Work Matters Checklist:

Policy Options for Enhancing the Employment of People with Disabilities

SEED | State Exchange on Employment & Disability

Every day, state and local policymakers have the opportunity to impact the lives of their constituents with disabilities by ensuring that policies being developed are inclusive. This checklist, developed by the State Exchange on Employment & Disability (SEED), outlines policy options for state and local government leaders to enhance the employment of people with disabilities. The policy options are gleaned from a review of:

- ✓ Policies adopted by states included in a report titled *Work Matters: A Framework for States on Workforce Development for People with Disabilities*, developed through a collaboration with the Council of State Governments (CSG) and the National Conference of State Legislatures (NCSL); and
- ✓ Recently adopted (2016-present) executive orders and legislation identified by the State Exchange on Employment & Disability (SEED).

The checklist includes an overview of the guiding principles and themes detailed in *Work Matters*, as well as the key components of these disability-inclusive policy options:

- ✓ State as a Model Employer of People with Disabilities
- ✓ Private Sector Engagement
- ✓ Youth Transition to Employment
- ✓ State Agency Coordination and Collaboration (Employment First)
- ✓ Stay-at-Work and Return-to-Work
- ✓ Transportation (Getting to Work)
- ✓ Disability-Owned Businesses

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Work Matters Guiding Principles

The following key ideas helped inform the examination of policy barriers and development of the policy options in *Work Matters*:

- Disability is a natural part of the human experience that in no way diminishes one's right to fully participate in all aspects of community life.

- Disability can develop at any point during an individual's lifetime and have varying impacts.

- Successful disability policy embraces the "nothing about us without us" principle.

- People with disabilities are underutilized in our workforce and frequently experience social and economic disadvantage.

- People with disabilities have valuable and unique contributions to make - disability inclusion boosts the bottom line.

Work Matters Policy Themes

The following common components of the policy options may be considered in disability employment policymaking, particularly as states engage in innovation efforts beyond the *Work Matters* framework:

- Leading by example and "walk the talk" – ensure that state agencies become model employers and use state financial resources to support model employers in the private sector.

- Including external and internal focus on disability awareness, including disability etiquette, in all state government policies, programs, practices and disability employment initiatives.

- Adopting robust reporting requirements, including establishing performance goals, metrics for measurement and data collection processes, to help inform policymaking.

- Increasing coordination, blending and braiding of services and funding across agencies and levels of government to ensure successful employment of people with disabilities.

- Requiring accountability from the highest levels of government.

- Including *universal design* principles, which seek to ensure accessibility and usability to the greatest extent possible for all people, in the earliest development phases of all state government policies, programs and practices, rather than retrofitting the policy after the fact.

- Identify low hanging fruit - policy and program efforts that have significant impact and are relatively easy to implement, including (but not limited to):
  - Identifying existing state programs and systems that can be easily adapted to include people with disabilities;
  - Adopting best practices and lessons learned from similar state initiatives targeting other underserved populations to inform initiatives for people with disabilities;
  - Extending diversity and inclusion (affirmative action) policies applicable to race, national origin and gender to include disability for state agencies and businesses contracting with state government; and
  - Using existing mentorship models to connect business champions supporting disability employment with employers interested in beginning disability hiring initiatives.

State as a Model Employer

States have adopted multifaceted policies requiring state government agencies to become model employers of individuals with disabilities. Examples of such policies and practices include:

✓ Adopting formal mechanisms (e.g., executive orders and/or legislation);

✓ Creating infrastructures (e.g., cabinet-level positions, task forces, working groups, advisory committees and special legislative subcommittees and caucuses);

✓ Requiring state agencies to adopt government-wide and agency specific strategic plans, including diversity and inclusion initiatives (e.g., affirmative action plans that include goals, workforce analyses, barrier analyses, best and promising practices and progress reports);

✓ Offering fast track and other hiring initiatives to facilitate employment (e.g., excepted service hiring authorities, special appointment lists, trial work periods, apprenticeships and paid internship opportunities);

✓ Waiving or modifying civil service exams;

✓ Offering on-site accommodations;

✓ Providing hiring preferences (e.g., point preferences, hiring person with a disability when applicants are substantially equal in qualifications and mandatory interviews);

✓ Providing opportunities for advancement and retention, including establishing a centralized accommodation fund, providing centralized expertise (e.g., disability program managers and selective placement program coordinators) and telework opportunities;

✓ Ensuring job applications are accessible and updating current policies (including requirements, standards and procurement) relating to the accessibility of websites, mobile apps, online systems, software, hardware and other forms of information and communication technology;

✓ Adopting stay-at-work and return-to-work policies and practices (e.g., appointment of coordinator, allowing alternative jobs, disseminating best practices);

✓ Requiring the provision of personal assistance services (i.e., assistance with removing and putting on clothing, eating and toileting) for specified individuals with the most significant disabilities;

✓ Using people-first language, which puts the person before the diagnosis, describing what a person "has" rather than asserting what a person "is;"

✓ Providing disability awareness training to build a culture of inclusion (including training for all employees and specialized training for managers and supervisors); and

✓ Providing disability etiquette (respectful communication and interaction), including recruitment etiquette, interview etiquette and workplace etiquette.

