



America Works Best When All Americans Work

ODEP's Commitment to Employment First

*Serena Lowe
Senior Policy Advisor
Office of Disability Employment Policy
U.S. Department of Labor*

WORKFORCE • OPPORTUNITY • LEADERSHIP

Employment First

- A concept to facilitate the **full inclusion** of people with the **most significant disabilities** in the workplace and community.
- Under the Employment First approach, **community-based, integrated** employment at the **greater of minimum or prevailing wages** is the first option for employment or day services for youth and adults with significant disabilities.

Employment First



Rhetoric or Possibility?

Thus Far, We Have Made the Shift From This.....

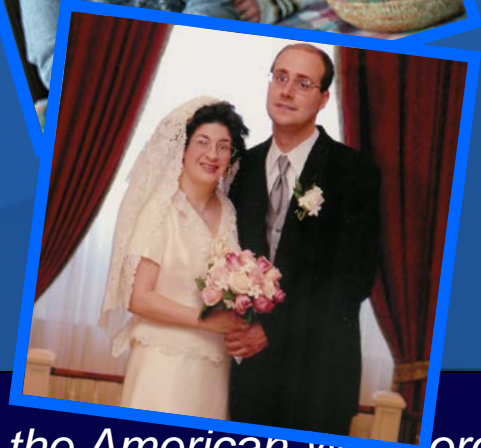


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A Catalyst for Change, Transforming the American workforce

Community Supports Enable Individuals to....



Live in their own home and enjoy the support of family and friends

Get a job

Enjoy good health

Be part of and contribute to their community

Achieve their personal potential for independence and self sufficiency

How are we Faring Nationally? I/DD in Integrated Employment



METRIC	2004	2008	2010
Total Number of ID/DD Served	499,849	543,257	566,188
Total ID/DD Served in Integrated Employment	105,449 (21.1%)	114,395 (21.1%)	113,937 (20.1%)
Total ID/DD Served in Facility-Based Employment	28.8%	27.1%	26.6%
Total ID/DD Served in Segregated Non-Work	34.4%	34.6%	37.5%
Total ID/DD Served in Community-based Non-Work	33.6%	44.4%	46.7%
Total ID/DD Served in Both Settings	83.6%	85.3%	84.9%
Waiting List for Day or Employment Services	35,739	28,345	47,046

Source: ICI State Data Report, 2011

How are we Faring Nationally?

Trends in State ID/DD Expenditures



METRIC	2004	2008	2010
Total % I/DD \$\$ spent on Integrated Employment	12%	11%	10%
Total % I/DD \$\$ spent on Facility-Based Employment	21%	28%	21%
Total % I/DD \$\$ spent on Facility-Based Non- Work	39%	31%	42%
Total % I/DD \$\$ spent on Community Based Non-Work	37%	52%	57%

Source: ICI State Data Report, 2011

Words of Wisdom



**"If no mistake
have you made,
yet losing you
are....a different
game you
should play."**

Setting the Stage for a National Employment First Strategic Policy Framework



**THESE TIMES ARE A
CHANGIN'**

Infusing the Ideals of *Employment First*: Recent Federal Testimonials



- *“Work is a fundamental life activity for adults with and without disabilities....it provides a sense of purpose, shaping who we are and how we fit into our community.....All individuals, regardless of disability and age, can work and work optimally with opportunity, training, and support that builds on each person’s strengths and interests.”*
[\[CMS Informational Bulletin \(September 16, 2011\)\]](#)
- *“The success of the Employment First approach highlights the need to align Federal and state policies, regulations and funding priorities to ensure that integrated, community-based employment is the primary employment outcome for the targeted audiences.”* [ADD Projects of National Significance: Partnerships in Employment Systems Change \(HHS-2011-ACF-ADD-DN-0156\)](#)

