

# **Executive Order: 2016-03 – Establishing “Employment First” Policy and Increasing Competitive Integrated Employment for Pennsylvanians with a Disability**

*March 10, 2016*

Subject: Establishing “Employment First” Policy and Increasing Competitive Integrated Employment for Pennsylvanians with a Disability

Number: 2016-03

By Direction of: Tom Wolf, Governor

Date: March 10, 2016

WHEREAS, Pennsylvanians with a disability are valued members of society and all members of society deserve to have the opportunity to work; and

WHEREAS, there is dignity in work, as it provides an individual not only the income necessary to meet basic living needs but can help contribute to his or her self-identity, self-worth and self-respect, and offer a sense of accomplishment; a job can also provide opportunities for social interaction, meaningful friendships, and to be and feel included; and

WHEREAS, efforts to increase the hiring of Pennsylvanians with a disability should be based on the principle that Pennsylvanians with a disability make-up a largely untapped labor pool, and that workers with a disability add value to the workplace, whether it is because they can be dedicated, loyal, and productive members of a team or because they can increase productivity and contribute to new product and service innovations that improve a company’s bottom line; and

WHEREAS, the unemployment rate for Pennsylvanians with a disability is consistently twice that of the general population, and such a rate is even worse than it appears because it is based on a workforce participation rate of about 20 percent for Pennsylvanians with a disability compared to about 70 percent for all individuals; and

WHEREAS, Pennsylvania has a history of valuing employment for people with a disability and providing services intended to promote each person’s ability to live, contribute and achieve status in their communities; and

WHEREAS, Pennsylvania government is actively committed to promoting improved competitive integrated employment outcomes through its involvement as a core state selected by the United States Department of Labor’s Office of Disability Employment Policy’s Employment First State Leadership Mentoring Program, and participation in the National Association of State Directors of Developmental Disability Services’ State Employment Leadership Network; and

WHEREAS, the 21ST Century has brought a significant change in public policy regarding employment of individuals with a disability recognized by the passage of the Workforce Innovation and Opportunity Act (WIOA), new federal rules for home and community based services, amendments to the Americans with Disabilities Act Amendments Act of 2008, and new federal rules that implement Section 503 of the Rehabilitation Act of 1973, as amended; and

NOW, THEREFORE, I, Tom Wolf, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, do hereby order and direct as follows:

**On March 10, 2016, Governor Tom Wolf issued an Executive Order demonstrating the commitment of The Commonwealth of Pennsylvania to employment for all adult citizens with disabilities. PA APSE is pleased that the Governor has made this commitment.** This Order provides a framework and a requirement for cooperation, collaboration, and coordination and communication among Departments, which have a role in ensuring that all citizens have the opportunity to work.

In light of the Workforce Innovation and Opportunity Act (WIOA) and the Center for Medicare and Medicaid Services (CMS) Final Rule, PA APSE offers the following recommendations for incorporation into the overall plan for promoting employment. These recommendations include policies, practices, and strategies that can support the work necessary to implement the Executive Order and result in successful employment outcomes.

**1. “Employment First” is the policy of all Commonwealth executive branch agencies under the jurisdiction of the Governor. This policy reflects the Commonwealth’s goal of making the Commonwealth of Pennsylvania a model state when it comes to creating a climate hospitable to workers with a disability.**

1. Create an Interdepartmental Coordinating Council made up of department heads who will work together to develop a framework for moving forward and ensuring that necessary departmental policies and procedures are developed and implemented to promote Employment First. Interdepartmental coordination is key. It appears now that much of the responsibility and public presentation falls on DHS. To be effective, Education *and* Labor and Industry must also be represented publicly and they must advance the message within their own departments and to both stakeholders and the community.
  - (a) The Governor shall create and appoint the Employment First State Coordinating Council, chaired by a senior official in the Office of Policy and Planning in the Governor’s Office, and consisting of the Secretary/Deputy Secretary or equivalent officials in all state departments or agencies providing services to people with disabilities as well as relevant other departments. This group will include key stakeholders as well as departmental personnel. In order to be successful the Council needs to have a consistent membership. Thereby creating a mechanism for stakeholders to have their voices heard as policies are discussed and strategies are planned. This group also provides a measure of accountability and should be chaired jointly by a member of the stakeholder group and a self-advocate or family member.
  - (b) This Council shall consist of the following stakeholders and senior level representatives focusing on key issues of the employment of people with disabilities:

