

2011

Policy Brief on Employment of Minnesotans With Intellectual and Developmental Disabilities

**“We need
everybody in the
workforce for
businesses to
thrive and
communities to
prosper.”**



POLICY BRIEF ON EMPLOYMENT OF MINNESOTANS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES

The purpose of the Minnesota Employment Policy Initiative (MEPI) is to facilitate dialogue and develop leadership on disability and employment policy that will result in increased competitive employment of Minnesotans with disabilities. Partnership is crucial to the initiative's success. MEPI is enlisting strategic partners from disability advocacy groups, counties, state disability councils, human resources organizations, employment services providers and other service providers, Centers for Independent Living, the University of Minnesota, businesses and business organizations and state agencies.

Together, MEPI and its partners have undertaken wide-ranging activities to bring together stakeholders to shape and advance public policy. They have convened "listening sessions" to be used as the basis for policy briefs identifying recommendations that will improve competitive employment outcomes for Minnesotans with disabilities around the core question, "**What will it take to double employment of Minnesotans with disabilities by 2015?**"

Executive Summary

A listening session on employment and individuals with intellectual and developmental disabilities was hosted by Advocating Change Together (ACT) and the Governor's Council on Developmental Disabilities on July 28, 2010. The session was facilitated by the Minnesota Employment Policy Initiative. Twelve participants worked to identify strategies to increase employment rates for individuals with intellectual/developmental disabilities (ID/DD). The following recommendations were identified from the themes generated by the listening session participants:

- **Promote the expectation that individuals with ID/DD will work competitively.**
- **Address concerns about the safety net of benefits available to Minnesotans with ID/DD and the perception that employment will negatively impact that safety net.**
- **Develop services and supports which are tailored to the individual.**
- **Empower individuals with ID/DD and their families to assume the greatest possible control over their services and supports.**

- **Ensure young adults with ID/DD graduate directly into competitive jobs or postsecondary education.**
- **Increase postsecondary educational opportunities for individuals with ID/DD.**
- **Develop self-employment services as an employment option for Minnesotans with ID/DD.**
- **Build better partnerships with residential providers to expand competitive employment opportunities.**
- **Increase champions within the business community to create more employment opportunities for Minnesotans with ID/DD.**

Although these recommendations were developed to address increased employment of Minnesotans with ID/DD, many of them would also apply to individuals with other disabilities. The Minnesota Employment Policy Initiative has completed listening sessions with eight disability groups. The information gathered through the listening sessions has been analyzed and common themes across disability groups were identified.¹ Representatives from the various listening session groups will be reconvened to discuss these common themes and to strategize on addressing the policy implications in improving employment outcomes and developing more specific recommendations for action to move toward doubling the employment rate of Minnesotans with disabilities by 2015.

Background on Intellectual and Developmental Disabilities

A person with a developmental disability is defined in Minnesota Administrative Rule 9525.0016 as “a person who has been diagnosed...as having substantial limitations in present functioning, manifested as significantly subaverage intellectual functioning, existing concurrently with demonstrated deficits in adaptive behavior and who manifests these conditions before the person's 22nd birthday.” Individuals with “related conditions” are also eligible for services available to individuals with DD. A "related condition" is a condition closely related to a developmental disability meeting specific criteria and can include, but is not limited to, disabilities such as, cerebral palsy, epilepsy, autism, fetal alcohol spectrum disorder, and Prader-Willi syndrome.²

In Minnesota, like most of the country, individuals with intellectual/developmental disabilities (ID/DD) were commonly separated from their families and communities to live in institutions

¹ Those common themes will be detailed in the MEPI final report.

² For a more complete definition of DD and related conditions go to:
<https://www.revisor.mn.gov/rules/?id=9525.0016>

during the 19th century and much of the 20th century.³ Access to public education began for some young people with ID/DD in 1957 depending on their IQ score. Special education services became mandatory in Minnesota during the 1970s, several years prior to the mandate in federal law. In the 1970s, institutions began to downsize and close, and individuals who had lived in them had the opportunity to return to varying degrees of community living. By the end of the 1990s, in Minnesota, state hospital residency was neither a desired nor available option. Segregated services were still the norm, however, both within education and adult day services.

During the 1950s and 1960s parents lobbied for day program services particularly for children with ID/DD who were excluded from the 1957 special education law. Sheltered workshops, which provided segregated work opportunities, were developed along with other adult day programs, most of which provided non-work services. Sheltered workshops and adult day programs were at one time considered progressive, and Minnesota was a leader in developing those service delivery systems.⁴

In the 1980s, a new employment option, supported employment, began to challenge the status quo. Supported employment stemmed from a core value that all individuals with disabilities could work in integrated settings and promoted a system of individualized job placement and supports to move individuals directly into integrated community employment, bypassing the sheltered workshop continuum of pre-vocational and work readiness programs. Tensions between advocates of segregated versus integrated employment options continue today. At the core of these tensions are differing views about the abilities of individuals with ID/DD to be employed in integrated settings and whether individuals should have the choice of publicly financed segregated work services (which often pay sub-minimum wages) or non-work service options. Two recent documents present these opposing positions. The National Disability Rights Network has recently published a report questioning the continuation of public funding for segregated services and the use of subminimum wages.⁵ ACCESS, the Voice of Disability Service Providers, has responded with an opposing view.⁶

