

House Bill No. 5723, AN ACT RELATING TO EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION  
EMPLOYMENT OF PEOPLE WITH DISABILITIES

Written testimony of Kiernan T. O'Donnell

Having participated in the previous offerings relating to the Habilitation "Set Aside" Contracts, can attest to a couple of things. First, the intent of the program at the time of its original conception was an appropriate transitional avenue for those licensed provider agencies attempting to transform their segregated employment programs towards more community-based and integrated employment, per The Consent Decree and The Interim Settlement Agreement, and the State's Employment First Initiative. For individuals truly seeking the scope of labor offered through these programs, it offered them an opportunity to earn competitive wages and have the needed supports that may not have been offered in other employer settings. Second, can attest that those responsible for facilitating the bidding and procurement process worked effectively with agency counterparts, and generally speaking, did a good job ensuring that information was accessible and timely.

But this was a starting point, and only that. Informed choice and supporting individuals with disabilities to pursue their individual career path requires more than singular industries opening up access, and beyond that access, not limiting it to those who have a connection to a provider agency familiar with cleaning services, but any industry the person deems appropriate for them. The notion that this Bill basically repeats the intent of limiting scope of industry flies in the face of both the legal agreements and initiatives the State has agreed to work towards and adhere to. In a nutshell, this Bill is saying that job seekers and employees with disabilities are good enough to keep scrubbing toilets, and should remain in the limited and traditionally-occupied industries of "food, filth and flowers", when this Bill has the potential to address so much more.

When addressing and intending to include Affirmative Action in policy, singular actions make little difference when not addressing the whole. There should be a sister Bill to this which should also have oversight as to the hiring practices of State-run government, also as a model employer themselves. Additionally, if this Bill is to wholly address the contracts issues of inequity and exclusion, should be expanded upon to include a host of State-operated industry sectors, where truly, this under-tapped labor resource has been building capacity, and can make a positive impact on the workforce. A recent survey conducted by The Paul V. Sherlock Center on Disabilities at Rhode Island College, and Federal University Center of Excellence on Disability in October reported that even in the pandemic, employees with disabilities are present in the workforce in almost all industry sectors, and over 50 various occupations within. Data year-to-year indicates this trend is only expanding, and whereas the State could be a more effective partner in not only empowering this workforce, but also meeting the needs of the various sectors in our state.

Lastly, there is a great deal of "intersectionality" when it comes to disenfranchised communities and people with disabilities. There is an opportunity in front of your Committee to make this more than a face-value, box-checking effort to demonstrate compliance, but rather to leverage a rising workforce that has proven to be essential and responsive during the pandemic to meet the ever-changing labor needs of this state.

Thank you for your consideration.

Respectfully,

Kiernan "Kie" O'Donnell

Co-President, Rhode Island Association of People Supporting EmploymentFirst (RIAPSE)

National Board of Directors, NorthEast Delegate