

## THE EVOLUTION OF EMPLOYMENT SERVICES FOR INDIVIDUALS WITH SEVERE DISABILITIES

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*The United States Department of Justice and advocacy groups have raised concerns about persons with disabilities being segregated in certain work environments. The concern covers so called “segregated” employment settings and adult day training service sites our member agencies and employment centers operate. The Florida Association of Rehabilitation Services (Florida ARF), doing business as RESPECT of Florida, serves as the Central Nonprofit Agency that administers Florida’s state use program that produces goods and services made by individuals with disabilities for government entities. While the origin of the RESPECT program was based on a segregated employment model, RESPECT has a celebrated and successful history of promoting employment for individuals with disabilities in the most appropriate environment. The RESPECT program has evolved into a predominantly integrated model that maximizes employment opportunities for Floridians with disabilities using a balanced, person-centered approach. Through a network of more than 50 not-for-profit Employment Centers, RESPECT provides an opportunity for individuals with significant disabilities to develop needed job skills so that they can achieve their employment goals. This position paper focuses on the RESPECT program and only indirectly touches on adult day training employment initiatives.*

### RECENT CONSIDERATIONS

In June 2012, the United States Department of Justice issued a Findings Letter concluding that the State of Oregon was violating the Americans with Disabilities Act by not adhering to its integration mandate. After an extensive investigation of Oregon’s system of providing employment and vocational services to individuals with intellectual and developmental disabilities, the Department found: “that the State of Oregon plans, structures, and administers its system of providing employment and vocational services to individuals with intellectual and developmental disabilities in a manner that delivers such services primarily in segregated sheltered workshops rather than in integrated community employment settings, causing the unnecessary segregation of individuals in sheltered workshops that are capable of, and not opposed to, receiving employment services in the community. The Department recommended that the State implement certain remedial measures, including the development of sufficient supported employment services to enable those individuals unnecessarily segregated, or at risk of unnecessary segregation, in sheltered workshops to receive services in individual integrated employment settings in the community.”

Beyond the Oregon finding, the economy and the national unemployment rate also impact this push for integrated employment as the optimal choice for employment for people with disabilities. With several other states turning their focus to integrated employment services, the National

Governors Association launched a 2012/13 initiative to make a concentrated effort to support the employment needs of individuals with disabilities who are heavily reliant on government benefits. The initiative, *A Better Bottom Line: Employing People with Disabilities* demonstrates how rising unemployment levels are challenging state executives on a variety of fronts.

It is noted that 20 percent of people with disabilities either are employed or are seeking employment compared to 69 percent of the population without disabilities. Of those individuals with disabilities seeking employment, 15 percent have not found employment compared to eight percent for everyone else.

### **INTEGRATED EMPLOYMENT SETTINGS**

The US Department of Labor defines Integrated Employment Settings as typical workplace settings where the majority of employees are non-disabled. In this setting, individuals with disabilities earn at least minimum wage and are paid directly by the employer. The employee in these settings may be in jobs without dedicated support, in jobs in which they are supported to learn and perform tasks that are associated with a standard job description, or in jobs where tasks and conditions of work are customized to match the characteristics of the worker and the needs of the employer.

Many states have implemented policies that promote integrated employment with earnings at or above the minimum wage as the first option of service for individuals with intellectual and other developmental disabilities. "Employment First" is the name adopted to reflect this policy initiative. The State of Washington is a notable example where policy and practice have merged to establish integrated employment as the primary goal for all persons with intellectual and developmental disabilities of working age. In a recent national review of states, Washington led the way with over 67 percent of individuals with developmental disabilities being served by the state's developmental disabilities services program working in integrated employment sites.

### **SEGREGATED EMPLOYMENT SETTINGS**

While empowering every person with a disability to work in an integrated environment is certainly the goal, even in Washington State it is estimated that about 33 percent of the individuals with developmental disabilities who are served may never be ready to function effectively in an integrated employment environment. Realistically, because of the degree of disability, or because of a lack of available services and supports, all individuals with severe disabilities will likely not be able to fully attain integrated employment opportunities.