Defining “employment” for individuals with ID/DD reflects the complexity of the differing regulations and funding streams of the service delivery system. Employment can be integrated or segregated. It can be at, above, or below minimum wage. It can be a job held by an individual or a group of individuals. Employment can be defined as a typical employee paid directly by a

³ For more information on the history of services, visit “Parallels in Time” developed by the DD Council at <http://www.mnnddc.org/parallels/index.html> and “With An Eye to the Past” at <http://www.mnnddc.org/past/index.html>

⁴ For more information on the history of employment, visit “Parallels in Time 2” at <http://www.mnnddc.org/parallels2/four/index.htm>

⁵ Retrieved February 7, 2011 from The National Disability Rights Network <http://www.ndrn.org/images/Documents/Resources/Publications/Reports/Segregated-and-Exploited.pdf>

⁶ Retrieved February 7, 2011 from ACCSES. Open Letter and Analysis. ACCSES response to NDRN paper, *Segregated and Exploited*. <http://www.accses.org/vendorimages/accses/HarkinLetterandAnalysisofNDRNReport012511.pdf>

business or in a sub-contracted situation with a business paying an employment support organization that in turn pays the individual worker(s). It can be supported, community-based or customized. These many definitions of “employment” make it challenging to come to a common understanding of what is even meant by “employment.” Most discussions among professionals do not make it past trying to define what “employment” means. Data collected in response to these differing definitions also make it difficult to determine the employment rates of Minnesotans with ID/DD.

The Table 1 below provides an example of the complexity of Medicaid-funded Day Training and Habilitation Services (DT&H) and Supported Employment Services (SES) and the many types of employment and non-work services they include. DT&H services include those that are facility-based and non-work related as well as supported employment in individual or group jobs. In comparison, services provided under the SES umbrella are limited to people that seek individual jobs but require ongoing supports (which can vary from minimal to intensive) to maintain employment.⁷

Table 1. Service Models, Service Type, and Brief Description⁸

Support model	Service type	Description
Facility-based work May also be known as: <ul style="list-style-type: none"> • Sheltered work 	DT&H	<ul style="list-style-type: none"> • Typically completed at a location operated by an ID/DD service provider; • ID/DD service provider typically contracted by a business; • People with ID/DD typically work in groups; • The ID/DD service provider typically pays the worker’s wage; and • Compensation varies (minimum and subminimum wages).
Group work May also be known as: <ul style="list-style-type: none"> • Enclave • Mobile work crew 	DT&H	<ul style="list-style-type: none"> • Typically completed at one or multiple community worksites; • ID/DD service provider typically has contracts with one or more businesses; • People with ID/DD typically work in groups; • The ID/DD service provider typically pays the worker’s wage; and • Compensation varies (minimum and subminimum wages).

⁷ MN Department of Human Services. (2010). *Programs and services*. Retrieved 25 2010, August, from Minnesota Department of Human Services:
http://www.dhs.state.mn.us/main/idcplg?IdcService=GET_DYNAMIC_CONVERSION&RevisionSelectionMethod=LatestReleased&dDocName=id_010527 Ramsey County. (2007). *Ramsey County Supported Employment Services & vendors*. St.Paul, MN: Ramsey County.

⁸ Inge, K., Wehman, P., Revell, G., Erickson, D., Butterworth, J., & Gilmore, D. (2009). Survey results from a national survey of community rehabilitation providers holding special wage certificates. *Journal of Vocational Rehabilitation*, 67-85. The table does not include variables such as the number of hours worked, level of integration which can also differentiate types of employment. In Minnesota, residential providers may also provide day services.

<p>Individual work</p> <p>May also be known as:</p> <ul style="list-style-type: none"> • Traditional employment • Individual supported employment • Competitive employment • Customized employment • Self-employment 	<p>DT&H</p> <p>SES</p>	<ul style="list-style-type: none"> • Employer hires and trains person with ID/DD. • ID/DD service provider supports a single person; • The person with ID/DD works with non-disabled coworkers; • May be negotiated and customized with an employer to meet business needs and utilize individual strengths; • May include self-employment; • The employer usually pays the worker’s wage; and • Compensation is at least minimum wage.
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The Minnesota Employment Policy Initiative focuses on competitive employment outcomes for individuals with disabilities defined as “work in fully integrated settings, with or without supports, at prevailing wages.” Throughout the rest of this document, that definition of “competitive employment” will be used. At its most simple, that means employment as it is understood by and is available to any Minnesota citizen. In keeping with its focus on competitive employment, this policy brief is intended to promote improved competitive employment outcomes for individuals with ID/DD.

Federal policy and some funding options are beginning to encourage the shift toward competitive employment outcomes. The Olmstead decision of 1999 placed an increased emphasis on the shift from institutionalized to community services including integrated employment.⁹ A recent article in the Georgia State University Law Review outlines arguments for applying Olmstead to employment concluding that under the ADA, integrated employment services should be the expected outcome and segregated services the exception.¹⁰ Other federal policies such as the Amendments to the Rehabilitation Act identify competitive employment as the expected outcome of individuals receiving services from state vocational rehabilitation programs. In fact, the federal Vocational Rehabilitation Program no longer recognizes “sheltered employment” or extended employment in a facility that is segregated as a successful rehabilitation outcome. In Minnesota, the Extended Employment (EE) Program administered by Vocational Rehabilitation Services (VRS) has a funding preference for community-based employment which will be discussed below. Also, in Minnesota, the addition of waived funding for Supported Employment Services (SES)

