ACCESS FOR ALL

A RESOURCE
MANUAL FOR
MEETING THE
NEEDS OF
ONE-STOP
CUSTOMERS WITH
DISABILITIES

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INSTITUTE FOR COMMUNITY INCLUSION
CHILDREN'S HOSPITAL BOSTON AND THE UNIVERSITY OF MASSACHUSETTS BOSTON

Access for All: A Resource Manual for Meeting the Needs of One-Stop Customers with Disabilities

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Using This Manual

The intent of this manual to serve as a training and staff development tool for enhancing the ability of One-Stop Systems to meet the needs of customers with disabilities, and also as a reference work for ongoing use "as needed" in serving people with disabilities. We have made significant efforts to enhance the usability of this manual as a reference work, with a detailed table of contents, index, and dividers. We have also produced this manual in a three-ring binder, so that One-Stop systems can add additional materials concerning local resources and services, making this manual even more useful for your needs.

The following is an example of how this manual could be used for reference. A One-Stop Center is working with someone with a learning disability. The staff member uses various sections of this manual to:

◗ Learn more about learning disabilities.

◗ Contact resources on learning disabilities for additional information and to determine how services could most effectively be delivered, and also to find out what other types of resources might be available.

◗ Help the individual determine the impact that employment will have on his/her social security disability benefits.

◗ Use the accommodation and assistive technology resources to assist the individual in determining accommodations that will lead to success on the job.

◗ Help counsel the individual on their rights under the ADA, and determine an appropriate course of action concerning disclosure of disability.

While much of the material contained in this manual is original work of Institute for Inclusion staff, there are places where we have adapted materials from other sources. When we have used materials that are not original ICI work, we have clearly indicated so, and provided full acknowledgment and credit to other sources. If there have been any inadvertent oversights in this regard, please let us know, and we will make any necessary corrections and additions in future editions.

If you have questions or feedback concerning the material in this manual, please contact David Hoff at the Institute for Community Inclusion; (617) 355-7486 (voice); (617) 355-6956 (TTY); (617) 355-7940 (fax); david.hoff@tch.harvard.edu (e-mail)

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Introduction

A core concept of the Workforce Investment Act is universal access to the services of the One-Stop System, for all individuals looking for assistance to find employment and advance in their careers. The evolution of this system has led to a growing recognition of the broad range of needs that exist within our communities. One-Stop Systems must be designed and staff must be prepared to effectively respond to a diversity of customers, including individuals with disabilities. Approximately 1 in 7 people in the United States has some type of disability, representing a significant portion of potential One-Stop customers. Chronic unemployment of people with significant disabilities is an ongoing societal issue, and the Workforce Investment Act is clear, that people with disabilities are among the groups of individuals that One-Stop Systems are designed to serve. The purpose of this manual is to assist with this process.

In echoing the basic principles of the American's with Disabilities and Rehabilitation Acts, it is the premise of this manual that people with disabilities are best served by being fully included in the entire range of One-Stop services. The focus of One-Stop systems in serving people with disabilities should not be on "specialized services" to meet the needs of people with disabilities, but instead designing services and facilities in an anticipatory way so that they meet a broad range of needs. One-Stop staff who are not rehabilitation counselors or disability specialists, cannot be expected to be experts on every aspect of helping people with disabilities find employment. However, through a combination of good basic customer service practices, some core knowledge of disability issues, and information on where staff and customers can find additional assistance, One-Stop Systems can play a significant role in helping many people with disabilities meet their employment and career advancement goals, with disability experts and specialists utilized on an "as needed" basis, working in collaboration with other One-Stop staff.

The information in this manual ranges from how to design services and facilities in a way which proactively anticipates the needs of people with disabilities, to information on providing specific customer assistance. The contents of this manual are intended to complement the "Guide to Accessibility and Accommodations" from the United States Department of Labor, which is directed more broadly at the needs of Workforce Investment Boards, and state and local administrators, to assist in achieving compliance with relevant legislation.

We hope that you find this manual a useful resource, in meeting the needs of today's diverse workforce.

William Kiernan, Ph.D.
Director
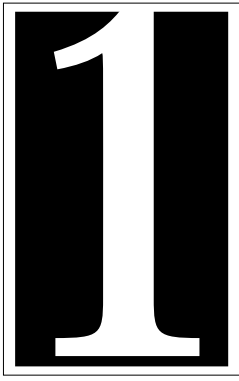
1 Meeting the Needs of People with Disabilities in the One-Stop System

Section Purpose

Provide an overview of the role of One-Stop services in meeting the needs of people with disabilities

Section Contents

A) **One-Stop Systems - Serving People with Disabilities:** Discusses an array of issues in meeting the needs of people with disabilities in the One-Stop system, including the important role of One-Stops in assisting people with disabilities with their employment and training needs.

B) **Asking About Disability:** Discusses the specific legal and practical issues involved in asking One-Stop customers about the presence of disability

C) **One-Stop Systems - Connecting with Disability Resources:** Discusses the importance and advantages of One-Stop systems connecting with the wide variety of available disability resources

D) **Tools for Inclusion: One-Stop Centers:** *A Guide for Job Seekers with Disabilities:* A publication to help guide individuals with disabilities in their use of One-Stop Centers

E) **The Role of Public Vocational Rehabilitation and One Stops:** Discusses parameters and offers suggestions concerning the partnership between public VR and the One-Stop system

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G) **Policy Brief:** *Provisions in the Final Regulations Governing the State VR Program Describing the Interplay with WIA AND TWWIIA:* A publication which details the regulations and requirements for Public Vocational Rehabilitation as a partner in the One-Stop System

H) **Institute Brief:** *WIA & One-Stop Centers - Opportunities and Issues for the Disability Community:* A comprehensive look at a variety of issues pertaining to the role of the disability community in the implementation of the Workforce Investment Act

I) **USDOL and RSA Contacts:** A listing of the national and regional contacts for the U.S. Department of Labor Employment and Training Administration and Rehabilitation Services Administration, who are working on One-Stop disability issues.

One-Stop Systems: Serving People with Disabilities

By David Hoff, Institute for Community Inclusion

The One-Stop system was created to provide universal access to all job seekers and employers who want information, counseling and help in finding education, jobs, and job training. The One-Stop system can meet the needs of a diverse range of individuals, and this includes people with disabilities.

Disability— What does it mean?

Disability is an extremely broad term, encompassing many different conditions and people from all walks of life. When organizations are considering how best to serve people with disabilities, a great deal of emphasis is often placed on physical access. While this is clearly important for people who use wheelchairs, or people with sensory disabilities (such as people who are blind, visually impaired, or deaf), there are people with other types of disabilities for whom physical access is not an issue. For people with learning disabilities, mental retardation, mental health issues, head injuries, and many other conditions, the issue is not so much one of access to facilities as of access to programs and services. This means that the One-Stop system needs to design programs and services so that people with all types of disabilities can benefit from them. Also, it is important to keep in mind that in many cases, a person's disability is not readily apparent. A One-Stop Center may work with a customer with a disability and not even know it, unless the customer has chosen to disclose information about their disability. Therefore, services must be designed in a way that anticipates meeting the needs of a broad diversity of individuals, including people with disabilities.

In striving to effectively meet the needs of individuals with disabilities, the One-Stop system may have questions and concerns. The following are some basic thoughts and guidelines.

Why should the One-Stop system serve people with disabilities?

- **People with Disabilities are a Major Segment of the Population** - People with disabilities make up a substantial portion of the workforce and potential workforce of this country - by some estimates, approximately one in seven individuals in this country has some type of disability. The One-Stop system and One-Stop Centers are intended to meet the broad range of employment and training needs of the service delivery area, and every service delivery area includes a substantial number of people with disabilities.

- **People With Disabilities Need the Kind of Help One-Stops Can Provide** - Only about 30% of adults with significant disabilities are participating in the nation's workforce, as compared to 80% of the general population. Yet studies show that the vast majority of unemployed people with disabilities want to work. People with disabilities need the type of expertise and assistance that the One-Stop system can provide to help them find and succeed in employment. The One-Stop system can play a significant role in increasing the workforce participation rate for people with disabilities.

- **People With Disabilities Can Meet Employer Needs** - Many businesses and employers in the United States are experiencing significant labor shortages. People with disabilities have a diversity of skills and abilities, and can meet many employer needs. The One-Stop system can play a significant role in assisting employers to tap into the underutilized pool of people with disabilities, to help meet their labor needs.

