



Issue 9

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## **New Resource on WIOA from a Disability Perspective**

On July 22, 2014, President Obama signed into law the Workforce Innovation and Opportunity Act (WIOA) (Public Law No. 113-128). WIOA represents an important bipartisan effort to improve federal workforce development programs and provide new opportunities to advance economic self-sufficiency for millions of Americans with and without disabilities. WIOA will help workers attain skills for 21st Century jobs, provide supports to people with disabilities to enter and remain in competitive, integrated job settings and foster the modern workforce that evolving American businesses rely upon to compete.

WIOA repeals and supersedes the Workforce Investment Act of 1998 and amends the Adult Education and Family Literacy Act, the Wagner-Peyser Act and the Rehabilitation Act of 1973, as amended.

The LEAD Center has created a summary of the major amendments to Titles I and IV of the

Workforce Investment Act from a disability perspective (i.e., those provisions in the legislation pertaining to workforce development and vocational rehabilitation systems of particular applicability to individuals with disabilities).

Please visit the LEAD Center website to access or download the [WIOA Policy Brief](#).

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## LEAD Center Welcomes New KT Consortium Members

The LEAD Center is proud to announce the addition of four new national technical assistance centers to the Knowledge Translation Consortium. The KT Consortium is the first-of-its-kind partnership, which brings together virtually federally-funded employment-related training and technical assistance centers to collaborate on cross-cutting issues to advance employment outcomes for people with disabilities.

New members include:

- The **Job-Driven Vocational Rehabilitation Technical Assistance Center (JDVRTAC)** at the University of Massachusetts-Boston. The JDVRTAC will assist state vocational rehabilitation agencies in developing training and employment opportunities for individuals with disabilities that meet the needs of employers and the demands of the local economy.
- **National Employer Technical Assistance Center** run by the Viscardi Center. The Center will analyze employer research, policies and practices related to disability employment; research effective employer engagement strategies; and develop and provide outreach and technical assistance to targeted employers, such as federal agencies, federal contractors, small businesses and state governments, in an effort to diversify workforces.
- **PROMISE Technical Assistance Center**, run by the Association of University Centers on Disability (AUCD). The Center was developed to facilitate a positive impact on long-term employment and educational outcomes for youth with disabilities by reducing reliance on Supplemental Security Income (SSI), providing better outcomes for adults, and improved service delivery by states for youth and their families receiving SSI.
- **Rehabilitation Research and Training Center on Vocational Rehabilitation (VR) Practices for Youth and Young Adults** operated by TransCen. The Center is designed to answer questions about what leads to the most successful employment outcomes for youth and young adults with disabilities eligible for VR services.

The addition of the new centers will improve the KT Consortium's capacity to share information and identify opportunities to coordinate assistance to common target audiences: individuals with disabilities and their families, policy makers, employment service providers, workforce development and rehabilitation professionals, employers, public agency leaders across service delivery systems, disability-related community organizations, educators and job skills trainers.

[Learn more about the KT Consortium and the TA centers that participate.](#)

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## **LEAD Center Welcomes CRC and ETA Guidance Regarding Use of Credit Scores**

On October 17th, the U.S. Department of Labor (DOL) Employment and Training Administration (ETA) and the Civil Rights Center (CRC) issued Training and Employment Guidance Letter Number 11-14, which will limit the use of credit information to exclude, screen or select applicants for employment by employers who use the public workforce system. The guidance to inform employers and job seekers explains that:

*“Negative information on credit reports may reflect that applicants have experienced difficult circumstances beyond their control that have no relationship to their ability to perform the job, such as a medical emergency, disability, layoff, loss of a spouse or identity theft.”*

The guidance further points out that “there is no body of evidence that validates the use of credit history in hiring decisions. Such use of credit history is only acceptable when it can be proven to be job-related for the position in question and consistent with business necessities.” Even under these circumstances, the employer must verify the accuracy of the credit report and seek to determine why the applicant may have negative information on it.

Being rejected for a job, based on credit history, may violate multiple civil rights laws and the Fair Credit Reporting Act. Complaints about employer actions based on credit history may be filed with the Civil Rights Center of the U.S. Department of Labor at [CivilRightsCenter@DOL.gov](mailto:CivilRightsCenter@DOL.gov).

For further guidance on this issue, please visit the [DOL website](#).

The LEAD Center applauds this guidance as an important and significant step by the U.S. Department of Labor to challenge a growing and disturbing practice by employers, as jobseekers with and without disabilities battle the challenges of unemployment and managing debt and credit. Please distribute this guidance widely to help inform jobseekers of new protections against discrimination.

