



**STATEMENT TO THE
ADVISORY COMMITTEE ON INCREASING COMPETITIVE
INTEGRATED EMPLOYMENT FOR INDIVIDUALS WITH DISABILITIES
MARCH 23 & 24, 2015 PUBLIC MEETING**

BY

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Dear Advisory Committee Members,

Easter Seals welcomed the thoughtful engagement and discussion at your January 2015 meeting and the process the Advisory Committee established to meet its statutory mandate of developing recommendations and conclusions to the Secretary of Labor on ways to increase competitive integrated employment opportunities for individuals with disabilities and to understand the use of and improve oversight of employment opportunities afforded under section 14(c) of the Fair Labor Standards Act of 1938. As you consider findings and develop recommendations for your interim September 2015 report, I wanted to reaffirm Easter Seals' top employment priority to increase the employment rate of people with disabilities in competitive integrated work, urge you to address the woefully inadequate resources dedicated to the workforce system and programs that helps individuals with disabilities to find jobs, and to introduce a demonstration proposal focused on promoting optimal independence and self-sufficiency.

FULLY IMPLEMENT EMPLOYMENT POLICIES ESTABLISHED IN SIX-YEAR WIOA LAW:

Easter Seals is a leading non-profit organization that helps individuals with disabilities reach their potential through community-based services and supports. Easter Seals strongly believes that the vast majority of adults with disabilities can be successful in competitive integrated employment, and early and effective access to transition and employment services and supports are essential. Easter Seals supported the Workforce

Innovation and Opportunity Act (WIOA – P.L. 113-128) for its focus on improving employment outcomes for jobseekers with disabilities and in resetting the employment default so all individuals have meaningful opportunities to explore and succeed in competitive integrated employment.

Easter Seals' top employment priority for 2015 is the full and effective implementation of WIOA, including the pre-employment transition and supported employment services as well as the limitation and oversight provisions related to subminimum wages. Easter Seals was an early and active supporter of WIOA Section 422 to provide pre-employment transition services for students with disabilities and Section 511 to set limitations on the use of subminimum wages by requiring a series of service conditions a youth (under 24) with disabilities must meet before entering employment at subminimum wages. WIOA represented a significant and meaningful reform in improving employment outcomes and increasing informed choice for individuals with disabilities. Congress overwhelmingly approved and the President signed into law WIOA and its policy prescriptions for the next six years related to employment for people with disabilities. As such, this Committee has a responsibility to ensure these policies are implemented and properly executed throughout the course of the six-year authorization.

FULLY IMPLEMENT EMPLOYMENT POLICIES ESTABLISHED IN SIX-YEAR WIOA LAW:

Easter Seals also recognizes that more can be done to increase employment opportunities and outcomes for people with disabilities. While WIOA was an important first-step, the law fails to recognize the resources required to provide early and adequate access to employment and pre-employment transition services for all individuals with disabilities. WIOA caps funding through fiscal year 2020 for key employment programs for people with disabilities, including the state VR grant program and the supported employment state grant program. These arbitrary funding ceilings will make it difficult for all jobseekers with disabilities to access the service and supports they need to succeed in employment. The U.S. Department of Education reported during its last recorded fiscal year that 34 state VR agencies established an order of selection in which those state agencies did not have the resources to provide VR services to all eligible individuals with disabilities who applied for such services.

Expanded resources for all employment services for people with disabilities at both the national and state levels are required to address the employment barriers and needs of jobseekers with disabilities. In addition, overall discretionary funding caps established through the Budget Control Act of 2011 make expanding funding for employment programs designed to help people with disabilities develop relevant skills and find jobs next to impossible. Easter Seals urges that the Advisory Committee include in its recommendations a full replacement of the caps on discretionary funding that jeopardizes the full implementation of WIOA and the VR-related provisions.

INCENTIVIZING OPTIMAL EMPLOYMENT OUTCOMES THROUGH DEMONSTRATION:

In the spirit of the Workforce Innovation and Opportunity Act and its emphasis on expanding employment opportunities for students and youth with disabilities and prioritizing competitive integrated employment outcomes, Easter Seals proposes a demonstration project targeting young adults with significant disabilities for you to consider in your September 2015 interim report. Our proposal is to use the demonstration authority

in WIOA (Section 442: Demonstration, Training, and Technical Assistance Programs) to incentivize, above the standard payment, community rehabilitation providers who successfully place young adults with significant disabilities in high-quality competitive integrated jobs based on optimal hourly wage rate, weekly hours worked and workplace independence. Public VR investments in pre-employment and supported employment services could have immediate and long-term impacts on transition-aged youth with disabilities if properly incentivized to achieve optimal competitive integrated employment outcomes. WIOA and the VR program do not distinguish a competitive integrated employment outcome at 5-10 hours a week from a competitive integrated employment outcome at 30-40 hours a week. Competitive integrated outcomes will always vary based on individuals, their interests and the local job market. However, individuals with disabilities who want and are able to work 30 or more hours a week in high demand jobs that pay minimum wage or above should be supported through vocational rehabilitation services to achieve this optimal employment goal.

Easter Seals recognizes that when individuals with disabilities have jobs that match their skills, interests, talents and abilities, they need less on-the-job support, have higher job satisfaction and retention, and can realize a career path. The Section 442 authority, which allows for “initiatives focused on improving transition from education, including postsecondary education, to employment, particularly in competitive integrated employment, for youth who are individuals with significant disabilities,” could be used to host a pilot to test the use of higher, incentivized milestone payments to community rehabilitation providers to promote high-quality competitive integrated employment outcomes.

CONCLUSION:

Easter Seals has a long history of implementing innovative employment practices and supporting reforms to federal employment and training policies to help more people with disabilities, including transition-aged youth and individual with significant disabilities, succeed in employment. Easter Seals urges the Committee to focus its work on implementing WIOA, including the six-year provisions related to 14(c), expanding funding for employment programs, and using WIOA’s demonstration authority for innovative approaches to increase employment for youth with disabilities.

Thank you for your consideration of Easter Seals recommendations. I hope the Committee will turn to Easter Seals as a resource in the development of your interim and final reports. Thank you.