



## TRANSCRIPT

### Advancing Equal Employment Opportunities and Creating Inclusive Workplaces

#### Part 1: Employment First 101

April 23, 2019 from 2:30 - 4:00 pm [Eastern Time]

>> **Christine:** Hello and welcome. I'm Christine Gudgin, president of Georgie APSE. Along with our partners, the Southeast ADA center, a project of the Burton Blatt Institute at Syracuse University, and Wise, we welcome you to an eight-part webinar series, advancing equal employment opportunities and creating inclusive workplaces. Thank you for joining us on our first webinar: Employment First 101. The goal of the series is to build awareness of Employment First. The series will feature a variety of topics for supported employment providers, vocational rehabilitation professionals, self-advocates and families. Each webinar will embrace APSE's vision, mission and values, and provide tools and resources that can be used to advance equal employment opportunities for people with disabilities. I

would like to thank National APSE, the Association for People Supporting Employment First, for their support of this series. APSE is the voice of the Employment First movement, and a leader in advancing equal opportunity for people with disabilities in the workplace. They have provided guidance, speakers, and promoted the series. For those of you who are APSE members, you already know that you're part of a great organization. If you're not an APSE member, I encourage you to join us so that you can take advantage of all that APSE has to offer. You may learn more about APSE membership at [APSE.org](http://APSE.org). That's a-p-s-e dot o-r-g. I would now like to introduce our speakers for today's webinar. Please welcome Doctor Julie Christenson, APSE director of policy and advocacy, and Erica Belois-Pacer, APSE's professional development director. Julie and Erica will provide an overview of Employment First, and will be available to answer your questions after the presentation. Julie, Erica, welcome.

>> **Erica:** Thank you. Can you switch the slide? Are we good to go, Pam, or is there anything else you wanted to mention?

>> **Pam:** You are good to go! So take off!

>> **Erica:** Okay, sounds good. So we wanted to start off and provide learning objectives for everybody so you can go back and look at it and, you know, can cover everything that we would like to. So, the first learning objective that we're going to work on is 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 their coworkers with or without disabilities earning minimum wage or higher.

When I first entered the field, I came from a teaching background, and I was not aware of sheltered workshops, so in my current role and what I did before this I spent a lot of time talking about what a sheltered workshop looked like, I went on some tours and tried to explain that to teachers and other people that aren't necessarily in the field and trying to explain why it's so important for everyone to be working together in an isolated situation. So, we'll talk more about that.

Also, we're hoping that you will understand Employment First principles and that they must be based on clear public policies and practice that ensure employment of citizens with disabilities within the general workforce and that it is a priority. So, Julie's going to cover quite a bit later on in the webinar, focusing on this, but we'll talk about more of.

Also review the core concepts of successful Employment First implementation. There's different steps and different things that we can be looking for with Employment First implementation. As most of you probably know, everybody's in a different place, so APSE is here to try to help everyone in that path and along the way.

So, the next one is exploring resources that APSE can provide. Oh! It's okay - to promote Employment First. So, I'll talk about different resources that

are right there on our APSE website and other events, and different things that will be coming out in terms of professional development to help everyone on that path. Next slide.

Okay. So, Employment First, and we like to kind of define it to kick it off, is a movement to deliver meaningful employment, fair wages and career advancement for people with disabilities. Everyone, we all have the right to pursue the full range of available employment opportunities and to earn a living wage in a job of our choosing based on our talents, skills and interests. Employment opens the doorway to true societal inclusion, which beyond financial independence, offers us the joy of forming meaningful relationship and the pride of contributing to your community.

I like to use the example of whenever I go to [inaudible] family gatherings, one of the first questions that is usually asked is what do you do. Now, in the US, typically people respond with the job or occupation that they have, that might not necessarily be true in Europe where my brother lives, but here in the US, talking about the job that you have and what you do is very much a part of our identity. So, everyone should have that option to have a job and be part of that community. Next slide.

>> **Julie:** Okay, so another way of thinking about employment first, what you see here on this slide is sort of a trajectory, a path towards employment. And what we consider at APSE is that competitive integrated employment is our gold standard, and so if you could click one more time,

there should be a little gold circle, there we go, that illustrates the point that competitive integrated employment is the goal, it's the gold standard, it's what we want for everyone.

That being said, we recognize that there's a lot of points on someone's career path. And so as providers, as individual job coaches and job developers, some of us are from state agencies, vocational rehabilitation, or Medicaid agencies, wherever we are in the sort of circle of supports in supporting competitive integrated employment, when we first start to interact with someone with a disability, they're going to be coming to us at a certain point on their own individualized path, it's the same for a person with a disability as it would be for anybody else. And so when we think about things like sheltered workshops and work activity centers, they serve a meaningful purpose in being a step towards the path of competitive integrated employment.

But with Employment First, what we think about is that we're always trying to move forward and now sort of, for lack of a better term, kind of give up on anybody or allow someone to give up on themselves in that path towards employment. And so Employment First being a movement, supports that outcome, but also takes it a step further in saying that if we are spending dollars, federal or state dollars in services and supports for someone with a disability, that employment should be the first outcome that we are working towards.

If you go to the next slide, it provides just a little bit more information in terms of who benefits from Employment First, and the answer is everybody benefits. So, around the circle you see a number of different stakeholders, one of the auspices of Employment First is also to be thinking about employment of people with disabilities as a business win rather than a charitable model. So, you see employers at the top of this schematic, because that's what we're talking about, we're talking about employment, we're talking about creating opportunities to meet business needs by matching that with the unique skills and talents of all individuals, including with people with disabilities. But also, everyone else benefits as well from the concept of Employment First.