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## **Share Your CE Success Story**

Originally envisioned as a multi-strategy approach to match the discrete skills and unique contributions of a job seeker with a significant disability to an employer who has an unmet (and often unrealized) need for those skills and contributions, Customized Employment (CE) has come a long way since ODEP’s first demonstration project in 2001. Highlighted and defined in the Workforce Innovation and Opportunity Act (WIOA), CE strategies, including its signature strategy of Discovery, have been used by individuals, families, service providers, American Job Centers (AJCs) and other partners to promote a strength-based approach to employment for job seekers with barriers to employment.

The LEAD Center is currently seeking stories of employment success so that job seekers,

families, service providers, AJCs and AJC partners can learn from those who have applied CE's strategies and achieved positive outcomes. While additional information will be forthcoming regarding the requirements for success story submission, some level of interaction with the AJC will be a required component. If you are interested in submitting a CE Success Story, or would like more information about submission requirements as they become available, please email [lstern@ndi-inc.org](mailto:lstern@ndi-inc.org).

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## **LEAD Center Presentations Support Be the Future TASH Conference**

For nearly 40 years, LEAD Center's partner, TASH, has provided annual TASH Conferences to "impact the disability field by connecting attendees to innovative information and resources, facilitating connections between stakeholders in the disability movement, and helping attendees reignite their passion for the full inclusion of people with disabilities in all aspects of community life."

For the second year, the LEAD Center participated in the TASH Conference, adding to this incredible training event by providing three presentations on strategies to improve the employment and economic advancement of individuals across the spectrum of disability. Attendees reported the information they received from LEAD staff was compelling and timely to support them in meeting new HCBS Final Rule requirements. LEAD presentations included:

- [\*Pathways TO Employment and OUT of Poverty\*](#) - This session provided an overview of the role of service providers, parents, supports, and self-advocates is to identify, introduce and support efforts to integrate financial stability strategies into disability services and improve collaboration between the disability and financial stability communities.

- [\*Successful Employment: How Local American Job Centers \(AJCs\) Can Help\*](#) - Many people with developmental disabilities believe that they aren't eligible for AJC services or that the services won't accommodate their needs. In this session, participants learned about the many supports and services that are available to people with disabilities from American Job Centers and their partners.

[\*The Art of the Possible: Aiming High in Employment First: Federal Policy Changes and Opportunities\*](#) - As part of a pre-conference program to promote Employment First, this presentation reviewed the exciting recent Federal initiatives that create possibilities and opportunities for people with disabilities to achieve employment and career outcomes

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## **ABLE Act Offers New Support Options to Advance Employment Outcomes**

On December 16, the U.S. Senate overwhelmingly passed the Achieving a Better Life Experience (ABLE) Act by a vote of 76 to 16. This was previously passed by the House of Representatives on

December 3. Not since the passage of the Americans with Disabilities Act (ADA), nearly 25 years ago, has Congress moved forward with such an important and unprecedented change in public policy as ABLE.

For the very first time in our country's history, there is clear recognition and sensitivity to the extra costs of living with a disability for individuals and their families. Every day, all across America, parents raising a child with a disability are confronted with numerous costs not covered by insurance or various public assistance and benefits. The costs are as varied as modifying a home to be more accessible, to adaptive equipment and assistive technology that enhances learning, mobility, hearing and use of a computer.

For adults with significant disabilities, extra costs could also include additional hours of personal assistance support, in addition to access to transportation, housing and employment supports. Similarly, for youths in transition or working age adults with disabilities, the establishment of an ABLE account will allow set aside funds to pay for continuing education skills leading to industry recognized credentials and a career pathway; supported and customized employment services; start-up capital for self-employment; and transportation to go to and from work.

The ABLE Act helps cover some of these costs by creating a tax-free savings account (ABLE account) to help defray the extra expenses associated to living a life with a disability without adversely affecting continued eligibility for means or resource tested government benefits such as Supplemental Security Income (SSI) and Medicaid.

Beginning in 2015, the U.S. Department of Treasury will provide further guidance and explanation on ABLE accounts, including the eligibility and criteria for qualified expenses.

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## **Best Practices in Employee Retention and Return-to-Work: An In-Depth Look Inside an Exemplary American Corporation**

Successful companies work to maintain the productivity and health of their workforce, which includes providing accommodations for older workers and people with disabilities.