⁹ *A New Way of Thinking: More Than Twenty Years Later (NEW)*. Retrieved February 7, 2011 from The Minnesota Governor’s Council on Developmental Disabilities.

http://www.mnddc.org/extra/publications/New%20Way_of_Thinking2009.pdf

¹⁰ Stefan, Susan. (2010). *Beyond Residential Segregation: The Application of Olmstead to Segregated Employment Settings*. *Georgia State University Law Review*. Retrieved from: <https://litigation-essentials.lexisnexis.com/webcd/app?action=DocumentDisplay&crawlid=1&doctype=cite&docid=26+Ga.+St.+U.L.+Rev.+875&srctype=smi&srcid=3B15&key=9173e72b7942362879f457984614fc24>

as an alternative to DT&H funding provides a funding structure which supports individual job placements within supported employment.¹¹

Despite these efforts to increase integrated and competitive employment outcomes, national research on community rehabilitation providers indicates that public funding continues to support the predominance of segregated services with approximately 80 cents of every state and federal dollar going toward segregated options.¹²

Recent data from the state's two largest metropolitan counties – Ramsey County and Hennepin County – indicate that in the Twin Cities, most individuals with ID/DD are not employed in integrated settings. According to a 2010 Ramsey County report, 1,436 individuals in the county were receiving vocational services.¹³ Only 15% of those individuals were engaged in individual employment, with 25% in a community work crew, 43% in facility-based employment and 31% who were not working. Similarly, in a 2010 Hennepin County report, 2,429 individuals were receiving DT&H or SES services, with 79% employed and 21% not employed.¹⁴ Of the 1,910 employed, only 21% are engaged in regular or customized employment with 33% in other community-based employment and 46% in facility-based employment.

Data from the Minnesota Department of Human Services, Minnesota Medicaid Information System (MMIS) tracks the wages of individuals with ID/DD receiving DT&H or SES services through the DD waiver and provides an indication of the type of employment based on those wages. The information system reports the statewide percentage of individuals that earn \$250 or less per month and the percentage that earn more than \$250. Individuals making more than \$250 are likely to be in community employment. Individuals making less than \$250 are likely to be in facility-based employment. The data indicates that in 2009, of the individuals who were working age (23-64):

- 21.8% were making more than \$250, most likely in community jobs,
- 49.6% were making less than \$250, most likely in facility-based employment,
- 28.7% were not making any wages and were not employed.

In Minnesota, the Extended Employment (EE) Program also provides ongoing employment supports to individuals with disabilities including individuals with ID/DD. The EE Program provides an example of public funding that was shifted to support community-based employment

¹¹ SES funding does not ensure that the individual is being paid directly by the employer. In some instances the employer pays an employment provider who in turn pays the individual.

¹² Inge, K., Wehman, P., Revell, G., Erickson, D., Butterworth, J., & Gilmore, D. (2009). Survey results from a national survey of community rehabilitation providers holding special wage certificates. *Journal of Vocational Rehabilitation*, 67-85.

¹³ Ramsey County. (2010). *Ramsey County Disability Services section April 2010 employment outcomes summary report*. St. Paul: Ramsey County.

¹⁴ Hennepin County Aging and Disability Services. (2009). *Employment data of people receiving day training and habilitation and supported employment services in Hennepin County*. Minneapolis: Hennepin County.

outcomes. The EE Program provides ongoing employment supports to community rehabilitation programs (CRPs) for services to Minnesotans with disabilities, including individuals with ID/DD. In 1986, about 88% of EE funding was directed toward facility-based employment with only about 12% going to community-based employment. Through rule changes (in 1987) and refocusing of strategies, the EE Program shifted over time to primarily support community-based employment. By 2009, about 80% of EE funding was directed toward community-based employment and 20% to facility-based employment. Over time, the EE program has served fewer individuals with ID/DD moving from 4,601 (65%) in 1987 to 2,313 (43%) in 2010. VRS continues to encourage CRPs to shift resources to community-based employment.

Although Minnesota has experienced a significant increase in the number of individuals participating in competitive and supported employment in the past two decades, the success of this shift in EE funding did not result in a major conversion to community-based employment throughout the state. A significant number and percentage of Minnesotans with disabilities continue to be served and/or employed in facility-based services albeit funded through other non-VRS or EE service dollars. In many counties, CRPs obtained DT&H licenses and as DT&H services expanded in Minnesota facility-based employment also continued to grow.

Many individuals with ID/DD live below the poverty level. Wages earned in facility-based settings and in supported employment enclaves and work crews are considerably less than those earned in individual jobs.^{15 16} Individuals who work directly for an employer have the ability to make more money than their facility-based or work crew counterparts. For example, in 2009, in Hennepin County, individuals who in facility-based employment earned an average of \$2.61 an hour, those working in regular or customized employment earned \$9.11 per hour and those in other community-based employment earned \$5.90.¹⁷

In their report “The Case for Inclusion 2009” analyzing Medicaid funding for individuals with ID/DD, United Cerebral Palsy reported that Minnesota was one of fifteen states whose rankings had shifted significantly between 2007 and 2009.¹⁸ Minnesota had dropped its ranking compared to other states primarily due to a significant drop in the employment rate of individuals in supported and competitive employment – from 29% in 2004 to 15% in 2006 which put Minnesota below the national average of 21% for 2006. 15% supportive or competitive employment also placed Minnesota 34th among the 51 states for this outcome. The Institute for Community

¹⁵ Lewin Group. (2006). *Review of Minnesota's vocational and employment services for individuals with disabilities: Focus on day training and habilitation*. Washington DC: The Lewin Group.