People with disabilities have access to higher income, individualized insurance, you know, being able to have the expendable income to fully participate in their communities, and then around the circle. So, families, communities as a whole, and the taxpayer body. So, when a person with a disability enters the workforce and they are part of competitive integrated employment, then that means they become taxpayers as well, which means that they are part of the system and the infrastructure that supports creating sustainable communities that support all of us, including people with disabilities.

>> **Erica:** That's one of my favorites to focus on, Julie, the taxpayers. Because that usually catches people's attention.

>> **Julie:** So, moving to the next slide.

>> **Erica:** Okay. So, we put this slide in here, we wanted to recognize that there are lots of different organizations, agencies, both at the state and federal level, that provide different services, training, research, employment, and support for people with disabilities. But APSE truly is the only national organization that is really devoted to Employment First. Obviously we're there to help in other ways as well, you know, we have our conferences and we have resources, but really the employment first is our focus. We do this by policy and advocacy, and that would be Julie's domain, she will be talking about that later. And starting more recently is the professional development aspect.

So, I was brought on for APSE to really focus on professional development. There were some things before, but we're really trying to bring it out to more people and have it be more available to members and non-members as well. Additionally, I'll talk about this later, we're trying to really do a great job with sharing best practices and tools. We can't do this alone, each individual agency cannot do it themselves, each state cannot do it themselves, so really we need to be sharing practices and tools and working on this as a team. So, I'll talk about a platform that we launched, some of you may already be part of it later, but the discussion within there from people from all different realms has been amazing, it provides support for people that may be just starting to shut their sheltered workshops, it

might be from people who have been doing supported employment for a very long time, it could be from colleges, so I'm loving that opportunity.

Next slide.

Okay. So, on the APSE website we have lots of resources, one of them is our APSE's Employment First statement. We've adjusted a number of resources on the website recently to really reflect changes in both practice and policy, this is one of the areas that we updates in addition to our competencies, which we'll talk about later as well. Basically, APSE's Employment First statement says that 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. We put at the top of this that it works. An example that I have of it working would be in the state of Washington, they really have committed to policies and practice that focus on employment within the community as a first priority, and their end results, and it could be different now, but the information I have is around 89% of the individuals served in Washington through their system in integrated employment, that's the average, they have 89% of people are in integrated employment services, and that compares to a national average that would be 20%. Julie, you could probably add more to this, but obviously it's a pretty vast difference between 89% and 20%. Unfortunately, some states in the US are even below that national average of 20%, some dip down into 10%. And like we said before, we really need to meet people where they are. Next slide.

So, within the APSE First statement here, we have broken it up into different kind of areas. The first one would be increasing the rate of employment. This is probably known to most people, but there's a current low participation rate of citizens with disabilities in the workforce, and it really is unacceptable. So, we have to really look at it. I mentioned earlier that the national rate is 20%, and in some states it's closer to 10%, so we need to look at different ways and paths to improve those rates, and that is our goal. Next slide.

>> **Julie:** Another aspect of ASPE's Employment First statement is looking at decreasing poverty and isolation of people with disabilities. And so access to real jobs with real wages is an essential component. We know that people with disabilities are more significantly at risk for living in poverty for being dependent on publicly funded supports and services to access day to day life, and as a result are more likely to be in isolated environments. And so that's a key premise of employment first in terms of APSE's goals as decreasing both poverty and isolation. Next slide.

>> **Erica:** Okay. So, presuming ability, this just follows right on another part of the statement. It is presumed that all working age adults and youth with disabilities can work in jobs fully integrated within the general workforce, working side-by-side with coworkers without disabilities, earning minimum wage or higher. An example of this that I kind of like to highlight, in my previous job when we spoke with teachers in high schools, a lot of times

students that may have been in a special education classroom, their first thought would be a dayhab program, or something that was really isolating. So, giving an option of something else after high school, and for anybody with a disability, with or without going into work is a big push. So, an example, in New York state, they would give out a transition survey to people that qualified to receive services when they were exiting high school, and the first box for families and teachers, and hopefully the student, to check was [inaudible]. So, we spent a lot of time changing that up so that the options were placed a little differently. So, actually employment or different work study programs were first on that list so that the mind didn't immediately go to dayhab, it went to working and other opportunities for students after high school. Next slide.

>> **Julie:** So, then to dig even a little deeper, thinking about normalizing of supports. So, we know that all workers from time to time need assistance to perform at maximum productivity on their jobs. So, part of the Employment First conversation is to think about the supports and accommodations that are provided for people with disabilities as being just a normal part of ensuring that all workers are able to fully participate in the work environment. So we know that sometimes the presence of a job coach can create sort of a non-normal feel to the workforce, so part of this is the education that we're doing with businesses with natural supports in the work environment to help people in the work environment understand how to support each other regardless of whether or not they have a disability.

We also know that a lot of times accommodations that are provided for an employee with a disability end up having the effect of being beneficial to everybody. And so the more that we are speaking to the normalization of supports being something we all need to succeed in the workforce, the less stigmatizing it is to be providing those supports for a person with a disability. Next slide.

>> **Erica:** And Julie, just to piggyback on what you were saying, an example of this is in some states there's evaluations that are done to find out if a person who is a job coach is doing their job well. So, the individual that chooses support is interviewed to find out if they're getting the support they need, and there was a case of people going to the job site and interviewing people while they were working. So, we had to bring up the topic and say, would you like someone coming and doing an interview right there when you are working about the person that supports you? Probably not, it can be a little awkward. So, I think really focusing on universal design and making sure that it is [inaudible] for everyone with the work environment, and not isolating and calling people out is definitely huge. Okay. So, promoting self-determination. This, again, is with the APSE statement. All citizens, regardless of disability, have the right to pursue a 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. I'm just going to mention the fact that I often ask people, are you in the first job that you started? Most cases, no. I started out working mowing lawns, I am

still not mowing lawns. So, really looking at opportunities for people with and without disabilities to further their job and their employment is huge. You need to be looking for career development, not just the first job that you have, and really looking on talents, skills and interests, just like anybody else.

