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**Driving Change,
Creating Opportunity**

Recommendations from the Advisory Committee on Increasing Competitive Integrated Employment for Individuals with Disabilities

Interagency Autism Coordinating Committee Public Meeting
NIH Main Campus, April 26, 2017

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ODEP's Core Mission as Federal Agency Guides Our Work

The Office of Disability Employment Policy (ODEP) is the only non-regulatory federal agency that promotes policies and coordinates with employers and all levels of government to increase workplace success for people with disabilities.

- ODEP's Website: www.dol.gov/odep/
- Campaign for Disability Employment: www.whatcanyoudocampaign.org/
- National Disability Employment Awareness Month (annually in October): www.dol.gov/odep/topics/ndeam/

Autism: Increasing Access to Competitive, Integrated Employment

- Substantial unemployment and underemployment among autistic adults across life course
- Less access to work-based learning and career exploration and development opportunities for autistic youth
- Workplace self-disclosure barriers for autistic people
 - Myths and stigma widespread
 - Self-advocacy and self-determination needed for disclosing differences, such as with body language and eye contact
- Improvements in career pathways and workforce development for autistic youth and adults needed
- Gifts and talents, including focused interests, to drive gainful employment opportunities
- Increased access to coaching, peer mentoring, etc.

Workforce Innovation and Opportunity Act Improves Employment Access

- Workforce Innovation and Opportunity Act (WIOA) signed into law on July 22, 2014
- Strong emphasis on:
 - Full access to competitive integrated employment for youth and adults with disabilities
 - Access to customized employment and supported employment for people with significant disabilities
- Prioritization on:
 - Alignment and coordination among workforce development and other service systems
 - Employer engagement to tap skills of youth and adults to benefit businesses, including through career pathways

WIOA Promotes Greater Employment Access for Youth with Disabilities

- Pre-Employment Transition Services for students with disabilities (Pre-ETS) under WIOA
- Students with disabilities aged 14-21
- Disability eligibility under Individuals with Disabilities Education Act (IDEA) or Rehabilitation Act Section 504
- 4 Core Areas of Required Services:
 - Job exploration counseling and work-based learning experiences, including internships
 - Counseling on postsecondary education and training opportunities, including comprehensive transition programs
 - Instruction in self-advocacy skill development
 - Workplace readiness training to develop social skills and independent living skills

WIOA Section 511 Improves Access to Employment for Youth with Disabilities

- WIOA Section 511 prioritizing competitive, integrated employment for youth aged under 24
- Restrictions on placements in settings paying less than federal minimum wage through 14C certificates
- Before any consideration of such placements, 3 criteria must be met in full by the individual:
 1. Received pre-employment transition services (pre-ETS)
 2. Applied for vocational rehabilitation (VR) services
 - Been deemed ineligible for services *or*
 - Had case closure without successful progress toward employment outcome
 3. Received career counseling and information and referral to other programs offering employment-related services

WIOA Supports Equal Opportunity Access and Non-Discrimination

- Section 188 ensuring equal opportunity and non-discrimination in all WIOA programs and services
- Non-discrimination protection for race, color, religion, sex, national origin, **disability**, age, and political affiliation/belief
- Read guidance on implementing Section 188 in LEAD Center's policy brief on disability perspective of final rule:
www.leadcenter.org/system/files/resource/downloadable_version/Sec_188_Final%20Rule_Summary_Dec_2016.pdf

WIOA charged Advisory Committee with Developing Recommendations

- WIOA Section 461: modification of Rehabilitation Act Section 609
 - Advisory Committee on Increasing Competitive, Integrated Employment for Individuals with Disabilities (the Committee)
 - ODEP coordination of Committee's activities
- 10 public meetings between January 22, 2015 and August 29, 2016 (face-to-face and webinar)
- Final report of Committee released to Congress, Secretary of Labor, and public on Sept. 9, 2016
www.dol.gov/odep/topics/pdf/ACICIEID_Final_Report_9-8-16.pdf

Advisory Committee's Final Report Outlines Six Recommendations

1. Increasing Competitive Integrated Employment Will Require Capacity Building
2. Capacity Building for Youth
3. Capacity Building through Changes in the Use and Oversight of 14(c) Certificates
4. Capacity Building in the Marketplace
5. Capacity Building in Specific Federal Agencies
6. Increasing Competitive Integrated Employment in the AbilityOne[®] Program

1. Overall Capacity Building

In order to build more systemic capacity for CIE, there needs to be:

1. Guidance, policies, and strategies to prioritize federal funding for CIE
2. Data collection and analysis requirements for recipients of federal funding based on a common definition of CIE and outcomes
3. Funding and initiatives to help agencies build CIE capacity, develop national standards of professional competence, and train professionals skilled in facilitating CIE
4. A federal interagency task force focused on policies to expand capacity of CIE and advance economic self-sufficiency