In these cases where integrated employment is not *yet* attainable—segregated employment opportunities are available. While once perceived as sweat shops akin to something out of *Oliver Twist*, modern segregated work settings are typically the kind of friendly, comfortable work

environments everyone expects from an employer. Within these settings, valuable vocational skills are learned and professional maturation can be attained. By working and training with peers, and performing tasks that offer a feeling of accomplishment, these settings encourage confidence and motivate employees to function effectively in the workplace.

Although not all people with disabilities will transition out of segregated employment settings, this employment opportunity offers a fundamental “first step” in vocational training. Critical interpersonal skills are honed and essential work habits can be absorbed. In these cases, the segregated setting provides integral “stepping stones” on the path to competitive employment.

### **RESPECT of FLORIDA**

RESPECT of Florida is the Central Non-profit Agency for the State of Florida that helps employ persons with disabilities through the production of products and services that are sold to government entities and the private sector on a limited basis. In FY 2010/11 RESPECT of Florida assisted 1, 217 Floridians with various types of disabilities achieve their maximum personal independence through useful, productive, and gainful employment.

The RESPECT model recognizes that one-size-does-not-fit-all and has consistently assisted job seekers in finding employment opportunities that reflect individual preferences, skills and abilities. Approximately 70 percent of the Floridians with disabilities who are employed by the RESPECT network of Employment Centers are working in either integrated, community employment settings or at an enclave site that meets the community integration criteria as defined by the Division of Vocational Rehabilitation. These Floridians with disabilities are providing exceptional services to the state ranging from highway maintenance and janitorial support to staffing state operated call centers.

About 30 percent of the Floridians with disabilities employed by community rehabilitation agencies through RESPECT have not transitioned into integrated settings. These employees help provide products to state agencies and private companies ranging from drug testing kits, office supplies, and janitorial supplies such as mops. And while community integration is always the goal, it is noted that in RESPECT Client Satisfaction Surveys, 80 percent of the employees who are responsible for making products—jobs typically performed in segregated employment settings—reported that: *“I like what I do in my job,”* which is a superior rating, compared to 60 percent who work in integrated community employment settings. These responses suggest that the segregated models that exist are being operated in a positive atmosphere.

<i>*Client Satisfaction Survey</i>	<i>Products Superior Rating</i>	<i>225 Product Responses</i>	<i>Services Superior Rating</i>	<i>783 Services Responses</i>
<i>I like what I do in my job</i>	80%	179	60%	470
<i>I am happy with my salary &amp; benefits</i>	66%	148	33%	260
<i>I like where I work</i>	79%	177	61%	476
<i>I get the help I need when I ask for it</i>	81%	183	58%	456
<i>I want to keep my job for another year</i>	77%	174	65%	507

*\*1,008 individuals served through RESPECT Certified Employment Centers responded to the above survey questions from April 2011 – March 2012.*

**EARNINGS**

Of the 51 RESPECT of Florida Certified Employment Centers, 11 have certified statements confirming their employees with disabilities earn minimum wage or above at their jobs. The remaining 40 employment centers retain a US Department of Labor Sub-Minimum Wage.

The Certificates under the Fair Labor Standards Act allow employers to pay persons with significant disabilities special minimum wages commensurate with their level of productivity. It is noted that use of Sub-Minimum wage certificates is more prevalent in day training centers that produce RESPECT products than in RESPECT Employment Centers that only provide service contract work.

The average hourly wage of Floridians with disabilities working in RESPECT of Florida Certified Employment Centers is \$8.33. Of the 51 centers, there are 15 centers providing both products and services that report offering commensurate wages to selected employees with disabilities. Thirty of the Employment Centers also reported hourly salary rates above the \$7.25 minimum wage with hourly rates in some cases reaching as high as \$17.23.

**TRANSITIONING TO INTEGRATED EMPLOYMENT SETTINGS**

RESPECT of Florida’s Certified Employment Centers must remain responsive to the changing philosophies and technologies of workplace training. RESPECT Centers recognize the need to transition from the old way of doing business and this is already occurring to the extent that existing resources permit. Beyond the changing ideals and values on the national disabilities front, the traditional employment center model is also facing reduced funding allocations and limited placement opportunities for individuals within the community. And it is important to remember that even in the best of economic times, funding to assist organizations in changing their existing training model to transition more people into integrated employment settings has not been

adequate—let alone in these taxing times of government deficits and dwindling public and private grant opportunities.