ODEP and the LEAD Center studied best practices at a large, successful U.S. corporation to learn about and document effective retention and return-to-work policies and practices. [The report](#) highlights best practices and strategies gleaned from the corporation at the individual, workplace and systems levels that benefit both employers and employees. The report also describes replicable practices and offers suggestions that can be adopted by employers to support and retain their workforce, as well as practices that enable employees to gain employment and/or safely return to work quickly after experiencing illness, injury or disability.

The corporation described in the report has been extremely thoughtful about how best to ensure it retains its workforce, creating effective and coordinated structures that shape and guide:

- How it communicates its corporate culture;

- The value it places on its workforce, treating employees like valued customers;
- Its desire that service providers and vendors work with employees in an integrated collaborative manner and, in fact, making it a requirement;
- Communication with employees who experience disability, injury or illness so that they receive needed support in a timely manner and know the extent to which they are valued; and
- The training and support received by their supervisors and managers so that employees hear consistent positive messages and receive timely support, especially if they are not able to be at work for a period of time or cannot perform all of the essential functions of their job.

This in-depth look inside the corporation provides insight and recommendations that can benefit large and small employers, and offers people with disabilities and older workers ideas about what to look for from a current or prospective employer.

Download "[Best Practices in Employee Retention and Return-to-Work: An In-Depth Look Inside an Exemplary American Corporation.](#)"

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## **LEAD Participates in Louisville Financial Empowerment Summit**

On October 30th, LEAD staff returned to Louisville, Ky. to participate in the city's 2nd Annual Financial Empowerment Summit. Sponsored in part by [Bank on Louisville](#) and [National Disability Institute \(NDI\)](#), the Summit brought together numerous local and national private and public partners committed to building a more inclusive community and improving the financial health of Louisvillians with disabilities.

During the day-long event, attendees heard from a variety of speakers, including LEAD's Public Policy Co-Lead and NDI Executive Director Michael Morris and Assistant Project Director Elizabeth Jennings. Morris discussed the recently passed Workforce Innovation and Opportunity Act (WIOA) and its implications on youth and adult with disabilities, while Jennings' afternoon session featured an in-depth discussion on best practices to integrate financial empowerment in the delivery of services to people with disabilities.

In addition to Morris and Jennings, the Summit featured presentations from Kate Griffin, Director of Savings and Financial Security, the Corporation for Enterprise Development (CFED); Denise Besler, Principal Associate, National League of Cities; and Rebecca Vallas, Associate Director, Poverty to Prosperity Program, Center for American Progress. Congressman John Yarmuth (D-Ky) and Metro Government Chief of Community Building Sadiqa Reynolds welcomed attendees and kicked off the day's program.

At the conclusion of the event, attendees were challenged to continue working to build a network of coordinated and integrated services to better meet the unique financial needs of

people with disabilities, and provide them with the necessary tools and supports to build a more financially independent life and an even brighter economic future.

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## **LEAD Top Accomplishments**

### **In its first two years, LEAD Center:**

1. Facilitated a successful Policy Roundtable Forum with participation of eight federal agencies to identify policy and implementation status of Blending and Braiding Resources to Achieve Employment Outcomes for Youth and Adults with Disabilities. LEAD developed policy recommendations and continues to work with a federal cross-agency work group to support the development of joint policies and other supporting materials on blending/braiding resources across systems in support of youth and adults with disabilities.
2. Built collaborative investment of the Department of Labor's Civil Rights Center (CRC), Employment and Training Administration (ETA) and ODEP to produce a new Section 188 Guide. Section 188 ensures nondiscrimination and equal opportunity to persons with disabilities participating in programs and activities operated under the Workforce Investment Act. Researched established best practices to achieve effective and meaningful participation of job seekers with disabilities in the workforce development system and included specific best practice examples in a revised 188 Guide and accompanying guidance materials to be signed by three agency heads.
3. Built collaboration at a community and state level in Kansas and Illinois to explore, develop and document the alignment of policy and practice across systems on customized employment and Employment First strategies to support job seekers with disabilities and other American Job Center (AJC) customers with barriers to employment. Built collaboration between Centers for Independent Living (CILs) and AJCs in five states to explore ways to increase the employment and financial capability of job seekers with disabilities through improved access to and coordination of services. Developed and validated with CILs a toolkit to enhance collaboration and coordination of CIL and AJC services to better support job seekers with disabilities.
4. Began building replicable model between Mayor's office in Louisville, Kentucky and the workforce development system to bring comprehensive financial education and counseling services within the AJC service delivery system, and to educate job seekers about the relationship between financial capability, credit scores and employment.
5. Helped facilitate collaboration between the Consumer Financial Protection Bureau (CFPB) and ODEP to promote economic advancement and employment for people with disabilities, including drafting of a joint policy memo released from these two agencies, provision of numerous presentations to the disability and workforce development communities and commitments for future testing of CFPB resources in AJCs.