- Employment of People with Disabilities is a National Priority - In the last few years, addressing the issue of chronic unemployment for people with disabilities has become a major national priority.
  - People with disabilities are mentioned throughout the Workforce Investment Act (WIA - the legislation that governs One-Stop services) as a target population which WIA is intended to benefit.
  - In 1998, President Clinton established the Presidential Task Force on Employment of Adults with Disabilities for the purpose of "creating a coordinated and aggressive national policy to bring adults with disabilities into gainful employment at a rate that is as close as possible to that of the general adult population."
  - The Ticket to Work and Work Incentives Improvement Act of 1999 (TWWIIA) is in the process of being implemented. TWWIIA was passed by Congress with the specific goal of improving employment outcomes for people with disabilities.
  - The Social Security Administration has been making a number of regulatory changes to make it easier for people with disabilities receiving disability benefits to return to work.
  - The Federal Government has recently committed to hiring 100,000 new federal employees with disabilities by the year 2005.
  - The U.S. Department of Labor now has an Assistant Secretary for Disability Employment Policy, to coordinate efforts and maintain a focus on employment of people with disabilities.
  - In announcing his "New Freedom Initiative" in the early days of his administration, President Bush emphasized his commitment "to tearing down the remaining barriers to equality that face Americans with disabilities" in part by "increasing the ability of Americans with disabilities to integrate into the workforce".
- It's The Law - WIA states that One-Stop Centers must be universally accessible to everyone who wishes to receive services, including people with disabilities. Title II of the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, and the Nondiscrimination and Equal Opportunity Regulations for WIA are all very clear:
  - People with disabilities have a right to use the services of the One-Stop system and One-Stop Centers
  - One-Stop Centers must be readily accessible to people with disabilities
  - People with disabilities are entitled to reasonable accommodations when using One-Stop services.

For more information on the non-discrimination issue, see Section 2; for information on accommodations for customers with disabilities, see Section 3.

Guidelines for Serving People with Disabilities

Don't exclude or segregate, provide universal access and supports - In providing services to customers with disabilities the rules of thumb should be:
  - Pro-active, anticipatory design of services and facilities to provide universal access to the diversity of individuals in the local community, minimizing the need for special accommodations and assistance
  - Having a core value of assisting and supporting people with disabilities so they can fully participate in all One-Stop activities like any other customer

Good Customer Service Principles Are Your Guide - Meeting the needs of a person with a disability in the One-Stop system is in many ways not greatly different than working with any other customer. While some technical information may be helpful (see section 7 on job development), simply by practicing good customer service skills, you will be able to assist many customers with disabilities to benefit from the services of the One-Stop system. These principles include:

- ◆ Make people feel welcome - Like any One-Stop customer, people with disabilities should be made to feel welcome from the moment they enter the front door of a center. If someone with a disability comes through the door, treat them in the same manner as you would anyone: with respect, dignity, common courtesy, professionalism, and a helpful attitude. The location of the One-Stop Center is instrumental in creating a welcoming environment. Is it in an area easily accessible by public transportation, and easy to find? If not, many people with disabilities, as well as other job seekers who don't drive, will have difficulty accessing services of the One-Stop Center and system.

- ◆ Create an atmosphere in which people are comfortable asking for assistance - Have you ever been in a situation where you had questions or needed assistance, but didn't feel comfortable asking? It's important that the One-Stop system have an atmosphere where all customers, including people with disabilities, feel comfortable asking for help. To do this effectively goes beyond posting signs that say, "If you have any questions, just ask," or a perfunctory, "Any questions?" at the end of orientation. It means regularly asking all customers if they need help, or need any information clarified. It also means responding to requests for assistance in a way that respects the individual, and makes them feel glad that they asked.

- ◆ Value diversity - For the One-Stop system and One-Stop Centers to meet the workforce development needs of their local service delivery area, it's important that all One-Stop staff and the One-Stop system value the unique skills, personality and contributions of each individual, and recognize that everyone has gifts and talents to provide. The One-Stop system can and should meet the needs of a wide range of individuals and encourage and assist employers to diversify their workforce.

- ◆ Don't automatically steer people with disabilities to "disability only" services - Your state's public vocational rehabilitation (VR) system is an important partner in the One-Stop system, and your One-Stop Center may have other special programs for people with disabilities. While services from VR and other specialized activities may be helpful, these should not be the only options available. People with disabilities are entitled to the same full range of core services as anyone else, and should also be considered for the full variety of intensive and training services-not just the disability-specific ones— available through the One-Stop system.

- ◆ Include people with disabilities like you would anyone else - People with disabilities should be offered the same menu of services as all other customers, and encouraged to take full advantage of One-Stop services. Do not assume that a person with a disability wouldn't be interested or wouldn't benefit from a particular activity or service. If there are concerns that a person with a disability may have difficulty using a particular service, don't automatically start looking for alternatives or specialized services. Instead, determine how the individual can best be supported and assisted to use the service as it exists, or how the service can be redesigned to be more universally accessible to people with disabilities and others.

- **Ask first, before helping** - Don't assume that a person with a disability needs help. As with anyone else, before assisting someone with a disability, ask them whether they need assistance, and be sure to clarify what kind of assistance they need.

- **Speak to the person directly** - If another person accompanies an individual to a One-Stop Center (such as a personal assistant, or family member), be sure to speak directly to the individual who is applying for or receiving services. The person with a disability is the one looking for a job and using the services; therefore, he or she should be asked the questions. Do not ask the companion questions about the job seeker.

- **Don't stereotype** - People with disabilities are as unique and diverse as everyone else, and should be treated as individuals. Don't assume, for example, because you have a friend who is blind, you understand the needs of all blind people, or because you had a neighbor with mental retardation that you understand the needs of all people with mental retardation.

- **Become familiar with local disability resources** - One of the key themes of WIA is collaboration. While the One-Stop system has an important role to play in helping people find employment, some individuals' needs go beyond One-Stop resources and expertise. One-Stop Centers and the One-Stop system can assist people with disabilities not only by directly providing services, but by learning what additional resources are available in their community, and how customers can use these resources to help meet their support needs.

- **Provide many opportunities for feedback** - Any business that practices good customer service regularly solicits feedback from customers in a variety of ways, through both formal and informal mechanisms. Customer surveys, comment cards, focus sessions, as well as conversations with individual customers, can provide the One-Stop system with a sense of how it is doing in meeting the needs of all customers, including people with disabilities. The U.S. Department of Labor has invested heavily in using a process for customer feedback called Simply Better, which local One-Stop systems may find useful.

- **Go beyond current customers for feedback** - Customer feedback should not end with individuals already using One-Stop services. The WIA Nondiscrimination and Equal Opportunity regulations specifically require that the One-Stop system do outreach and marketing to people with disabilities. Make efforts to solicit feedback from those who are not currently using the One-Stop system to determine what steps to take so that the One-Stop system is seen as a valuable resource by a wider spectrum of the population. The One-Stop system should also solicit feedback from customers who were not successful in using One-Stop resources, to find out what would have enabled the customer to have a more successful experience. One-Stop Centers and the One-Stop system can then use this information to improve services and market services to new audiences.

- **If you don't know, ask!** - If you're not sure how to handle a situation with a person with a disability, ask the individual. Like all of us, people with disabilities themselves know best what they want and need.

- **Relax** - Don't get overly concerned about doing something "wrong" when you work with people with disabilities. If you use common sense, are friendly, courteous, and respectful, and provide opportunities for feedback, you are well on your way to meeting the needs of people with disabilities.

Asking About Disability and Respecting Confidentiality in One-Stop Service Delivery

By David Hoff, Institute for Community Inclusion

For a variety of legal, ethical, and practical reasons, the One-Stop system should create a culture that shows respect for an individual's right to privacy. Local One-Stop systems should have clear guidelines for staff concerning sharing of any personal information about a customer with other staff and service providers, including information about a person's disability. People with disabilities vary significantly in their comfort level concerning disclosing information about their disability. It is important that One-Stop systems consider disclosure and confidentiality issues in service delivery for people with disabilities, and that One-Stop staff be well versed in proper guidelines for respecting the privacy of all customers.

Different rules for service providers and employers

There are important distinctions about inquiries and disclosure of disability-related information:

- Through the course of delivery of services, One-Stop staff may become aware that a customer has a disability. As a provider of services, the One-System is legally permitted to make inquiries about the presence of disability (see below for more specific guidelines)
- Employers however, are not permitted to ask about the presence of a disability, prior to an offer of employment.

The implication of this distinction is that One-Stop staff may have more information about a customer, then they are permitted to provide to employers they contact on behalf of a customer. What this also means is that the One-Stop system must abide by one set of rules as an employer, and another as a service provider. One-Stop staff should clearly understand this distinction. (Further information about disclosure in the job development process is contained in section 7 on job development.)

Inquiries Must Be Done for a Good Reason

One-Stop staff may not make unnecessary inquiries into the existence of a disability and it is a completely voluntary decision by the customer concerning whether or not to supply any disability information. Possible reasons for asking about disability include:

- to determine if the individual is eligible for special services or funding
- for data collection purposes as stipulated by the Nondiscrimination and Equal Opportunity regulations
- as part of the process for provision of accommodations so the individual can fully benefit from services.

Requests for information concerning the presence of a disability cannot be used as a basis for excluding individuals from receiving services. It is illegal to deny services based on an individual's disability, unless the disability cannot be reasonably accommodated (for more specific information, see the piece entitled "One-Stop System: Legal Guidelines & Requirements for Serving People with Disabilities" in section 2)

Suggested Guidelines for Disability Inquiries

The One-Stop system and One-Stop Centers are advised to make any inquiries concerning disability with caution, limiting the request for information only to that which is absolutely necessary, and taking the necessary steps to ensure that this information is kept confidential. The following are suggested guidelines for inquiries about disability issues:

Registration and intake

- Requests for information about presence of a disability during the registration/intake process should be made only in writing (i.e., individuals should not have to verbally respond to questions such as "Do you have a disability?", particularly in a public area, group setting, or area where they could be overheard). A simple yes/no check-off box on the registration/intake form is suggested.