Infusing the Ideals of *Employment First*: Recent Federal Testimonials



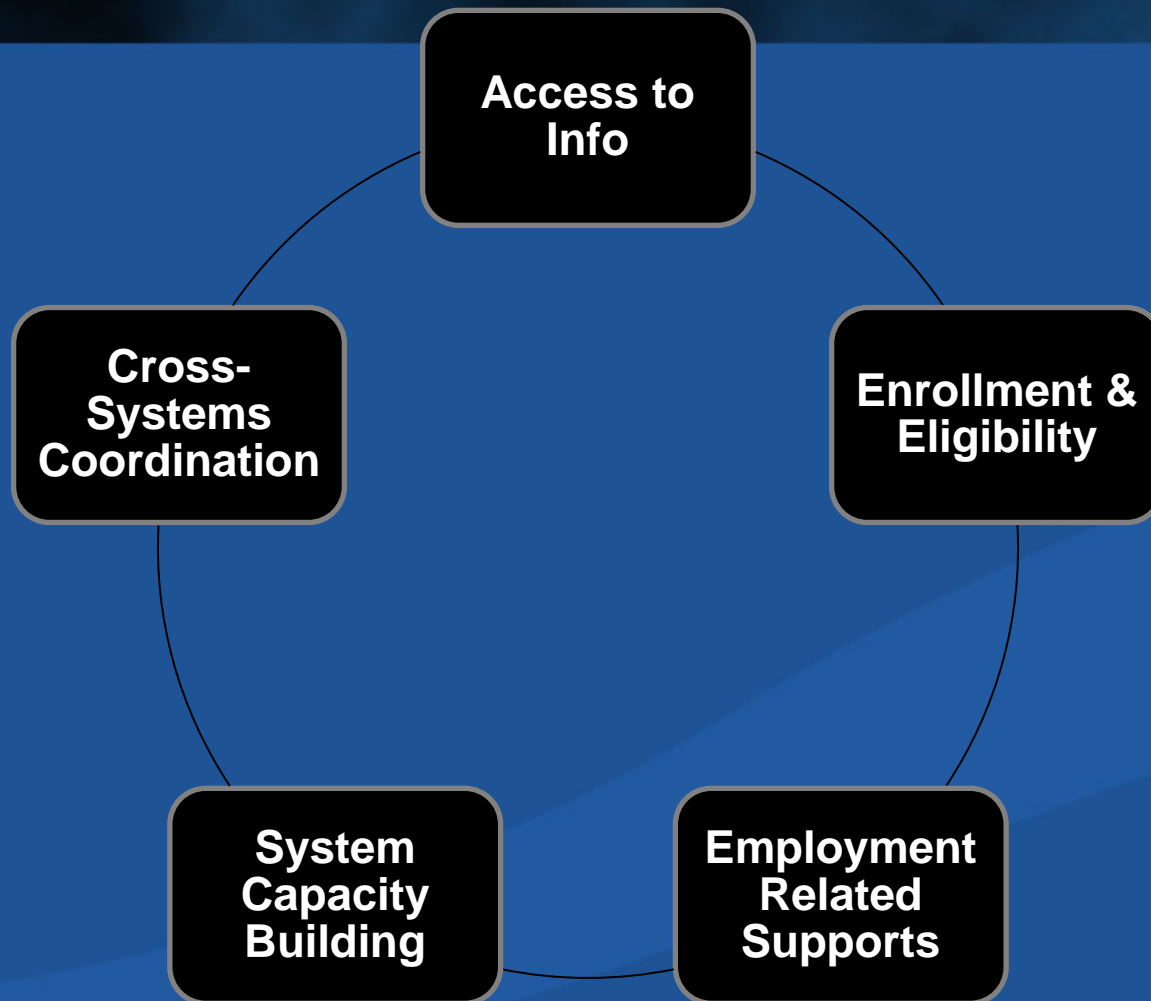
- *“ ... critical agencies at each level of government must work together to align policies, regulations, planning and funding to ensure a consistent approach to systems transformation and strategy implementation. The need for such alignment of our public system of disability services has been recognized and suggested by subject-matter experts, advocates and individual Federal agencies as the critical first step in a successful employment systems transformation.”*

– [ODEP Employment First State Leadership Mentoring Program Performance Work Statement, 20 July 2011]

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THE PATHWAY TO TRANSFORMATION

Government Role in *Employment First*: Essential Tactical Elements in Promoting *Employment First*