Private Sector Engagement

States are building the capacity of private-and nonprofit-sector employers to engage in disability diversity and inclusion efforts. Examples of policies and practices adopted by states include:

✓ Supporting and lessening burdens on businesses through technical assistance, education and outreach (e.g., establishing single point of contact, providing specialized expertise and written resources, engaging in public awareness campaigns and partnering with businesses);

✓ Extending diversity and inclusion (e.g., affirmative action) policies to businesses contracting with state agencies comparable to those applicable to women and minorities (e.g., affirmative action plans that include goals, workforce analyses, barrier analyses, best and promising practices and progress reports);

✓ Using tax incentives to encourage businesses to hire qualified applicants with disabilities;

✓ Using tax credits to businesses providing employment supports (e.g., reasonable accommodations, transportation and child care) and accessibility (e.g., making facilities and websites accessible);

✓ Adopting inclusive apprenticeship programs;

✓ Developing and using pipelines linking businesses with qualified applicants;

✓ Bringing public and private sector employers together (e.g., working groups, commissions and summits);

✓ Studying the future of work from a disability perspective (e.g., automation and technology, including the use of artificial intelligence and the growth of the gig economy and impact on worker benefits and protections);

✓ Providing disability awareness training to build a culture of inclusion (including training for all employees and specialized training for managers and supervisors); and

✓ Providing disability etiquette training (respectful communication and interaction), including recruitment etiquette, interview etiquette and workplace etiquette.

Youth Transition to Employment

States recognize it is essential for all youth to have opportunities, including work-based learning experiences, to develop skills, explore potential careers and gain practical, meaningful experience in the career development domains of self-exploration, career exploration and career planning and management. States are facilitating work-based learning for youth and young adults with disabilities that aligns with education and career development planning and meet businesses' predicted workforce needs. Examples of policies and practices adopted by states include:

✓ Promoting career readiness, development and planning (e.g., promoting inclusive career development plans that are coordinated, integrated and aligned with Individualized Education Programs and Section 504 plans, and strengthening the capacity of professionals to design inclusive programs and strategies);

✓ Offering inclusive work-based learning experiences, including apprenticeship programs that offer competitive integrated employment opportunities;

✓ Providing family engagement, including comprehensive training for parents and families to better assist youth in navigating the career development process and maximizing work-based learning experiences offering competitive integrated employment;

✓ Providing benefits counselling to youth and parents/guardians (so they understand work incentives available under federal and state benefit programs);

✓ Providing support for inclusive higher education opportunities for individuals with intellectual disabilities that offer education experiences and work-based learning opportunities leading to competitive integrated employment.

State Agency Coordination and Collaboration (Employment First)

Through interagency coordination, collaboration and robust performance measures, states are implementing policies that reflect Employment First policy as well as optimize resources and services. Examples of policies and practices adopted by states include:

✓ Expanding and improving Employment First initiatives;

✓ Enhancing cooperation and collaboration among state agencies providing services and supports, including blending and braiding of funding;

✓ Signing interagency memoranda of understanding; and

✓ Improving reporting mechanisms.

Stay-at-Work and Return-to-Work

States are adopting and implementing policies to support retention of employees in the event injury or illness (on or off the job) or change of status of an individual's disability. Stay-at-work and return-to-work policies can support workers as they continue in their careers and as new challenges present themselves. Examples of policies and practices adopted by states include:

✓ Adopting the retention option under Title I of the Rehabilitation Act under which the state vocational rehabilitation (VR) agency may provide retention (maintenance) services to an employee with a disability, even if the employee is not among the priority groups eligible for VR services;

✓ Offering health care providers access to best and promising evidence-based practices;

✓ Offering employer subsidies, incentives and grant programs;

✓ Offering employee incentive programs;

✓ Offering wellness and injury prevention programs;

✓ Offering benefits counseling; and

✓ Adopting legislation authorizing Achieving a Better Life Experience (ABLE) accounts.

Transportation (Getting to Work)

The availability of accessible transportation (public and private provided by transportation network and taxi companies) is often the lynchpin to employment for some individuals with disabilities. Policy options for improving access to transportation for people with disabilities include:

✓ Establishing working groups and/or forums;

✓ Offering regional transportation vouchers;

✓ Expanding transportation options by offering paratransit and taxicabs;

✓ Establishing nondiscrimination requirements for transportation network programs that include individuals with disabilities among the protected classes; and

✓ Requiring the design and testing of autonomous vehicles to address access for passengers with disabilities.

Disability-Owned Businesses

States are including disability-owned businesses (including disabled veteran-owned businesses) in targeted state procurement, certification and financial incentive programs for small businesses. Examples of policies and practices adopted by states include:

- ✓ Formalizing entrepreneurship and self-employment as viable strategies for individuals with disabilities in the state workforce service delivery system;

- ✓ Promoting and publicizing opportunities for disability-owned businesses to contract with the state for goods and services;

- ✓ Creating goals for procurement from disability-owned businesses;

- ✓ Creating contract bid preferences for disability-owned businesses;

- ✓ Providing fast-track certification; and

- ✓ Offering tax and financial incentives to support start-up technical assistance.

For assistance creating customized policy options, executive orders and more, contact the SEED team: dol.gov/agencies/odep/state-policy