

Statement for the Record
The Advisory Committee on Increasing Competitive Integrated Employment
for Individuals with Disabilities

AbilityOne Program Panel
October 15, 2015

As the Committee continues its work on its final report on strategies to increase competitive integrated employment for individuals with disabilities, we appreciate the opportunity to offer input on the Committee's recommendations. However, we are disappointed that the Committee failed to incorporate aspects of our previous statements and oral testimony with regards to our recommendations on way to improve the oversight the certificate program under Section 14(c) of the Fair Labor Standards Act of 1938.

While we continue to support the Committee's work, we are concerned that the Committee's recommendations on the AbilityOne Program (Program) are based on a skewed, inaccurate understanding of both the Program and the work that our 500 NPAs across the nation do each and every day to create meaningful employment opportunities for people with significant disabilities. We also have significant concerns regarding the recommendation to phase out Section 14(c) of the Fair Labor Standards Act (FLSA) without a transition plan for the hundreds of thousands of individuals that would likely lose their jobs as a result.

The AbilityOne Program employs more than 46,000 Americans who are blind or have significant disabilities through government purchases of products and services provided by nonprofit agencies throughout the U.S. In 2014, SourceAmerica/AbilityOne nonprofit agencies employed 42,500 employees who earned an average hourly wage of \$12.66. These agencies employ an additional 75,000 individuals with significant disabilities outside of the Program. In the same year, our network placed more than 23,000 individuals with significant disabilities in the community.

SourceAmerica shares the Committee's objectives to increase earnings over time and promote career goals. SourceAmerica and the AbilityOne Program are proud of our strong record of accomplishments in providing employment with opportunities for upward mobility to tens of thousands of Americans. For our employees – and their friends and family members – the AbilityOne Program plays a vital, irreplaceable role in their lives. As one of the largest sources of employment opportunities for people with significant disabilities, SourceAmerica is committed in creating additional opportunities for tens of thousands of individuals with disabilities who remain outside of the workforce. The majority of AbilityOne jobs are in community-based, integrated settings including federal buildings and military installations throughout our country. Additionally, the vast majority of these jobs provide wages that are higher than those found within the local communities and include health and other benefits. Employment through the AbilityOne Program empowers and encourages self-determination by enabling people with significant disabilities to make informed choices about key aspects of their employment. Nonprofit agencies affiliated with AbilityOne Program utilize multiple employment options including customized employment and supported employment to provide work to people with the most significant disabilities.

We take great pride in knowing that employment opportunities created through the AbilityOne Program have increased substantially over the last two decades. During this same time period, employment for people with significant disabilities in the commercial sector has remained flat or decreased slightly,

while employment for people with significant disabilities in the federal government remained low. AbilityOne has thus provided an increasingly critical source of employment for individuals with significant disabilities at a time when alternative options have been diminishing or disappearing.

Together, AbilityOne and SourceAmerica have crafted dynamic strategic plans to address growing employment needs of our community. These plans include tactics that leverage state-of-the-art technologies and cutting-edge rehabilitation support services aimed at promoting upward mobility and independent community living goals for people with significant disabilities in the AbilityOne Program.

SourceAmerica supports many of the Committee's recommendations with regards to increasing competitive integrated employment such as unified data collection and organizational and personnel development for service providers. However, we remain very concerned that the Committee fails to recognize that many individuals with significant disabilities may not find success in competitive integrated employment. As such, it is critical that a wide range of employment options remain available for these individuals. SourceAmerica does not support policies that would cause loss of employment, reductions in wages, reductions in work hours, or elimination of choice.

The Interim Report states that "*AbilityOne Perpetuates People with Significant Disabilities Working for Community Rehabilitation Programs rather than Mainstream American Businesses.*" We respectfully disagree with this characterization. Many nonprofits in our network are well established in their community and function, from a business perspective, just as any other typical business. The AbilityOne Program provides historically unavailable opportunities for a small, specific segment of the disability community. This is critical given that 80 percent of individuals with significant disabilities are currently without jobs. Many of the individuals working through AbilityOne attain the necessary soft skills and training through the Program to then be successfully placed in competitive integrated employment. As an example, this is Tristan's story:

"Tristan joined Weaver Industries in Akron, Ohio in 2009 after being unable to find and maintain competitive employment due to his intellectual disability. He was hired on a secure document destruction contract. Initially, he had some challenges with focusing on his duties. However, with guidance and encouragement from his coworkers, he gained confidence which led to increase in productivity and his desire for additional responsibilities and duties. He assumed other duties such as assisting with paper pickups at customer sites. In 2012, after three years working in the AbilityOne Program where he gained training and skills he needed for competitive integrated employment, he was hired by a local business manufacturing car and truck rims."

It is important to note that Tristan's experience with the AbilityOne Program is not unique. Rather, he is one of many successful Program participants. In addition to attaining competitive integrated employment, many individuals build a successful career with the Program where they started out as a direct labor employee.

After her 17-year military career in the Army came to an unexpected end due to seizures resulting from a 2006 deployment to Iraq, Connie was hired by Skookum as a materials expeditor. Her supply experience, discipline and leadership earned during nearly two decades of service with the military equipped her with the tools and skills needed for a promotion to supply technician on the AbilityOne base operations support contact at Fort Meade Md. She was promoted again recently. In her words, she describes how the Program was critical for her career:

"I wasn't ready to end my military career; I had been wearing a uniform for 17 years. Now I work with soldiers in the military environment. I feel like I am slowly getting back to my old self."

Our network works hard to assist each individual in reaching their full potential. For Tristan, a combination of skills and desire resulted in employment outside of AbilityOne. For Connie, it was promotion within the Program. For many with very significant disabilities, it may be maintaining employment over an extended period of time within the Program. In all cases, the individual's desires and choices are paramount.

With regards to the Committee's recommendations to the AbilityOne Program, I urge you to review our July 31 statement. In that statement we provided key clarifications, cleared up misconceptions of the Program such as conflict of interests, and shared examples of competitive integrated employment opportunities.

In closing, we want to remind you of SourceAmerica initiatives such as Pathways to Career, Franchising Opportunities, and Ideas to Work which we detailed earlier this year in our previous statements. These initiatives have created nearly 1,000 job opportunities for people with significant disabilities. With these successes, we remain committed to identifying additional strategies and solutions to bring more people with significant disabilities into the workforce. It is our goal to increase labor participation and employment choices for people with significant disabilities in upcoming years.

Until we have strategies in place to prevent job loss by the revocation of 14(c), SourceAmerica will continue to oppose its revocation. We share the Committee's vision and desire for a world without 14(c) and are working on strategies toward that end. We challenge the Committee to further consider their recommendations as well as shifting its focus to seeking and developing solutions that do not leave people behind.

We remain hopeful that we can continue to work with the Advisory Committee in identifying real solutions. Thank you for giving us an opportunity to meet with the Committee to discuss the AbilityOne Program.