>> **Julie:** Next slide?

>> **Erica:** Next slide.

>> **Julie:** So, this is where my domain comes in, ensuring policy alignment. This is something that is critical to APSE's vision and mission, I just made vision and mission one word, sorry about that. But, you know, none of this happens in a vacuum, right? So, our ability to implement Employment First principles, the things that we are talking about in this webinar have to be based on, informed by and supported by clear public policies and practices that help to sustain these initiatives. And so a big piece of APSE's portfolio is working at the federal and at the state level in working towards policy alignment that helps guide and promote best practice for competitive integrated employment for people with disabilities, including ensuring that service alignment and funding is aligned in a way that promotes competitive integrated employment as being the first outcome. We certainly have a long way to go in achieving that policy alignment, we'll talk a little bit more about that a couple slides from now. Next slide.

>> **Erica:** Okay. I'm not going to read this whole one, but basically achieving competitive integrated employment is the goal. We want to make sure that using just the term inclusion or exclusion in specific policies or in infrastructure, that doesn't mean that it's happening, so you really need to look at what's going on, just the use of certain words within policy and perhaps in agencies isn't going to get the job done. So, we really need to take a look at the general workforce and look at what's going on, and we'll cover this more later. Next slide.

>> **Julie:** So, this next slide, and first I do have to give a caveat. We are in the process of updating our Employment First state map, this version that you see on the screen was last updated in 2016, and we will have a new update on our website within the next month. But as we've just walked through some of the core principles of employment first, and we mentioned a few minutes ago, there are different types of activity, different ways of promoting Employment First, how that looks is largely local, geographical, and so what this map gives you a sense of is where states are at in terms of promoting competitive integrated employment and embracing the principles of Employment First. So, the yellow states are the states that are the furthest along, these are states that not only have legislation in place, that guide and support and align services and systems in funding to promote Employment First, but that also have specific directives, be that state agency directives or executive order from the governor's office in terms of providing more specific implementation

guidelines in supporting Employment First outcomes. It's not to say that yellow means we want everybody to be yellow, it needs to make sense to every state. So, our green states and our blue states that are at different levels of Employment First activity, you know, that work makes sense for the context that they're in. I will give a specific example. I have lived and worked in Iowa for the last couple of years, and Iowa is a state that has been very progressive in Employment First for a long time, has never broached the subject of having Employment First legislation because Iowa believes that that's not a step that they need to take, that they have always promoted employment as the first option and the preferred option for people with disabilities. And so there are other Employment First activities that are happening, but legislation itself as a state is not a goal. So, again, not intended to put any sense of hierarchy on what states are doing, but to give you a sense that there's a wide array across the country in how Employment First is being implemented, and as you're involved in efforts in your own states, it may be a useful activity to take a look at how other states are similar or different in terms of promoting Employment First in terms of lessons learned. Not everything is applicable, what we do in the state of New York does not necessarily work in the state of Mississippi, and vice versa, but that doesn't mean there aren't great lessons learned. Also wanted to mention that there is a ton of new Employment First activity that has taken place just in this legislative season, we're going to talk a little bit more about that in the future slide, but I have to give a special shout-out to

Kentucky and to North Carolina in particular who have very recently passed executive orders to further their own Employment First initiatives, and we'll talk more specifically about that.

But if you go to the next slide, we wanted to also make you aware that in addition to this PowerPoint, which provides kind of a breakdown of Employment First principles, we also have on our website an Employment First statement for self-advocates, which was designed in collaboration with the Green Mountain Self-Advocates. This is just an added resources for you to be aware of that takes the principles of Employment First and distills it into easier-to-discuss language, specifically for self-advocates and family members, but I wouldn't say exclusively by any means. When I am doing outreach with legislative staffers, this is often the version I take with me, because most staffers are not in the weeds of Employment First the way we all are, and so in many cases, the easier the language to digest along with pictures to help describe what it is that we're actually talking about is a really useful tool for us all when we're engaging in advocacy around Employment First.

>> **Erica:** I agree. And Julie, I've used it with chamber of commerce as well, just because it's a great, quick, you can glance at it and get the information out.

>> **Julie:** So, moving to the next slide, we wanted to dig in just a little deeper, we could do an entire webinar on federal policy, as well as state

policy as it relates to Employment First, and we're not going to do a deep dive into all of these different pieces and parts, but just to show that the concept of Employment First, the concept of people with disabilities being an integral part of the workforce is not a new idea. And I'm always very careful when we talk about Employment First, it can be easy to sort of get into the blame game of, well, we know so much more now than we knew in 1938, for example, when the Fair Labor Standards Act said that people with disabilities could earn a subminimum wage. You know, those 14c certificates that are outlined in the Fair Labor Standards Act were hugely progressive in their time and in their context for moving people into the workforce during a political and cultural context that did not see people with disabilities as capable as we now know them to be. So, all of these pieces and parts, and this is what happens in the world of policy, there's no such thing as a perfect policy, it's an evolving cyclical cycle. The minute that we think we have it figured out, it gets watered down, and by the time something gets passed, we've already moved on and have new research and new best practices that enforce a policy is always going to be behind practice. It's one of the reasons I was excited to co-present with Erica today, because this notion of having, at the national APSE conference, dedicated staff looking at policy and practice and being able to do that in tandem, I think puts APSE in a really powerful position to be able to inform and scale up best practices, but also to do that policy alignment piece that we were talking about to ensure that there are sustainable and scalable