- External stakeholders including self-advocates, families, business, and higher education.
- Governor’s Office of Policy and Planning,
- Department of Education including Elementary, Secondary and Special Education.
- Human Services including: the Office of Developmental Programs, Mental Health and Substance Abuse Services, the Office of Long Term Living.
- Department of Labor and Industry including Workforce Development and the
- Office of Vocational Rehabilitation.

The responsibilities of the Employment First State Coordinating Council shall include:

- (a) A detailed review of existing regulations, policies, and procedures relating to the goal of competitive employment for high school graduates with disabilities;
- (b) A review of existing policies and procedures to support the employment of adults with disabilities.
- (c) A review and alignment of service definitions, policies and payment structures within and across state agencies;
- (d) Long range planning including developing practices that begin in the preschool years, building capacity within the education system, vocational services, and human services. Using higher education to educate professionals of the future. Using new or existing parent advocacy to ensure that families hear from other families.
- (e) Developing requirements for local councils to ensure that consistent strategies are developed and implemented at the local level.

**a. The definition of Employment First is that competitive integrated employment is the first consideration and preferred outcome of publicly-funded education, training, employment and related services, and long-term supports and services for working-age Pennsylvanians with a disability, as “disability” is defined in each agency’s governing statutes and rules.**

**b. The definition of competitive integrated employment for purposes of this Executive Order is the definition contained in the WIOA, which is work performed on a full or part-time basis (including self-employment) for which a person is:**

- (1) Compensated at not less than federal minimum wage requirements or State or local minimum wage law (whichever is higher) and not less than the customary rate paid by the employer for the same or similar work performed by people without a disability;**

- (2) At a location where the employee interacts with people without a disability (not including supervisory personnel or people who are providing services to such employee); and**
- (3) Presented, as appropriate, opportunities for similar benefits and advancement like those for other employees without a disability and who have similar positions.**

2. Employment First is about articulating values and raising expectations. The real engine of social change is not money but rather expectations. When individuals with disabilities and their families recognize the clear benefits, their expectations will change and they will choose work! When employers recognize the benefits of hiring from an untapped work pool that can meet their needs, they will hire.

Employment First initiatives center on holding individuals with disabilities to the same employment standards, responsibilities, and sets of expectations as any working-age adult.

- Establish Employment First strategies which generally consist of a clear set of guiding principles, policies and practices disseminated through state statute, regulation or operational procedures that identify employment in integrated, community-based businesses as the priority for state funding.
- Create a multi -faceted public awareness campaign
  - Share employment success stories to create hope, stimulate imagination, and increase expectations of all stakeholders.
  - Share stories that demonstrate collaboration between systems
  - Share stories that shown successful integration in a business setting
  - Use all types of media

**2. The Office of Administration will explore the means to reduce barriers to Commonwealth employment, for Pennsylvanians with a disability.**

- Prioritize “employment as the first option” when designing policies, programs, and investments to support the employment of people with disabilities;
- Make disability employment part of the state workforce development strategy. Model Federal hiring practices and work towards 7% of Commonwealth employees are individuals with disabilities;
- Direct state agencies to align disability programs with workforce and economic development programs;
- Track disability employment outcomes and make sure they are included with current workforce data collection, focus on the business case when meeting with employers;

- Be a model employer by increasing the number of people with disabilities working in state government;
- Use key areas for state action to advance employment outcomes, as outlined in the National Governors Association's "A Better Bottom Line: Employing People with Disabilities, Blueprint for Governors," (2013);
- Encourage local county government to adopt practices of hiring people with disabilities.

