

CALIFORNIA STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

EMPLOYMENT FIRST

Executive Summary

*A vision of Californians with developmental disabilities
working in integrated competitive employment.*

August 2011

Executive Summary

“Community inclusion is fundamental to the whole idea of individuals with developmental disabilities finding jobs and choosing the ‘best’ support (natural or paid) to maintain employment.

School age children must be included in their school and community when they are young. That’s the foundation we build everything on.

Work leads to health and well-being – self-esteem, confidence, and more income. Also important it leads to increased social networks and making contributions to the greater community like paying taxes and having buying power.”¹

Legislation

Chapter 231, Statutes of 2009 (Assembly Bill 287) was signed into law on October 11, 2009 and directs the State Council on Developmental Disabilities to:

- Form a standing Employment First Committee;
- Develop an Employment First policy;
- Identify the respective roles and responsibilities of state and local agencies in enhancing integrated and gainful employment opportunities for individuals with developmental disabilities;
- Identify strategies, best practices, and incentives for increasing integrated employment and gainful employment opportunities for individuals with developmental disabilities, including, but not limited to, ways to improve the transition planning process for students 14 years of age or older, and to develop partnerships with, and increase participation by, public and private employers and job developers;
- Identify existing sources of employment data and recommend goals for, and approaches to measuring progress in, increasing integrated

¹ Consumer Subcommittee, Employment First Committee, January 6, 2011

employment and gainful employment of individuals with developmental disabilities;

- Recommend legislative, regulatory, and policy changes for increasing the number of individuals with developmental disabilities in integrated employment, self-employment, and microenterprises, and who earn wages at or above minimum wage, including, but not limited to, recommendations for improving transition planning and services for students with developmental disabilities who are 14 years of age or older;
- By July 1, 2011, and annually thereafter, provide a report to the appropriate policy committees of the Legislature and to the Governor describing its work and recommendations. The report due by July 1, 2011, shall include the proposed Employment First policy.

California Trends in Employment²

Individuals with developmental disabilities are much less likely to have the opportunity to work than individuals without disabilities and earn less than half what the general population earned from working.³ Additionally, supports that would help individuals with developmental disabilities achieve integrated competitive employment are not always available or are at insufficient levels.

The majority of working age adults with developmental disabilities is supported in segregated non-work programs or facility based employment. Data from 2009 reflect the following:

- While there are no specific data in California for working age individuals with developmental disabilities, approximately 70% of working age adults in California are in the workforce (either employed or unemployed), as compared to 30% working age adults with any disability and 20% working age adults with a “mental disability”.⁴
- 15% of individuals with developmental disabilities served by the Department of Developmental Services (DDS) were provided services in

² The 2009 data reported here are the core elements of the Institute for Community Inclusion's IDD Agency National Survey of Day and Employment Services. These data focus on participation in integrated employment, community-based non-work, and facility-based services.

³ American Community Survey, 2009

⁴ Defined as difficulty learning, remembering, or concentrating.

integrated employment; 70% community based non-work settings; 15% facility-based work and non-work.

- 26.5% of working age individuals with developmental disabilities live below the poverty line versus 13% of the general population.
- The mean weekly earnings of individuals with a cognitive disability at closure from Vocational Rehabilitation Services were \$212.
- In 2007, individuals without a disability nationally earned a mean weekly wage of \$771 as opposed to \$223 for individuals with developmental disabilities in California.
- Educators, adult service agencies and service providers face barriers to collaboration, including a lack of knowledge about each other's systems and bureaucratic constraints that complicate service coordination.
- No one state or local agency is responsible for charting out cross system services, identifying gaps or measuring progress on the employment status of individuals with developmental disabilities (occupation, hours worked, salary, job maintenance or promotion, service setting and benefits received).

