

Employment First:

Advancing Equal Employment Opportunities and Creating Inclusive Workplaces

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National APSE



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Learning Objectives

Participants will...



Learn that Employment First is the presumption that all working age adults and youths with disabilities can, and should, be working side-by-side with co-workers without disabilities, earning minimum wage or higher



Understand that Employment First principles must be based on clear public policies and practices that ensure employment of citizens with disabilities within the general workforce is the priority for public funding and service delivery



Review the definition and core concepts of competitive, integrated employment



Explore the resources that APSE offers to promote Employment First



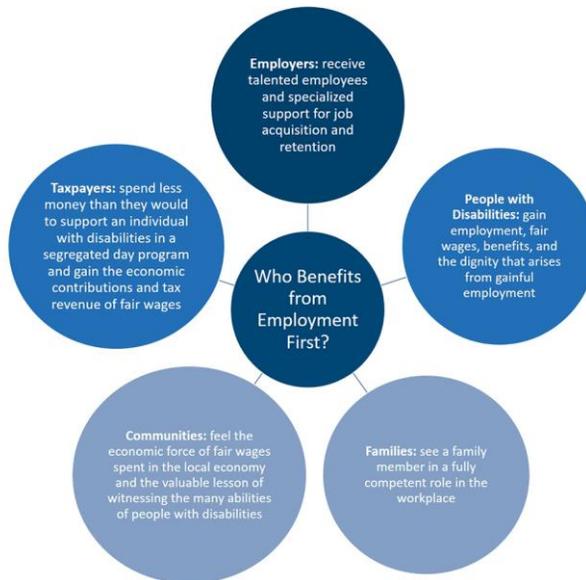
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Employment First is...

A **movement** to deliver meaningful employment, fair wages, and career advancement for people with disabilities.



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APSE and Employment First

- APSE is the **ONLY** national organization devoted to Employment First
- We promote E1 through:
 - Policy & Advocacy
 - Professional development
 - Sharing best practices and tools



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Employment First Works

APSE's Employment First Statement

Employment in the general workforce is the first and preferred outcome in the provision of publicly funded services for all working age citizens with disabilities, regardless of level of disability.



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Increasing the rate of employment

The current low participation rate of citizens with disabilities in the workforce is unacceptable.



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Decreasing poverty and isolation

Access to “real jobs with real wages” is essential if citizens with disabilities are to avoid lives of poverty, dependence, and isolation.



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Presuming ability

It is presumed that all working age adults and youths with disabilities can work in jobs fully integrated within the general workforce, working side-by-side with co-workers without disabilities, earning minimum wage or higher.



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Normalizing supports

As with all other individuals, employees with disabilities require assistance and support to ensure job success and should have access to those supports necessary to succeed in the workplace.



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Promoting self- determination

All citizens, regardless of disability, have the right to pursue the full range of available employment opportunities, and to earn a living wage in a job of their choosing, based on their talents, skills, and interests.



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Ensuring policy alignment

Implementation of Employment First principles must be based on clear public policies and practices that ensure employment of citizens with disabilities within the general workforce is the priority for public funding and service delivery.



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E1 Statement for Self-Advocates

APSE EMPLOYMENT FIRST STATEMENT
Adapted by Green Households Self-Advocates and Self-Advocates Becoming Empowered

All people with disabilities should have opportunities to work. Public dollars should be used to pay for supports for people to work in the community.

People with disabilities, their families, and their allies believe that:

- Too many people with disabilities do not have a job. This is unacceptable.
- All people should have opportunities for real jobs with real wages. It will get us out of poverty. We will be more independent. We will feel more included.
- All people, with and without disabilities, can work in jobs together earning minimum wage or higher.
- Like everyone else, people with disabilities should have access to supports that they need to work successfully.
- All people, no matter what disability they have, have the right to work a job they choose that matches their skills and interests.
- Public policies must support people with disabilities having real jobs. Money for services should be spent on people having jobs in the community.
- Just calling your state an Employment First state is not enough. "Employment First" is when everyone who wants a job, has a job.



We will know Employment First policies are working when people with disabilities:

	Earn minimum wage or higher.		Are valued by employers.
	Have jobs with benefits.		Feel welcome when applying for a job.
	Own and run businesses.		Don't live in poverty.
	Choose employment as one of the big goals in life.		Get promoted.
	Are given the supports they need to work, no matter what type of disability they have.		Have all kinds of jobs based on their strengths and talents.
	Get to try out different jobs, starting when they are teenagers.		Have opportunities to change jobs and build a career.

If a person is not working in the community, this decision should be reviewed every year. A person's team must write a report describing why the person is not working.