**3. The Secretaries of the Departments of Education, Human Services and Labor and Industry, working with other Commonwealth agencies or executive office officials as appropriate, will develop a written plan to address the implementation of the following goals:**

**a. Implement Employment First as the policy of all Commonwealth executive branch agencies;**

- The PA Departments of Education, Labor and Industry, and Human Services creates and disseminates an Employment First policy applicable to all working age adults that clearly articulates values and principles and identifies the direction in which the systems are moving and why it is important. (see Appendix A as an example draft policy for DHS)
- The Departments will come together at least monthly in a public forum e.g. the Employment First Coordinating Council along with key stakeholders to discuss directions, develop a working framework, seek input, and review implementation.
- The Departments will develop consistent and complimentary communication and messaging:
  - a. within the Department and across Departments and among contracted agencies;
  - b. within the stakeholder community served by all departments.
- The Department of Labor and Industry, The Office of Vocational Rehabilitation, and others as appropriate, will:
  - a. Serve as a clearinghouse to provide information to employers and dispel the myths that exist about hiring individuals with intellectual disabilities or autism. ("A Better Bottom Line: Employing People with Disabilities, Blueprints for Governors");

- b. Work with business partners to create a Business Advisory Group on inclusion in the workforce;
- c. Work with small and large businesses to identify employment in the private sectors in all types of industry;
- d. Applaud the employers who hire people with disabilities in accordance with the Executive Order and bring those employers together to celebrate and urge others to join their ranks. Develop formal recognition and acknowledgement for businesses who are at the forefront in hiring across the state.

**b. Align funding, policy, data collection, and practice toward an emphasis on competitive integrated employment rather than non-competitive, non-integrated employment; and**

**Align funding**

- Establish one set of service definitions and a standard set of rates with area rates, as in the current ODP model, across DHS programs including BAS, BH, ODP, OLTL, and all other programs;
- Develop one set of contractual expectations including standardization of L&I/ OVR definitions and rates, and contracts;
- Providers should be contracted in all systems for ease of transition when needed;
- Realign funding to emphasize employment, including diversion of facility based service dollars to employment;
- Examine reimbursement strategies including milestone payments, reimbursement beyond the PFDS/W cap or separate employment funding;
- Offer outcome based incentives for steps within the process including assessment, job find and retention;
- Incentivize providers that are accredited or have a certain % of certified employment specialists and offer benefits counseling.

**Align policies** promulgated from all departments that promote employment both in policy and procedure.

- Engage with the education system to promote and support employment as the first outcome and that work experiences are offered as part of the educational process;

- Reference and build on existing memoranda of understanding between DHS, Education, and Labor and Industry;
- Current OVR and ODP policy and practice is heavily administrative and time consuming for those who are referred and may not promote employment as much as was intended;
  - Create policy that Incentivizes Employment and one message about work and employment for all, don't tell job seekers they are not employable in one system, e.g. OVR, and employable in another, ID. The focus on support and who pays for support should be an administrative issue, handled behind the scenes.
  - Create one application form that can serve both OVR and Human Services.
- Eliminate the barriers and disincentives that prospective employees and their families currently face in registering for services and having services added to plans or re-authorized when changes are needed.

### **Align Data Collection**

- Develop a shared set of definitions of what is meant by each data item collected. Incorporate all the measures in the Executive Order and identify a comprehensive listing of what is needed and why.
- Invest in the development and maintenance of a statewide **data collection system** dedicated to employment that could be used across departments.
- Require and enable schools and adult system and their providers to enter data to measure change during each school year and fiscal year in both quantitative and qualitative measures of outcomes.
- Begin collecting data in high school, at age 14, and follow the person into post high school.
- Measure outcomes as well as process.
- Establish benchmarks through the collection of information from all current sources across all DHS employment, vocational, and day services including home and community habilitation to develop a baseline.
- Develop procedures for successive years to gauge progress and outcomes over time.