opportunities for best practices to continue to evolve as we learn more. So, you know, we see all the different pieces and progressions from the rehabilitation act and IDEA, which were sort of system-specific in terms of providing some specific guidance to vocational rehabilitation and to special education in schools, all the way up to the Americans with Disabilities Act in 1990, which is the disabilities civil rights piece of legislation. And interesting for us to note, you know, those of us who are policy wonks, that that's almost 30 years after the civil rights act was passed, and so it took us a little bit longer. Even in 1990, which does not seem that long ago, to recognize that people with disabilities continued to be left out of the policy conversation when we looked at the rights of all citizens. In more recent years, there's been quite a bit of movement to look at desegregation. The Olmstead decision by the Supreme Court in 1999, that original case, for those who aren't familiar, was really about looking at segregated residential services, and the Supreme Court saying that people with disabilities had a right to live in their community if that was something that they wanted to do. Since that court case, there have been several follow-up pieces of guidance, including the HCBS setting final rule in 2014, as well as the Department of Justice court settlements with the state of Rhode Island and the state of Oregon that have made it very clear that Olmstead applies to all services and supports for people with disabilities, including employment, not just residential settings, as was the impetus of that Supreme Court case back in 1999. Right now, we're all a buzz about the Workforce Innovation

and Opportunity Act. It's the Big Brother, so to speak, of the Workforce Investment Act of 1998. A lot of pieces and parts which we're going to talk a little bit about, because it is right now sort of the seminal piece of legislation that is passed that has real opportunity for us to move the needle in terms of thinking about competitive integrated employment as an outcome. And specifically that WIOA defined competitive integrated employment for the very first time, and so we're going to talk a little bit more about that as we move through.

But if you could go quickly to the next slide, and then I'm going to let Erica talk a little bit more about WIOA. There are a couple of additional policy-related activities that are taking place in the Employment First sphere that we just wanted to make you aware of. And they mostly center around 14c and the use of subminimum wage certificates which, again, under the Fair Labor Standards Act are allowable. The two federal pieces of legislation right now that have been introduced in the House or the Senate, one is the Raise the Wage Act, which many of you have probably heard about, this is a larger package that looks at raising the minimum wage across the board, so the fight for 15 is tied up in this. Tipped workers, agricultural workers, but there is a piece in Raise the Wage that specifically looks at phasing out 14c certificates. That piece does not get a lot of attention when Raise the Wage is talked about, but there was a subsequent bill, the Transformation to Competitive Employment Bill that was introduced by Representative Scott in the House, and Senator Casey in the Senate, that expands on what Raise

the Wage started to do. The Transformation Bill is a six-year phase out of 14c certificates. It's a bill that APSE has publicly supported, and we've been doing quite a bit of education and advocacy on Capitol Hill in DC around this bill. What we like about it is that it is promoting employment in inclusive integrated community-based jobs at real wages, which is what Employment First is all about, but that it does it in a purposeful way. So, that bill, if passed and appropriated, would provide for targeted assistance to states and for large providers who need to adjust their service systems and funding alignments, as well as provider business models to move away from 14c and sheltered work settings into competitive integrated employment. There is a recognition that that's not something that happens overnight, and no one is looking for people with disabilities to have the rug pulled out from under them, but we also, you know, APSE has many members who are 14c certificate holders who believe in Employment First, but it's a process to change these settings and to ensure that people with disabilities and their families have access to appropriate and accurate information, and that people with disabilities, and staff, provider staff, direct support professionals, have access to training and supports to be looking at competitive integrated employment, which is a very different thing. Separately, in the 2019 legislative season, we have seen a number of states that have taken on 14c in various different ways, and we're happy to provide more information to anyone, if you're from one of these states and wants to know more, we can break that down in terms of what the

individual bills are. But Kentucky, I think that's a misprint, it says Kansas, it should say Kentucky. New Jersey, South Carolina have newly passed legislation or executive orders, and then there's legislation still pending in more than a half dozen states that look at, at the state level, moving away from paying people with disabilities a subminimum wage. Okay, next slide. So, Erica, I think you were going to dig into WIOA a little bit more.

**Erica:** Oh, sorry. It said the host had me muted, so I couldn't unmute myself. Yeah, so W-I-O-A, I often call it WIOA, the Workforce Innovation and Opportunity Act. It came into existence in 2014, and I, you know, we've been looking at it over, and over, and over again, it really increases individuals with disabilities access to high quality workforce services and compares them for competitive integrated employment. As Julie mentioned before, within WIOA, it really defined competitive integrated employment, and it has it as the preferred outcome. I'm going to focus a little bit on what it means for transition-aged youth, and youth at a certain age. And the Julie, feel free to pop in and add information as well, because it's a huge topic, I think we could do an entire conference on WIOA and have many different people speak on it. So, let's see here. In perspective, it really had a big effect on youth. So, a certain percentage of money that was typically spent maybe on adults had to be transferred to be spent on working with students and youth out of school with disabilities-- Terms of looking towards employment. So, what that meant specifically in the State of New York and other states, is that vocational rehab counts on other people that

also had contracts were able to work with students that were in school at a younger age. So, typically students that were exiting high school would be people that would start working with vocational rehab counselors and other people. That employment and that process-- There can be services provided much earlier within the school context. So, it's not replacing what a special education teacher would do, but provides support really for employment for students that are younger. In my opinion, it helps kind of lessen the vocational gap. If you've heard that term before, it means that if you think of kindergarten or [inaudible] young children, you typically start talking about work, and employment and jobs when they're, gosh, you know, toddlers. You have lots of toys that would focus on employment and different things that they might do when they grow up. Unfortunately, a lot of times students that are in a special education program, they may not have exposure to those different things. They might now play with toys that are focused on jobs or working, they may not talk about it, there's a lot of services that come into play in terms of OT speech that takes up time, and I think it can get lost along the way. So, introducing the idea of work and really talking about it at an early age is huge. Each state, as Julie said, with the 14c and even Employment First, kind of is doing their own version under WIOA, and it looks a little different. I know that some states started programs right away and services, and I think they maybe did two much too soon, and other states are kind of taking it slow and implementing

things a little slower and taking a look at what other states did. Julie, do you want to add more information on WIOA?