- If an individual will need assistance in filling out a registration/intake form, this should be done in a private area, where responses will not be overheard.

- The reason(s) for asking for this information should be made very clear (e.g., providing this information may make you eligible for services to which you may not otherwise be entitled).

- It should be stated both verbally and in writing, that the decision to disclose any information concerning the presence of a disability is strictly voluntary.

During the course of service delivery

- Discretion should be used in discussing disability issues with customers. As noted, people with disabilities vary significantly concerning their openness about disability issues, and comfort level in others knowing about such issues. If One-Stop staff anticipate that disability-related issues may arise during a discussion with a customer, staff should ask the customer if they would prefer to hold the meeting in an area where the conversation will not be overheard by others (e.g., one-on-one in a private office, and not in an office cubicle where conversations are easily overheard).

- One-Stop staff should avoid asking about presence of disability or specific questions about an individual's disability in group settings.

- Knowledge and access to information concerning an individual's disability should be limited only to staff who require this information for service delivery.

- Staff should be respectful of privacy issues when discussing a customer's needs with other staff. Particularly when discussing more sensitive issues (for example, a history of mental illness), only those staff who are specifically involved in service delivery for the individual should be part of such discussions. Such discussions should be held in a private area, where they cannot be overheard.

- The information requested and discussed with customers and One-Stop staff should be limited strictly to that which would impact the job search/placement process. For example, the full medical history of a person's disability is not necessary, when all that is needed is information concerning how the disability will impact the person's ability to obtain and maintain employment.

Maintain confidentiality of records

- Steps should be taken to ensure that records and case notes are kept confidential. This includes keeping paper files and records in secure places, and designing electronic information systems with multiple levels of access, so that access to personal information about a customer is available only to One-Stop staff who require it to meet that particular customer's needs.

Guidelines for staff

In sharing personal customer information with others, One-Stop staff should consider the following issues:

- Will the sharing of personal customer information result in the ability of the One-Stop system to better meet the customer's needs?

- Am I limiting the information shared strictly to what is relevant to this situation?

- Is it possible for me to discuss an issue with others without identifying the customer by name?

One-Stop Assistance to Employers in Hiring -
Concerns Regarding Disclosure

By David Hoff, Institute for Community Inclusion

A potential concern about disclosure relates to the services that the One-Stop may provide to employers. Some One-Stops offer "pre-screening" of job applicants as an employer service, and in some cases fulfill a major portion of the hiring function typically performed by employer human resource departments. However, if an individual in a protected class (such as a person with a disability) feels that they have been discriminated against during the hiring process, the One-Stop system could be accused of discrimination, if they are performing candidate screening or handling the entire hiring process for the employer. This situation becomes particularly problematic, and creates significant liability concerns, when One-Stop staff are performing part of the "hiring function" for employers, and the One-Stop system has obtained information about the individual during the course of service delivery, beyond which employers are typically entitled to in making hiring decisions (including the fact that a candidate has a disability). The following are considerations around this issue:

Limit customer information - yes or no?

- To avoid possibility liability for discrimination, the One-Stop system could simply limit the amount of information it gathers from customers (including not asking about disability). However, this may also limit the ability of the One-Stop system to provide quality services that meet individual needs, as it may be helpful to have specific background information on an individual (which could include the fact that a person has a disability). While One-Stop staff should never make unnecessary inquiries of a customer, placing severe limits on the amount of information that staff can gather about a customer, will make it difficult to consistently provide quality services to job seekers, particularly those needing a significant level of assistance. There needs to be recognition that the service of assisting individuals to meet their employment and training needs, is considerably different from assisting an employer to meet their human resource needs.

- Even if a One-Stop places strict limits on the information it gathers during the intake/ registration process, during the course of service delivery, it is likely that a range of background information about an individual will be discovered, and this information could go well beyond what an employer would typically find out during the hiring process. This is particularly true if the One-Stop is working with an individual on a more intensive, one-on-one basis. This information could not only include disability, but other information such as: economic situation, medical history, family background, etc.

Employer referrals vs. pre-screening

- There is a significant difference between referring candidates to employers, and pre-screening candidates. The One-Stop system should be very clear to employers, job seekers and staff concerning the parameters of the One-Stop's role in referring specific individuals to employers. It is recommended that One-Stops be very cautious about indicating that they "pre-screen" candidates for businesses. One-Stops should recognize that it is the employer's responsibility to make a hiring decision from a range of candidates.

- Part of the One-Stop staff's professional responsibilities is to counsel and advise individuals concerning potential employment opportunities which match the customer's needs and interests. There is a significant difference though, between advising an individual and directing them (i.e., telling them what they can and cannot do). In referring individuals to employers, in order to avoid any perception that the One-Stop system is being discriminatory in its referral process, the One-Stop should:

  a) refer anyone who meets the general criteria provided by the employer

  b) never prevent an individual from applying for a position, or refuse to refer an individual to an employer, even if One-Stop staff feel the individual is not qualified or appropriate for the position

  c) be expansive and not exclusive in providing job seekers ideas and leads about potential employers and positions.

Maintaining separation between job seeker and employer services

The One-Stop system should be very cautious about undertaking any part of the human resource functions of businesses.

- If the One-Stop system has decided to perform part of the human resource function for a business (beyond referrals of candidates to employers), there should be very clear "firewalls" between the staff who work with employers, and staff who provide services to job seekers.

- If the One-Stop will be performing part of the hiring process on behalf of employers, there should be clear limits on the information that staff working on behalf of employers have access to, concerning the background of an individual. This should be limited to no more than the typical information that any employer is entitled to concerning a candidate.

One-Stop Systems - Connecting with Disability Resources

While customers with disabilities should have full access and use of the complete of range of One-Stop resources and services available to all customers, there are times when resources and expertise may be necessary that are specifically related to the individual's disability. The public Vocational Rehabilitation system (VR) is the only disability specific agency that is a mandated partner in the One-Stop system. State and local systems may have additional public and private disability agencies as partners. When One-Stop staff have questions, public VR and other partners with disability expertise can be an excellent resource. In addition, every state and local area has a multitude of local resources that can assist local One-Stop systems to meet the needs of people with disabilities. There are also a variety of national information resources which can be of assistance.

By taking advantage of available local and national resources, One-Stop systems can play a significant role in meeting their community's needs not only for quality employment and training services, but also as an information conduit, resource, and referral point. The variety of available disability resources can assist One-Stop systems in a variety of ways:

- for answering questions that One-Stop staff may have concerning service delivery for customers with disabilities (such as advice on meeting the needs of a customer who is deaf)

- for specialized assistance and resources to enable the One-Stop system to meet the specific needs of customers with disabilities (such as expertise and resources related to job accommodations)

- as a resource for services beyond (but not in place of) what the One-Stop system can typically provide (such as specialized transportation, ongoing assistance with benefits management, or intensive post-placement job site support)

- as a resource to customers for information and resources beyond what the One-Stop Center itself is able to provide.

> Examples of the disability resources, beyond public VR, that may be available to assist One-Stop systems in meeting the needs of people with disabilities:
>
> - Non-partner public disability agencies (such as Departments of Mental Health and Developmental Disabilities)
> - Resources from the Social Security Administration (over 8 million nationally receive cash benefits from Social Security on a monthly basis due to disability)
> - Community rehabilitation providers (agencies which provide intensive job placement and support services for people with disabilities)
> - Independent Living Centers (organizations run by and for people with disabilities which provide a variety of services)
> - Protection and Advocacy Organizations (organizations in each state which protect the rights of people with disabilities, and can provide assistance with ADA issues)
> - Advocacy organizations for specific disabilities (there are many different national organizations dedicated to specific disabilities, most of which have state and local chapters, which have a variety of expertise and resources available)
> - Assistive technology projects (each state has an organization which is dedicated to meeting the assistive technology needs of people with disabilities).

These are just examples, and there are many others as well. Section 14, at the end of this manual, contains a comprehensive listing of disability resources. Many of the national resources listed have state and local contacts. Additionally, throughout this manual are listed a variety of resources pertaining to the topic being discussed. Additionally, Section 11 contains information on the disability service system, which can assist One-Stop systems in understanding how services for people with disabilities are organized, and what types of resources may be locally available.

How to Connect

The following are some ideas on how One-Stop systems can connect with and utilize the variety of available disability resources.

- Dedicate a portion of your One-Stop web site to links for local and national disability resources. This can be useful both for customers and staff.

- Have literature and information from local organizations available in your resource library

- Hold an open house for local disability organizations at the One-Stop Center, so they have an opportunity to learn about the One-Stop system

- Meet individually and as a group with local disability organizations to learn how these organizations can assist the One-Stop system to meet the needs of customers with disabilities, and also how the One-Stop system can assist these organizations in meeting their needs

- Consider having an advisory group, made up of representatives of various disability organizations, which meets on a regular basis to discuss the role of the One-Stop system in meeting the needs of people with disabilities

- Have staff from local disability organizations conduct presentations and workshops at the One-Stop Center, possibly together with One-Stop staff. For example, in the Boston area, disability organizations have provided presentations at One-Stop Centers on Social Security Disability Benefits, and Using Personal Networks.