## Develop a Comprehensive Employment Service System based on Best Practices

Significant and sustained attention to building capacity is critical to meeting the needs of the individuals it is intended to serve.

Develop a qualified workforce and a service system of well-qualified providers.

- Establish competencies for the provision of employment services that include initial and ongoing training requirements and national certification such as APSE Certified Employment Support Professional (CESP), or certification by the Association of Community Rehabilitation Educators (ACRE), or other nationally recognized programs.
- Apply competency based training for all facets of service provision: employment assessment, career development plans, job creation, job development, job coaching, and coordination of those services.
- Requirements should also include specific training related to the characteristics of the person to be served, i.e., people with Autism, ID, BH.
- Employment in the community is where there is one person for one job for one person, not part of a mobile workforce that arguably does promote integration in the workforce, but keeps the individual separate and segregated as a group member.
- A successful change initiative requires a **training and technical assistance component** to build capacity in the provider community to develop the “best practice” skills necessary to improve employment outcomes and to sustain the level of skills over time.
  - Develop plans with providers in how to build skills through training and technical assistance, in providing employment services
  - Engage providers in identifying what is necessary to accomplish the desired outcomes and developing strategies to be successful.
- Build a system where there are adequate criteria for determining well qualified service providers with the necessary training, certification, understanding and values.
- Assist employees and their families to understand the impact of earnings on financial benefits and health benefits and their reporting responsibilities to avoid potential over payments. This complex area requires skilled expertise. The



availability of timely responsive counseling services is essential for the financial well-being and peace of mind of working individuals and their families.

- Develop capacity within each provider of a certain size so that the agency has their own certified benefits counselor trained through the National Training Center at Virginia Commonwealth University or Cornell University.
- Benefits Counseling must be an eligible waiver service under a separate definition.
- Eliminate administrative steps such as documenting unavailability of other external resources when using benefits counseling
- The benefits counseling role could also address other eligibility issues which employees face and which sometimes get in the way of their focus on maintaining a job.
- Expand the current benefits counseling resource options to the meet the demand of increased numbers of people earning income in future years. External benefits counseling is not sufficient to meet current demand, nor future demand.

#### **4. Increase the number of Pennsylvanians with a disability employed in a competitive integrated job.**

##### **a. Start Young to Raise Expectations and Communicate Opportunities**

It is imperative that we deliver the messages of presumed competence and employment first from a young age for future generations.

- Work with families, physicians, teachers and schools to develop a consistent message of possibility and choice in the community, not in a segregated setting.
- Develop new materials or use existing materials such as “When I Grow Up”; a video that focuses on pre-school and elementary school children talking about their dreams for the future. (“When I Grow Up” 2013)
- Prioritize Transition for Youth
- Promote interagency collaboration to create seamless transition from school to work.

- Partner with OVR’s Early Reach program to help educate younger students and their families about presumed competence and the opportunity for an Everyday Life.
  - Prepare youth with disabilities for careers that use their full potential, providing employers with a pipeline of skilled workers;
  - Map current youth transition initiatives across the state and encourage replication for those that are getting good outcomes.
- b. Progress toward meeting these goals is to be measured by gathering and evaluating, as permissible by law and as available:**
- c. The labor participation rate and unemployment rate of Pennsylvanians with a disability**
- d. The number and percentage of Pennsylvania youth with a disability who successfully complete at least one paid community integrated work experience or community integrated work-based learning experience before exiting secondary education;**
- Development of meaningful transition planning starting at age 14 where employment is the preferred option **must** be the priority.
  - Ensure that meaningful and multiple work experiences exist prior to graduation and/or leaving school. **One is not enough.** This requires collaboration between systems.
  - Ensure that partners (education, OVR and providers) working with transition age youth are educated and competent in evidence based practice supporting seamless transition for youth with disabilities.