¹⁶ Institute for Community Inclusion at the University of Mass in Boston. (n.d.). *State Data: The national report on employment services and outcomes*. Retrieved August 12, 2010, from StateData.info: www.statedata.info

¹⁷ Hennepin County Aging and Disability Services. (2009). *Employment data of people receiving day training and habilitation and supported employment services in Hennepin County*. Minneapolis: Hennepin County.

¹⁸ United Cerebral Palsy (UCP). (2009.) *The Case for Inclusion, 2009 Minnesota Report*. Retrieved February 8, 2011 from United Cerebral Palsy (UCP):

http://www.ucp.org/medicaid/state_report.cfm?thisState=MN&thisYear=2009

Inclusion at the University of Massachusetts in Boston, using data from the Disability Services Division of the Minnesota Department of Human Services, showed similar results and reported that in 2009, 16% of Minnesotans with ID/DD were in integrated employment.¹⁹

Postsecondary education is increasingly being identified as crucial to obtaining employment in the United States. Postsecondary education, until recently, was not considered an option for most individuals with ID/DD. Several initiatives are presently underway to improve access to postsecondary education programs for individuals with ID/DD. The Institute for Community Inclusion at the University of Massachusetts in Boston has established a consortium to conduct research, provide training and technical assistance and disseminate information on promising practices for postsecondary training for individuals with ID/DD, and has outlined steps for accessing postsecondary education for young adults.²⁰ The National Down Syndrome Society also has a national initiative with partnerships in New Jersey, South Carolina, Ohio, Tennessee and Indiana to promote inclusive postsecondary education services.²¹ Other initiatives are also taking hold.²² As postsecondary educational experiences are developed for individuals with ID/DD, it will be important to ensure that those opportunities are inclusive, not segregated.

Competitive employment initiatives are also gaining momentum for individuals with ID/DD. Project Search has developed a high school transition program in which students during their last year of secondary education have a series of targeted internships within community businesses.²³ These internships are unpaid, but a mentor from the business works with the transition team to promote skill development. The goal is for the host business or another community business to hire the student upon graduation.

Customized employment has also been identified as a promising practice for individuals with ID/DD and other disabilities. The Office of Disability Employment Policy (ODEP) defines “customized employment” as “individualizing the employment relationship between employees and employers in ways that meet the needs of both. It is based on an individualized determination of the strengths, needs and interests of the person with a disability, and is also designed to meet

¹⁹ Institute for Community Inclusion at the University of Mass in Boston. *StateData: The national report on employment services and outcomes 2009*. Retrieved February 8, 2011:

<http://www.communityinclusion.org/pdf/Statedata2009.pdf>

²⁰ See <http://www.thinkcollege.net/about-us/think-college-initiatives/consortium-to-enhance-postsecondary-education-for-individuals-with-developmental-disabilities> and http://www.communityinclusion.org/article.php?article_id=178

²¹ Lee, S. (November 6, 2009). National Down Syndrome Society, *State of the Science Conference on Postsecondary Education for Students with Intellectual Disabilities*.

Retrieved February 8, 2011 from Helen A. Kellar Institute, George Mason University:

http://kihd.gmu.edu/assets/docs/kihd/conference/Stephanie_Lee.pdf

²² Munroe-Meyer Institute, University of Nebraska Medical Center. *Postsecondary Academic Readiness and Success*.

Retrieved February 8, 2011: <http://www.unmc.edu/mmi/postsecondarygrant.htm>

²³ Project SEARCH. *High School Transition Model*. Retrieved February 8, 2011:

<http://www.projectsearch.us/hst/model.php>

the specific needs of the employer.”²⁴ Customized employment, when applied to individuals with ID/DD, is considered a refinement of supported employment and emphasizes a shift from focusing on advertised jobs in the labor market to building jobs based on the known strengths of individual jobseekers. Customized employment focuses on networking with employers to identify jobs in which individuals are not competing for jobs with others, but are instead developed and negotiated by building relationships directly with employers. Jobs developed using a customized approach are a match with the interests, strengths and skills of the jobseeker and designed to meet the business needs of the employer. Customized employment can include jobs developed through job carving and also self-employment. Customized employment also emphasizes using social networks or social capital to develop a relationship with employers and often targets small businesses which can have more flexibility in creating a customized job.²⁵

“Employment First” is also impacting competitive employment outcomes in the United States. The State Employment Leadership Network (SELN) developed a working document in 2008 on Employment First policies.²⁶ “Employment First” is defined as making employment the first or preferred service option for individuals with disabilities. Although Employment First is not specific to individuals with ID/DD, Employment First initiatives have primarily been directed at improving competitive employment outcomes for individuals with ID/DD. In Minnesota, unlike many states, the Minnesota Employment First Coalition advocates for competitive employment outcomes for individuals with all disabilities including individuals with ID/DD.²⁷

SELN identified six states as having policies or directives to support employment first outcomes. Those states, Colorado, Florida, Oklahoma, Pennsylvania, Tennessee and Washington State, have targeted the redirection of Medicaid funding to support employment outcomes. States have used a number of strategies to promote Employment First including setting the goal of increasing employment by a specific percentage each year, mandating redirection of individuals from adult day services to employment, and identifying employment as the preferred or primary service option, with some specifying a preference for full-time employment. Washington State has the strongest policies identifying employment as the primary service option, with exceptions requiring approval.