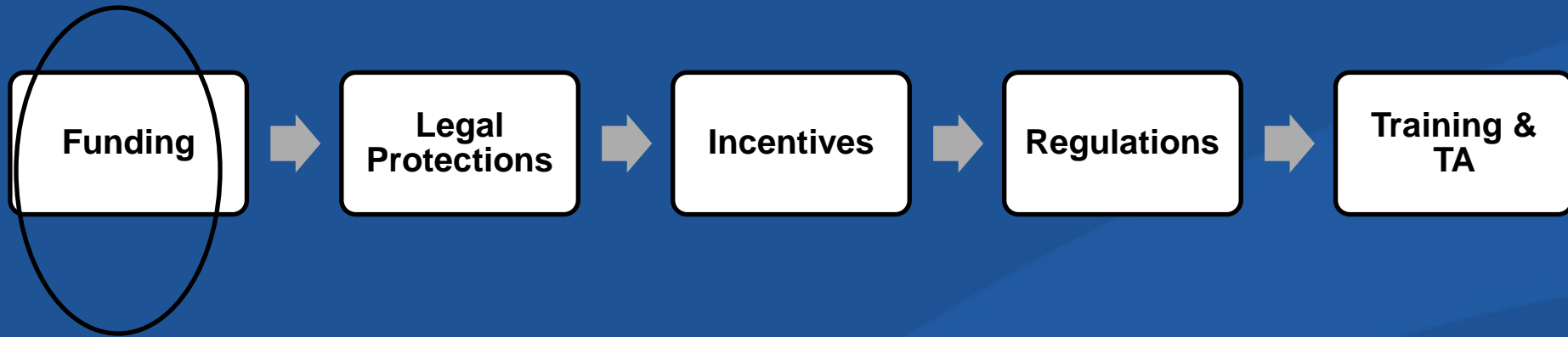


Government Role in *Employment First*: Levers for Developing a Common Cross-Systems Strategic Framework to Effectuate *Employment First*



- State Plans
- Individual Program Planning
- Results-Oriented Objective Setting
- Informed Consent/Active Self-Advocate Engagement in Decision Making Processes
- Service and Support Menus
- Performance Metrics and Measurement
- Data Collection and Analysis
- Annual Reporting, Monitoring & Evaluation

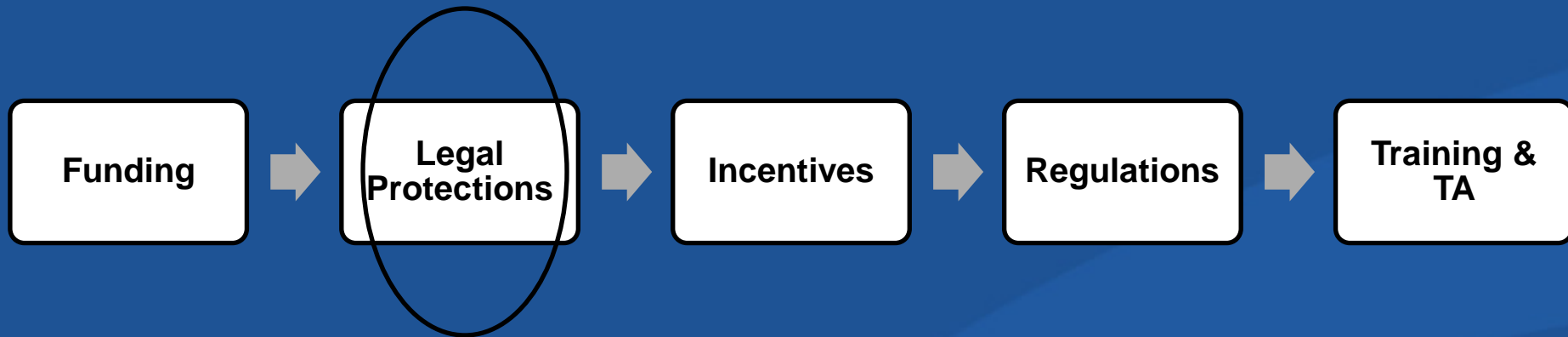
Government Role in *Employment First*: Developing a Common Cross-Systems Strategic Framework to Effectuate *Employment First*



FUNDING: Money Matters....and Drives Practice



Government Role in *Employment First*: Developing a Common Cross-Systems Strategic Framework to Effectuate *Employment First*