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The Role of Federal Policy in Promoting E1

- Fair Labor Standards Act (1938)
- Rehabilitation Act (1973)
- Individuals with Disabilities Education Act (IDEA, 1975/2008)
- Americans with Disabilities Act (ADA, 1990)
- Workforce Investment Act (WIA, 1998)
- The Olmstead decision by the Supreme Court (1999)
- Home and Community Based Services (HCBS) Setting Final Rule (2014)
- Two landmark Department of Justice (DOJ) court cases (Rhode Island, 2014 and Oregon, 2015)
- Workforce Innovation and Opportunity Act (WIOA, 2014)



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The Workforce Innovation and Opportunity Act (WIOA) and E1

- In July 2014 President Barack Obama signed the Workforce Innovation and Opportunity Act (WIOA) into law.
- WIOA increases individuals with disabilities' access to high quality workforce services and prepares them for competitive integrated employment.
- WIOA defines **competitive, integrated employment** (CIE) as the preferred outcome



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What is CIE?

Work that is:

- Compensated at the customary rate paid for same or similar work (minimum wage or higher) and eligible for the same benefits provided to other employees
- At a location where there are opportunities to interact with people without disabilities (excluding supervisors and support staff)
- Presents opportunities for advancement



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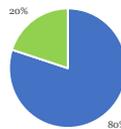
Another way to look at it

Competitive	Integrated	Employment
Paid at least minimum wage and comparable to coworkers	In a setting that is both inclusive of people with and without disabilities and is in the community	A person with a disability applies for and is hired to fill an open position in the general labor market

14(c)
certificates:
1,202

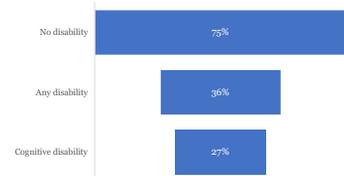
individuals earning
sub-minimum wage:
96,104

Percentage of Individuals Served
in Integrated Employment
(IDD pop., N=641,608)



• Facility-based and non-work settings • Integrated employment

Percentage of Working-Age Population Employed



Data sources:

<https://www.dol.gov/agencies/whd/workers-with-disabilities/section-14c/certificate-holders> (1/1/2020); <https://www.statedata.info> (2017 outcome data, published 2019)



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A brief history

- Early U.S. economy was farm-based
 - People with disabilities generally contributed to the family income in some way
 - Not viewed as a burden
- Industrial revolution – shift to cities
 - Machining and manufacturing required intelligence and strength
 - Able vs. unable dictated worth and survival
- Rise of institutions
 - Disability viewed as a "defect" that prevented participation in "normal" activities
 - Housed away and cared for



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A turning point

- Vocational rehabilitation opportunities for U.S. veterans
 - Goal to ensure returning injured veterans could continue to work and contribute
 - Occupational adjustment and guidance, counseling, education, training, job placement support
- 1938 Fair Labor Standards Act / Wagner-O'Day Act
 - The beginning of “sheltered workshop” model, 14(c) and Federal purchasing program (AbilityOne)
 - Limited to physical disability and blindness, deafness



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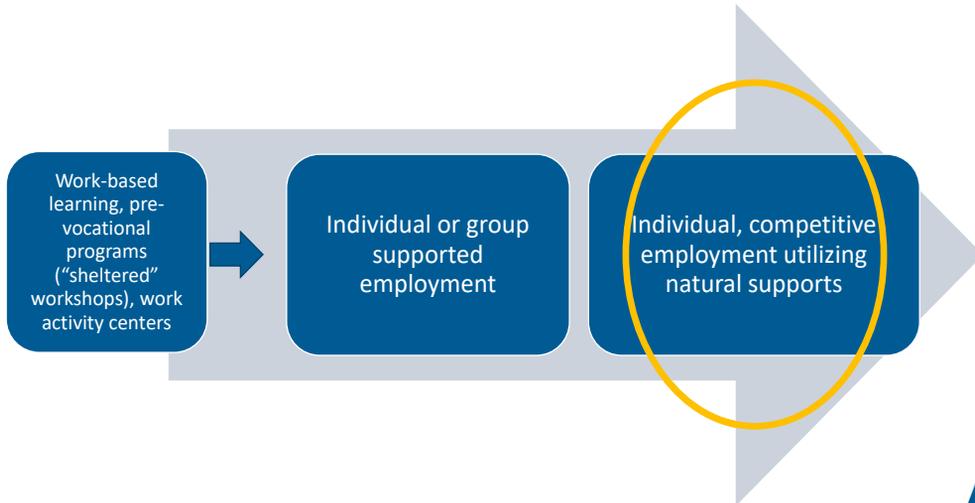
A shifting service delivery system

Shifts in law	Shifts in service delivery
<i>1964 Civil Rights Act - disability NOT included</i>	
1971 FLSA Amended / Javits-Wagner-O'Day	Sheltered workshop system eligibility broadened
1973 Rehabilitation Act	1980s: Supported employment (APSE was founded in 1988)
<i>1990 Americans with Disabilities Act - The disability civil rights law</i>	
1999 Olmstead v. LC Supreme Court Decision	2000s: Customized employment
2014 Workforce Innovation and Opportunity Act / Medicaid HCBS Final Rule	



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E1 in 2020: The Path to CIE



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Key Concepts: Eliminating 14(c) and Subminimum Wage

There are measurable increases in employment of citizens with disabilities within the general workforce, earning minimum wage or higher with benefits.



