❖ Clear statement of priority for employment
- ❖ Specifies small group supported employment is a pathway to individual jobs
- ❖ Adds career planning service
- ❖ Emphasizes Person Centered planning

DOJ Enforcement - Segregated Day

US vs. Rhode Island/City of Providence

Reliance on sheltered workshops to the exclusion of more integrated alternatives.

US vs. Oregon

Segregation in sheltered workshops of people who could and want to work in integrated settings

Settlements in VA, DE, NC and GA

Expansion of supported employment & integrated day activities

Workforce Innovation and Opportunities Act of 2014

- Competitive integrated employment
- Pre-employment transition services
15% of state VR Funds
- Section 511 restrictions on subminimum wage
 - *24 and under*: Pre-ETS, referral to VR, counseling
 - *Earning subminimum wage*: Annual career counseling and information on self determination training
 - No school contracts at subminimum wage

Employment First Movement in States

- Growing grass roots movement to establish Employment First initiatives in the United States
- Employment First initiatives highlight the need to raise expectations around employment for individuals with disabilities
- States have defined what “employment” means to ensure the goal of integrated jobs in the workforce at competitive wages and benefits.
- 46 states have some type of employment initiative

Lesson 3

Employment From State Policy to Implementation?

CMS Informational Bulletin

September 19, 2011

Highlights the importance of competitive work for people with and without disabilities and CMS's goal to promote integrated employment options through the waiver program...

CMS Informational Bulletin

Promoting employment

- Separates supported employment into individual and group services
- Add new service: career planning
- Emphasizes Person Centered planning
- Clarifies ticket to work payment are for outcomes and not in conflict with Medicaid rules

CMS Informational Bulletin

- Clarifies that volunteer work and other activities are not paid, integrated community employment and should not occur under the supported employment definition.
- Supports peer support, and self-determination as best practice in the field

Prevocational services

CMS guidance clarifying pre-vocational services ...

“pre-vocational services are not an end point, but a time limited ... service for the purpose of helping someone obtain competitive employment”

CMS Highlights best and promising practice

- Coworker supports
- Self directed services including the use of friends, family members, co-workers and other community members...
- Peer support
- Customized employment

Medicaid Home and Community Based Service (HCBS) Regulations

- Provides opportunities to seek employment and work in competitive integrated settings, engage in community life, and control personal resources
- CMS regulations bring renewed focus on person-centered planning and continued attention on individual integrated employment as an outcome of employment related services.
- States are re-evaluating and revising their current services and supports:
 - developing new ways to ensure that a pathway to employment is viable through the right mix of services , while also focusing efforts on supports that help build connections and community engagement.

The Workforce Innovation and Opportunities Act (WIOA)

*What is
WIOA?*

The Workforce Innovation & Opportunity Act of 2014

- Reauthorizes the Workforce Investment Act of 1998, including the Rehabilitation Act

“Competitive Integrated Employment”



- Full-time or part-time work at minimum wage or higher
- Wages & benefits similar to those without disabilities performing the same work
- Fully integrated with co-workers without disabilities

*Optimal outcome under
WIOA*

“Competitive Integrated Employment”



And at a location ...

- Typically found in community
- Where person interacts for the purpose of performing job duties with other employees, and, as appropriate, other persons (e.g., customers and vendors), to the same extent as employees who are not individuals with disabilities in comparable positions

Generally not ... (do a poll?)

“Settings established by community rehabilitation programs specifically for the purpose of employing individuals with disabilities” including

- Group employment settings
- AbilityOne or state purchase contracts
- Sub-minimum wage employment

New Definition for Supported Employment (SE)

Competitive integrated employment, including ***customized employment***, or employment in an integrated work setting in which individuals ***are working on a short-term basis toward competitive integrated employment***.

For individuals with ***most significant disabilities***:

- for whom competitive integrated employment has not historically occurred; or
- for whom competitive integrated employment has been interrupted or intermittent as a result of a significant disability; and
- who, because of the nature & severity of their disability, need intensive supported employment services & extended services.

Section 511: Restrictions on Sub-Minimum Wage

Required (as of 2016) for individuals 24 & under before being placed in a position that pays less than minimum wage

Steps include:

1. Pre-employment transition services
2. Either being determined ineligible for VR or an unsuccessful VR closure
3. Provision of career counseling & referrals designed to assist individual to achieve competitive integrated employment

***Our goal should be clear.
We are seeking nothing less than a life surrounded by the
richness and diversity of community.
A collective life. A common life.
An Everyday life.***

John McKnight



THANK YOU

for your participation today!

John Butterworth
Institute for Community Inclusion
University of Massachusetts Boston
john.butterworth@umb.edu
(617) 287-4357

Jeanine Zlockie
National Association of State Directors of Developmental Disability Services
jzlockie@nasdds.org
570-868-6320