- Have staff from local disability organizations available on-site at the One-Stop Center at specific times to work with customers (for example, a representative from the local Social Security office)

- Be flexible about staff from local disability organizations and agencies using the resources of the One-Stop Center to the meet the needs of the individuals served by the organization.

These are just examples, and there are likely many other ways that One-Stop systems can work together with disability organizations to each other's mutual benefit. The important thing for One-Stop systems to recognize is that working collaboratively with the various disability resources will not create more work for One-Stop staff, but instead will allow the One-Stop system to meet the needs of customers with disabilities in a much more comprehensive and quality way.

One-Stop Centers: A Guide for Job Seekers with Disabilities

by Sheila Fesko, David Hoff, Melanie Jordan, Kristin Fichera & Cynthia Thomas

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Introduction

One-Stop Centers were developed to bring together employment and training services that work with all people into one place and make it easier for job seekers and employers to use these services. One-Stop Centers first began in the early 1990's as demonstration projects, and have expanded so there are now One-Stop Centers opening in all areas of the country. Services available through the One-Stop system include such things as: information about job vacancies, career options, and relevant employment trends; instruction on how to conduct a job search, write a resume, or interview with an employer; referral to training programs and unemployment insurance claim processing.

One-Stop Centers are part of America's Workforce Network, the new federally-sponsored nationwide employment and training system. The One-Stop system is designed and required to meet the needs of all job seekers who want to use the system. This includes people with disabilities. The establishment of the One-Stop system across the country provides a wonderful opportunity for people with disabilities to receive services in new and different ways, right alongside everyone else. This brief is designed to help you use the One-Stop system. It includes information on what services are available, how to make the best use of those services, and how to advocate to get the services you want and need. The brief describes general information about the One-Stop system and then answers specific questions individuals with disabilities may have about these services.

The expansion of the One-Stop Centers was authorized in a law called the Workforce Investment Act that was signed in 1998. This law has several main principles that influence services.

- Universal Access. Any individual should be able to go into a One-Stop and receive services called core services, to assist in making decisions about what career to pursue and in the actual job search.
- Streamlining services. Employment and training programs for all people should be brought together, and be easily accessible via One-Stop Centers.
- Increased accountability. The One-Stop system is being evaluated based on how many people get jobs and the satisfaction of the customers.
- Empowering individuals. Customers should be given more information about services in order to make informed choices and have more control of their services.
- State and local flexibility. Local One-Stop systems can set up services in different ways to respond to the needs of their local community.

The Workforce Investment Act is a new law and, in many areas, the One-Stop system is just beginning. All of the goals of the law may not be achieved yet, but Centers are working toward achieving these principles. Individual states are developing plans for how they will implement the Workforce Investment Act.

Who is eligible to receive services from the One-Stop system?

Everyone can use services provided by the One-Stop system. Even if you receive services from another agency, you have the right to access One-Stop services.

What kinds of services are available through the One-Stop System?

There are three levels of services available through the One-Stop system and adults typically move from one level of service to the next depending on their needs. Each level of service is described below. The first level of service is called core services and they are usually self-directed in nature. For individuals who try core services but have not become employed, intensive services may be available, if the One-Stop Center determines that core services are not sufficient to obtain employment. Training services are available to individuals who meet eligibility criteria, and have used core and intensive services, but still are not successfully employed. In addition support services may be provided by a One-Stop to people receiving any service, so that the services an individual receives are effective.

Core Services

Core services are those services that are available at no cost to everyone. Individual One-Stops determine how their core services are provided. An individual may receive core services as part of a large group, or service may be provided one-to-one. The following is a sampling of the types of core services that may be available:

Sample Core Services:
- intake and orientation
- work skills exploration
- resource library which includes access to computers, telephones, fax and copy machines
- searches for jobs and training
- access to job banks or listings of available jobs
- Internet access
- resume development
- job search skills training
- networking skills workshops
- interview techniques workshops
- referral to an employer with current job openings
- customer satisfaction follow-up
- determination of eligibility for additional services

You should ask the One-Stop staff to help you create a plan or list of ideas on how you can get the most out of the services of the One-Stop at no cost and without having to apply for additional services. Making a plan or list like this will allow you to get the most out of the core services.

Intensive Services

Intensive services are available to individuals who are unable to obtain employment by using core services, and who meet specific eligibility criteria. These services are free to individuals who meet eligibility criteria. One-Stops may have projects or services that are targeted toward specific groups such as teenagers, veterans, people with disabilities and people with limited incomes. Funding for intensive services and special projects comes from a wide variety of sources including state and federal funds, employers, unions and other places. In some cases, Centers may allow individuals to pay for intensive services from their own funds. Talk to staff at the One-Stop about various options for funding these services.

Sample Intensive Services:
- comprehensive assessments of skills and service needs
- development of an individual employment and career plan
- customized screening and assessment
- reference/background checks
- intensive career counseling
- in-depth interviewing skills development
- computer workshops
- one-to-one assistance with updating your resume, cover letters and thank you letters
- case management
- training

Training

Referral for training services may be available to individuals who have used core and intensive services and have not become successfully employed, and meet eligibility criteria. The type of training that is offered varies between local One-Stop systems and is based on the employment needs of the local economy. Individuals eligible for training services use what are known as Individual Training Accounts (ITAs). You can use an ITA to freely choose training services from any eligible organization that provides training. Listed below are some of the types of training services available from the One-Stop system. Talk with staff at your local One-Stop Center about what is available.

Sample Training Services:
- occupational skills training
- on-the job training
- update work skills
- job readiness training
- adult education and literacy
- customized training for an employer who commits to hiring

How do I find out about One-Stop Centers and where they are located?

One-Stop Centers go by a variety of names depending on the state. Some states use the same name for all centers throughout the state (for example in New Hampshire, all centers are called "New Hampshire Works"), while in other states (such as Massachusetts), the name is different in each local area. Centers are not typically listed in the phone book as "One-Stop Centers." You can find the location of your local One-Stop by contacting America's Service Locator from the U.S. Department of Labor, on the Web at: www.servicelocator.org, or toll-free by phone at (877) US2-JOBS [877-872-5627]. You can also contact your state, county, or local department of labor or employment listed in the government section of the phone book. You should be able to find out where your local One-Stop Centers are located through these sources.

If there is more than one One-Stop Center in my area, can I use more than one?

You can visit and use the core services of any One-Stop Center. You may want to check with different Centers to see which one has the core services that best meet your needs. However, you may only be able access intensive and training services from specific Centers, due to residency or other requirements.

How do I start using the services of a One-Stop Center?

One-Stop Centers vary in how you initially begin to use the services. It is probably a good idea to call your local Center and find out the steps involved. At some One-Stops you can simply walk in the door and start using many of the core services, while others require registration and orientation before using any of the services - and may offer orientation only at certain times, or on certain days. Remember, it costs nothing to use the core services. (Please note that some Centers do charge small fees for incidental expenses associated with core services such as faxing, using the photocopy machine, etc. This varies from Center to Center.)

What should I expect on my first visit to the Center?

On your first visit to the One-Stop, you may attend some type of orientation session and receive a tour of the facility, or at least be able to sign up for orientation (all Centers are required to provide orientation). You may be asked to fill out some type of registration form. At some Centers, you will receive a card, which you need to present each time you attend, while at other centers you only need to sign your name on an attendance sheet, or can just walk in. No matter what the procedures are at your local Center, you should be made to feel welcome!

Once you have completed any requirements of the One-Stop to use the services such as initial registration and orientation (and remember, this varies from Center to Center), you may begin to use the services and resources that are available.

How do I go about using One-Stop Center services?

Find out what the core services are at the Center you are using. Find out about any incidental fees that may be charged (such as faxing and copying) and make a plan to maximize your use of services without having to spend money or obtain funding for services.

- Sign up for workshops that you want to attend
- Review the One-Stop Center's monthly activity calendar to see if there are activities you want to attend (i.e., peer support groups, workshops, etc.); you should check the calendars often
- Explore resources in the Resource Library
- Use computers and the Internet to look up job openings, to create a resume, and to write cover letters
- Look through career exploration books
- Post your resume on the resume bank (a set of resumes that employers can look at on a computer and will help them to find potential applicants)
- Participate in any on-site recruiting activities that occur at the center (i.e., an employer might go to a Center and interview job applicants there) .

What should I expect from the services I receive at the One-Stop Centers?

Most of the core services of the Centers are designed to be fairly self-directed. This means that you should not expect to receive a lot of one-to-one assistance from One-Stop staff (although you should never hesitate to ask for help if you need it). You can bring someone with you to help if you would like. You will possibly be making a lot of decisions on your own concerning what services to use. For example, Center staff usually do not provide people using only core services direct help in finding a job; however, Center staff do have contacts with a great deal of local employers. If you get to know some staff at the One-Stop and build relationships with them, you may be able to use

them as part of your personal network through which you find a job. If you receive intensive services from the One-Stop system, you will get more intensive personalized services.

Should I tell staff at the One-Stop Center about my disability?

It is your personal decision whether to tell staff about your disability. There may be advantages and disadvantages so you need to decide what is best for you.