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Key Concepts: Self-Direction

Greater opportunities exist for citizens with disabilities to pursue self-employment and the development of microenterprises.



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Key Concepts: Youth Employment Options

Young people with disabilities have work experiences that are typical of other teenagers and young adults.



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Key Concepts: Meaningful Employer Engagement

Employers universally value individuals with disabilities as an integral part of their workforce, and include people with disabilities within general recruitment and hiring efforts as standard practice.



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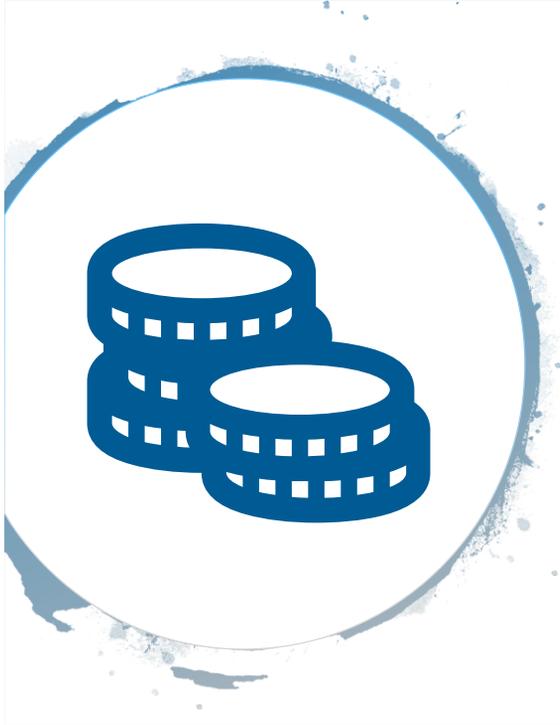


Key Concepts: Measurable Outcomes

Individuals with disabilities have increased incomes, financial assets, and economic wealth.



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Key Concepts: Aligned Funding

Federal and State funding is sufficient so that quality services and supports are available as needed for long-term employment success.



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Key Concepts: Ongoing Evaluation

A decision not to consider employment in the community for an individual is re-evaluated on a regular basis; the reasons and rationale for this decision are fully documented and addressed in service provision.



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When there is no focus on CIE – Ross’ story

- No plan for high school transition
“There was no information to tell me about what to do after school when I graduated with a modified diploma. My parents did not know what to do with me. I knew I wanted to find a job, but I had no support to help me find one.”
- “Failure” at first job
“I started working at a grocery store doing recycling, but it was not a good fit for me. I did not have the necessary assistance to do the job,”
- Low expectations and limited options
“After I was fired from the grocery store because of a lack of employment supports, I went into a sheltered workshop to receive job training skills. I stayed there for 22 years until the workshop closed down in 2014.”



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“I have spent the majority of my life working in a sheltered workshop, and now I work in the community alongside many people without disabilities. ...

Since leaving the workshop, I have gained more community and became a part of my community since I was spending more time out in public. I was able to save money for vacations, and I have my own townhouse that I rent, which is part of the neighborhood. I make more than minimum wage, and I like my job.”

Ross Ryan, Oregon
National APSE Board Member



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So, how do we get there?

APSE partners to promote E1 through:

Policy & Advocacy
Professional development
Sharing best practices and tools



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APSE's Public Policy Committee

Purpose:

- To provide support and guidance to APSE National staff (Policy Director, ED, and others) in a manner that positions APSE as THE Employment First public policy leader.
- To share knowledge and update members of what is happening with policies related to employment for people with disabilities, both at a National and state level.
- To provide material support and contribution toward fulfilling APSE's strategic goals and objectives.
- To speak as one voice of APSE.

2nd Thursday at 3pm EST



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APSE's Universal Competencies

**Association of People Supporting Employment First's
Universal Employment Competencies**

"Competency" is defined as the ability to do something successfully and efficiently. These competencies therefore, are designed to guide the successful and efficient implementation of services. Both knowledge and skills are necessary for practitioners and leaders to understand the various domains of supported employment. These universal employment competencies represent the skills and standards of practice for providers of supported, customized, and self-employment services for All people with disabilities.

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APSE UNIVERSAL EMPLOYMENT COMPETENCIES - JANUARY 2016



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APSE Universal Employment Competencies: Domains



- DOMAIN 1: APPLICATION OF CORE VALUES AND PRINCIPLES TO PRACTICE
- DOMAIN 2: DISCOVERY/INDIVIDUALIZED ASSESSMENT AND EMPLOYMENT/CAREER PLANNING
- DOMAIN 3: COMMUNITY RESEARCH AND JOB DEVELOPMENT
- DOMAIN 4: WORKPLACE AND RELATED SUPPORTS
- DOMAIN 5: LONG-TERM SUPPORTS AND SERVICES



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Where are
YOU in the
process?



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How Can We Help?

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