Employment First Committee

In response to the legislative mandates, the Council formed an Employment First Committee (EFC) in September 2010. The EFC is composed of service recipients, state agencies, and advocacy organizations. In addition to the official committee, interested parties were invited to and actively participated in the EFC deliberations. Representatives included self-advocates, family organizations, state agencies, service providers, and a union representing employees.⁵ Further, all meetings were noticed and conducted in accordance with the Bagley-Keene Open Meeting Act.⁶

At its initial meeting, the EFC and other interested parties formed five subcommittees to address barriers to employment, public benefits and employment, employer issues, innovative strategies, and transition from high school to adult life. Each subcommittee gathered information and developed proposed strategies designed to enhance employment

⁵ Please see Appendix E for a detailed roster.

⁶ California Government Code Section 11120 et seq.

opportunities for individuals with developmental disabilities. Those strategies form much of this report.

Recommended Employment First Policy for California

It is the policy of the State of California that integrated competitive employment⁷ is the priority outcome for working age individuals with developmental disabilities.

In plain language:

WORK IS FOR ALL

Issues, Goals, and Recommendations

Employment First is about focusing on real jobs, real wages, and real business settings for individuals with developmental disabilities to have the ability to increase their income and benefits, accrue assets and build wealth. The present work builds on the foundation laid by Chapter 397, Statutes of 2006 (SB 1270) that articulated core values and the need for expanded opportunities for individuals with developmental disabilities to work and participate in the community alongside their fellow citizens. Individuals with developmental disabilities are best suited to identify their own unique needs and how to best address those needs. Therefore, the services and supports provided must be individualized, culturally responsive, flexible and supportive of choice, change and control. For those individuals who receive services through the developmental disabilities system, the Employment First policy establishes a vision and direction while respecting the individual planning process as articulated in the Lanterman Developmental Disabilities Services Act.

The implementation of an Employment First policy will require a shift in policies and rebalancing of existing resources across all relevant state agencies (education, employment, health, disability and human services) to

⁷ Employment includes all income generation activities such as traditional jobs and owning one's own business.

support and encourage integrated employment outcomes, including self-employment and microenterprises. The following goals and objectives provide recommendations on policies, procedures, and practices in order to promote an employment first approach and document outcomes so as to measure success.

Interagency Collaboration and Coordination

Issue: Interagency coordination assists youth and adults with developmental disabilities who have needs across multiple agencies to gain access to services and supports for integrated employment. There are collaborative efforts in place; however, there is no overall framework for state or local agency collaboration and coordination. As a result, individuals with developmental disabilities do not have the necessary linkages, services, and supports they need.

Goal: Evaluate and reform existing state laws, regulations, guidelines, and operational procedures to institute systemic changes that increase agency collaboration and coordination toward the employment of individuals with developmental disabilities. These recommendations should increase interagency collaboration to develop an infrastructure to support and further employment as a priority outcome.

- Review current laws and regulations to determine if they can be strengthened to ensure adequate collaboration among the Departments of Education, Employment Development, Rehabilitation, and Developmental Services, school districts, regional centers, service and support providers, and employers to promote, develop, and support work experience, training, and on-the-job training for students with developmental disabilities.
- Maximize system efficiency through interagency collaboration and coordination between California Departments of Education (CDE), Rehabilitation (DOR), Developmental Services (DDS), Employment Development (EDD) and the California Community College Chancellor's Office (CCCCO) focused on the transition of youth and working age adults with developmental disabilities into integrated competitive employment.
- Strengthen regulations and processes that encourage the blending and braiding of funds between CDE, DOR, DDS, EDD, and CCCCCO to

ensure seamless collaborative strategies for better employment outcomes.

- Identify and disseminate promising practices from partnerships such as DOR's College to Career Program where community colleges are providing inclusive education, job preparation, and placement services for integrated competitive employment.
- Coordinate the availability and usage of assistive technology across systems for individuals with developmental disabilities.
- Develop and implement evaluation strategies to determine effectiveness of models for interagency collaboration and coordination.
- Review and analyze existing employment data and develop and implement a system to establish benchmarks and measurable outcomes for the number of individuals with developmental disabilities that are competitively employed in integrated settings including self-employment and microenterprise.