[ Barking ]

>> **Erica:** Okay!

[ Laughter ]

>> **Erica:** Oh, you can't unmute?

>> **Julie:** Oh now I can. Sorry, that's why I was saying no. But that was great, keep going.

>> **Erica:** Okay. So really, I think of it as really a push to get younger people involved with employment, which is huge. And the path could be work, it could be a training program, it could be college, it really could be anything that would end someone up in a job eventually. The other change is, it also looks at out-of-school youth and different things that could be provided there, perhaps through a workforce office, some people use the word one-steps, I didn't have the knowledge of that when I first started in this field, but there's different opportunities out there for out-of-school youth as well. So, the age is younger that students can start getting support, and it goes until they're older as well. So, typically you would think of that 18 to 21, but that is extended as well. So, Julie is it 24? Okay. Don't want to misspeak. So, I'm excited about this because I think it's huge and I think, you know,

getting people in the workforce earlier, starting those jobs when students are in high school, more typical of any other student is huge and will have an impact moving forward.

>> **Julie:** And I'll just add that, you know, one of the things that WIOA did, and when you put this into context of that sort of timeline of what was happening in disability policy, when the Department of Justice settled with the state of Rhode Island, one of the key settlement was that they found that the school district, specifically in-- okay, I'm not going to say specifically, because it just left my brain. But anyway, that the school system was moving directly from school into sheltered workshops. What WIOA really pushed the envelope on, you know, there's that cliff, right, between what happens when people are in the school system and then all of a sudden they exit the school system and our vocational rehabilitation, and our Medicaid long-term services and supports, our adult systems that are based on very different premises and practices, there was not a very good handoff from one to the other. And so, you know, I'm just going to speak from personal experience, I used to be the state coordinator for project search programs in the state of New York, and there was nothing more frustrating to us when we had young folks who spent a year in a project search program and were ready to start looking for a job, and then they were doing their closing IEP meetings, and they were counseled by their school to go into a sheltered workshop because the schools, quite frankly,

didn't have any other information to go by. It wasn't that anybody was, you know, trying to be bad or, you know, to stereotype--

>> **Erica:** No, absolutely not.

>> **Julie:** To stereotype kids with disabilities, but what WIOA really did was push the envelope in saying there needs to be more coordination, especially in transition, so that special educators have the same access to information about what's possible, as the adult service system does.

>> **Erica:** Yep. And I can attest to the fact, I was a special ed teacher, and really, the goal was graduation, get the student to exit high school successfully, and really not thinking past that. So, I'm hoping I'm remedying that with my current role, in terms of training teachers and school personnel so that there's a much smoother transition and more success. But you're absolutely right, Julie. Okay, next slide.

>> **Erica:** Okay, so, thanks. So, we put this slide in, it's the Language of Employment with integration. Coming from different areas, the word "inclusion" is often used, and it can be a little confusing in terms of integration and inclusion. You've probably seen pictures before similar to this, I know on the APSE website we have a circle with little dots in it, and it shows different versions of what inclusion would look like, what integration looks like, and move along in that cycle. So, really, talking about integration is a work setting where workers with developmental disabilities have

opportunities to act with and alongside coworkers that do not have disabilities, and that would be considered integrated. So, in the picture here, you can see that the little boy is sitting off to the side, not participating, but to be truly integrated, he would need to be on the seesaw with everyone else. So, just kind of a reminder of what that would look like and how to take the next step. Next slide. Pam, did you want us to address any questions in the box as they come up?

>> **Pam:** We can do the questions now or we can do them when you get finished, so. I'm keeping track of them.

>> **Erica:** Okay.

>> **Erica:** Okay, you can go ahead.

>> **Pam:** Okay.

>> **Pam:** Julie, are you good?

>> **Julie:** How-- not--

>> **Pam:** No? Is it not working?

>> **Julie:** Okay, I think I'm back.

>> **Pam:** Okay--

>> **Julie:** Sorry, it just locks me out, and it says--

>> **Erica:** I know! I'm not sure what's going on there! Okay, sorry about that. So, I did want to say, on the other slide there's a reference to developmental disabilities, and I just want to say, it's not specific to developmental disabilities, and let me talk a little bit more about what we mean by that and why we sometimes talk about developmental disabilities. One of the criticisms of APSE is that APSE focuses too much on developmental disabilities and not on some other disabilities, and I would counter that that has never been on APSE's historical intent, but when we think about people with the most significant disabilities, which typically are people with developmental disabilities, it becomes sort of a universal design kind of a conversation. That if we can wrap around services and supports that promote people with the most significant disabilities to achieve competitive integrated employment, then everyone benefits, and so I just wanted make that distinction. When we talk about competitive integrated employment, those are difficult concepts in and of themselves. There's three concepts there, right? Like, there's competitive, there's integrated, there's employment, what do these all mean? So, APSE has developed a series of CIE information sheets that are available on our website that you can download, there's one for every single state. What's on the slide here is an overview of CIE statistics from a national perspective, and these were really designed to be tools in talking with advocates, and also providing language that legislative staffers who, again, are not in the weeds of disability employment the way we are, to be able to understand

