



LEAD CENTER

The Art of the Possible: Aiming High in Employment First: Federal Policy Changes and Opportunities

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The National Center on Leadership for the Employment and Economic Advancement of People with Disabilities (LEAD) is a collaborative of disability, workforce and economic empowerment organizations led by **National Disability Institute** with funding from the **U.S. Department of Labor's Office of Disability Employment Policy**, Grant No. #OD-23863-12-75-4-11.

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LEAD CENTER MISSION

- ▶ To advance sustainable individual and systems level change that results in improved, competitive integrated employment and economic self-sufficiency outcomes for individuals across the spectrum of disability.



OBJECTIVES

- ▶ Review recent Federal initiatives that create possibilities and opportunities for people with disabilities to achieve employment and career outcomes
 - ▶ Office of Federal Contract Compliance Programs (OFCCP) – Section 503 of the Rehabilitation Act
 - ▶ Department of Labor - Workforce Innovation and Opportunity Act (WIOA)
 - ▶ Center for Medicare and Medicaid Services (CMS) – Settings rules and requirements for transition plans
 - ▶ Administration for Community Living - Transforming State Long Term Services and Supports (LTSS) Access Programs and Functions into a No Wrong Door System for All Populations and All Payers.
 - ▶ Office of Disability Employment Policy – Employment First State Leadership Mentoring Program (EFSLMP)



OFCCP REGULATIONS

▶ September 2013

- ▶ OFCCP published two sets of final rules making changes to laws related to affirmative action and nondiscrimination obligations of federal contractors and subcontractors
 - ▶ Section 503 of the Rehabilitation Act
 - ▶ Vietnam Veterans Readjustment Assistance Act (VEVRAA)

▶ March 2014

- ▶ Final rules went into effect



WHY THIS INFORMATION IS IMPORTANT

- ▶ More than 175,000 federal contractors
 - ▶ Substantial number of job openings all over the country
- ▶ Workforce system is front and center
 - ▶ Jobs must be listed with the appropriate employment service delivery system (One Stop Career Center)
- ▶ Provides opportunity to take a strategic look at partnerships and collaboration at the local *and* state levels



SECTION 503

- ▶ Contractors are required to set a 7% “utilization goal”
 - ▶ 7% of each job group in the contractor’s workforce must represent individuals with disabilities (or 7% of the entire workforce if fewer than 100 employees).
 - ▶ Job groups established under Executive Order 11246
- ▶ The definition of “disability” has been updated to align with the Americans with Disabilities Act Amendments Act of 2008 (ADAAA).



OUTREACH AND PRO-ACTIVE RECRUITMENT

- ▶ Increase the pool of applicants with disabilities.
- ▶ Support your employer partners in meeting their Section 503 and VEVRAA commitments.



BE AWARE OF THE ONLINE RESOURCES AVAILABLE FOR CONTRACTORS

- ▶ Reasonable Accommodations (“Productivity Tools”)
- ▶ Tax Incentives and Other Funding
- ▶ Building Inclusive Environments that Encourage Self-Identification/Disclosure
- ▶ Recruitment and Hiring of Qualified Veterans
- ▶ Recruitment and Hiring of Qualified Individuals with Disabilities
- ▶ Disability and Veterans Community Resources Directory

<http://www.dol.gov/ofccp/regs/compliance/Resources.htm>



INFORMATION AVAILABLE AT DOL.GOV

▶ Section 503:

<http://www.dol.gov/ofccp/regs/compliance/section503.htm>

▶ VEVRAA:

<http://www.dol.gov/ofccp/regs/compliance/vevraa.htm>



OVERVIEW OF THE WORKFORCE INNOVATION AND OPPORTUNITY ACT

- ▶ President Barack Obama signed WIOA (Public Law 113-128) into law on July 22, 2014.
- ▶ Passed by Congress with wide bipartisan majority (The Senate voted 93-5 and the House of Representatives voted 415-6).
- ▶ Reaffirms ongoing role of American Job Centers.
- ▶ Promotes program coordination and alignment of key employment, education, and training programs at the Federal, State, local, and regional levels.
- ▶ Builds on proven practices such as sector strategies, career pathways, regional economic approaches, work-based training.
- ▶ Complements and supports the President's Job-Driven Workforce Vision.