Olmstead Integration Mandate & Employment: Where the Rubber Hits the Road



- **“The unnecessary segregation of individuals with disabilities in segregated, non-residential employment and vocational programs violates Title II of the ADA and Olmstead.”**
- **“The civil rights of people with disabilities who can and want to receive employment services in the community are violated when they are unnecessarily segregated into sheltered workshops.”**
 - Statement of Findings to State of Oregon by U.S. Department of Justice Civil Rights Division, June 29, 2012

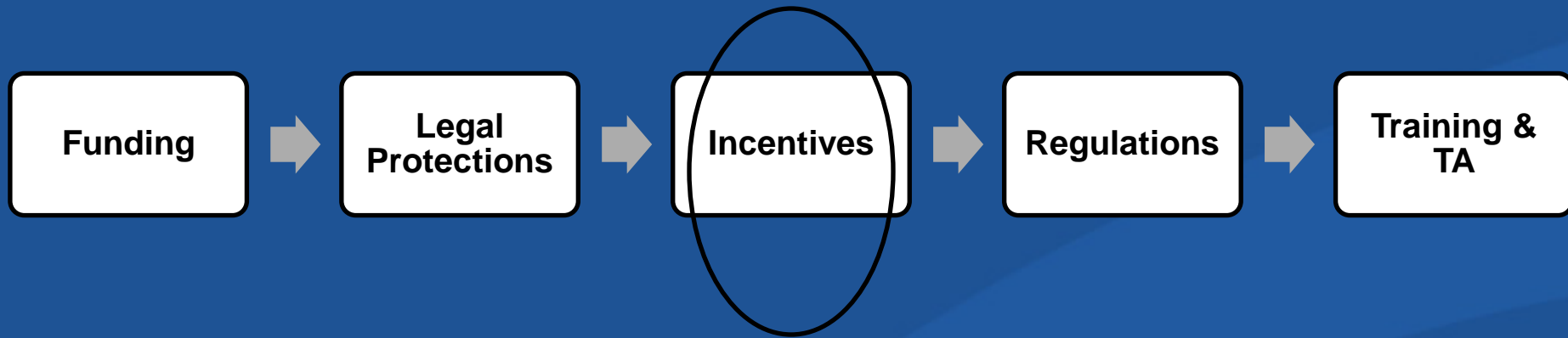
Olmstead Integration Mandate & Employment: DOJ's Summary of Findings in Oregon (June 29, 2012)



- DOJ found that the state of Oregon has failed to provide employment & vocational services to citizens with I/DD in the most integrated setting appropriate to their needs, due to the following reasons:

- The State's failure to develop a sufficient quantity of community-based employment and vocational services and supports for individuals with intellectual and developmental disabilities who are unnecessarily confined to sheltered workshops;
- The State's direction of available resources to segregated sheltered workshops rather than to community-based services; and
- The State's use of systemic criteria and methods of administration that unnecessarily require persons with intellectual and developmental disabilities to attend sheltered workshops in order to access and receive employment and vocational services.

Government Role in *Employment First*: Developing a Common Cross-Systems Strategic Framework to Effectuate *Employment First*



Infusing the Ideals of *Employment First*:

Recent Federal Agency Investments to Incentivize Systems Transformation



**Administration on
Intellectual and
Developmental Disabilities**
*Partnerships in
Employment Systems
Change*

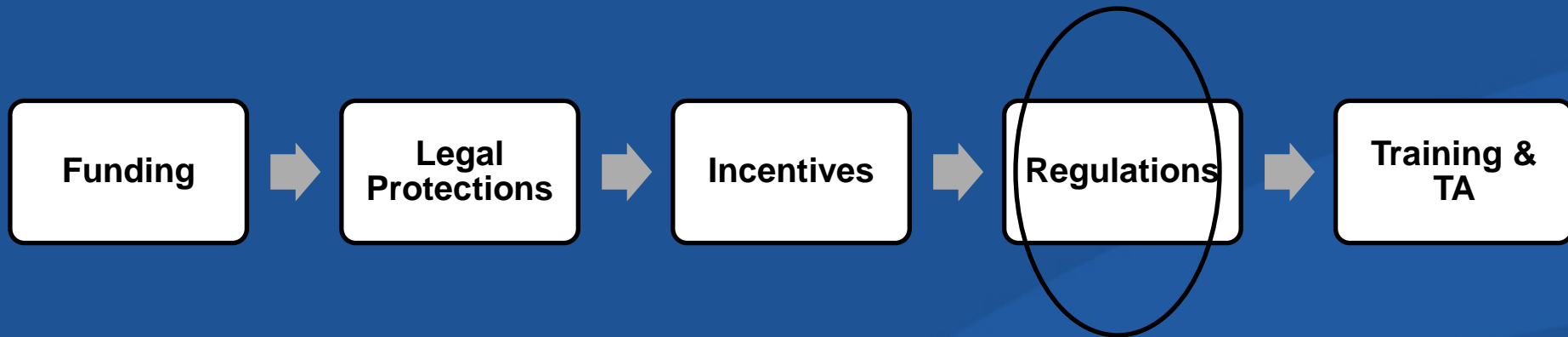
SSA, OSEP, HHS, DOL
*Promoting Readiness of
Minors in Supplemental
Security Income*
(PROMISE)

U.S. Department of Labor
*Disability Employment
Initiative*
EFSLMP

**Office of U.S. Special Education &
Rehabilitative Services**
*Customized Employment Strategies
expanded in several state VR
systems*
TACE Centers

**Centers for Medicare & Medicaid
Services (CMS)**
Balancing Incentives Program
Community First Choice Option
HCBS Waiver Guidance Expansion
Money Follows the Person

Government Role in *Employment First*: Developing a Common Cross-Systems Strategic Framework to Effectuate *Employment First*



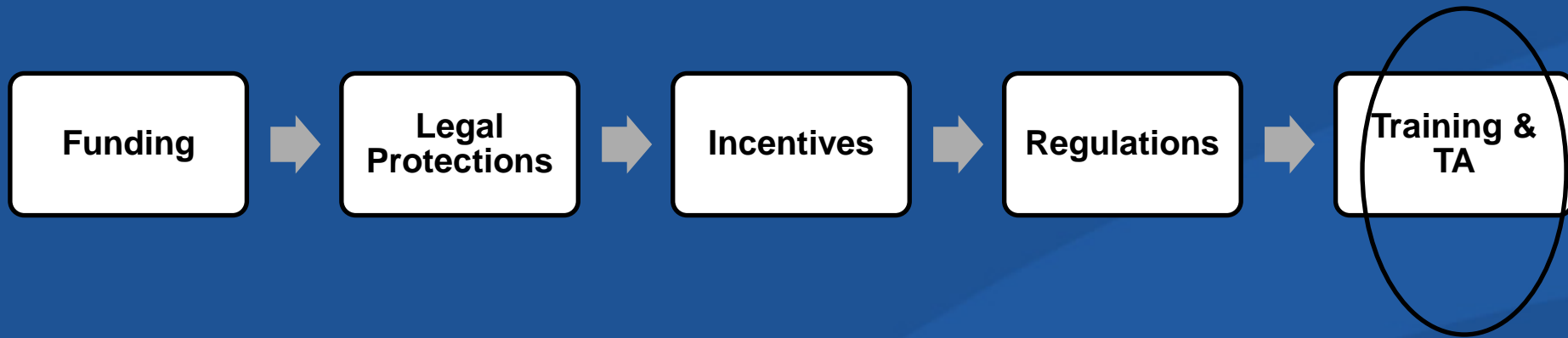
Promoting Employment First:

Federal or National Directives that Support a National *Employment First* Strategic Policy Framework



- **CMS Informational Bulletin (September 2011)**
- **Office on Special Education Programs July 2012 Letter reaffirming IDEA Provisions for LRE extend to Transition**
- **National Council on Disabilities Report & Position Statement advocating for Repeal of FLSA Section 14(c)**
- **NGA Chairman's Disability Employment Initiative**
- **Congressional action**
 - **Release of "Unfinished Business" Report (July 2012)**
 - **Senate HELP Committee Call to Governors**
 - **Introduction of *Fair Wages for Workers with Disabilities* (2011)**

Government Role in *Employment First*: Developing a Common Cross-Systems Strategic Framework to Effectuate *Employment First*



