ODEP’s Commitment to Employment First

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**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......

To........
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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**

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

Source: ICI State Data Report, 2011
### How are we Faring Nationally? Trends in State ID/DD Expenditures

<table>
<thead>
<tr>
<th>METRIC</th>
<th>2004</th>
<th>2008</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total % I/DD $$ spent on Integrated Employment</td>
<td>12%</td>
<td>11%</td>
<td>10%</td>
</tr>
<tr>
<td>Total % I/DD $$ spent on Facility-Based Employment</td>
<td>21%</td>
<td>28%</td>
<td>21%</td>
</tr>
<tr>
<td>Total % I/DD $$ spent on Facility-Based Non-Work</td>
<td>39%</td>
<td>31%</td>
<td>42%</td>
</tr>
<tr>
<td>Total % I/DD $$ spent on Community Based Non-Work</td>
<td>37%</td>
<td>52%</td>
<td>57%</td>
</tr>
</tbody>
</table>

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."
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]
THE PATHWAY TO TRANSFORMATION
Government Role in *Employment First*:
Essential Tactical Elements in Promoting *Employment First*

- Access to Info
- Cross-Systems Coordination
- Enrollment & Eligibility
- System Capacity Building
- Employment Related Supports

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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

SHOW ME THE MONEY!
Government Role in *Employment First*: Developing a Common Cross-Systems Strategic Framework to Effectuate *Employment First*

**Diagram:**
- Funding
- Legal Protections
- Incentives
- Regulations
- Training & TA
• “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
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
  – 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*
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
- Intensive TA/Training from SME Pool
- Peer-to-Peer Mentoring from Washington State
- E1st Vision Quest Working Group

**Tier Two:** Community of Practice
- Monthly Webinars & Informational Bulletins
- ePolicyWorks Virtual Workspace
- Quarterly Federal Policy Updates
- State Assessments of Policy & Practice*

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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
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

- Provider Transformation
- DSP Capacity Building in Effective Practices
- Innovative Payment Schemes; Reimbursement/Rate Restructuring
- Leveraging & Coordination of Policy and Resources across Systems
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 EFSLMP, 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**

• **Membership is Currently Open to all 50 States**
Web-based platform with three tiers:

1. one large umbrella Employment First Group that will include all EFLSMP 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 EFLSMP 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

- Policymakers
- NGOs
- Grantee Reps
- Technical Assistance Centers
- Reports & Documents
- Data & Analyses from National Online Dialogues
- Events & Other Meetings

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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

- Strategic Planning
- Workforce Focus
- Customer Focus
- Operations Focus

Leadership

Results

Measurement, Analysis and Knowledge Management
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
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

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