

# The New Jersey Council on Developmental Disabilities Position on Employment

## Background

On April 26, 2012, Governor Chris Christie announced that New Jersey has adopted an Employment First policy, to prioritize and increase the employment of people with disabilities.

Unemployment is too often accepted as an inevitable result of living with a developmental disability. Such low expectations contribute to the fact that working age people with developmental disabilities are among the most unemployed and underemployed populations in America.

According to the United States Bureau of Labor Statistics, in December 2011, only 18% percent of non-military, non-institutionalized people over age 16 who have a disability were employed, as compared to 64% of non-military, non-institutionalized people "with no disability" who were employed.

The authors of a recent publication of the Institute for Community Inclusion (ICI) conclude that while the employment rate declined for many populations during the recent recession, the decline has been more severe for subgroups of people with disabilities than it has been for people without disabilities.

These authors also conclude that, among working-age Americans, people with any disability were more likely to live in households below the poverty line. This effect was more pronounced for people categorized in the survey as having a "cognitive" disability.

These national trends hold true in New Jersey. By way of example, the ICI report includes data on the percent of people in each state, by disability status, who are not in the labor force. An individual is counted as "not in the labor force" if the person has not worked or actively looked for work in the prior four weeks. According to data collected in 2009, 20.5 percent of people in New Jersey who did not report having any disability, were classified as "not in the labor force." This rate was more than double among people who reported having a disability (57.3 percent) and even higher (67.2 percent) among people who reported having a cognitive disability. It was highest among people who reported both having a cognitive disability and receiving Supplemental Security Income (SSI) (87.8 percent). This finding that the majority of people with disabilities are "not in the labor force" is consistent with data that only 15 percent of people served by the State Division of Developmental Disabilities in 2007 were engaged in "integrated work." This data also makes it clear that unemployment is most prevalent in and has a profoundly severe impact on the community of people served by the New Jersey Council on Developmental Disabilities. Accordingly, employment policies and practices are a compelling priority for the Council.

The State Division of Vocational Rehabilitation Services (DVRS) and the State Commission for the Blind and Visually Impaired (CBVI) reported that, in 2009, they closed 388 files involving people with intellectual or developmental disabilities with an outcome of integrated employment and did not close any such cases by placing a person into a sheltered workshop. Although these outcomes are commendable and reflect a welcome prioritizing of meaningful employment, these services are not reaching enough people. It is imperative that the State take steps to make effective employment services available to the more than 40,000 individuals registered with DDD who can and should achieve integrated competitive employment.

The Council is encouraged that the DVRS is obtaining integrated, competitive employment for people in their caseloads with developmental disabilities. To do this on a larger scale, however, DVRS staff must have greater access to professional development that improves the job training, job matching and job coaching skills required to serve people with developmental disabilities. Moreover, the State Departments of Human Services and Education must expand collaboration with DVRS, CBVI, and other agencies to address the low rates of competitive employment experienced by people with developmental disabilities. It is simply no longer acceptable for sheltered workshops, facility-based work, and below minimum wage employment to be the norm for daytime activities. In addition, 90 days of employment can no longer be the milestone for case closure nor the measure of staff and agency success. Instead, case closure and DVRS success must be measured by the effectiveness of post-placement job coaching and monitoring to ensure that the person has achieved meaningful long term employment that reflects his or her interests and abilities.

Employment is a key element of a life of full participation envisioned by the Developmental Disabilities Assistance and Bill of Rights Act. Employment provides opportunities for enhanced independence and socialization through increased income and productivity, increased self-respect, and new opportunities to form meaningful relationships and connections to the community. As described by the NJ Alliance for Full Participation, Employment First Policy Group:

The pursuit of employment opens previously undiscovered doors to community groups, activities and relationships. It provides opportunities to take on valued social roles that are so important to all of us. This is critical to our sense of contribution, purpose, self-worth and belonging.

#### Policy Position and Recommendations

For all these reasons, the New Jersey Council on Developmental Disabilities commends and supports the April 26, 2012 announcement by Governor Christie that the State of New Jersey's has adopted an "Employment First" policy. It is the position of the Council that integrated, competitive employment should be:

1. the first option considered when developing individual services for people with developmental disabilities; and
2. the preferred outcome of services provided by the Departments of Education, Human Services, Labor & Workforce Development, and Law & Public Safety.

The Council recommends that the State take the following steps to effectively implement the Governor's Employment First Policy:

1. Issue a clear statement that, in accordance with the state's "Employment First" policy, the goal of state agencies and of state contracts with service providers is to design services for people with disabilities with the expectation that a person with a developmental disability can work, and that the expected outcome for individuals served is that they find and keep integrated, competitive employment that is responsive to the individual's service and support needs, and interests.