*Planting the Beginning Seeds of a National
Employment First Strategic Framework*



**ODEP'S
EMPLOYMENT FIRST STATE
LEADERSHIP MENTORING
PROGRAM**

Employment First State Leadership Mentoring Program (EFSLMP)



Promoting the promise and expansion of integrated employment by:

- Matching “protégé” states with a state mentor for policy and funding alignment (TN, OR, and IA)
- Providing intensive technical assistance for employment first strategic plan development and implementation from Subject Matter Experts
- Facilitating an ongoing Community of Practice for participating states

Employment First State Leadership Mentoring Program: *Structure & Modes of TA/Training Provided*

Tier One: Protégé State TA

Tier Two: Community of Practice

Intensive
TA/Training
from SME
Pool

Peer-to-Peer
Mentoring
from
Washington
State

E1st Vision
Quest
Working
Group

Monthly
Webinars &
Informational
Bulletins

ePolicyWorks
Virtual
Workspace

Quarterly
Federal Policy
Updates

State
Assessments
of Policy &
Practice*

Employment First State Leadership Mentoring Program: *Unique Features*



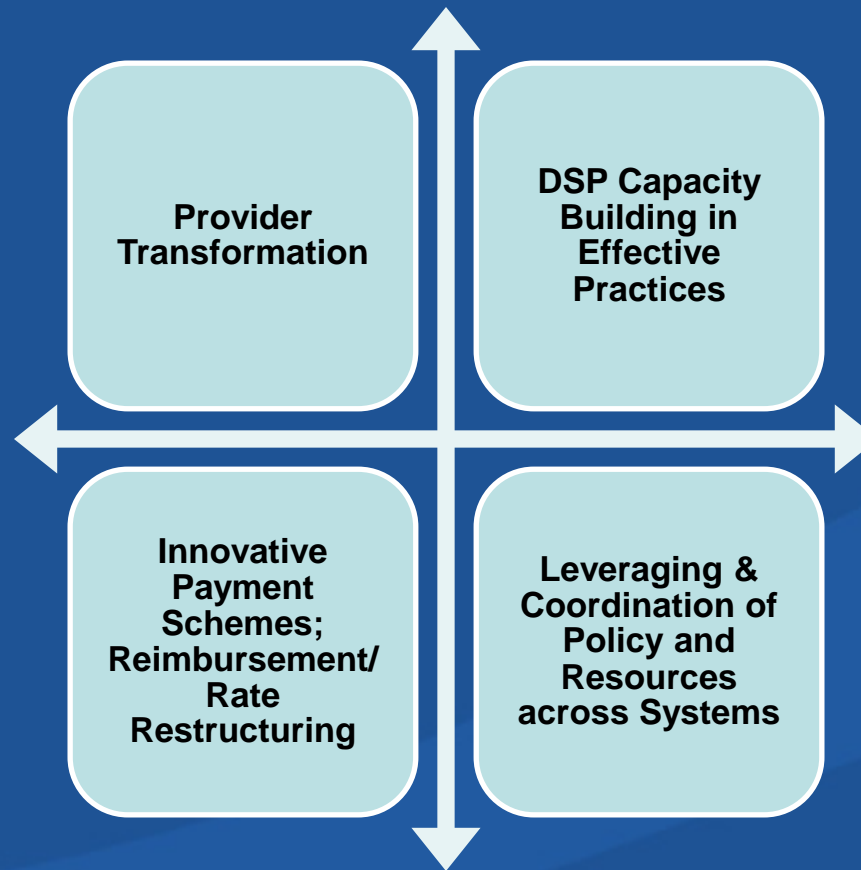
- Initiative is cross-disability, cross-systems focused
 - State E1st Teams include education, Medicaid, vocational rehabilitation, workforce investment, I/DD adult services, and mental health as required partners
- Focus
 - Sustained systems-change efforts
 - State policy development
 - Provider transformation & capacity building

Employment First State Leadership Mentoring Program: *Mentor State – Washington*



Washington implemented its Working Age Adult Policy in 2006, the first “Employment First” policy in the country. This policy was the culmination of over three decades of concerted activity to insure that persons with disabilities have quality of life through employment.