these concepts at a 30,000-foot level. And so I say that byway of a little bit of a caveat because those of us who live in this world can nitpick language on tools like these, but understand the audience for which they were intended. And so let me just kind of walk through sort of the very simplistic way of talking about competitive integrated employments. And so I'm going to kind of work from the bottom, up. So, when we talk about employment, we're talking about a person with a disability, is able to apply for and is hired to fill an available position. Now, does that include self-employment, and entrepreneurship, and all of those things? Yes. But that gets into, you know, that gets into the weeds. But we're talking about employment being a person with a disability can work like everybody else. And what you see, in terms of the national statistics, is the disparity in the percentage of working age, individuals employed, with people without disabilities being at the top, people with any disability being that middle piece, and at the bottom cognitive disabilities, which would also include the developmental disability category being the lowest rate of employment. So again, sometimes we focus on developmental disabilities to make the point that we need to always be thinking about people with the most significant disabilities and making sure we're paving a path towards employment for all people. The integrated employment slide, and for some reason this slide looks different than the one I have on my laptop, which has a pie graph, so I'm just going to kind of narrate this for you. What this did have was a wedge of the pie that said that 19% of individuals served in Medicaid

services were served in a setting that was both inclusive of people with and without disabilities. We, again, purposely chose to use Medicaid data for a couple of reasons. One is, again, as I was saying, that sort of most at-risk population in terms of employment outcomes, but when we're talking with legislative staffers, one of the national debates right now is around Medicare for all, and Medicaid and Affordable Care Act reform, and being able to speak to the large percentage, 81%, of individuals served in the Medicaid system are not served in integrated settings, meaning they are not currently meeting the requirements of the home and community-based settings rule that CMS issued in 2014 and has a looking deadline of 2022 for all states to come in full compliance. We have a lot of work to do. So, why is that important to a legislator who's looking at this? We know that there are concerns about the solvency of both the Medicaid and the Medicare systems long-term, and we also know that the more folks that we can move into employment, the greater the opportunity we have to extend the supports of Medicaid and Medicare for those who truly need it. And so, again, one of the reasons why we focus on that particular statistic. So, when we're talking about integrated employment, we really are talking about the setting, is it an integrated setting where people with and without disabilities are working alongside each other? Competitive employment, the way APSE is talking about competitive employment and defining it has to do with the wages. Are people paid at least minimum wage, and are they paid a wage that's comparable to anybody else that is doing that same job? And so

we've referenced 14c certificates, which allow for folks to be earning less than a minimum wage. There are currently just under 1500 14c certificates currently across the country, with about 124,000 individuals who are served under those 14c certificates. That means 124,000 individuals who are earning less than subminimum wage. Now, some 14c certificate holders pay minimum wage or more. What this data is intended to show, and again, these resources are available for you if you want to look at what's going on in your state, is the number of individuals impacted who are not earning at least minimum wage or comparable wages. So, you know, APSE is really promoting, trying to use fact-based approach in educating our legislators and educating state advocates around the scope of what it is that we're talking about, and being very clear in terms of what is the difference between competitive employment, between integrate employment. And that currently, under statute in WIOA, it is the combination, it is both the wages and the setting that meets the definition in WIOA. As currently written, that is the goal of funded supports and services for employment. So, moving to the next slide, which I think just further expands on that.

So, a key concept in implementation of WIOA is the elimination of 14c and subminimum wage. And so what that means is that we want to see measurable increases in employment of people with disabilities in the workforce who are earning comparable wages. We do want to do that, however, in a purposeful and plan-ful way that does not involve people

finding themselves home on the couch with no other options because we haven't planned for that type of a transition in a meaningful way.

If you go to the next slide, another key concept in implementation of WIOA. Who's my slide controller? Is self-direction. So, providing greater opportunities for people with and without disabilities to pursue whether it be self-employment, whether it be microenterprises, you know, that it's not a one-stop shop, as is the case for people without disabilities. So, we want to be very clear that we are looking to level the playing field across the board. So, self-employment and entrepreneurship are definitely part of the equation and part of the advocacy around implementation of WIOA, because we know that there's an array of different options and different skill sets and talents that people with and without disabilities bring to the workforce. And so the goal of WIOA is to make sure that those same options are available for our workforce that happens to be people with disabilities.

>> **Erica:** Yeah.

>> **Julie:** Moving to the next slide.

>> **Erica:** Okay, and just to add on to what Julie was saying about the last slide, just in terms of-- just like anybody else, being self-employed can be tricky, there's lots of different paths, but sometimes thinking outside of the box can be very successful. I was in DC last week working with a group of

people that brought up something that is related to the next one, key concepts, in terms of youth employment options. We talked about this earlier with young people with disabilities having work experiences that are typical of other teenagers and young adults getting out there and having the same experiences. One example that one of our members brought up was there was a student that was really interested in working in a gym, and he had a paid internship working at a gym and shadowing a professional trainer, doing all the different things at the gym. When it came time for the internship to end, they did not have a job that would continue paying him. But they thought outside the box and they realized that they needed towels cleaned. And so he started his own business, he bought a washer and dryer and he now does all [inaudible] for the gym, and he additionally subs in as a trainer when he's not doing that. So, he's making lots of money doing the towels, and being self-employed, and he's also subbing in as a trainer and getting his certifications with that. So, sometimes, you know, thinking long-term helps as well. So, his ideal job in long-term would be a trainer at the gym, he's moving towards that, but in the meantime, he's making money for himself, which is great. In terms of, we talked about vocational gap before, I said I like to ask people what their first job was and how they found it. Typically, people find their first jobs through connections, through people they know in networking. Sometimes students with disabilities don't have the same opportunities, I know that vocational rehab counselors and social workers have used employment genograms, and that's a resource we

have on our website as well, where you can look at different families or friends and their employment histories. It's similar to a family tree, but it looks at options that you might have within your family unit, or your friends, or your community in terms of having connections for jobs. So, different activities like that definitely help. Another thing I like to bring up is making sure students have non-driver ID's, even if you don't have your license, having some sort of ID so that you can obtain a job is huge. So, just little tips like that. Next slide. Next slide, please. Thank you.

