

Employment First Committee

Meeting Minutes of September 24, 2013

Sacramento, California

Members Present

Tony Anderson
Lisa Cooley
Denyse Curtright
Kathleen Derby
Dale Dutton
Connie Lapin
Bill Moore
Andrew Mudryk
David Mulvey
Olivia Raynor
Debbie Sarmento
Robert Taylor
Kecia Weller, Chair
Amy Westling

Members Absent

Daniel Boomer
Robin Hansen
Dennis Petrie
Rachel Stewart
Barbara Wheeler
Cindy White

Others Present

Jennifer Allen
Debbie Ball
Michael Brett, Staff
Cindy Burton
Greg DeGiere
Rebecca Lienhard
Steve Miller
Roberta Newton, staff
Mary Agnes Nolan, Staff
Mark Polit, Staff
Cindy Ruder, Area Board 4
Corey Smith
Jeff Strully
Ruby Villanueva, Staff

1. CALL TO ORDER

Kecia Weller, Chairperson, called the meeting to order at 10:32a.m.

2. WELCOME/INTRODUCTIONS

Members and guests introduced themselves

3. QUORUM

A quorum was established

4. PUBLIC COMMENTS

No public comments were presented

5. DDS ANALYSIS OF EMPLOYMENT OUTCOME FROM CDER DATA

(Reporting period is FY 06/07 – FY 10/11) - Denyse Curtright, DDS

1. *Number of Regional Center Consumers receiving services statewide* – Data indicates that the number of consumers receiving services through Supported Employment Program (SEP) Group has been on a steady increase with **5,264** receiving services in FY06/07 and **5,931** in FY 10/11. SEP Individual however, has been on a slight decline since FY 08/09 along with Work Activity Programs (WAP) which has decreased from **11,499** consumers in FY 06/07 to **10,608** in FY 10/11. Concurrently, enrollments in Day Programs and Look Alikes have significantly increased from **38,555** to **43,648** and **7,565** to **10,581**, respectively.

It was discussed that the reason for the increase in day programs use may be that California has spent more time and money developing day programs and building capacity. This is the *Field of Dreams* theory, “Build it and they will come.”

2. *Percentage of regional center consumers who stayed in the same service type year to year* – It was noted that individuals in day programs were the most likely not to switch to another service type, with 80% remaining in the same service type for 5 years. This may indicate a barrier to employment, as people who enter day programs tend to stay in them. This is compared to people staying in the same service type for employment programs over five years, ranging from 59-65%.
3. *Net Changes* – Data on the net transfers in and out of SEP Group and Individual to or from another service type showed very little change over five years. This shows that SEP has not, on average, been losing or gaining participants to or from other service types (e.g., those leaving for a day program, minus those entering from a day program).
4. Denyse reviewed data that will be published in the FY 2011-2012 employment report to be issued about April of next year. It will include the following data:
 - Regional Center Consumers by Ethnicity
 - Residence by Service Code (Ages 18 and Over)
 - Gender by Service Code
 - Work Service using the National Core Indicator (NCI) data, a self-reporting survey

6. EMPLOYMENT DATA REQUEST, Denyse Curtright, DDS

Denyse reported that DDS and EDD have been reviewing the data request from the Council. Staff from each department are working together to see what needs to be done. EDD has new data system. The data received from EDD will be aggregated.

7. CUSTOMIZED EMPLOYMENT AND DISCOVERY BEST PRACTICES APPLIED THROUGH THE GRANT AWARDED TO JAY NOLAN COMMUNITY SERVICES AND EASTER SEALS OF SOUTHERN CALIFORNIA – Presenters: D. Ball, C. Smith, J. Strully

Denise Ball - Jay Nolan Community Services (JNCS) and Easter Seals have combined their efforts to find and develop new and more effective methods of assisting 60 transition students and young adults with disabilities, age 17-30, to find meaningful employment.

This project will use the guiding principles and practices of **Customized Employment (CE)** which will offer a more creative avenue to successful gainful employment. Since customized employment focuses on the individual's strengths, interests and needs, JNCS and Easter Seals are working closely with agencies that currently provide support to the individual; such as the school they are attending, regional center, and the Department of Rehabilitation.

JNCS and Easter Seals are working with advocacy organizations to recruit participants as well as train employment teams to work with them. Additional partners in this project include: California Department of Rehabilitation, SDRC and regional centers in LA County, Autism Society of LA, People First Social Security PASS Cadre, SDUSD Parent Advisory Group and California APSE.