²⁴ For more information on CE visit

www.dol.gov/odep/categories/workforce/CustomizedEmployment/what/index.htm.

²⁵ For more information on customized employment visit: <http://www.griffinhammis.com/faqqe.asp> and

http://www.marcgold.com/Publications/CE_Flyer.pdf

²⁶ Hall, A., Winsor, J. & Hoff, D. (March, 2008.) *SELN Working Document, Q&A's on State Employment First Policies*. To access the document, visit

http://www.selnmembers.org/images/stories/site_documents/dmr%20request%20employment%20policy%203-08rev.pdf

²⁷ A Consensus Report of the Minnesota Employment First Summit. (2007). *Pathways to Employment*. Retrieved from: <http://www.mnapse.org/Employment-First-Report-Summit-2.pdf>.

In Minnesota, DD advocacy organizations are also promoting increased competitive employment outcomes. The Governor’s Council on Developmental Disabilities, Advocating Change Together (ACT), Arc of Minnesota and its chapters, and PACER, which supports parents with children with disabilities including ID/DD, are promoting employment of Minnesotans with ID/DD. The DD Council maintains an active website²⁸ with a wealth of information on the history and best practices in an array of services for individuals with ID/DD and their families. Their course “Partners in Employment” provides self-directed online learning for individuals interested in employment, and “Partners in Policymaking,” an intensive training program developed over 25 years ago by the Council, includes competitive employment in its curriculum.²⁹

ACT provides training and support for self-advocates throughout Minnesota with an emphasis on personal empowerment, disability awareness and systems change. Employment is one of the areas in which ACT supports individuals with ID/DD.³⁰

Arc of Minnesota and its chapters also provide training and support for self-advocates and has been active in promoting Project Search. Arc of Minnesota has developed a position statement on employment³¹ and expanded employment opportunities are part of their Community Counts Initiative.³² Arc Greater Twin Cities Chapter has identified competitive employment as one of three initiatives in its strategic plan.³³

PACER Center has numerous resources for families and professionals that promote competitive employment for youth with disabilities. PACER conducts parent workshops that promote high expectations for youth transitioning to employment and operates national technical assistance efforts that highlight best practices. PACER’s web site features several resources for families, including a searchable database of youth-serving organizations in Minnesota. The search feature on their website identifies 37 connections to resources on competitive employment.³⁴

Background on Minnesota Employment Policy Initiative Listening Sessions

The Minnesota Employment Policy Initiative has conducted listening sessions in the following areas:

²⁸ The Minnesota Governor’s Council on Developmental Disabilities. <http://www.mnddc.org/>

²⁹ Partners in Policymaking can be viewed at: <http://www.partnersinpolicymaking.com/>

³⁰ Advocating Change Together (ACT): <http://www.selfadvocacy.org/>

³¹ View Arc position statement at: <https://secure8.digitalnorth.net/arcgreater/documents/ArcMNPositionStatement-SelfDirectedServices.pdf>

³² For more information go to: <http://www.arcmn.org/vertical/Sites/%7BE2772958-40CF-42C9-ACB1-6BC91AD5D646%7D/uploads/%7BE82C994E-8243-4ED1-973B-6BB8CAAC41CA%7D.PDF>

³³ View the strategic plan at: http://www.arcgreatertwincities.org/documents/ArcGTCStrategicPlan-OnePagecolor_000.pdf

³⁴ To view PACER resources on competitive employment go to:

<http://www.pacer.org/searchresults.asp?cx=008159103446416441332%3Aztnv2wmj0ug&cof=FORID%3A11&q=Competitive+employment&siteurl=www.pacer.org%2Fabout%2F#1055>

Brain Injury
DeafBlindness
Blindness
Intellectual/Developmental Disabilities
Transition

Mental Health
Deaf and Hard of Hearing
Autism Spectrum Disorder
Physical Disabilities
Families

Listening sessions are convened by a host organization which selects participants representing a variety of perspectives. The listening sessions are facilitated by MEPI using three questions as the framework for the sessions. The questions are designed to build upon one another creating momentum toward strategies for the final question on doubling employment.

The first question, “**Why is work important?**” helps a group to focus specifically on employment. It also reminds the group of the benefits work provides to individuals with disabilities and creates a positive orientation for the subsequent questions.

The second set of questions, “**What’s working? What are we doing right in Minnesota?**” builds on the first question, reminding participants of the many services, initiatives, and groups that are already in place or in the planning stages to improve employment outcomes. It identifies strengths on which to build and also opportunities to produce better collaboration between groups and initiatives. It also creates a shared frame of reference for the group and is usually a learning experience for group members as they share their knowledge base about the strengths and leadership within Minnesota. The more common focus of identifying barriers often does not lead to creative strategies to address those barriers and the negative focus on barriers can make it more difficult to brainstorm on potential strategies toward better employment outcomes.

The third question, “**What will it take to double employment of Minnesotans with disabilities by 2015?**” is the core question for participants. It is a question originally posed by the Alliance for Full Participation and, with their permission, adopted by MEPI. It is intended to be provocative by challenging participants to think out of the box and move toward strategies that can have a more dramatic effect on employment outcomes.