Recognizing that it is time for everyone involved in serving and empowering Floridians with disabilities to “Think Outside the Box,” RESPECT of Florida supports new business models at play in some of the Certified Employment Centers across the state. MacDonald Training Center in Tampa began leading the way when the CEO and Board of Directors created a Business Enterprise Team in 2005 to seek alternative sources of revenue that could not only sustain the center’s vital programs but would also prepare individuals for real employment opportunities. In 2007 the venture proved successful when the center was awarded the FL Department of Transportation SunPass packaging contract. Using the MacDonald Training Center’s ventures as a case study, the Florida Association of Rehabilitation Facilities secured funding from The Able Trust in 2010 to develop a business plan to inspire and assist employment centers in developing revenue building business ventures that could simultaneously provide transitional employment programming for individuals with disabilities. *Transitioning to Community Involvement—A Perspective that Works* was also published to provide Florida-specific models that were successful in improving community job potential and providing more successful training and employment readiness services.

In researching the service models for the publication of *Transitioning to Community Involvement—A Perspective that Works*, the key finding was that there are significant paid work opportunities at the local level in most parts of the state that can be compatible with the RESPECT of Florida model. That said, the research reveals that there are two absolute requirements that must be met to acquire and retain the kind of contract that will result in jobs for workers with disabilities. The first is a renewed and refined effort by the employment centers to seek out and aggressively pursue local opportunities. The second prerequisite is the incorporation of a businesslike approach.

Regarding the need to pursue new opportunities and use a businesslike approach, the RESPECT program is striving to learn from new models like the Project SEARCH model which is a high school transition program that places students in internships at local businesses. These students obtain work skills and training with the goal of eventually securing employment in non-traditional jobs. The program is different from traditional on-the-job-training programs because of the concentrated work experience students receive in one specific area. The on-site presence helps students understand the employer's needs and efficiently trains them for specific jobs—ultimately giving employers access to a talented underutilized workforce while allowing students to develop job skills for long-term success. This model is being used for adults with disabilities by Quest, a Certified RESPECT Employment Center, which also provides employment services through multiple programs and funding resources. Through collaborative efforts with the Division of Vocational Rehabilitation and Florida ARF, the Project Search model will be extended to serve additional adults with disabilities.

RESPECT is excited about the potential for new and different program models that result in more job opportunities for Floridians with disabilities. RESPECT staff and staff from several Certified Employment Centers have participated in the Employment Outcomes Management Professional Training which is already showing promising results. As the RESPECT program continues to evolve, more and more successful employment outcomes should be realized.

## **ON THE HORIZON**

As an employment program that focuses on community integration while maximizing employment opportunities for all Floridians with disabilities, RESPECT believes new business models and national initiatives will help advance Florida's goal of employing people with disabilities in more integrated employment settings. At the same time, RESPECT staff understands the necessity of balanced, person-centered approaches to meeting the needs of all individuals with significant disabilities. RESPECT Employment Centers are adapting and continue to help hundreds of individuals achieve their work goals each year. And we must continue to do so. To communicate this message, RESPECT will document more of the success stories that are happening throughout the state. With 19 nominations for the 2012 RESPECT of Florida's "Employee of the Year" recently submitted, the stories and accounts of authentic progress in providing vocational training and improving quality of life are inspiring.

Floridians with disabilities must be assured equality of opportunity; full participation in their own informed choices; and the chance to enjoy economic self-sufficiency commensurate with their interests, strengths, abilities and capabilities. For many individuals with significant disabilities, employment in a competitive job will be the outcome. For those who require some supports to achieve their potential, the supports will be available through RESPECT and other models such as Supported Employment services; and, for a limited number of people with disabilities, employment readiness and job training may continue indefinitely.

Regardless of where individuals with disabilities are on the employment continuum, their needs must be met and their potential maximized to the greatest extent possible. RESPECT of Florida will continue to explore the gamut of approaches necessary for improving employment opportunities for Floridians with significant disabilities while remaining wholly committed to providing the supports needed to maximize the full employment potential of Floridians with disabilities.