*The path to being competitively employed often begins before the transition out of high school, whether through a part- time job after school or some sort of work placement as part of a high school program. In fact, 73% of those currently competitively employed received some form of job training in high school, further highlighting the importance of early-stage employment opportunities.*

Engage early with OVR and other appropriate adult service systems to ensure a seamless transition for youth.

- Use service systems, collaboratively, to assist with providing and supporting experiences in a proactive manner rather than as a result of compensatory services. Work Based Learning and PETS are a must while youth are still in school;

- Initiate and support employer led projects to work with transition age youth;
  - Design vocational training programs in the schools that coordinate with services in the community and that focus on the critical period of 18 to 21;
  - Ensure that adults with ID hold their first job before they leave the educational system (i.e., prior to turning 21).
- i. **The number and percentage of Pennsylvania youth with a disability who transition from secondary education to adult life with a competitive integrated job or an integrated post-secondary education or training opportunity intended to lead to a competitive integrated job;**
  - ii. **The number and percentage of Pennsylvanians with a disability employed in a competitive integrated job who are participants in a Medicaid-funded or state-only funded program that provides home and community-based services; and**
  - iii. **The number of private-sector businesses that have been provided requested technical assistance with the recruitment, hiring and retention of qualified Pennsylvanians with a disability.**
- In addition to efforts cited earlier at the state level, Providers on a local level will:
    - Promote the hiring of individuals with an intellectual disability or autism through effective partnerships and linkages with the Chamber of Commerce, Society of Human Resource Professionals, and business associations to increase expertise and success.
    - Support businesses in their efforts to employ people with disabilities including identifying strategies for providing supervision and natural support for long term support of employees
  - Make the best use of resources to advance employment opportunities for people with disabilities. Highlight businesses who hire and promote hiring of people with disabilities.

**5. The plan described in Section 3, of this Executive Order, will be developed with broad stakeholder input including but not limited to people with a disability, the Governor’s Advisory Committee for People with Disabilities, potential employers, and disability advocacy groups.**

- Develop consistent and complimentary communication and messaging with all stakeholders;
- Communicate values – communicate requirements - communicate plans – communicate actions – communicate results;
- Create outreach opportunities and Engage all stakeholders i.e. self-advocates and families, supports coordinators (SCs), and providers in the implementation of the plan and development and implementation of any future plans.
  - Create a Self- Advocate Leadership Network
  - Develop Social Media Networks
- Publish a monthly internet Employment First newsletter, organized jointly by the PA Department of Education the Department of Labor and Industry, Office of Vocational Rehabilitation, and the Department of Human Services, , and to highlight educational opportunities, outcome data, evaluation and planning, events related to employment of people with disabilities;
- Create a new public relations campaign to promote work and a strong economy that works for all citizens Promote PA as a Commonwealth that values work and wants everyone to be contributing tax paying members of society.

Examples of affirmative Campaigns:

- #I Want to Work
- Works for Me could be ‘Works for Me, Works for PA’ or PA WORKS
- Employment First could be Employment First PA

PA should be seen as a disability-friendly state and use social media to show people with disability, including those with intellectual disabilities and autism, as integral members of their communities; a campaign that fosters inclusion in all aspects of our lives: school, work, place of worship, in the playground and in the community.

- Create and brand a slogan for the state to use in its materials and its efforts to promote work and community inclusion for all of its citizens.
- Create additional public relations efforts that highlight individuals with disabilities and autism at work in all sectors of the economy. A video was created several years ago in Philadelphia entitled “One City, One Vision” which captures the intent of such a campaign.