I know we're running out of time, so, in terms of having meaningful employer engagement, there's lots of different ways to do this, I know APSE tries to reach out to different business in addition to agencies and talk about different things like Employment First that are important. I know that providing information on tax incentives and other things are great, but I also think on kind of transforming the way that agencies who have competitive integrated employment work in terms of staffing instead of providing services for other business can be a huge gain both ways. I know that many people belong to chamber of commerce and try to provide information that way, having reverse job fairs, there's lots of different options in terms of working with employers. Another thing that we like to push is using business language. So, I know in this field a lot of times we use some more clinical terms, trying to get away from that and really thinking of job-seekers, not a person receiving services. So, thinking about

your language and really being deliberate and meaningful when working with employers. Next slide.

>> **Julie:** These last three slides we'll go through quickly in terms of WIOA key concepts, because we've touched on this previously in the presentation. But WIOA did make it clear that measurable outcomes is a critical component that we need to be able to measure success, we need to be able to show that the interventions and services and supports that we are providing achieve the desired outcomes of increasing incomes, financial assets and economic wealth. So, again, going back to that decreasing poverty piece. And then if you go to the next slide, that also requires ensuring that we have aligned funding and supports.

And so the policy work that APSE is doing is really focused on this piece. And then one slide forward just speaks to the concept of having ongoing evaluation and recognizing that this is an ever-evolving field that, you know, any single decision is not a magic bullet for everybody, and that we need to continually reevaluate and ensure that our efforts are evidence-based and driven towards positive outcomes.

Next slide, we're going to take it home here in terms of how we get there, and just want to quickly remind you at the beginning we said APSE promotes Employment First really in three areas through policy and advocacy, through professional development and through sharing best practices and tools. And so, just in this last minute or so, Erica's going to

take you through a couple of resources and ways that you can get involved with the national office to learn more.

>> **Erica:** Okay, next slide. So, APSE has a public policy committee, and Julie is obviously a significant part of that. We have information here in terms of the purpose, I'm not going to read it to you, just in the interest [inaudible], but they do meet the second Thursday of each month at 3pm. You can go to our website and there's a drop-down menu and there are lots of resources there that you can use and share with all your friends. So, next slide. Next slide.

Okay. I put this in here as an example. We have something called the APSE professional learning community. It's somewhat similar to Facebook, but it's really focused around helping people in that transformation. Anybody that attended a regional institute in 2015 to 16 or 17 for APSE, you shouldn't gotten an email that would invite you to join the community. If you've attended any of the webinars with workshops to workplaces on our website as well, you would have also gotten an email to participate in this forum. I love it, it has an opportunity to post discussion questions, we share files, we post upcoming events, and we try to get people from all over involved to help each other through this process. We have questions ranging from employment for job developers, evaluation tools, to conferences, it's a great thing. So, I would encourage you to reach out to me if you didn't get

an email and attended any of those things, and we can add you into this lovely community. Next slide.

Something that the professional development did through APSE is we updated our competencies, and we actually changed the name, so now they are called the universal competencies. This is the front, so you can see the table of contents. We have a statement in there [inaudible] really talking about what a competency is. Our goal of updating them was to really reflect changes in policy and in practice within the field of supported integrated competitive employment. So, we defined all the different ways that people can be working with anyone with a disability and kind of the way you should be going. So, we took the original ones and changed it up. That is also on our website, and we can share the link so you can find that. Next slide.

They broke down the domains within the universal employment competencies, we changed them a little bit, you can see that they're pretty similar to what they used to be. The core values that's really talking about. Some of the things we've talked about here on policy, why things are the way they are. Also, domain two is going into discover. Oh! And the domain three is focused more on job development, domain four is really on the workplace in ongoing supports, related supports, domain five is ongoing processes and what you should be looking for in terms of either employment support professionals, if you use that term, or job coaches. We

define that also in this document in terms of the different words used. Let's see here. Additionally, the big thing that we added that was different was benefits counseling. So, there's more wordage and information in here.

Next slide.

>> **Julie:** So, we recognized that this is the first in an eight-part webinar series, and so you'll have the opportunity to explore where you are at in this process.

Our goal here was just to break down a little bit of what is Employment First, what are some of the supports and resources that are available to you, so actually if you can just go to the next and final last slide, which has our contact information, please let the National APSE office know how we can be a support and a resource to you. We would love feedback on the presentation, and look forward to engaging with all of you over the course of the next seven webinars, because we know we're going to learn a lot from them as well. Erica--

>> **Erica:** No, I was just going to say a few people asked where the link is and if you look at the bottom of the screen, there's the APSE website. So, a lot of the things that we kept saying, you would find on there. And there's certain categories, there's a public policy category and there's a get educated policy that you can find most of the things we talked about. So, otherwise, send us an email and we'll direct you where you should go.

>> **Pam:** Well, Erica and Julie, this is Pam, thank you so much for this phenomenal information. I feel like I've been drinking from a fire hose, and I love it. So, I'm really excited about it. We do have time for questions and answers, and the first question I'm going to answer is yes, the PowerPoint will be available for download, we will be posting the link in the chat, and a link will also be sent to you via email after the webinar. So, I just want to let you know that so that you don't have to wonder any longer. Now, if you do have a question, I encourage you to go ahead and put it in the chat area, I will be monitoring that. In the meantime, we have had a couple of comments and questions that I just want to share. And the first one was a comment that someone that referenced the E-1 statement for self-advocacy stating that she's used the statement several times and it's a great resource. So, I just wanted to make sure that the two of you knew that and know that it has already been used successfully out in the community. And then the other question that was posed earlier says, "Forgive me if I'm misunderstanding, but our goal is to try to move away from sheltered workshops as much as possible for the benefit of the individuals we serve. Is that correct?"