Under the ADA, One-Stop Centers can ask if you have a disability to determine if you are eligible for certain services. However, disclosing your disability and information about it, is strictly voluntary. (This should not be confused with the employment provisions of the ADA under Title I, which prohibit employers or potential employers from asking about the presence of a disability prior to making a conditional offer of employment.) However, if the Center asks about disability, these questions should be asked of every customer of the One-Stop, not just in cases where the Center staff feel a customer may have a disability. If the One-Stop asks about disability, they must have a good reason to ask (i.e., they are trying to identify individuals who might qualify for special programs and services for people with disabilities).

Disclosing your disability can have some real benefits. By doing so, you can receive the accommodations and assistance you need and are entitled to, to fully benefit from the services of the One-Stop Center. By disclosing, you may also become eligible for special programs available for people with disabilities.

As a person with a disability, how can I advocate for myself to get the services I want from a One-Stop Center?

The Americans with Disabilities Act (ADA) is a law that was passed in 1990 to assure that people with disabilities have the same opportunities for meaningful participation in our society as everyone else. Under the ADA, as someone with a disability, you are entitled to request accommodations and assistance in order for you to understand, use and benefit from the services that a One-Stop Center has to offer. It should be expected that the Center will work with you to make your involvement there successful. Here are some tips to help you get the most from your One-Stop Center experiences.

- During your initial visit at the Center ask for any assistance you need to help you understand the range of services the One-Stop can provide. Some accommodations that might be helpful include: an individual meeting rather than group orientation; help with filling out any registration forms; brochures, flyers, and other information in an alternative format such as a different language, Braille, or large print; sign language interpretation; using a tape recorder to remember information.
- Bring a friend or family member with you to help you use the books and computers in the resource library in order to check job openings, compose your resume and cover letters, fax applications, etc. You can also bring a staff person from another agency with which you are working.
- Gain an understanding of all of the Core services, classes, and other free resources and activities (such as computer lab) that are part of using at a One-Stop.
- Request an individual meeting with Center staff to develop a plan or a list of ideas that can help you make the best use of the services and opportunities available at the One-Stop.

- Stay informed about ongoing activities such as employer interviews or presentations held at the Center, as well as workshops and "hot job" leads. Look for flyers, posters, newsletters, etc.
- Get to know the front desk staff. You will then feel comfortable asking them for helpful general information including what current events and activities are happening or coming soon.
- Other important people to get to know are the library staff. They can be extremely useful in answering your questions as you use the resource library (career books, magazines, newspapers, job postings, fax and copy machine) and the computers and Internet.
- As you settle into using the One-Stop Center, be sure to ask for any accommodations you may need such as: a larger/accessible work station at the computer; resources in a different language; Braille, large print, TTY, interpreter services, etc.; assistance using information you don't understand; adaptive equipment to use computers and phones.

What can I do if I feel that the One-Stop Center staff are not making the accommodations I need?

Information concerning non-discrimination including what to do if you feel you have been discriminated against, must be posted in each Center, and also reviewed during orientation sessions. If you have tried to ask for help and feel that the Center is not making a reasonable effort to meet your needs, you should bring the matter to the attention of the staff member involved, as well as the management of the One-Stop Center, in an effort to get your needs met. In most cases, by calmly and clearly clarifying your needs with Center staff, issues can be resolved fairly easily. With the implementation of WIA, each Center is required to have an Equal Opportunity Officer, and if you feel it is necessary, you should ask to speak to this individual to discuss the issue. However, in cases where your efforts to resolve the situation with a Center have not been successful, you can contact the U.S. Department of Labor's Civil Rights Center (CRC), which is responsible for ensuring that One-Stop Centers do not discriminate. Other information concerning your legal rights may be available from your state's Protection and Advocacy Organization and other legal advocates. You should also feel free to contact the local Workforce Investment Board, which is the local board that oversees One-Stop Centers, or your state Workforce Investment Board.

Can I use a One-Stop Center if I am already receiving services from another agency?

Yes. If you are receiving employment services from another agency you can also utilize core services of the One-Stop system. In fact the core services may be helpful to you and your current service provider. In addition, you can utilize core services any time in your career. If your employment services provider helps you become familiar with how to use the One-Stop now, you may be able to use the Center on your own in the future if you want to change jobs. You may also want to speak with your counselor at the other agency about whether you are eligible for some of the special projects at One-Stop Centers. They could refer you to the Center and help you get these services.

How would services through the One-Stop system supplement what I am getting from another agency?

- Access to computers. Using a computer can help you develop a professional looking resume and cover letters. In addition you can use the Internet at One-Stop Centers to help you find out about job openings, to submit your resume to a number of different resume banks, and to learn more about companies where you would like to work.

- **Workshops.** Many One-Stops offer some workshops as part of the core services. Workshop topics may include resume writing, interview skills, introduction to the Internet, job search skills and information about industries that have a demand for new employees. While the agency helping you find a job may also offer support in these areas, you may want to review the workshop calendar for the Center you are using to determine if any offering would be useful in your job search. Participating in the workshops may also allow you to meet fellow job seekers who can provide support and advice.

- **Job Referral.** The staff at the Centers work with employers to help them find qualified applicants for job openings. While they will not provide individualized job development as part of the core services, they may have job leads that you will not learn about through other sources. If you find out about a job through the One-Stop, the Center staff and your employment service provider can work together to make sure you receive the individualized assistance you need to follow-up on the job lead.

Should I let my counselor know that I am working with the One-Stop Center?

Yes. If you are also working with a Vocational Rehabilitation agency and/or with a private employment program to help you with your job search, let them know about your involvement with the One-Stop Center. Everyone can then be working together to best meet your employment goal.

Conclusion

The One-Stop system expands the resources available to individuals with disabilities looking to work and provides an opportunity to receive services side-by-side with the general public. We hope the information in this publication will help you to make most effective use of these services. As you are using the services of a One-Stop Center, keep the following in mind: Centers have a wide array of resources that help you to obtain and succeed in employment; you have the absolute right to use these services, and to be treated in a welcoming and respectful manner. Recognize that this is a new system, and that One-Stops are still learning how to best provide quality services for all people, including people with disabilities. While hopefully your experience will be a completely positive one, if you have concerns about how the services of a One-Stop are being provided, remember that it's your responsibility to make the Center aware of your concerns, and to educate and advocate in a positive and effective manner, so that your needs, and the needs of all people with disabilities are met.

The most effective way that One-Stop Centers can learn how to meet the needs of people with disabilities is by people with disabilities going out and actually using the services of a One-Stop. We encourage you to go visit your local One-Stop Center, and find out what it has to offer. The use of One-Stops by people with disabilities, combined with education and advocacy, will ensure that this new service system is able to fully deliver on its potential for helping people with disabilities succeed in employment.

Resources

To find out the location of One-Stop Centers in your area, contact America's Service Locator (www.servicelocator.org); phone (Toll-Free Helpline): (877) US2-JOBS [877-872-5627]

Case Study 1

Jen, who has a visual impairment, was looking for a job and decided to register at a One-Stop Center. She chose to go to Boston Career Link because it was conveniently located. When Jen joined the Center, she felt welcomed. During the orientation, she learned that although the Center was designed to be generally self-directed, people were extremely helpful to her when she asked for help. For example when she asked a staff member to help her fill out some of the forms, the staff member was very respectful and also very helpful in completing the forms.

The variety of different services available in one place was important to Jen. For example, she was able to use the resource library, attend workshops (some of which were paid for by the Massachusetts Commission for the Blind), attend job fairs, and fax her resume to employers all from one location. Center staff were good at getting information to her in formats which she could read. Staff members would regularly e-mail to her home the monthly calendars, announcements of current events, and other notices that were available at the One-Stop Center.

The counselor Jen worked with helped her to clarify her work goals. He helped her to direct her own job search, and encouraged her to make cold calls to employers. The counselor met with her weekly and gave her job leads regularly. He also brought her resume to places of employment in order to market her skills and abilities to various organizations.

Jen found it very helpful to make connections with the leaders of those workshops she attended at the One-Stop. She got better at making connections with people as she became more comfortable at the Center. Making good connections with people was very important to her because it became easier for her to ask those people for help when she needed it. She recommends that individuals pay attention to networking opportunities with the Center staff since they can direct you to job leads. She left the One-Stop Center with a lot of good information that will continue to be helpful to her in the future. One last tip that Jen shares with others who are using One-Stops, is that the more effort you put into your job search; the clearer you can be about your career goals; and the more you can recognize areas where you may need help and areas you can be more self-directed, the more you can get out of using a One-Stop Center.

Jen gives credit to the One-Stop Center counselor for assisting her with obtaining the job she currently holds. When asked if she would consider using the Center again for her job search, she said she definitely would. She also said that she often recommends the One-Stop to others who are participating in a job search.

Case Study 2

Jim had been working for many years in a job he disliked. His efforts to find a new job on his own were unsuccessful. Jim's counselor from the Vocational Rehabilitation agency referred Jim to a community rehabilitation provider (CRP) for individualized job placement services. Jim and his employment specialist worked together to develop a career plan and to update his resume. In addition to providing job development services, the Employment Specialist went with Jim to the local One-Stop. She attended the orientation session with him and, together with a career counselor at the One-Stop, they identified core services that would complement the work that she was doing with Jim. Jim decided to post his resume on a number of resume banks and signed up to attend an industry briefing session. Jim was looking for a job in human services and an industry briefing at the One-Stop, conducted by a number of large local human service providers, gave him more specific information about the types of jobs available in his community. Jim and his Employment Specialist then worked together to contact these employers. Jim recently obtained a new job. In addition to accomplishing his primary goal of finding a new job, he has become familiar with a local resource, available to the general public, that can be used in the future as he progresses through his career.