6. Created the KT (Knowledge Translation) Consortium of federally-funded Research and Training Centers across five federal agencies focused on employment outcomes for people with disabilities. Seventeen Centers participate in this Consortium, working together to better coordinate activities related to employment and disability, with particular attention to implementation of Section 503.
7. Expanded reach of ODEP KT activities with quarterly LEAD Center newsletter, and regular webinar series (18 webinars) with subject matter experts; new materials archived on LEAD Center website, including webinars and related materials for Olmstead and CMS webinars.
8. Established and published with the Autistic Self Advocacy Network (ASAN) the first monthly policy brief focused on the intersection of employment and health care and disability issues. Produced 10 policy briefs with timely information in this area, which were disseminated nationally.
9. Developed important partnerships for LEAD and ODEP with NAWDP (National Association of Workforce Development Professionals), NCIL (National Council on Independent Living), NASWA (National Association of State Workforce Agencies) and FWI (Family Work Institute) that have led to presentations at six annual conferences and shared newsletter articles and research and training information and activities.

Information on all of these accomplishments can be found at [www.leadcenter.org](http://www.leadcenter.org).

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## **LEAD PEOPLE Tina Lentz, Executive Administrator, Advocacy and Empowerment - Louisville Metro Government Department of Community Services**



Tina Lentz is the Executive Administrator of the Advocacy and Empowerment division, serving Louisville Metro Government's Department of Community Services since 1998. Ms. Lentz has extensive experience in creating and leading financial empowerment initiatives, working to transform the social service delivery system to increase opportunities for financial advancement for families at risk. These initiatives include: Bank On Louisville; the Community Financial Empowerment Certification program; and the Family Economic Success Network. In addition, Ms. Lentz has represented Louisville on the Cities for Financial Empowerment (CFE) coalition since 2012.

Most recently, Ms. Lentz and her team worked to coordinate a group of area stakeholders to expand financial empowerment efforts into the workforce development arena, with a focus on



inclusion of job seekers with disabilities. To accomplish this, the Workforce Development/Financial Empowerment Collaborative was created. This group is supported by a new partnership between Bank On Louisville and National Disability Institute's LEAD Center. It focuses on integrating asset-building activities into the workforce investment system, identifying opportunities for universally-designed services and supports, connecting financial capability to employment goals and improving positive financial behaviors for individuals who use the workforce system and community resources.

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## LEAD PARTNERS Consumer Financial Protection Bureau



The [Consumer Financial Protection Bureau](#) (CFPB) was established by the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 to help consumer financial markets work by making rules more effective, through consistently and fairly enforcing those rules, and empowering consumers to take more control over their economic lives. The CFPB's mission is to make markets for consumer financial products and services work for Americans — whether they are applying for a mortgage, choosing among credit cards or using any number of other consumer financial products.

CFPB has launched several initiatives to support the financial capability of consumers in the marketplace including *Your Money, Your Goals*, a free financial empowerment toolkit for social services programs seeking to integrate financial topics into existing work. *Your Money, Your Goals* is a comprehensive toolkit that includes workshop slides in English and Spanish, recorded Train-the-Trainer webinar, Implementation Guide, tools and template for creating a local referral guide and pre- and post-training surveys, all available for [download](#).

The CFPB Office of Financial Empowerment has made strides to identify and address issues experienced by individuals with disabilities through forums, and a national conference on the importance of building federal collaboration to help people with disabilities better navigate the financial marketplace. The published report, [Empowering Low Income and Economically Vulnerable Consumers](#), captures learnings from the conference, as well as plans for future action, including a formal agreement with the Department of Labor Office of Disability Employment Policy (ODEP).

Through the agreement, the CFPB and ODEP will design strategies to reach individuals with disabilities at critical touch-points along their path to employment and upward economic

mobility—including entering employment training; seeking a job or starting a new one; working together to advance financial capability by sharing resources and leveraging partnerships within and outside the workforce investment system; and identifying and sharing best practices with the workforce development system, community-based organizations and the disability community.

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