HIGHLIGHTS OF REFORMS TO THE PUBLIC WORKFORCE SYSTEM UNDER THE ACT

- ▶ Requires states to strategically align workforce development programs to support job seekers and employers.
- ▶ Promotes accountability and transparency of programs.
- ▶ Fosters regional collaboration to meet the needs of regional economies.
- ▶ Streamlines and strengthens the strategic roles of workforce development boards.
- ▶ Enhances services provided to job seekers and employers and promotes work-based training.



HIGHLIGHTS OF REFORMS TO THE PUBLIC WORKFORCE SYSTEM UNDER THE ACT

- ▶ Provides access to high quality training.
- ▶ Enhances workforce services for the unemployed and other job seekers.
- ▶ Improves services to individuals with disabilities.
- ▶ Makes key investments in serving disconnected youth and other vulnerable populations.



PROVISIONS RELATED TO DISABILITY

- ▶ The unified state plan must include all the core programs, including Vocational Rehabilitation (VR) and Adult Education. Among the requirements for the unified state plan is to:
 - ▶ describe how the one-stop delivery system will comply with Section 188 (non-discrimination) regarding physical and programmatic accessibility of facilities, programs, services, technology, and materials for individuals with disabilities.
- ▶ Youth with disabilities will receive extensive pre-employment transition services so they can successfully obtain competitive integrated employment.



PROVISIONS RELATED TO DISABILITY

- ▶ Supports disconnected youth, of which youth with disabilities comprise a high percent, by:
 - ▶ Requiring local areas to increase percentage of youth formula funds used to serve out of-school youth to 75% versus 30% under WIA.
 - ▶ Requiring local areas to spend at least 20% of youth formula funds on work experience activities.
 - ▶ Providing additional allowable activities including financial literacy education and entrepreneurial training.
- ▶ State vocational rehabilitation agencies will set aside at least 15% of funding to provide transition services to youth with disabilities.



PROVISIONS RELATED TO DISABILITY

- ▶ Local workforce development boards may designate a standing committee to:
 - ▶ provide information and assist with operational and other issues related to compliance with non-discrimination and applicable accessibility requirements.
 - ▶ provide input regarding appropriate training for staff on these issues.
- ▶ Establishes a committee to advise the Secretary of Labor on strategies to increase competitive integrated employment for individuals with disabilities.



PARTNERSHIP DEVELOPMENT

- ▶ A renewed focus on the inclusion of people with disabilities across workforce services offers a new opportunity to engage the disability service system.
- ▶ Since employment is a critical component of disability services partnerships to leverage the disability services system will benefit both systems and the job seeker.



WIOA TECHNICAL ASSISTANCE TOOLS AND RESOURCES

- ▶ Department of Labor
 - ▶ WIOA Resource Page - www.doleta.gov/WIOA
 - ▶ WIOA Dedicated Email - DOL.WIOA@dol.gov
- ▶ Department of Education
 - ▶ Office of Career, Technical, and Adult Education's WIOA Resource Page - <http://www.ed.gov/AEFLA>
 - ▶ Rehabilitation Services Administration's WIOA Resource Page - <http://www2.ed.gov/about/offices/list/osers/ras/wioa-reauthorization.html>
- ▶ LEAD Center
 - ▶ Stay up to date - www.leadcenter.org



