

People with disabilities want to participate in and contribute to their communities.

Employment First means that having a job in the community should be what we expect and plan for people with developmental, intellectual, and other disabilities. The **Idaho Employment First Consortium**, made up of people with disabilities, family members, service providers, state agencies and advocacy organizations, adopted this Employment First message, vision, and values for our state:



“All Idahoans with disabilities have the right and responsibility to work and contribute to their community.”

A Positive Vision for Idaho:

- All communities expect people with disabilities to work
- Everyone can work and there is work for everyone
- Full employment results in higher quality of life and strong economy for Idaho
- People have equal opportunity for meaningful work and career growth;
 - ...they are empowered to contribute to their community;
 - ...they have the opportunity for advancement, responsibility, and a fair/equal wage; and
 - ...they have the opportunity, training, and support to realize financial self-sufficiency

It all starts with the belief that **everyone can work.**

Extended Employment Services (EES) – The Need for a State Law

Extended Employment Services are paid for *entirely with state funds from Idaho taxpayers*. The Idaho Division of Vocational Rehabilitation (IDVR) has administered EES since 2005. There was no original statute establishing EES under IDVR, so there was no authority to put EES rules into action. There is currently no statute to define the purpose and intent of EES. In 2019, the Idaho legislature expired the EES rules and Idaho Division of Financial Management directed IDVR to draft the EES proposed statute to present to the Idaho Legislature.

Under the proposed statute, EES would have two programs:

Community Supported Employment

Long-term employment supports in competitive integrated employment
(employer is a community business).
This program is for workers with disabilities without other funding sources (like Medicaid).

Work Services

Short-term training services that are meant to prepare workers with disabilities to get a job in the community. The goal is short-term vocational skill-building toward competitive integrated employment.

Intended Purpose of Proposed Statute

- Transform Work Services programs into short-term vocational skill-building program.
- Short-term, not indefinite “training,” for community employment.
- Training needs to have a reason, purpose, and outcome.
- Goal: Entering or returning to competitive integrated employment.
- Establishes EES in Idaho law and administered by IDVR.

Transform for the 21st Century – We need a model that promotes growth.

Currently EES **Work Services** are most often provided in a facility run by a Community Rehabilitation Provider (CRP). Individuals with disabilities do work activities alongside other people with disabilities with supervisors and/or support staff available. This situation is commonly referred to as a sheltered workshop.

12.9 YEARS

Combined average number of years Idahoans with disabilities in sheltered workshops have been in “training” for community employment.

Average wage: **\$3.75**

Dispelling Myths

MYTH: This will close down sheltered workshops and individuals with disabilities will not be able to choose segregated employment.

Organizations that run segregated work facilities would still be able to get contracts to complete specific work and use the money they receive from the contract funder to hire individuals with disabilities to do the work to fulfill the contract. Organizations that have a FLSA 14C certification* would be able to pay sub-minimum wages. This is an employer-employee relationship and the employer (provider/organization) would provide the needed support and accommodations (funded by the contract) to ensure workers are able to do the work.

State funding for EES work services would focus on training toward competitive employment and community supported employment services providing support in a community business/workplace (ie: long term job coaching).

**FLSA 14C is federal certification that authorizes CRPs employing people with disabilities to pay subminimum wages when their disabilities impair their productivity. Box above describes 14C wage data 2017/2018/2019.*

MYTH: Community Rehabilitation Providers will have no opportunity to provide input.

CRPs and all other stakeholders will be able to participate in robust negotiated rulemaking.

Robust Negotiated Rulemaking

Once the proposed EES statute is established in Idaho law, there would be well-planned, inclusive and active **Negotiated Rulemaking with all STAKEHOLDERS**.

For example: the term “short-term” is not defined in EES statute. This will be defined in negotiated rulemaking meetings with stakeholders involved. Defining “short-term” in rules, rather than statute, increases flexibility.

Possibly “grandfathering” current Work Services customers so that individuals who have been in work services for many years and who may be adversely affected by a change in workplace, can continue to receive support in their current environment.

For more information contact:

Idaho Council on Developmental Disabilities at 208-334-2178
or email Tracy.Warren@icdd.idaho.gov