Listening Session on Intellectual and Developmental Disabilities

A listening session on employment and individuals with intellectual/developmental disabilities was hosted by the Governor’s Council on Developmental Disabilities and Advocating Change Together (ACT) on July 28, 2010. It was facilitated by the Minnesota Employment Policy Initiative. Twelve participants worked to identify strategies to increase employment rates for individuals with ID/DD. The participants included individuals with ID/DD, family members, local government, employment support providers and the Institute of Community Integration at the University of Minnesota. Their responses to the three questions follow.

Why is work important?

- A sense of purpose.
- A sense of identity.
- Keeps you occupied.
- Self-esteem.
- Provides social networks.
- Increases personal motivation.
- Provides skill development for a career.
- When you have a job, you are less bored with life.
- Allows you to contribute to something - to society, the world, etc.
- The independence helps you gain confidence.
- You don't know what is available to you until you are able to go out there and try it.

What's working? What are we doing right in Minnesota?

- The ADA. My employer just hired a person with a disability and they needed to telecommute part-time. We were able to make this accommodation because of the ADA.
- Social networks. They are an important part of everyone's life.
- Person-centered planning. It works when it's actually centered on the person, whether the person is in school, in a job, or somewhere else.
- If the person with the disability and/or their support system is determined and strong-willed, they are usually able to find employment. A strong support system is important for success.
- Quality supports whether from businesses, family, friends, services providers, etc. Support works best if it comes from a variety of places.
- The Individuals with Disabilities Education Act (IDEA). This law started with a congressman in Minnesota.
- Advocacy. Strong advocacy and advocacy organizations in Minnesota.
- The Minnesota Employment Training and Technical Assistance Center (MNTAT). The promising practices that are coming from this initiative, such as informational interviews, focusing on smaller businesses, etc.
- The Employment First Initiative and making employment the first option for people with disabilities. This is important for families and schools because when they think this way,

the kids end up with jobs. It goes a long way when there are many different people all saying the same thing.

- The digital imaging project.
- CDCS: Consumer Directed Community Supports. Flexibility and being able to think creatively and outside of the box.
- There are flourishing business communities that hire people with disabilities because they are committed to having a diverse group of employees. Minnesota has a higher rate of hiring people with disabilities than other states do.
- State and local agencies (including colleges and universities) are more willing to hire people with disabilities than private-sector agencies because their workers are more educated and aware that people with disabilities can be good workers.
- Partners in Policy-making. It came from Minnesota and is international.
- Medical Assistance for Employed Persons with Disabilities (MA-EPD). It opens a door for people who would have a very hard time getting health care otherwise.
- Workplace accessibility. This is huge but we often forget how important it is. Since many places are accessible, people with disabilities don't have to narrow down their options as much when trying to find employment.
- Long-term leadership in disability rights; i.e.: IDEA.
- Ticket to Work and Trial Work Periods. These opportunities allow people with disabilities to get their foot in the door and provide a good place to start.
- Disability transportation. It does work and a lot of places don't have it. Both city buses and Metro Mobility are accommodating people with disabilities.
- Social Security's Plan to Achieve Self-Support (PASS). PASS is similar to Ticket to Work, except that people using PASS can start their own business.
- Job coaching, supported employment, and natural supports. We almost take these for granted because they've been around for so long.

What will it take to double employment of Minnesotans with disabilities by 2015?

The following recommendations are based on themes identified from the responses of listening session participants. The recommendations are not prioritized. The discussion that follows the ten recommendations provides further information on "next steps" in refining the recommendations and moving toward more specific policy implications.

Promote the expectation that individuals with ID/DD will work competitively. Individuals with ID/DD are a group for whom the expectation of competitive employment is the most controversial. The existence of an established service delivery system for individuals with ID/DD

which directs considerable resources to facility-based employment makes it more likely that individuals will be funneled into that system rather than be encouraged and supported to work in competitive jobs. Significant barriers exist in the attitudes of individuals, their families, educators, employers, society at large and professionals in the service delivery system questioning the capabilities of individuals with ID/DD to work competitively. Listening session participants discussed the growing examples of individuals with ID/DD who do work competitively, and the expanding support strategies to make competitive employment a reality, as making inroads on changing those attitudes. As individuals with ID/DD obtain competitive jobs, they demonstrate their abilities as typical employees in the workforce. Those working individuals have the greatest impact on opening up the workplace to other individuals by challenging the misconceptions about the limited capabilities of individuals with ID/DD to contribute in regular competitive employment.

Listening session participants also emphasized the importance of public policy in supporting a system of segregated employment, and recommended that integrated employment at minimum wages (or more) and benefits be an expected outcome of the service delivery system. If employment is an expected outcome for publically funded services, individuals with ID/DD and their families could still choose to “opt out” of competitive employment, but it would shift the dynamic embedded in the current system, which requires individuals and families to “opt into” competitive employment in the face of significant pressure heavily invested in the delivery of group employment, segregated employment and non-work services.

Address concerns about the safety net of benefits available to Minnesotans with ID/DD and the perception that employment will negatively impact that safety net. Many Minnesotans with ID/DD and their families are hesitant to choose work due to fears that they will lose their disability and health care benefits. Given the complexity of the various benefits and work incentives, it is difficult for individuals and families to access sound advice to enable individuals seeking employment to maximize their income through employment; fortunately, the resources available to them in this area are increasing.³⁵ The complexity of the system is a major barrier to employment for Minnesotans with ID/DD and their families, especially since income can affect an array of services including housing and other basic services.