Employment First State Leadership Mentoring Program: *Protégé States – Key Areas of Foci*



EFSLMP Current Structure: *Protégé States*



Iowa

Building on its current *Employment First* Initiative in order to study and policies and funding mechanisms that emphasize interagency collaboration that result in service delivery that prioritizes integrated employment. Key areas of emphasis: reimbursement rate restructuring; provider model conversion; transition school-to-work demo.

EFSLMP Current Structure: *Protégé States*



Oregon

Building on its 2008 *Employment First Policy* to increase the number of high school age youth who transition to integrated employment and decrease the number of adults currently served in facility based employment services. Within EFLSMP, Oregon has focused on improving its strategic plan to align state policies and funding mechanisms that support these goals.

EFSLMP Current Structure: *Protégé States*



Tennessee

Aligning departmental policies for coordination of integrated employment services. Key areas of focus include: capacity building of provider network; increased use of SSA work incentives; coordination/leveraging of funding across systems; and policy alignment.

EFSLMP Community of Practice: *Participating States*



- *Current States Participating: 32*
 - **Alaska, Alabama, Arkansas, California, Colorado, District of Columbia, Delaware, Florida, Georgia, Iowa, Idaho, Illinois, Indiana, Kansas, Kentucky, Massachusetts, Maryland, Maine, Michigan, Minnesota, Mississippi, Missouri, North Carolina, North Dakota, New Jersey, New York, Oregon, Pennsylvania, Rhode Island, Tennessee, Virginia, Washington, Wisconsin**
- *Membership is Currently Open to all 50 States*

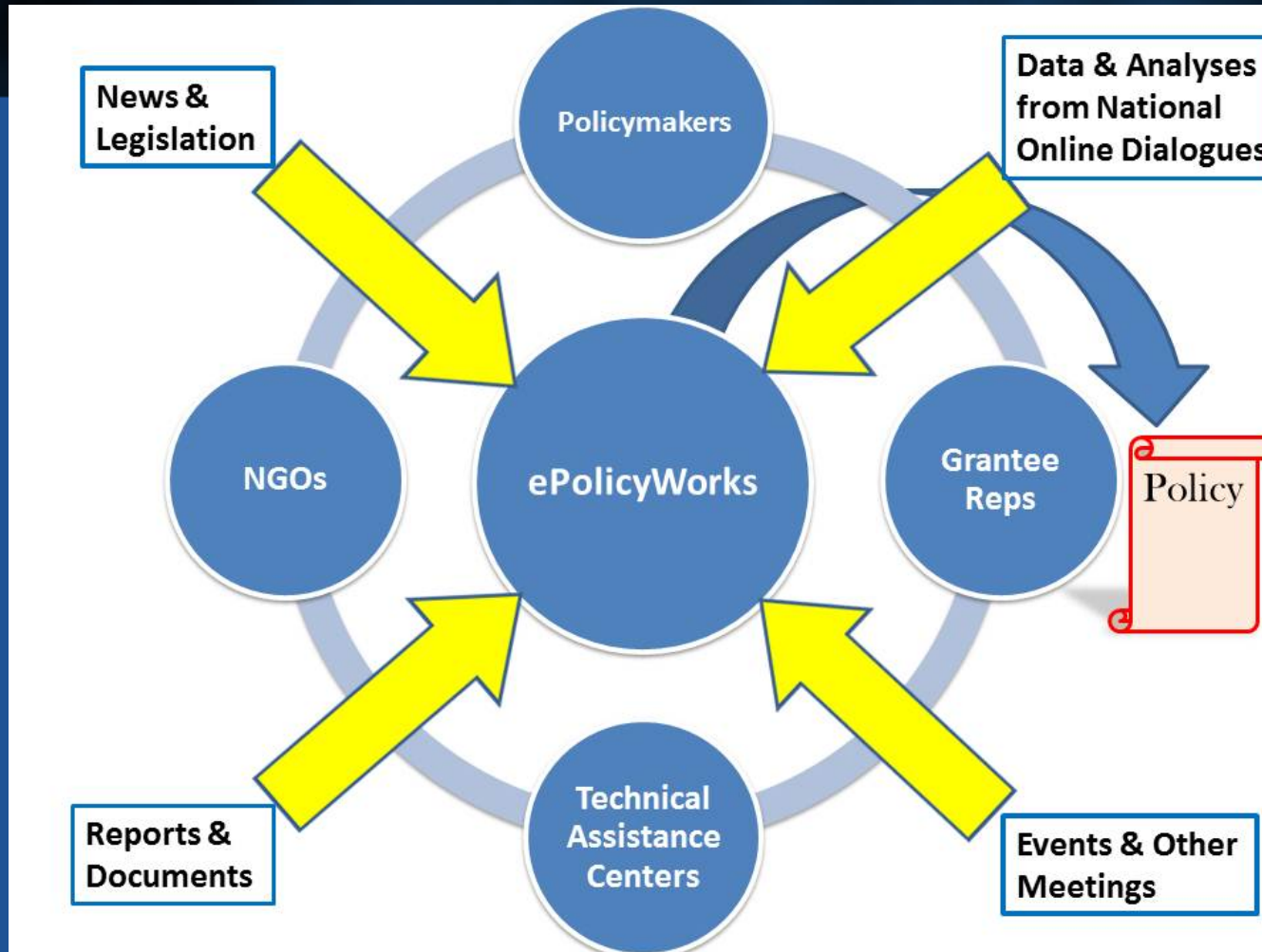
EFSLMP CoP Virtual Platform: ePolicy Works