For more information, contact:

Acknowledgements

The Role of Public Vocational Rehabilitation and One-Stops

By David Hoff, Institute for Community Inclusion

Each state's public vocational rehabilitation (VR) agency is a mandated partner in the One-Stop system. As a mandated partner, VR must make available via the One-Stop system, the core services applicable to VR. The exact nature of the VR and One-Stop partnership is going to vary significantly from state-to-state, and even within states, depending on the structure of services, statewide agreements, and content of the local Memorandums of Understanding (MOUs) between VR and the Local Workforce Investment Board. Here are some basic guidelines for One-Stops to keep in mind, concerning their partnership with public VR.

Not everyone with a disability qualifies for VR services

The definition of who qualifies for VR services is much narrower than the broad definition of disability under the ADA. Only people with a disability that interferes with their ability to get or hold a job are eligible for VR services. Therefore, there are many individuals with disabilities who will come into the One-Stop system who do not qualify for VR services, but who can benefit greatly from other One-Stop services.

Order of selection issues

In states where VR funding is not sufficient to serve all eligible clients, there may be an "order of selection" in place , whereby VR is able to accept only those individuals with the most significant disabilities who could benefit from VR services. If there are individuals who qualify for VR services, whom VR is currently unable to serve, other One-Stop services can play a key role in helping customers who might otherwise not be able to get services.

Requirements for referral to non-VR programs

VR is required to refer individuals who are unable to receive VR services due to ineligibility or order of selection issues, to other components of the state's workforce investment system.

Qualified individuals do not have to accept VR services

The Workforce Investment Act (WIA) regulations are very clear - even if a One-Stop customer qualifies for VR services, they are not required to use VR services. Individuals who choose not to use VR services, have the absolute right to utilize One-Stop core services, and any other One-Stop services that they qualify for.

VR funds and staff may not be used for non-VR purposes

The partnership between the One-Stop and VR must abide by the requirements of the Rehabilitation Act. For example, VR staff at a One-Stop may do such things as determining eligibility for VR services, explaining VR services during an orientation session, conducting a workshop for VR clients, and providing direct assistance to VR clients. However, VR staff and funds cannot be used to meet the needs of non-VR clients. For example, VR staff cannot help a non-VR client with their resume or in finding a job.

An interactive relationship

The WIA regulations state that the relationship between VR and the One-Stop system should be interactive in nature, with referring of individuals by VR to other components of the One-Stop system, and the One-Stop system similarly referring individuals to VR. Ideally, the One-Stop

system can be designed in such a way that individuals will fully benefit from the potential of the One-Stop system, through blending of One-Stop partner services. An individual would utilize VR services as needed, but also benefit from the wide array of other services available as well. One of the major challenges of the One-Stop system will be to do this in a way that creates the perception of seamless service delivery from the customer viewpoint, and also makes the individual fully aware of the options available to them.

Options for people with disabilities

The bottom line is that people with disabilities have a number of options in using One-Stop services. They can: 1) receive most or all of their services exclusively from VR; 2) receive some services from VR, and other services from other One-Stop partners; 3) only use non-VR One-Stop services.

How people with disabilities use One-Stop services is going to be highly dependent on individual needs, choices, and eligibility.

A Mutually Beneficial Relationship

Ideally, VR and the rest of the One-Stop system can mutually benefit from each others' expertise. Here are just a few examples of how such a partnership can work:

- VR can assist One-Stop Centers in assuring that the facility and services are fully accessible - both programmatically and physically.
- VR can assist customers who are using non-VR One-Stop services to find employment, with obtaining assistive technology, arranging for job accommodations, and developing post-employment supports, as long as they also qualify for VR services.
- If VR staff are assisting people to finding employment, they can utilize the various job search services of the One-Stop system, including job listings, on-site employer interviews and information sessions, as well as employer contacts of other One-Stop staff. VR staff can similarly share their employer contacts with other One-Stop staff.
- VR clients can avail themselves of the various workshops the One-Stop Center may offer, such as resume development, interviewing skills, etc.
- VR staff can assist clients in accessing other services available within the One-Stop system, including other intensive services, as well as training services.
- Through creating understanding among other One-Stop staff concerning the services of VR, other One-Stop partners can utilize the expertise of VR to meet customer needs, and refer individuals to VR who could benefit from VR services.

A well developed partnership will allow the resources of VR and other partners to be used in a broader yet more efficient fashion, and allow VR to focus on its particular areas of expertise.

> *For additional information on the requirements and parameters of the public vocational rehabilitation partnership with the One-Stop system, see "Summary of Regulatory Requirements for State Vocational Rehabilitation Programs under WIA" and "Policy Brief: Provisions in the Final Regulations Governing the State VR Program Describing the Interplay with the WIA and TWWIIA" elsewhere in this section*

Summary of Regulations for Public VR Programs Pertaining to WIA & One-Stop Systems

The following is a summary of the requirements for State Vocational Rehabilitation (VR) programs, under the federal regulations governing VR programs [published in the Federal Register on January 17, 2001 - 66FR 4380-4435].

Requirements as a Partner Under WIA
- State VR programs must be an integral part of the statewide workforce investment system
- State VR programs must participate as a partner in the One-Stop service delivery system
- As a required partner, the VR program must:
    - make available via the One-Stop system the core services applicable to VR
    - use a portion of VR funds to create and maintain the One-Stop service delivery system, and provide core services
    - enter into a Memorandum of Understanding (MOU) with the Local Workforce Investment Board relating to the operation of the One-Stop service delivery system including:
        - a description of services
        - how the cost of the identified services and operating costs of the system will be funded
        - methods for referral
    - Participate in the operation of the One-Stop system consistent with the MOU and Rehabilitation Act
    - Serve as a representative on the Local Workforce Investment Board
- The VR program must ensure that its application forms are widely available throughout the state, particularly in One-Stop centers.

Relationship of State Rehabilitation Council and SWIB
- The State Rehabilitation Council must carry out its designated functions after consulting with the State Workforce Investment Board (SWIB)
- The State Rehabilitation Council must include at least one representative of the SWIB. However, this individual cannot represent another organization on the Council besides the SWIB.

Cooperative Agreement Requirements
At the state level, the VR program must enter into cooperative agreements with other One-Stop partners, and replicate these agreements at the local level between local VR offices and local entities of the One-Stop system. The purpose of entering into these cooperative agreements is to increase the capacity of partners, and the One-Stop system as a whole, to better address the needs of individuals with disabilities.

These cooperative agreements may provide for:
- cross training and technical assistance regarding VR services, including eligibility criteria and benefits of VR services
- the use of information and financial management systems that link all partners of the One-Stop system to one another, and that include employment statistics, job vacancies, career planning, and workforce investment activities
- the use of customer service features such as common intake and referral procedures, customer databases, resource information, and human services hotlines

- the establishment of cooperative efforts with employers to facilitate job placement
- the identification of staff roles, responsibilities, and available resources
- specification of the financial responsibility of each partner of the One-Stop system with respect to providing and paying for necessary services, consistent with the Rehabilitation Act, other Federal requirements, and state law
- procedures for resolving disputes among partners of the One-Stop system

Parameters for Use of VR Funds in One-Stop System
- VR funding must be used in a way that is consistent with the Rehabilitation Act and implementing regulations.
- VR funds cannot be used for services to individuals who do not meet the priority for services under the order of selection.
- However, within the One-Stop system, VR funds can be used for intake and other expenditures that VR would normally expend prior to determining eligibility.

Requirement for All Partners to Serve People with Disabilities
- All partners in the workforce investment system (and not just VR) have a legal responsibility under WIA to serve people with disabilities.
- Some individuals with disabilities may receive the full scope of services they need through the One-Stop system without accessing the VR program at all. Others may be referred to VR for all services, or an individual may receive a combination of services from VR and other One-Stop system partners.
- If an individual is eligible for VR services and chooses not to use VR services, he/she has the right to use any other services of the One-Stop system for which they are eligible.

VR Statewide Assessment Must Include Needs of Individuals Not Served by VR
- The VR state plan must include the results of a comprehensive statewide assessment.
- This assessment must identify the vocational rehabilitation services needs of, among others, individuals with disabilities served through other (non-VR program) components of the statewide workforce investment system.
- The VR state plan must describe strategies the state will use to address the needs identified in the comprehensive assessment, including, among other things, strategies for assisting other components of the statewide workforce investment system in assisting individuals with disabilities.

VR Information and Referral System Must Include Referrals to Non-VR Programs
- The VR program must implement an information and referral system.
- Among other things, this system must refer individuals with disabilities to other appropriate Federal and State programs, including other components of the statewide workforce investment system.
- If an individual is referred to another program (including other components of the state's workforce investment system) through VR's information and referral system, documentation must be provided on the nature and scope of the services provided by VR to the individual, and on the referral itself.