JNCS and Easter Seals will also negotiate **carved wage jobs, develop resource ownership options, cultivate relationships with small businesses, develop braided funding options and promote industry specific internships.**

Additional components to the project include the development of easy to replicate tools and processes for future use by other individuals and programs, and the creation of a strong social media presence. At this time, this project is on Facebook and is currently constructing a website (www.work4me.us).

Since February, this project has received 46 referrals. 31 were male and 15 were female, with 14 and 19 years of age being referred most often. 33 of the 46 referrals were found eligible. Currently 30 are active, 4 of those have already found employment and 2 individuals are volunteering.

Cory Smith – Customized Employment (CE) is not really a new model. It is a set of strategies to help people get work, while recognizing that it is difficult for the young people we serve to compete equally with recent college graduates. Acknowledging this, Customized Employment (CE), guided by the values of “**Zero Exclusion**” and “**Discovering Personal Genius**”, becomes the vehicle to create jobs tailored to the individual.

Through CE **the individual is never assessed to determine if he or she has the capacity to work or not**, instead the driving philosophy is that if the individual has a desire and will to work, the project will figure out how to accomplish this goal. The process of CE is an opportunity to work creatively and broaden the vision of what “work” looks like, stepping out of the traditional model and creating a niche for the individual. This project will use “**Discovery**” as a strategy to determine the strengths, skills and interests of the individual, combined with **braided funding and relationship mapping** to lead to ideal conditions of employment.

Personal Success Stories:

- **Lyndon** – loves to take apart electronic components and is now harvesting parts from broken TVs. His employer sells the parts, which expands his business and generates enough revenue for both Lyndon’s wage and greater profits.
- **Michael** – is involved in Resource Ownership. JNS/Easter Seals identified a small business that had the desire to hire Michael, but required more revenue in order to pay him. A partnership was created whereby Michael purchased a large capacity washer and dryer and he would launder additional towels that would generate more revenue for the business. Michael owned the appliances, but the business paid for maintenance, utilities, supplies and other related business expenses. Michael work for wages.
- **Hunter** - is working toward becoming a screen printer and graphic designer. He is currently creating artistic designs that will be placed on products to be sold by a local community business.
- **Jeff** – received a micro-loan to invest in the purchase of vending machines. He is responsible for keeping it stocked. Jeff has also obtained a small wage job and is committed to putting all his money earned from that job into his vending machine business in order to help it grow.

Dale Dutton noted that this is a **shift in emphasis from supporting the person to supporting the person’s business**. Therefore, buy stuff for their business.

Jeff Strully – While JNCS eliminated their group homes, they failed in helping people put money in their pockets to enjoy a lifestyle. Most of the people we serve are poor or impoverished. We have to “expand our bag of tricks” and provide a **multi-faceted approach** in addressing the obstacles that prevent individuals with developmental disabilities from working, gaining value and obtaining social status. One way of addressing this is utilizing **braided funding** as a resource and to **change the process** so that the **money goes to the individual and not to the organization**.

Dale Dutton and Bill Moore asked how these methods could be shared with all the supported employment providers in the state. Corey indicated that they are sharing these best practices through trainings of over 300 people, including school transition staff, where there has been a lot of interest. They will also present at two state conferences. A suggestion was made, and the committee concurred, that **customized employment and**

discovery best practices from the JNCS grant should be highlighted in the 2014 Employment First Report.

Mark Polit asked if the skills needed for discovery and customized employment are easily transferred to agency staff. Debbie Ball answered that the skills are transferable. But it is important who you hire for this work. Personal characteristics that are useful are understanding small business, being entrepreneurial, and being positive. Hire a person that walks in and lights up a room.

8. OBSTACLES TO EXPANDING INTEGRATED COMPETITIVE EMPLOYMENT – PROVIDER PERSPECTIVE – Presenters: Steve Miller, Cindy Burton, Tom Heinz, Sarah Murphy

Steve Miller, Tierra del Sol – provides employment services through Day Programs, Direct Competitive Employment, Individual Supported Employment and Small Group Supported Work (funded through regional center).

IN 2012/2013, Tierra del Sol received 200 referrals for Supported Employment (SE). Fewer than 10% of these referrals met the SE eligibility criteria: *possess independent community navigation and safety skills, capacity to work consistently and independently with no more than 25% coaching support after 90 days; possess history of involvement in productive activities like a hobby, school or volunteer work that demonstrates the ability to focus and a probability of success in Competitive Employment.*

The vast majority of people they serve have severe emotional and physical limitations. We have to stop shutting them out of employment opportunities. For them, day programs can be structured to provide post-secondary job preparation. Day programs can also be used to prepare people for and support people to attend community colleges. It's also important to note, that not all people earn income through wages. Some of the individuals Tierra del Sol works with are artists who sell their pieces.