Web-based platform with three tiers:

1. one large umbrella Employment First Group that will include all EFSLMP subcontracting states, all AIDD grantees, and any interested state who applied to either of these programs
2. individual private state workgroups that allow each state who is participating in either the EFSLMP or who is an AIDD grantee or DEI grantee to have their own private state work group
3. accessible only to ODEP EFSLMP state subcontracting entities and Subject Matter Experts

A New Policy Development Model



EFSLMP: *Progress to Date*

- All Protégé states completed strategic plans
 - Foci centered around transition, reimbursement restructuring, and capacity building/conversion models for provider systems
 - Concrete policy deliverables in Year 1
- Community of Practice initiated
 - Participation has increased from 23 states in 2012 to 32 in 2013 so far
 - Limited # of State Policy/Practice Assessments Now Available
- Technical Assistance for implementing strategic plans of protégé states underway
 - 100 SME hours/\$100,000 provided to each protégé state in 2012
 - 400 SME hours + meeting convening/travel support in 2013

Employment First State Leadership Mentoring Program: *Key Milestones*

- Memorandum of Agreement with Administration on Intellectual and Developmental Disabilities
 - Strategic Coordination with other National TA & CoPs
- National Employment First Meeting held November 2012
- Initiation of strategic discussions with key Federal agency partners focused on ways to collaborate toward developing a National *Employment First* Strategic Policy Framework
- Collaboration with NGA, CPSD and other external entities
- Development of ODEP's Criteria for Performance Excellence in Employment First State Systems Change & Provider Transformation

ODEP's Criteria for Performance Excellence in E1st State Systems Change & Provider Transformation





Employment First State Leadership Mentoring Program: *On the Horizon*

- E1st Vision Quest Working Group (Feb 2013)
- Federal Policy Update – Quarterly Series (April 2013)
- Congressional Education Series (May 2013)
- Launch of ODEP Employment Resources Rebalancing Initiative (March 2013)
 - **Products: Confidential State Reports/Assessments; State Cross-Systems Policy Audit Tool**
 - **States Included: California, Colorado, Kentucky, Oklahoma, New York and Pennsylvania (alternates include DE and VA)**

Comprehensive Resources



Integrated Employment Toolkit

www.dol.gov/odep/ietoolkit

Employment First



Rhetoric or Possibility?

Transformational Leadership: *Reform is Imminent*



Rising to the Occasion through Leadership: *What Path will you Take?*



**USE THE CURRENT FINANCIAL CRISIS AS AN OPPORTUNITY FOR
SYSTEMS TRANSFORMATION**

A Catalyst for Change, Transforming the American Workforce



Serena Lowe

Senior Policy Advisor

Office of Disability Employment Policy

U.S. Department of Labor

202-693-7928 (Office)

Lowe.Serena.D@dol.gov