## Address stakeholder concerns

- Build employment and other holistic, person-centered support services that include a total of 40 hours of service to create a full vibrant life with employment as the first option;
- Create and articulate expectation of employment for all working age adults. Use Home and Community Habilitation only as necessary to provide services during non-work hours. Supplement employment, not supplant employment.
  - Ensure that non-work community based activities are just as individually developed as employment;
  - Establish requirements and build competencies for all services, especially home and community habilitation.
- Work with families and agencies who are providing support to embrace the value of work and plan non-work life activities in a manner that supports maintaining a job, i.e., scheduling of medical appointments, staffing changes, transportation arrangements;
- Address safety net concerns of families by ensuring that the system is flexible and responsive enough to support individuals through a combination of employment and/or meaningful non-work community services.
  - Services must be available to the extent necessary for families to know that there is sufficient structure so that family members can work.
  - Ensure that benefits counselors are built into the service delivery structure and the rate through each employment service provider to work with individuals, families, and supports coordinator to assure understanding of the implications of earned income and avoid loss of benefits.
- Explore all transportation options to ensure the transportation plan is realistic to support work and other individual activities.
  - Expand flexibility to ensure transportation is not a barrier for those who do not travel independently.
  - Ensure that residential providers provide transportation to support employment schedules.

**6. General Provisions. Nothing in this Executive Order shall be interpreted to supersede or preempt the provisions of any federal, state or local law, regulation, rule or ordinance. This Executive Order is not intended to, and does not create, any right or benefit, substantive or procedural, enforceable at law or in equity by any party against**

**the Commonwealth of Pennsylvania, its departments, agencies, or entities, its officers, employees, or agents, or any other person.**

**7. The plan should be submitted to the Governor's Office for review and approval 120 days from the effective date of this Executive Order.**

Plan should reflect realistic timeframes for implementation. Systems change done well takes time; a systems change effort of this magnitude will take at least 5-7 years.

Not everything can be done and identified in a plan, within 120 days; additional specific plans need to be developed with broad based input.

- A communication plan is needed. Communication is key to success.
- A training and technical assistance plan is needed.
- A plan for outreach and engagement of businesses is needed.

**8. Effective Date. This Executive Order shall be effective immediately.**

**9. Termination Date. This Executive Order shall remain in effect until amended or rescinded by the Governor.**

Appendix A (DRAFT Policy)



**DEVELOPMENTAL PROGRAMS BULLETIN**  
**COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF PUBLIC WELFARE**

DATE OF ISSUE

EFFECTIVE DATE

NUMBER

**00-13-XX**

SUBJECT:

**Employment First Policy**

BY:

**SCOPE:**

Individuals and Families

All Stakeholders and Interested Parties

Department of Human Services (DHS) Staff

This policy is applicable to all individuals receiving publicly funded services through mental health and substance abuse, intellectual disabilities, autism, and long term living.

**PURPOSE:**

To establish the Department of Human Service's Employment First policy and guiding principles to support employment for all people with disabilities in Pennsylvania.

**BACKGROUND:**

Employment is a fundamental value and aspiration in American culture. There is an expectation that each adult citizen will pursue employment. We, including those of us with disabilities, gain many benefits from having a job. We have relationships with co-workers, fewer health issues, and an increased sense of wellbeing. We report a greater sense of accomplishment, increasing our feelings of competence and self-worth. Employment enables us to be equal participants in our society and to contribute to the economic well-being of our

communities. Further, the development of a skilled and motivated workforce is essential to meeting the needs of business in the Commonwealth of Pennsylvania.

Historically, the Department of Human Services has been committed to supporting a person's right to pursue and engage in employment. The Department has provided state and waiver funds to support employment services as well as sheltered employment but has **not** emphasized employment as the first and preferred option for all citizens with disabilities.

This Employment First Policy reflects the prevailing belief that all individuals are presumed competent and able and shall have the opportunity to work. It recognizes the significant changes occurring today focusing on the civil rights of each person, and the advances in effective support strategies and technology. This policy focuses on employment and the right of all individuals to work and contribute to the fabric of their community.

### **DISCUSSION of POLICY and PRINCIPLES:**

The **Policy** of the Department of Human Services is that each person of working age engages in a process of career planning that leads to employment as the first and preferred option and identifies the supports necessary to develop and maintain employment and any other supports necessary for full participation in the community. The optimal goal of this policy is "integrated individual employment."