Steve Miller suggests that Day Programs need **challenging and relevant curriculum and environments** and **possess staff competent in instructional best practices**. They should function like colleges and create a time based service, as well as have **funding based outcomes**. Additionally, schools need to begin **testing children with intellectual disabilities for learning disabilities**.

Cindy Burton, Pathpoint – Pathpoint offers three types of employment service models : Direct Placement Services, Individual Supported Employment (ISE) and Group Supported Employment (GSE). Before the recession, they placed about 200 people per year in jobs, now only about 100.

Pathpoint estimates that it generally takes their staff 9-12 months to find an individual a job. Their process involves discovery and finding a good match with the person's interests

and skills. Therefore, they have a long placement time. She mentioned that sub-minimum wage can be a strategy to get people some work experience to improve their employment prospects.

In the current market, with a lack of jobs and over-qualified applicants taking positions that would normally have been good entry points for young adults with disabilities, many agencies in California have responded by eliminating job developer positions. Pathpoint is the only agency left in the Santa Barbara area that offers job development. However, Pathpoint actually lost \$140,000 in their Individual Placement Program last year, or about \$1,200 per person placed. Job development needs to be adequately funded as a service.

The state does not collect information on what job development actually costs. Cindy Burton recommends that SCDD obtain an **actual cost analysis** of delivery of services, review **rates of reimbursement, funding structure, strategies** and **alternative resources**. She also mentioned that an increasing minimum wage also makes her wage rates (for example \$11.50/hr.) less competitive.

Tom Heinz, East Bay Innovations - EBI has expanded their supported employment program by partnering with *Project Search* internship program. They braid funding from schools, DOR and regional centers. They find success with non-profits and the public sector that have social justice components, such as hospitals and the County. EBI has not been successful expanding Project Search to the for profit sector.

They do not have a “job developer” position, but use a team of people that work to build relationships and a “pipeline” of employers willing to look at candidates. For example, it took two years to break into Lawrence Berkeley Lab and two years for La Clinica de la Raza. **There is no funding from DOR or the regional center for this up front work.**

Job coaching rates lead to low wages, so they have to hire job coaches who are either in college or recent grads. They usually stay about 2-3 years, not long enough to become expert at the job. A **demanding job**: Must understand employers, work without a supervisor, interact with co-workers, dress well, be mature and have good judgment, all for \$12-13/hr.

Sarah Murphy, WorkLink – Based in San Francisco, WorkLink uses a hybrid model to provide employment services, offering day services through an Integrated Work Program as well as job supports through Supported Employment.

In order to market the individual to the perspective employer, WorkLink prioritizes the importance of getting to know the individual. WorkLink takes the individual through internships, discovery, resumé building and resolving obstacles to support services such as transportation.

Also, the use of **braided funding** is a resource that provides people with significant disabilities to test the waters of employment. We have all the **correct values and tools**, but the **system is holding us back through a funding stream that directs money to the programs rather than to the individual**. Day programs can be used for preparation for employment, but there is no incentive to do that. It is easier to just sit in the park.

The regional center gives us hourly rates for day programs. That enables us to build a schedule around a person's need. Employment services are difficult in part because you don't know when a person will get a job, maybe in two years. Therefore day program funding is important. It allows people to grow into employment. And if they lose a job, we can take them back into the day program and work with them to get the next job.

Customized Employment (CE) is the "key to the kingdom". Instead of developing a job, we are **creating a niche for the individual**. AT Golden Gate Regional Center they have adopted an employment first policy. But then they discovered that the vendor capacity for CE is nil, just pockets of excellence.

We also have to look at the system as a whole and address the issues with education. The school district often gives up and **allows students to graduate or age out of school without possessing any job related skills**. Sarah believes that **transition services** in the school should be all about employment. Families must be educated to **understand the adult service system** their child is moving towards and if we can **tie these systems together**, employment will be accessible for more individuals.

Group discussion evolved regarding working towards integrated employment:

Regional centers used to have flexibility to pay for creative in innovative things when they had end of the year surplus. In the past the system used to have the ability to innovate, but lack of start-up funding, rate freezes, median rate freezes, and fear has created a chill in innovation.

How we can create these innovative programs with obstacles facing the system such as capacity diminishing, a lack of training infrastructure, and inability to adequately compensate staff. For employment support, community capacity has diminished, a talent drain over the years. **Employment First Policy cannot work without a training infrastructure.**

The Supported Employment system worked well at the time, but not anymore. It needs to change to reflect changes in business practices and the economy. Must **disseminate the knowledge of what is working**. For example, the hybrid program Sarah Murphy discussed can be vendored in any regional under current regulations. Need to get the word out!