MORE WIOA RESOURCES

- ▶ WIOA Fact Sheet
<http://www.doleta.gov/wioa/pdf/WIOA-Factsheet.pdf>
- ▶ WIOA Overview
<http://www.doleta.gov/wioa/pdf/WIOA-Overview.pdf>
- ▶ WIOA Frequently Asked Questions
http://www.doleta.gov/wioa/pdf/WIOA_FAQs_Acc.pdf
- ▶ WIOA Key Statutorily-Required Implementation Dates for Programs Administered by the Department of Labor
<http://www.doleta.gov/wioa/pdf/WIOA-Key-Implementation-Dates.pdf>



EVEN MORE WIOA RESOURCES

- ▶ Department of Education Office of Career, Technical and Adult Education WIOA Resource Page
<http://www2.ed.gov/about/offices/list/ovae/pi/AdultEd/wioa-reauthorization.html>
- ▶ Employee Assistance and Resource Network WIOA Fact Sheet
http://www.askearn.org/refdesk/Disability_Laws/WIOA
- ▶ ODEP webpage for updates on the Advisory Committee on Increasing Competitive Integrated Employment for Individuals with Disabilities.
<http://www.dol.gov/odep/topics/WIOA.htm>
- ▶ Stay connected with the LEAD Center for updates on WIOA and other policies and practices that support the employment and economic advancement of people with disabilities.
Website: <https://www.leadcenter.org/>
Listserve: <https://www.leadcenter.org/news>
Webinars and Webinar Archives: <https://www.leadcenter.org/webinars>



HOME AND COMMUNITY BASED SETTING RULE REQUIREMENTS

A Home and Community-Based setting:

- ▶ Is integrated in and supports access to the greater community
- ▶ Provides opportunities to seek employment and work in competitive integrated settings, engage in community life, and control personal resources
- ▶ Ensures the individual receives services in the community to the same degree of access as individuals not receiving Medicaid home and community-based services



MORE HOME AND COMMUNITY BASED SETTING RULE REQUIREMENTS

- ▶ Is selected by the individual from among setting options, including non-disability specific settings
- ▶ Person-centered service plans document the options based on the individual's needs, preferences; and for residential settings, the individual's resources
- ▶ Optimizes individual initiative, autonomy, and independence in making life choices
- ▶ Facilitates individual choice regarding services and supports, and who provides them



ADDITIONAL RESOURCES ON DISABILITY EMPLOYMENT THROUGH THE WORKFORCE SYSTEM

- ▶ DOL Office of Disability Employment Policy (ODEP)
<http://www.dol.gov/odep/>
- ▶ DEI Technical Assistance Project <http://www.dei-ideas.org/>
- ▶ Disability and Employment Community of Practice provides disability and employment resources for the public workforce system, including promising practices to promote the positive employment outcomes of persons with disabilities.
<http://disability.workforce3one.org>
 - ▶ For background information on the DEI:
https://disability.workforce3one.org/page/tag/dei_project
 - ▶ For the American Job Center Access Guide:
<https://disability.workforce3one.org/command/view.aspx?look=2001405840432475887&mode=info&pparam>
 - ▶ For the American Job Center Access 30-Second Training Series:
<https://disability.workforce3one.org/view/1001403833465878171/info>



TRANSFORMING STATE LONG TERM SERVICES AND SUPPORTS (LTSS) ACCESS, PROGRAMS AND FUNCTIONS INTO A NO WRONG DOOR SYSTEM FOR ALL POPULATIONS AND ALL PAYERS

- ▶ **Funded as a collaboration between the Administration for Community Living, Centers for Medicare and Medicaid Services, and the Veteran's Health Administration**
- ▶ **Funded 25 additional states for planning grants**
- ▶ **Interested in ensuring that employment is part of the focus**



EFSLMP

- ▶ ODEP selected an additional 15 states to be Core states for their Employment First State Leadership Mentoring Program (EFSLMP)
- ▶ All activities are done in partnership, with collaborations between state agencies for I/DD, VR, Medicaid, Workforce, Education, MH/BH and others
- ▶ To improve coordination, collaboration, alignment of policies/practices/funding, and ultimately to improve employment outcomes



THANK YOU

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