Ensure services and supports are tailored to the individual. Supported employment revolutionized expectations about the abilities of individuals with significant disabilities to work in the community and opened up employment opportunities for people who had previously been considered “unemployable.” The key to supported employment was the development of an individualized job matched to the unique skills of an individual and a system of ongoing, individualized supports to ensure long-term job retention. Customized employment which

³⁵ For assistance in this area, contact the Disability Linkage Line (1-866-333-2466), Disability Benefits 101(a service of DLL at www.mn.db101.org), and /or the MN Work Incentives Connection (www.mnworkincentives.com).

emphasizes a negotiated relationship between an individual and an employer goes a step further to make competitive employment a more likely outcome for individuals with significant disabilities. A person-centered approach identifying the unique interests, strengths, skills and support strategies of the jobseeker is essential to obtaining a competitive job. A non-comparative, intensive process that goes beyond superficial identification of a job category is needed to identify the ideal conditions of employment for each individual, as well as the supports needed by the worker and his or her employer to be successful over time.

Empower individuals with ID/DD and their families to assume the greatest possible control over their services and supports. Self-advocacy and self-determination are recognized as essential to improving quality of life outcomes and ensuring that individuals with disabilities exercise choice and control in their lives. The necessity of ongoing supports should not result in the individual being just a “recipient” of services. Individuals and their families should be exercising a greater capacity to “direct” supports and services. The complexity and fragmentation of the current service delivery systems make it difficult for individuals and families to direct their own services and supports. Funding streams are primarily controlled by professionals rather than individuals and families, and support “system-centered” rather than “person-centered” results.

The Consumer Directed Community Supports Program (CDCS) is an option for individuals (and their families) receiving waived services under Medical Assistance to have greater control over their supports and services.³⁶ The current budget allocation system for CDCS creates a disincentive to participation for many individuals over the age of 21 since the budget does not support employment activities that are needed to achieve competitive employment. Because of this, most adults that were on CDCS as children and young adults, leave CDCS and return to more traditional services when they finish their educational programs. Changing the budget allocation system for adults would enable adults to remain on CDCS and tailor their employment options to their individual situation.³⁷

Ensure young adults with ID/DD graduate directly into competitive jobs or postsecondary education. According to secondary education and transition research, graduating students who do not have a job and/or are not enrolled in a postsecondary education program are less likely to ever find employment. The goal of transition planning should be for individuals to secure employment or postsecondary education that will lead to future employment. Listening session participants emphasized the importance of beginning earlier than age 14 to establish competitive employment as a post-school expectation. Individuals with ID/DD are a group at heightened risk of not having the opportunity to be competitively employed due to low expectations and segregated service

³⁶ For more information visit:

http://www.dhs.state.mn.us/main/idcplg?IdcService=GET_DYNAMIC_CONVERSION&dDocName=id_017635&RevisionSelectionMethod=LatestReleased

³⁷ Minnesota Consortium for Citizens with Disabilities. (2010). *Fact Sheet: Self-Directed Supports for Individual with Disabilities*. St. Paul: Minnesota Consortium for Citizens with Disabilities

options. Because there is an available system of adult services, many of which do not support competitive employment, graduating into the adult service delivery system rather than into a competitive job or postsecondary education can result in a future without competitive or other integrated employment. Listening session participants emphasized the need to promote better collaboration between education and adult services to ensure that students graduate into competitive jobs seamlessly and efficiently.

Listening session participants also identified an issue with using the DD waiver for employment services for students in transition. When county case managers try to complete the “Service Agreement” in the Minnesota Medicaid Information System (MMIS) for a student still attending school, they receive an automatic “edit” of “Waiver Service/Age Conflict: Waiver funding may not be used for supported employment [or other day services]...when recipient’s age is under 21 and recipient is still in school.” Without flexibility in waiver funding, students with ID/DD will be less likely to graduate into jobs.

Increase postsecondary educational opportunities for individuals with ID/DD. Some individuals with ID/DD did not secure the right to a public education until 1957 and for others it was the 1970s. Transition services for individuals who are age 18-21 typically do not result in graduation into postsecondary training and educational opportunities. Postsecondary education is gradually adapting new strategies to provide coursework and supports for individuals with disabilities, but individuals with ID/DD are only beginning to be considered as candidates for postsecondary education. As described earlier, a number of organizations are developing postsecondary educational programs targeting young adults with ID/DD.³⁸ As expectations increase about the capabilities of individuals with ID/DD to pursue career options available to other citizens, inclusive postsecondary education should be one of those options.

Postsecondary training and education can be critical in ensuring that individuals with disabilities are not underemployed and do not have limited advancement opportunities throughout their careers. Minnesotans with disabilities, like all Minnesotans, benefit from career development opportunities within emerging economies. For this reason, it is important to engage business leaders in developing postsecondary training and educational programs utilizing promising strategies that prepare jobseekers with ID/DD with skills in high demand occupations. Postsecondary education could also include contextualized learning on the job through internships, apprenticeships, and other “hands-on” job training models so unique learners can develop and practice the skills and competencies they need to obtain good paying jobs through both conventional job development and negotiated customized employment.