9. SHELTERED WORK – REPORT FROM SELF-ADVOCATES ADVISORY COMMITTEE - Presenter: Jennifer Allen, Chair of SAAC

Jennifer Allen presented a slide show developed by Molly Kennedy on behalf of SAAC. Jennifer announced that **SAAC wishes to work with the EFC on the issue of downsizing and closure of sheltered workshops**. On a personal note, she expressed her frustration at watching many of her friends' children with disabilities go from school directly to sheltered workshops because they had no other option. The school dropped the ball and failed to explore or discuss work as an option. Jennifer challenged Self-Advocates to raise their voices and say, "STOP"! The question is where to begin.

Jennifer shared the example of two states, Vermont and Oregon, working to eliminate Sheltered Workshops. In Oregon, the Department of Justice (DOJ) intervened in a lawsuit stating that segregated workshops were in violation of the mandates in the Americans with Disabilities Act (ACT).

In Vermont, the decision to close its segregated workshops was established in 1998. By 2003 this goal was achieved in stages through the following methods:

- No new placements
- Converted existing workshops into community-based solutions
- Worked with providers so they are part of the conversation
- Collaborated with Developmental Disabilities, Vocational Rehabilitation, and UCEDD

Jennifer recognized the belief **of supporters of Sheltered Workshops** that:

- People with developmental disabilities have the right to choose where they want to work—even if it meant in sheltered workshops.
- It is difficult for individuals to find employment in the community.
- Not all people with developmental disabilities CAN work in the community.
- It is not safe for individuals to be alone and working in the community. Sheltered workshops provide that safety.

However, **advocates of eliminating Sheltered workshops argue** the following:

- Sheltered Workshops are a form of isolation.
- Individuals are not able to exercise self-determination.
- Sheltered Workshops are ineffective in transitioning individuals into integrated employment.
- Individuals end up remaining in Sheltered Workshops for too long even though a time-limit is supposed to be observed.
- Individuals who are or have been in a Sheltered Workshop have higher support costs and lower wages compared to individual who were never enrolled in a workshop.

SAAC suggests considering the following options:

- Develop & Recommend to the Council a statement that supports the elimination of sheltered workshops in California or a statement eliminating the ability of youth (16-26) from entering sheltered workshops.
- Review current funding streams to shift money from Sheltered Workshops to assisting individuals in finding jobs in the community with real wages.
- Look in to Vocational Rehabilitation increasing serving individuals with developmental disabilities.
- Look at the best practices of states working towards or who have eliminated sheltered workshops.

Bill Moore recommended that the EFC and SCDD seriously consider these next steps, especially in the area of looking at other states moving towards eliminating sheltered workshops.

Lisa Cooley expressed the need for the program designs in day programs to be updated as they do very little to address individual program goals. Day Programs should teach pre-vocational skills.

David Mulvey shared that he would prefer to see a process that would provide alternatives to sheltered workshops and entice people to choose those alternatives, rather than completely eliminating funding to sheltered workshops.

Dale Dutton would like to begin a serious conversation about the future of sheltered workshops.

Kathleen Derby would like to address the subminimum wage law and asks if SAAC would consider recommending a companion piece to address changing this law.

Amy Westling recommends that we need to ensure that we have sufficient community capacity, referring to Pathpoint's \$140,000 loss in their Individual Placement Program. Building up the community based infrastructure is needed.

Mark Polit concurred with the concerns of Dave and Amy, but also suggested that mechanisms to encourage or require downsizing of sheltered workshops may be appropriate. As community employment capacity increases, it may be necessary to address the inertia of the current system.

The EFC agreed to continue the discussion with SAAC to address the phasing out of sheltered workshops. Representatives from SAAC are invited to the next EFC meeting on December 17. The discussion will start with the suggestions presented by SAAC. The EFC emphasized that it is not enough to close sheltered workshops; we must have other employment opportunities for people to take the place of the workshops.

10. UPDATE ON EMPLOYMENT LEGISLATION

Mark Polit stated that AB 1041, Employment First Policy has passed out of the Legislature and is on the Governor's desk. SB 577, Employment preparation and Discovery, is a two year bill and is being amended to eliminate the proposed incentive pilot. The bill will be considered in Senate Human Services in January.

11. PLAN FOR NEXT MEETINGS

The EFC will meet on December 17th. Included in the agenda will be the discussion with SAAC on sheltered workshops, planning for the education panel, a presentation by the CECY policy committee, and follow-up for any actions resulting from the panels at this meeting.

12. ADJOURNMENT – Kecia Weller adjourned the meeting at 4:00 PM