Requirements for Prompt Handling of Referrals to VR
- The VR program must have procedures for the prompt and equitable handling of referrals of individuals for vocational rehabilitation services, including referrals of individual made through the One-Stop system.
- Once an individual has submitted an application for vocational rehabilitation services, including applications through common intake procedures of One-Stop Centers, an eligibility determination must be made within 60 days, subject to specified exceptions. An individual is considered to have submitted an application when an agency application form has been signed by the individual (or his/her representative), or has completed a common intake application form in a One-Stop Center requesting vocational rehabilitation services.

VR Must Refer Individuals It Is Unable to Serve to Non-VR Programs
- In an individual is determined ineligible for VR services, the individual must be referred to other training and employment-related programs that are part of the One-Stop system.
- In the event that VR services cannot be provided to all eligible individuals with disabilities applying for services, the state must show the order for selecting eligible individuals. The "order of selection" must assure that individuals with the most significant disabilities will be selected first for the provision of VR services. If due to operating under an "order of selection", VR is unable to serve an otherwise eligible individual, VR must assist this individual to secure employment assistance from other entities, particularly other programs of the statewide workforce investment system

Requirements for Referrals to Other Programs
In making referrals to other programs, VR must refer the individual to the other programs of the statewide workforce investment system best suited to address the specific employment needs of an individual with a disability. In making a referral, the VR program must provide the individual who is being referred:
- a notice of the referral to the agency to which the individual is being referred
- information identifying the specific point of contact within that agency
- information and advice regarding the most suitable services to assist the individual to prepare for, secure, retain, or regain employment.

IPE Must Include Responsibilities of Other Entities
- An Individual Plan for Employment (IPE) is required for delivery of VR services. The IPE must include, among other things, the responsibilities of other entities to provide services and benefits to the individual, and how such services will be coordinated.

VR Not Required to Pay Cost of Access to One-Stop System
- VR programs are not required to pay for the costs of providing individuals with disabilities access to the One-Stop system. The One-Stop system is responsible for the costs of providing access for individuals with disabilities, per the Americans with Disabilities Act and Section 504 of the Rehabilitation Act.

> *Excerpted and adapted from "Policy Brief: Provisions in the Final Regulations Governing the State VR Program Describing the Interplay with WIA and TWWIIA" by Robert Silverstein, published by the Institute for Community Inclusion, Center on State Systems and Employment (RRTC)*

Provisions in the Final Regulations Governing the State VR Program Describing the Interplay with WIA AND TWWIIA

The following material is reproduced from the Institute for Community Inclusion, Center on State Systems and Employment (RRTC), Center on Workforce Investment and Employment Policy (RRTC) publication Policy Brief; Volume 3 Number 2 - February 2001

INTRODUCTION

On August 7, 1998 President Clinton signed into law the Workforce Investment Act of 1998 (Public law 105-220). Title I of the Act provides assistance to states interested in establishing statewide and local workforce investment systems (Title I of WIA). Title IV of the Workforce Investment Act sets out a complete rewrite of the Rehabilitation Act of 1973, including the State vocational rehabilitation program (State VR program).

On August 11, 2000 the Secretary of Labor published in the Federal Register (FR) final regulations implementing Title I of WIA. These regulations are codified at Part 662 of Title 20 of the Code of Federal Regulations (CFR). On November 12, 1999, the Secretary of Labor published interim final regulations implementing section 188 of WIA pertaining to nondiscrimination and equal opportunity. These regulations are codified at Part 37 of Title 29 of the Code of Federal Regulations.

On December 17, 1999, President Clinton signed into law the Ticket To Work and Work Incentive Improvement Act (TWWIIA). On December 28, 2000, the Commissioner of the Social Security Administration issued a Notice of Proposed Rulemaking implementing the new Ticket to Work and Self-Sufficiency Program (Ticket to Work Program) authorized under TWWIIA.

On February 28, 2000, the Secretary of Education published proposed regulations governing the State VR program. [65 FR 10620-10665] On January 17, 2001, the Secretary of Education published final rules governing the State VR program. [66 FR 4380-4435] These final regulations replace current regulations codified at Part 361 of Title 34 of the Code of Federal Regulations.

The purpose of this policy brief is to identify and describe the provisions of the final regulation describing the responsibilities of a designated State unit to design and operate the State VR program as an integral component of the statewide workforce investment system, as envisioned by WIA. The final regulations envision major systemic changes in the operation of the State VR program through the creation of a streamlined, collaborative partnership with other components of the statewide workforce investment system. This new "partnership" requires a more "activist role" by State VR agencies regarding the provision of services to persons with disabilities in the State VR program itself as well as other components of the workforce investment system.

The purpose of the policy brief is also to identify and describe the provisions in the final regulations describing the relationship between the State VR program and the designated State unit and the new Ticket to Work Program.

BACKGROUND-THE GOAL OF TITLE I OF WIA

What is the overall goal of Title I of WIA?

The overall goal of Title I of the Workforce Investment Act (Title I of WIA) is to increase employment, retention, and earnings of persons (including persons with disabilities) participating in employment-related activities supported by an integrated workforce investment system. The establishment of a One-Stop service delivery system is the cornerstone of the legislation. [65 FR 10620 (February 28, 2000)]

The intent of this system is to streamline and expand access to numerous workforce investment and educational and other human resource services, activities and programs for job seekers, including individuals with disabilities, and for employers. Rather than requiring individuals and employers to seek workforce development information and services at several different locations, Title I of WIA requires States and communities to create a user-friendly One-Stop system through the coordination at the "street level" of multiple workforce development programs and resources. [65 FR 10620 (February 28, 2000)] This "seamless" system has been described by the Department of Labor (DOL) as a "one right door and no wrong door approach." [64 FR 18669 (April 15, 1999)]

This One-Stop service delivery system must be designed to address the needs of all individuals, including individuals with disabilities. In order to make services available under the One-Stop system to persons with disabilities, the system must be "accessible" consistent with the provisions of WIA, the Americans with Disabilities Act, and Section 504 of the Rehabilitation Act of 1973. [65 FR 10621, (February 28, 2000); 64 FR 9403-9404 (February 25, 1999)]

RELATIONSHIP BETWEEN THE STATE VR PROGRAM AND WIA

What is the relationship between the State VR program and WIA? Why is the State VR program included as part of the statewide workforce development system?

The State vocational rehabilitation services program (the State VR program) must be an integral part of a statewide workforce investment system. [34 CFR 361.1]

The preamble to the proposed regulation explained why. Participation by State units administering the VR program will result in enhancing the range and quality of services accessible to program participants. Collaboration is intended to produce better information, more comprehensive services, easier access to services, and improved long-term employment outcomes. Thus, effective participation of the State VR program is critical to enhancing opportunities for individuals with disabilities in the State VR program itself as well as other components of the workforce investment system in each State and local area. [65 FR 10621, 10624 (February 28, 2000)]

APPLICABLE REGULATIONS

Do the regulations implementing WIA apply to State vocational rehabilitation agencies?

Yes. The regulations in 20 CFR Part 662 (which implements the One-Stop system requirements under Title I of WIA) apply to the State VR program. In addition, 29 CFR part 37 (which implements the civil rights requirements under section 188 of WIA) applies to the extent programs and activities of the State VR program are being conducted as part of the One-Stop service delivery system. [34 CFR 361.4]

Citing to these parts of the Federal regulations is intended solely as a means of notifying state VR agencies of their regulatory obligations as One-Stop system partners. Title I of WIA and the implementing regulations specify that partner programs, such as the designated State unit, are to participate in One-Stop system activities in a manner that is consistent with Federal law authorizing the individual partner program. In other words, designated State units must partner with other components of the One-Stop system in accordance with Title I of the Rehabilitation Act and the implementing regulations. [66 FR 4417 (January 17, 2001)]

SUBMISSION OF THE STATE PLAN

What is the relationship between the State plan submitted under the Rehabilitation Act and the State Plan submitted under WIA?
Each State is required to submit its State plan for the VR program on the same date that it submits either a State plan for Title I of WIA or a State unified plan under Section 501 of WIA. In other words, a State has three options for submitting its VR State plan.

- First, a State may submit a separate VR State plan on the same date as the State submits its State plan under Title I of WIA.
- Second, a State may include the State VR program as part of the State unified plan submitted under Section 501 of WIA. If the State elects this option, the portion of the State unified plan for vocational rehabilitation services must meet the State plan requirements specified in the regulations governing the State VR program.
- Third, a State may submit a separate VR State plan on the same date as it submits its State unified plan (that does not include the State VR program) under Section 501 of WIA. [34 CFR 361.10]

RELATIONSHIP BETWEEN THE STATE REHABILITATION COUNCIL AND THE STATE WORKFORCE INVESTMENT BOARD

What is the relationship between the State Rehabilitation Council and the State Workforce Investment Board?
The State Rehabilitation Council must carry out its designated functions after consulting with the State Workforce Investment Board. [34 CFR 361.17(h)]

Must the State Rehabilitation Council include at least one representative of the State workforce investment board?
Yes. [34 CFR 361.17(b)(1)((xi)] A Council member who serves on the State Workforce Investment Board, however, cannot represent both the Board and another organization on the Council. [66 FR 4423 (January 17, 2001)]

COMPREHENSIVE SYSTEM OF PERSONNEL DEVELOPMENT

What are the responsibilities under the CSPD to train staff regarding WIA?
The State plan must include the State agency's policies and describe the procedures and activities the State agency will undertake to ensure that all personnel employed by the State unit receive appropriate and adequate training.