>> **Julie:** Yes.

>> **Erica:** You know, well-- So, I caveat that. You know, I tend to come from the perspective that sheltered workshops are prevocational programs and not employment programs. And in that context, if we look at work centers

as a stepping stone for true skill building, then I think that's a conversation that we can have, recognizing that if it's Medicaid-funded, if it's not in a fully integrated environment, it does not meet the requirements of the HCBS settings rules. It's a little bit of a nuanced conversation, but I think as a field we have sometimes confused prevocational with vocational and used them interchangeably, and the reality is that even in the funding of how sheltered workshops through Medicaid are funded, it is prevocational in nature, it is not supposed to be a destination. So--

>> **Julie:** Exactly.

>> **Erica:** Thanks, Julie.

>> **Pam:** Alright, so, well, thank you, and let's see here. We are-- so, someone asked on the slide about current E-1 policy activities, could you share a link or add a link about legislation pending in Kentucky. I think you said it has Kansas on it, it should've been Kentucky. So--

>> **Julie:** There is work in Kansas, and what I said, I don't know if that individual was on there, the information currently on our website was last update in 2016, there will be a revision in the next month. And so, not specific to Kentucky, there's a lot of states that have had a lot of movement in the past six to 12 months.

>> **Erica:** And Julie, I would say, and I think you've said this before, you can contact your state APSE chapter as well, because they would probably have updated information, and you can find that on the website as well.

>> **Pam:** Alright, excellent, excellent. So, okay, there is a question here, it says, "Am I correct in thinking that Texas is an Employment First state?"

>> **Julie:** You know, it's an interesting question, because a lot of states don't consider themselves Employment First or not. There is legislation in the state of Texas that APSE would consider to be Employment First legislation. And so to that extent, it's a green state on our map. Also of interest is that Texas does have a draft bill in the legislature looking at phasing out 14c. So there's quite a bit of movement in the state of Texas right now.

>> **Erica:** Yeah.

>> **Pam:** Alright, are there any other questions? If you have a question, please go ahead and type it in the chat. So, Julie and Erica, while we're waiting for folks to type in the information in the chat, I have received one online. So, "Can people that have joined this particular webinar series be added to the professional development community?"

>> **Julie:** I'll have to check on that, not quite sure.

>> **Pam:** Okay.

- > **Erica:** If people want to email me individual, I could take a look at it.
- > **Pam:** Okay, so.
- > **Julie:** That would be great.
- > **Pam:** Alright, so. So, if you want to join the professional development community, please email Erica at Erica@APSE.org. Alright, well at this point in time, I do not see any additional questions, so let me go ahead and start our wrap-up here. Again, Erica and Julie, I thank you so much for all of the wonderful information you've shared with us today. We could not have done this without you, and also with the partners on the line, Georgia APSE, Wise, and Southeast ADA Center, this has truly been a collaborative effort from the beginning, and we are very excited because we know that we're meeting the needs of many of you in the field, and I'll look forward to continuing to work with you as we go through and as we continue to present the webinars over the next several months.

Just as a reminder, education credit is available for this webinar. Each webinar is a standalone webinar, so there will be credit for each webinar and it will be the-- so you have to take the post-test for this webinar, and for each individual webinar as we move forward in the series. And also too is a reminder, the requirements are that you have to be registered, attend the whole webinar, and complete the post-test after the webinar. The link to the post-test will be put in the chat area momentarily, as also on the slide, and the post-test information will also be sent to you via email following the webinar today.

You can get a certificate of completion, this webinar also meets requirements for CESP credits, and as a reminder, we have applied for CRC credits, but that application is still pending.

So-- okay. Now, we also ask that you please complete an evaluation form, it is very important to us because we want to continue to grow this series and we want to meet your needs as we move forward. So, please do help us out by filling out the evaluation that will be made available to you, it will not take long. And, again, all of this information will be emailed to you following the webinar. All of the webinars in this series will be archived and will be available both in video and audio format with captioning seven to ten business days after the webinar. So you will be able to find the information at [www.adasoutheast.org/webinars/archives.php](http://www.adasoutheast.org/webinars/archives.php).

Again, we thank you for being with us today, we hope you've enjoyed this first of our webinar series. The next two webinars will be on May 28th, where we talk about job development, the first steps, and July 23rd when we talk about the Americans with Disabilities Act, employment and disclosure. We encourage you, if you've not already done so, to register for the upcoming webinars, and also to share this information.

And if you have questions about the employment protections of the Americans with Disabilities Act for the individuals that you work with, please contact your regional ADA center at 1-800-949-4232, and you could also contact the Southeast ADA Center at 404-541-9001. So, I see that several of you are asking about the Post Test. You can complete the Post Test

if you are seeking credit, and so once the application is approved for CRC credits, you will be emailed with information with the verification of completion.

So again, the information that you're seeking for the materials and the webinar and webinar Post Test will be emailed to you shortly, it's also available in the actual chat area, so you can look for the information there. If you have any questions, please feel free to reach out to the Southeast ADA Center at 404-541-9001, or email us at [adasoutheast@law.syr.edu](mailto:adasoutheast@law.syr.edu). Thank you again, I hope all of you have a great rest of the week, and we'll look forward to seeing you next month. Take care.

### **End of Transcript**

Webinar Part 1: Employment First 101

Webinar Series: Advancing Equal Employment Opportunities and Creating Inclusive Workplaces

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