Ensure self-employment services are an employment option for Minnesotans with ID/DD. Self-employment is an option that has only recently been promoted for individuals with

³⁸ See footnotes 18, 19 and 20.

disabilities. Supported entrepreneurship and self employment can be planned and structured in ways to deliver the ideal conditions of employment for some individuals. This may include an array of accommodations opening up work opportunities that might not be available through wage employment. As an emerging practice, self-employment needs to be more fully developed to become an accessible and viable opportunity for individuals with a variety of disabilities, including individuals with ID/DD, with an emphasis on making high enough wages to clearly establish that this choice of employment is a job, not a hobby.³⁹

Build better partnerships with residential providers to expand competitive employment opportunities. Listening session participants identified the limitations residential services can impose on pursuing suitable employment options. Funding to residential providers, especially to those supporting smaller residences, may not be sufficient to provide staff coverage for individuals working non-traditional hours. Residential services are often designed to complement day program services which provide segregated or limited employment options that are offered for approximately six hours per day during specific and consistent daytime hours. Securing competitive employment may require a broader range of potential working hours including evenings and weekends or schedules which vary from week to week. Monitoring devices within residences as an alternative to staff being present could address safety concerns in some instances.

Listening session participants emphasized the importance of promoting flexibility in residential services to support competitive employment outcomes. They also recommended engaging residential providers in the job development process and in developing employment supports, including transportation. Residential providers often have a social network of neighbors and community connections that can lead to significant contributions in building business contacts, obtaining job development outcomes, and engaging natural, individualized supports.

Increase funding for public transportation, including Metro Mobility, to expand the areas served and the times transportation is available. For many individuals with ID/DD, public transportation and Metro Mobility are their only options for getting to a competitive job. As a result, the locations they can consider for employment are oftentimes limited to those that are accessible through those transportation systems. Geographic and schedule restrictions in the public system and Metro Mobility significantly limit the range of options. Reliance on Metro Mobility can also make timely arrivals and departures difficult due to the policy which allows Metro Mobility drivers a 30-minute “pick-up window” to arrive up to 30 minutes after the scheduled time. Expanded funding and creative collaborations and integration of resources designed to increase routes and expand service hours will benefit many individuals with ID/DD and other disabilities, in addition to other citizens who rely on public transportation.

³⁹ Poppin Joe’s Kettle Corn is an example of a business owned by an individual with ID/DD. To learn more visit: <http://www.start-up-usa.biz/el/entrepreneur.cfm?eID=7>

In Greater Minnesota transportation is even more limited. The Minnesota State Council on Disability and others have sponsored community forums in Greater Minnesota, bringing together stakeholders from the disability community and other groups reliant on public transportation to problem-solve community solutions to transportation issues. The “Greater Minnesota Transit Investment Plan, January 2011” describes current efforts toward improving transportation outside the metropolitan area.⁴⁰

Increase champions within the business community to create more employment opportunities for Minnesotans with ID/DD. Employers are critical to improving employment outcomes. Ensuring that employers are knowledgeable about the abilities of individuals with ID/DD as well as the job supports leading to long-term retention is crucial to achieving a successful competitive employment match. Customized employment emphasizes the importance of building effective partnerships with employers and negotiating jobs that benefit both the worker and the employer. Understanding and meeting the needs of employers is essential to building the support of the business community and to having employers influence other employers as experienced, articulate advocates for the employment of individuals with ID/DD.

Implications for Policy

The recommendations above focus on Minnesotans with intellectual/developmental disabilities; however, many of the recommendations would also apply to individuals with other disabilities. The information gathered through the MEPI listening sessions has been analyzed to identify commonalities and compiled into a final report of recommendations to improve employment outcomes across disability groups. Representatives from the organizations which hosted listening sessions will be reconvened to strategize on addressing the policy implications on improving employment outcomes and developing a more specific set of recommendations for action to move toward doubling the employment rate of Minnesotans with disabilities by 2015.

About the Minnesota Employment Policy Initiative

The purpose of the Minnesota Employment Policy Initiative (MEPI) is to facilitate dialogue and develop leadership on disability and employment policy that will result in increased competitive employment of Minnesotans with disabilities and promote the proposition, “We need everyone in the workforce for businesses to thrive and communities to prosper.” Central to this initiative is the belief that employment is fundamental to adulthood, quality of life, and economic freedom and

⁴⁰ To access the report, visit: <http://www.dot.state.mn.us/transit/reports/investmentplan/>

choice. MEPI is an initiative of Pathways to Employment (PTE), Minnesota's Medicaid Infrastructure Grant, funded from 2009 and 2010.⁴¹

In January 2011, the Office of Disability Employment Policy (ODEP) reported that only 20.1% of individuals with disabilities were employed. The employment rate for individuals without disabilities was 69.5%. That translates into an employment rate in which individuals with disabilities are employed at a rate that is less than one third that of individuals without disabilities. The Minnesota Employment Policy Initiative is working across disability groups to close that gap by identifying strategies that will benefit all Minnesotans with disabilities in addition to strengthening and building new alliances to enlarge the circle of employment champions.

Leadership for MEPI comes from National APSE - The Network on Employment - in concert with its state chapter, Minnesota APSE.⁴² The initiative works with numerous stakeholders to align policies, services and practices to ensure that integrated competitive employment is widely recognized and routinely promoted as the preferred outcome of all Minnesotans with disabilities. MEPI also works in close collaboration with the Minnesota Employment Training and Technical Assistance Center (www.mntat.org) to maximize the impact of employment policy and practice across Minnesota.

Additional policy briefs and reports will be available as they are developed at the MEPI website, www.mn-epi.org.

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⁴¹ To learn more about PTE visit www.positivelyminnesota.com/pte.

⁴² For the APSE website, visit www.apse.org. For the Minnesota APSE website, visit www.mnapse.org.

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