Employment First

<https://www.employmentfirst.net/>

**APSE** supports Employment First to facilitate the full inclusion of people with disabilities in the workplace and community.

<http://apse.org/>

Posting from APSE website:

**APSE’s Public Testimony to the Advisory Committee in Increasing Competitive Integrated Employment for Individuals with Disabilities (ACICIEID)**

Apr 27, 2016 |

My name is Allison Wohl and I am the Executive Director of the Association of People Supporting Employment First (APSE). We are a national membership association of over 3,200 members with chapters in 39 states. APSE supports Employment First to facilitate the full inclusion of people with disabilities in the workplace and community.

So much has happened this past year since the Committee began its work last year. Last month, Maryland passed the Ken Capone Equal Employment Act, which will require Maryland employers to phase out their use of subminimum wage in four years.  Also in March, the U.S. [AbilityOne](http://www.abilityone.gov/) Commission declared that “all qualified nonprofit agencies participating in the AbilityOne Program to commit to, and begin (if not maintain), paying at least the Federal minimum wage, or state minimum wage if higher, to all employees who are blind or have significant disabilities working on AbilityOne contracts.” Disability Rights Ohio filed a class action suit against on behalf of six Ohioans with disabilities and approximately 27,800 similarly situated residents alleging that the state has not complied with the Americans with ADA and the Olmstead decision in regards to people with intellectual or developmental disabilities who want to live and work in their communities.

These are monumental changes and they signal the massive changes that are ahead for the pubic system of supports and services for Americans with disabilities. The current system of segregation is not sustainable. More importantly, most individuals with disabilities and their families want to see a different model, but it is much easier to access a segregated program than it is to create a real life with public dollars—a life that reflects the interests, skills, aptitudes and values of the individual with the disability.

This is a highly emotional topic because it involves families and rights. In order to tone down the rhetoric, we must focus on the facts. We spend so much time focusing on those who oppose the changes when we actually have much in common.

We all agree that we must provide an array of options. The reality is that the vast array of options either don’t exist broadly or aren’t accessible to those who want them. Advocacy and education about what is both possible and available—and how best prepare youth with disabilities for lives of their choice—must start early in life. This education must include teachers, counselors, school administrators and most importantly, parents.

Employment First does not mean “employment only.” It means that employment must be the primary service option in any publicly-funded system. Individuals must be given the opportunity to try employment and fail, and fail again and again until all options have been exhausted. Individuals with disabilities and their families must understand what options are available and possible in order to make informed decisions. Decisions are not informed if they are not aware of all available options and how those options may impact them.

We all agree that our first duty is to do no harm. APSE supports thoughtful, long-term restructuring of the system of public supports that enables individuals with disabilities to access the full array of options. In order to accomplish this, a restructuring must provide:

* support for building provider capacity for supported and customized employment
* professional development and certification to ensure a quality direct support workforce
* communication and partnership with individuals and their families, along with school personnel
* education on financial literacy and benefits counseling to understand financial impacts of decisions
* informed consent without coercion or fear of retribution from providers
* access to those supports necessary to succeed in the workplace
* rebalancing state budget dollars to focus on real employment for individuals with disabilities.

There is a false dichotomy that plagues our work: the myth that there are only two models—and that if someone doesn’t work in the community, he or she will end up in an institution or on someone’s couch. Fear is not the way forward.

The CMS final rule on Home and Community-Based Services is premised on providing ‘opportunities to seek employment and work in competitive integrated settings, engage in community life, and control personal resources. Individuals and their families see a very different future; a future that does not include subminimum wages and segregated settings. Public policy must both enable individuals to build their own lives and to allow the marketplace to reward both providers and individuals for their efforts in realizing their futures.

Secretary Perez is fond of saying that “progress does not roll in on the wheels of inevitability.” Systems change is certainly not inevitable. It is complex, difficult and controversial work. But it is the only way forward.

We thank the Committee for its time and commitment to Ways to increasing competitive integrated employment opportunities for individuals with significant disabilities in competitive integrated employment and for making recommendations for restricting the use of 14c certificates.