2. Define Employment. As part of its Employment First policy, the State should adopt a definition of employment as community-integrated paid employment with wages equal to or higher than the minimum wage. Employment services and supports should be defined as including: (1) activities that help people participate in internships, education, job training, skill development, entrepreneurial and self-employment activities; as well as (2) activities that help people achieve employment, achieve greater levels of responsibility, satisfaction, and compensation in their positions, and advance up a career ladder in their chosen field. In addition, job supports should include strategies and resources to support people with the most intense service needs, including individuals with challenging behavior, to get and keep integrated, competitive employment.

3. Implement inter-agency collaboration. The Employment First policy should specify mechanisms for effective inter-agency coordination, collaboration, strategic planning and information sharing between all government entities involved in supporting youth and adults in successful employment. Government agencies should understand each other's services and capacities and work to ensure that monetary and non-monetary resources (facilities, transportation, expertise, etc.) are used efficiently and seamlessly to support meaningful employment outcomes for all served. These agencies should include, but not be limited to, the New Jersey Departments of Education, Human Services, Labor & Workforce Development, and Law & Public Safety.

4. Engage Families. State agencies should regularly conduct outreach to people with developmental disabilities and their families to promote the expectation and support of integrated, competitive employment as part of education and adult services. In addition, state agencies should develop supports to assist individuals and families engaging in self-directed services to find and keep integrated competitive employment that is responsive to the individual's abilities and preferences.

5. Engage Educators. Our education system must change in order to ensure that all students develop real job skills and are prepared to seek, gain, and maintain meaningful integrated competitive employment that matches their strengths and interests.

a. The State must identify and more widely implement educational practices, transition to work programs, and a variety of employment and job coaching services that successfully support young people with developmental disabilities as they prepare to age out of educational settings.

b. The State should provide training and incentives to improve competencies of all school professionals and staff around school-wide inclusion and transition to employment.

c. The State should Increase accountability at the local school level for educational practices that have been shown to result in students getting and keeping employment when they graduate.

d. Accountability measures should include follow-along studies to collect data on students after graduation, to determine the rates at which graduates: (i) remain employed; (ii) advance in their employment to higher levels of responsibility or compensation; and (iii) report satisfaction with their employment.

6. Engage Public Employees. It is critical that state employees who provide staff supervision, case management, assessment, preparation, job coaching, and supported employment services receive specific disability related-training.

a. This training should develop awareness and skills for assisting people with developmental disabilities to get, keep, and advance in integrated, competitive employment that is consistent with their individual goals and preferences.

b. Training should also create staff competencies and awareness about the ways developmental disabilities can impact behavior, communication, information processing, and sensory integration.

c. All relevant staff members should become skilled in developing and implementing effective accommodations and supports for each individual served.

7. Engage Providers. The State should provide training and other supports to providers to promote their competencies to implement promising job-creation and job-search strategies and supported employment services. The State should also provide incentives to provider agencies to increase their support for integrated competitive community employment, and to encourage individuals who may elect not to participate in community employment to become involved in purposeful activities in local businesses, public or nonprofit organizations, or community service and volunteering opportunities.

8. Engage Employers. State agencies should regularly conduct outreach to the private sector to raise awareness about the availability and advantages of employing people with developmental disabilities and to promote support for the inclusion of people with developmental disabilities in the workforce. State agencies should also provide training, incentives and other supports to the business community to increase hiring and reasonable accommodation of people with developmental disabilities. Employers should additionally be encouraged and supported to implement private workplace resources, services and supports.

9. Identify Barriers. The State should identify barriers that create disincentives for people with developmental disabilities to get and keep competitive, integrated employment with competitive wages in the community, and develop strategies for removing or lessening the impact of such barriers.

10. Ensure Access. The State should conduct outreach, and should design and monitor service systems, to ensure that individuals with developmental disabilities can readily obtain the employment services and supports for which they qualify.

11. Ensure Quality and Responsiveness. The State should monitor the effectiveness of its service system to see that it meets quality standards. In particular, in order to be sure that services and supports are working effectively, the State should regularly measure and report the extent to which services result in outcomes that successfully accommodate the individual's unique needs and match the person's preferences, strengths, and interests. Moreover, the State should ensure that effective services and supports remain available as long as the person needs them to maintain successful employment. Quality should be measured to determine the rates at which individuals (i) remain employed; (ii) advance in their employment to higher levels of responsibility or compensation; and (iii) report satisfaction with their employment. Data collected on key indicators should be used to evaluate and track results, inform policy, and improve provider contracts and service agreements.

12. Model Best Practices for Recruitment and Employment. State, county and local government employers should model best practices by recruiting, hiring, training and mentoring individuals with developmental disabilities in integrated, competitive employment.

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