2. Capacity Building for Youth

For youth to effectively transition to adult employment there needs to be:

1. Early work experiences
2. Family involvement and support
3. Professional development and training
4. Systems integration for seamless transition
5. Available and transferable assistive technology

3. Capacity Building through Changes in the Use and Oversight of 14(c) Certificates

Subminimum wages paid under certificates allowable under Section 14(c) of the FLSA inhibit participation in CIE. To address this, the Committee recommends that:

1. Congress amend the FLSA to allow for a multi-year, well-planned phase out of Section 14(c)
2. The Wage and Hour Division of the U.S. Department of Labor engage in stronger oversight of the current use of 14(c) certificates
3. The federal government assists states with building capacity of service systems to provide CIE services as alternatives to those provided under programs using a 14(c) certificate

4. Building Capacity in the Marketplace

Increased business and employer engagement will be necessary to increase CIE and will require:

1. Increased and more effective communication and outreach to businesses
2. Specific business-oriented professional development for employment services personnel
3. Incentives to create work experiences as preludes to employment
4. Expansion of available benefits counseling and financial coaching

4. Building Capacity in the Marketplace (Cont.)

Increased business and employer engagement will be necessary to increase CIE and will require:

5. More accessible transportation
6. Hiring initiatives in high-growth industries, particularly healthcare
7. Additional outreach to federal contractors regarding the Office of Federal Contract Compliance Programs (OFCCP) Section 503 regulations which establish disability hiring goals
8. Revisions to federal tax incentives and credits available to employers who hire people with disabilities

5. Capacity Building in Specific Federal Agencies

Increasing CIE will require partnerships and complementary actions among multiple federal agencies, including these activities:

1. Establishing a cross-agency working group to provide policy guidance and technical assistance on integrated day and wraparound services that complement and maximize CIE and that advance the socioeconomic status and security of people with disabilities

5. Capacity Building in Specific Federal Agencies (Cont.)

Increasing CIE will require partnerships and complementary actions among multiple federal agencies, including these activities:

2. Demonstrating how the waiver of certain requirements in the Ticket to Work program will enable youth receiving Supplemental Security Income/ Social Security Disability Insurance (SSI/SSDI) to access services across systems that lead to CIE and
3. Developing a policy reform initiative designed to increase the number of SSI/SSDI beneficiaries in CIE and who are self-sufficient

6. Increasing Competitive Integrated Employment in the AbilityOne® Program

Reforming the AbilityOne® Program so that it can create CIE opportunities on a broad scale will require:

1. Amending the Javits-Wagner-O'Day Act (JWOD) to fully align the Act with modern federal disability law and policy goals by reforming the criteria for contract procurement selection and for program eligibility
2. Researching the current use of AbilityOne to identify how the program is serving the target population and to determine steps for improving its ability to create CIE opportunities
3. Evaluating the implementation and impact of AbilityOne reforms

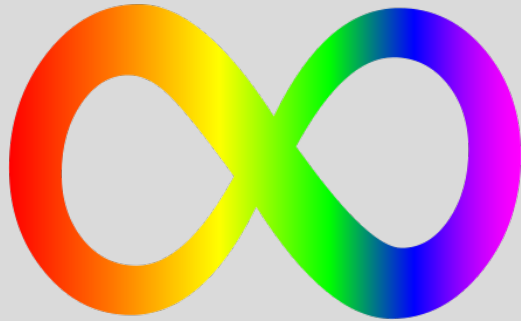
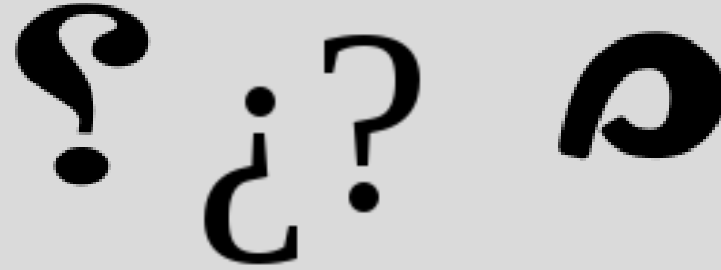
Sharing Conclusion of Final Report

“The work of the Committee, and the formation of its recommendations, was intended to increase opportunities for CIE for individuals with I/DD or other significant disabilities.”

“Ensuring that CIE is the first option for people with I/DD or other significant disabilities will increase their employment participation rate and lead to a significant reduction in segregated work and non-work programs and in the use of Section 14(c) certificates for paying subminimum wages.”

“CIE will create a critical pathway to better economic future and increased economic self-sufficiency for youth and adults with disabilities.”

Q&A: Audience Members Ask Questions



Question mark shapes
from different languages

Multi-colored Infinity Symbol:
Autism and Neurodiversity

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ODEP's website: <http://www.dol.gov/odep>