- Employment First Policy, to be effective, must include clear outcome expectations for employment to include annual baseline employment data and specific percentage goals for individuals receiving employment in integrated work settings;
- Employment First Policy, to be effective, must support the development of a service system with certified staff. Through training and technical assistance, staff will meet the competencies of national standards such as Certified Employment Support Professional (CESP) or Association of Community Rehabilitation Educators (ACRE);
- Employment First Policy, to be effective, must ensure the availability of qualified providers who are able to respond in a timely manner to individuals choosing employment, without extended waiting periods for service;
  - Employment First Policy, to be effective, requires a review of current program and financial policies, and regulations, as well as a review of employment outcomes, practices, and functions through licensing, quality improvement, and other contract mechanisms to promote and support Employment First.

The Employment First Policy is based on the following Guiding Principles:

- Employment is the preferred outcome for all working aged adults and youth with disabilities, regardless of severity of disability and assistance required.



- Employment services and opportunities must be offered to all people receiving publicly funded services regardless of whether they live in their own home or in a residential setting, without regard to the type of service funding.
- Employment in a community integrated workplace affords individuals with disabilities the opportunities to earn minimum wage or better, based on their talents, skills, and interests.
- Employment consists of full-time or part-time Work, with or without supports, in the most integrated setting, on the payroll of a competitive business or industry (not an employment services provider) pays at least minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by workers without a disability. Competitive employment includes self-employed business owners.
- Career planning results from a strength-based approach identifying the individuals' interests, capabilities and supports needed for successful Employment.
- Employment is a process of career and skill development and increased opportunity in the workforce. While every effort should be made to maximize hours in employment, each individual shall be supported to have a full time array of supports to supplement employment that should include use of community-based settings for non-work hours such as volunteer positions.
- The Employment process includes the following: career exploration, discovery, community based work assessments, employment development including job finding, job development, customized employment and self-employment, with on-going support as needed.
- Development of natural supports in the workplace is a cornerstone of integrated Employment.
- Benefit counseling from a Community Work Incentive Coordinator (CWIC) is offered as part of Employment planning.
- Individuals will be supported to identify personal strategies, and job accommodations, including assistive technologies, as needed, to successfully perform their job duties and maintain Employment
  - Employment outcomes promote choice, self-determination, self-sufficiency, and inclusion.

## **COLLABORATION:**

Employment First policy, to be effective, needs to include the following collaborations:

Collaborate with the Pennsylvania Department of Education and local education agencies (LEAs) to promote:

- (a) early transition planning beginning at age 14,
- (b) assessment for and use of appropriate assistive technologies, and
- (c) school based work experience;
  - a. Expand school to work transition programs that expose students to job opportunities and enable them to graduate with jobs in place, and provide support for individuals interested in developing their own businesses;

Collaborate with partners established in the current Memorandum of Understanding (2010), to ensure that Employment First policies and principles are consistent and embedded within all policies and regulations;

Collaborate with key state agencies to develop a cabinet level group comprised of Education, Labor and Industry/ Office of Vocational Rehabilitation (OVR), Department of Human Services, the Governor's Office, and the Department of Community and Economic Development to examine roles and responsibilities of government in establishing an Employment First state;

Foster collaborations and partnerships between businesses and state agencies working towards a strong diversified Pennsylvania workforce;

Maintain membership in the State Employment Leadership Network and work collaboratively with its membership to support Pennsylvania's commitment to Employment First;

Collaborate to form a stakeholder's planning and implementation group, comprised of individuals and families, advocates, providers, educators, business people, community members, and staff to develop a strategic multi-year plan for Employment First;

Collaborate among all departments and stakeholders to conduct and participate in a statewide awareness and education campaign about Employment First.

## Appendix B

### **DEFINITIONS:**

Employment First is employment in the general workforce as the first and preferred outcome in the provision of publicly funded services for all working age citizens with disabilities, regardless of level of disability. <http://www.apse.org/employment-first/statement/>

Employment refers to real jobs held by people with disabilities in typical integrated workplace settings where the majority of persons employed are not persons with disabilities, where people earn minimum wage or better, are paid directly by the employer, and have the opportunity for professional and career advancement.