Transition

Issue: A high proportion of students with developmental disabilities leave high school without being employed in integrated competitive employment or attending postsecondary education. While federal and state laws require school districts to provide transition planning and services, many stakeholders reported transition to be an especially problematic area. There is a significant need to adequately prepare students and their families to understand the range of available possibilities and facilitate transition to integrated gainful employment.

Goal: To ensure that students with developmental disabilities are adequately prepared for integrated competitive employment.

- Ensure that transition planning and services for students begins early in secondary school and such services should be included in individualized education programs (IEP), individualized transition plans (ITP), and individualized plans for employment (IPE).
- Ensure that all relevant agencies and partners participate in the transition planning process.
- Students must have opportunities to explore all postsecondary options, including college and other post-school training for employment.

- Provide students with opportunities for career exploration and preparation through peer mentoring work-based learning, internships, volunteer opportunities, and paid employment.

Getting Work

Issue: The majority of working age individuals with developmental disabilities is not in the labor force.

Goal: All working age youth and adults with developmental disabilities will have the choice and opportunity to work in jobs that are integrated within the general workforce and work side-by-side with co-workers with and without disabilities, earning benefits and competitive wages, or to engage in self-employment or microenterprise.

- Employment related training, services, and supports should target areas of present and future workforce growth with direct input from employers.
- Increase opportunities for individuals with developmental disabilities to pursue self-employment and the development of micro-enterprises or small businesses.
- Ensure supports are provided as needed and that generic resources, including natural supports within the family, community, and work setting are included as much as possible.
- Showcase parts of the system that are demonstrating success with implementing an employment first agenda through planning, service provision, job preparation and placement, removal of systems barriers, and provision of supports.
- Provide training and technical assistance to develop knowledge and skills for providers, job developers, job coaches, and agencies and employers to use best, promising, and emerging practices to provide employment related services and supports.

Benefits

Issue: Some mechanisms exist for individuals with developmental disabilities to maintain public benefits while working. However, individuals with developmental disabilities, their families, and service providers are often not fully aware of those mechanisms. This lack of knowledge sometimes serves as a disincentive to work.

Goal: Individuals with developmental disabilities, their families, and service providers will have access to resources that fully inform them of ways to maintain benefits while working if needed. Any disincentives to working caused by the actual or perceived risk of losing benefits will be reduced.

- Individuals with developmental disabilities understand the impact of work on their public benefits.
 - This includes overcoming the barrier of a lack of outreach to individuals with developmental disabilities about work and benefits. Therefore, information must be provided, in plain language, to working age individuals with developmental disabilities including those in transition from school to adult life.
- Make public benefits more flexible to support working individuals with developmental disabilities.
- Ensure that all agencies involved in assisting individuals with developmental disabilities obtain and maintain integrated competitive employment, including self-employment and microenterprise, provide accurate advice and resources concerning the interplay between public benefits and work.
- Evaluate and reform existing state laws, regulations, guidelines, operational procedures and funding practices to institute systemic changes that eliminate any disincentives caused by the risk of losing benefits when working if needed.

Supports

Issue: There are supports available to individuals with developmental disabilities to obtain and maintain employment. However, the various agencies responsible for serving individuals with developmental disabilities in their employment goals do not do so in collaboration with each other which results in supports that are frequently inadequate to meet the needs of individuals with developmental disabilities. Additionally, employers lack advice and information on the benefits of employing individuals with developmental disabilities and how to provide accommodations and supports.

Goal: Provide adequate supports to individuals with developmental disabilities in obtaining and maintaining integrated competitive employment, including self-employment and microenterprise.

- Provide regional center service coordinators with employment training from experts to instruct them on the available supports to individuals with developmental disabilities in obtaining and maintaining employment.
- Provide a dedicated employment specialist at each regional center, to enhance the level of information about employment and related issues available to individuals with developmental disabilities, families, service coordinators, and employers.
- Provide training for employers on how to appropriately accommodate individuals with developmental disabilities.