Transition Age Youth are individuals ages 14 – 24.

**Integrated** “with respect to an employment outcome means a setting typically found in the community in which applicants or eligible individuals interact with non-disabled individuals, other than non-disabled individuals who are providing services to those applicants or eligible individuals, to the same extent that non-disabled individuals in comparable positions interact with other persons.”

<http://www2.ed.gov/policy/speced/guid/rsa/tac-06-01.doc>

Integrated Individual Employment occurs when the individual is hired and paid directly by the employer (i.e., the person is not paid via a subcontract with the service provider). Employment takes place in a work place in the community, where the majority of individuals do not have disabilities, and which provides opportunities to interact with non-disabled individuals to the same extent that individuals employed in comparable positions would interact. The position is an individual job (i.e., not a group or enclave setting).

Career planning is a person-centered, comprehensive employment planning and support service that provides assistance for (waiver program) participants to obtain, maintain or advance in competitive employment or self-employment. It is a focused, time limited service engaging a participant in identifying a career direction and developing a plan for achieving competitive, integrated employment at or above the state’s minimum wage. The outcome of this service is documentation of the participant’s stated career objective and a career plan used to guide individual employment support.

<http://downloads.cms.gov/cmsgov/archived-downloads/CMCSBulletins/downloads/CIB-9-16-11.pdf>

"Customized Employment is a flexible process designed to personalize the employment relationship between a job candidate and an employer in a way that meets the needs of both. It is based on an

individualized match between the strengths, conditions, and interests of a job candidate and the identified business needs of an employer. Customized Employment utilizes an individualized approach to employment planning and job development — one person at a time . . . one employer at a time.” <http://www.dol.gov/odep/categories/workforce/CustomizedEmployment/what/index.htm>

Self-employment is earning income directly from one’s own business, profession, or trade; and not as an employee of a business owned by someone else. People with disabilities are twice as likely as people without disabilities to own their own business.

[http://www.nga.org/files/live/sites/NGA/files/pdf/2013/NGA\\_2013BetterBottomLineWeb.pdf](http://www.nga.org/files/live/sites/NGA/files/pdf/2013/NGA_2013BetterBottomLineWeb.pdf)

Employment Based on Individual Preferences and Needs where employment opportunities are identified through a person-centered career planning process, which identifies an individual’s career preferences and choices, and is based on a comprehensive career exploration and assessment process, emphasizing community-based situational assessment. Individuals should be actively involved in the job search process to the maximum extent possible. The job placement should emphasize not only opportunities that are a good match for an individual’s work skills and abilities, but also environments that are a good fit for an individual’s personality, social needs, and work culture preferences.

Benefits Counseling with **Community Work Incentives Coordinators (CWICs)** to deal with critical issues relating to personal finances and health coverage that can have a profound impact on a beneficiary's economic and physical well-being. CWICs will work one on one to provide in-depth counseling about benefits and the effect of work on those benefits. [www.socialsecurity.gov/work](http://www.socialsecurity.gov/work)

Natural Supports, in the course of obtaining employment in the community, emphasis is placed on work environments with potential availability of natural employer and co-worker supports. Paid supports from service providers should be viewed as supplemental to the existing supports within the work place, reviewed periodically, and faded over time when possible. This does not preclude situations where individuals, because of the nature of their disability, require a significant level of long-term, ongoing paid supports.

Maximizing Work Hours when providing employment supports, the optimal employment status should be one in which individuals are working the maximum number of hours they are capable of working, and earning the minimum wage with any associated benefits.

**Use of Community Based Settings for Non-Work Hours** for individuals who are working on a part-time basis. For these individuals, it is expected that the priority for activities during non-working daytime hours should be on supporting individuals in other typical adult activities in the community, including volunteer work and daily living activities. As with employment, such activities should take place in integrated community settings, on an individual basis with an emphasis on non-paid, natural community supports whenever possible.