The specific training areas for staff development must be based on the needs of each State unit and may include, but are not limited to training regarding the Workforce Investment Act and the amendments to the Rehabilitation Act made by Title IV of WIA. [34 CFR 361.18(d)(2)(i)]

REQUIREMENTS RELATED TO THE WIA SYSTEM

Is the State vocational rehabilitation agency a required partner under WIA?

Yes. The designated State unit or the sole local agency under the supervision of the State unit is responsible for participating as a partner in the One-Stop service delivery system under Title I of WIA. [34 CFR 361.13(c)(1)(v)]

What are the general responsibilities of a State vocational rehabilitation agency as a mandatory partner under Title I of WIA?

As a required partner, the designated State unit must carry out the following functions [34 CFR 361.23(a)]:

- Make available to participants through the One-Stop service delivery system the core services that are applicable to the Program administered by the designated State unit;
- Use a portion of funds made available under the Program administered by the designated State unit (consistent with Rehabilitation Act and implementing regulations) to create and maintain the One-Stop service delivery system and provide core services;
- Enter into a memorandum of understanding (MOU) with the Local Workforce Investment Board relating to the operation of the One-Stop service delivery system, including a description of services, how the cost of the identified services and operating costs of the system will be funded and methods for referral;
- Participate in the operation of the One-Stop service delivery system consistent with the terms of the MOU and the requirements of the Rehabilitation Act and implementing regulations;
- Serve as a representative on the Local Workforce Investment Board.

Under what circumstances may designated State units use State VR funds to pay for core services and other activities made available by One-Stops?

Participation by designated State units in the One-Stop system must be performed in a manner that is consistent with Title I of the Rehabilitation Act and the implementing regulations. Thus, participation by the designated State units in the cost of core services or any other One-Stop system activities cannot result in expenditures for services to individuals who do not meet the priority for services under the order of selection. The designated State unit, however, can participate, as appropriate, in the cost of intake and other expenditures that would normally be borne by the designated State unit prior to determining eligibility and the individual's priority category under the state's order of selection. [66 FR 4425, 4426 (January 17, 2001)]

What are the responsibilities of other partners in the workforce investment system to serve persons with disabilities?

All partner programs (not just the designated state unit implementing the State VR program) have a legal responsibility under Title I of WIA, the ADA, and Section 504 of the Rehabilitation Act to serve persons with disabilities. Some individuals with disabilities may receive the full scope of needed services through the One-Stop system without accessing the State VR program at all; while others may be referred to the designated State unit for a program of VR services or receive a combination of services from the State VR program and other One-Stop system partners. [66 FR 4425 (January 17, 2001)]

Nothing in Title I or Title IV of WIA or the implementing regulations should be construed to require designated State units to pay the costs of providing individuals with disabilities access to the One-Stop system. In fact, that responsibility falls to the One-Stop system in accordance with the ADA and Section 504. [66 FR 4425 (January 17, 2001)]

In addition, some individuals who are eligible for VR services may choose not to participate in the VR program and, therefore, also may be served exclusively by other partner programs of the One-Stop system. [66 FR 4425 (January 17, 2001)]

What are the specific requirements regarding the entering into of cooperative agreements between State VR agencies and other partners?

The State plan must assure that the designated State unit or the designated State agency enters into cooperative agreements with other entities that are partners under the One-Stop service delivery system and replicates those agreements at the local level between individual offices of the designated State unit and local entities carrying out the One-Stop service delivery system or other activities through the statewide workforce investment system. [34 CFR 361.23(b)(1)]

The purpose of entering into of these cooperative agreements is to increase the capacity of the partners, and the One-Stop service delivery system as a whole, to better address the needs of individuals with disabilities. [65 FR 10624 (February 28, 2000)]

These cooperative agreements may provide for [34 CFR 361.23(b)(2)]:
- Intercomponent training and technical assistance regarding the availability and benefits of and information on eligibility standards for vocational rehabilitation services and the promotion of equal, effective, and meaningful participation by individuals with disabilities in the One-Stop service delivery system and other workforce development activities;
- The use of information and financial management systems that link all of the partners of the One-Stop service delivery system to one another and to other electronic networks and that relate to subjects such as employment statistics, job vacancies, career planning, and workforce investment activities;
- The use of customer service features such as common intake and referral procedures, customer databases, resource information, and human services hotlines;
- The establishment of cooperative efforts with employers to facilitate job placement and carry out other activities that the designated State unit and the employers determine to be appropriate;
- The identification of staff roles, responsibilities, and available resources and specification of the financial responsibility of each partner of the One-Stop service delivery system with respect to providing and paying for necessary services, consistent with the requirements of the Rehabilitation Act and implementing regulation, other Federal requirements, and State law; and
- The specification of procedures for resolving disputes among partners of the One-Stop service delivery system.

COMPREHENSIVE STATEWIDE ASSESSMENT; STATE STRATEGIES

Must the comprehensive statewide assessment address the needs of individuals with disabilities served by other components of the workforce investment system?

Yes. The VR State plan must include the results of a comprehensive statewide assessment, particularly the vocational rehabilitation services needs of, among others, individuals with disabilities served through other components of the statewide workforce investment system as identified by those individuals with disabilities and personnel assisting those individuals through the components of the system. [34 CFR 361.29(a)(1)(i)(C)]

Must the state develop strategies for assisting other components of the statewide workforce investment system in assisting individuals with disabilities?

> Yes. The VR State plan must describe strategies the State will use to address the needs identified in the comprehensive assessment and achieve agreed on goals and priorities, including, among other things, strategies for assisting other components of the statewide workforce investment system in assisting individuals with disabilities. [34 CFR 361.29(d)(5)]

COOPERATIVE AGREEMENTS WITH PRIVATE NONPROFIT ORGANIZATIONS

Do the regulations include any obligations/restrictions relating to agreements between state VR agencies and employment networks under TWWIIA?

> The state plan must describe the manner in which cooperative agreements with private nonprofit vocational rehabilitation service providers will be established. [34 CFR 361.31] Neither Title I of the Rehabilitation Act nor the implementing regulations are intended to limit or prohibit the establishment of fee-for-service or other reimbursement type agreements between the designated State unit and employment networks. Typically, fee-for-service arrangements enable private service providers to purchase from the designated State unit services that are needed by an individual with a disability who is not a state VR program participant. In addition, nothing in Title I of the Rehabilitation Act or the implementing regulations affects the ability of the designated State unit to serve as an employment network as authorized under TWWIIA. [66 FR 4426 (January 17, 2001)]

INFORMATION AND REFERRAL SERVICES

Do any of the requirements relating to information and referral services under the State VR program apply to WIA?

> Yes. The designated State unit must implement an information and referral system. The system must, among other things, refer individuals with disabilities to other appropriate Federal and State programs, including other components of the statewide workforce investment system. [34 CFR 361.37(a)(2)]

> In the event that vocational rehabilitation services cannot be provided to all eligible individuals with disabilities applying for the services, the State plan must show the order for selecting eligible individuals. The "order of selection" must be consistent with criteria established by the State and assure that individuals with the most significant disabilities will be selected first for the provision of vocational rehabilitation services. A designated State unit operating under an "order of selection" must assist eligible individuals who otherwise would not receive services from the State unit to secure needed employment assistance from other entities, particularly other program components of the statewide workforce investment system. [34 CFR 361.37(a)(2)]

> In making referrals, the designated state unit must refer the individual to Federal or State programs carried out by other components of the statewide workforce investment system best suited to address the specific employment needs of an individual with a disability. In addition, the designated State unit must provide the individual who is being referred by the designated State unit a notice of the referral to the agency carrying out the program, information identifying the specific point of contact within the agency to which the individual is being referred, and information and advice regarding the most suitable services to assist the individual to prepare for, secure, retain, or regain employment. [34 CFR 361.37(c)]

What responsibilities does the designated State unit have to establish and implement standards for the handling of referrals?

> The designated State unit must establish and implement standards for the prompt and equitable handling of referrals of individuals for vocational rehabilitation services, including referrals of individuals made through the One-Stop service delivery system. [34 CFR 361.41(a)]

> Once an individual has submitted an application for vocational rehabilitation services, including applications made through common intake procedures in One-Stop centers, an eligibility determination must be made within 60 days, subject to specified exceptions. An individual is considered to have submitted an application when the individual or the individual's representative has completed and signed an agency application form or has completed a common intake application form in a One-Stop center requesting vocational rehabilitation services. [34 CFR 361.41(b)(1) and (2)]

> The designated State unit must ensure that its application forms are widely available throughout the State, particularly in the One-Stop centers established under Title I of WIA. [34 CFR 361.41(b)(3)]

If an individual is determined to be ineligible for State VR services, what is the responsibility of the State unit to refer the individual to other programs that are part of the One-Stop system?

> If the designated State unit determines that an individual is ineligible for vocational rehabilitation services, the unit must, among other things, refer the individual to other training and employment-related programs that are part of the One-Stop service delivery system under Title I of WIA. [34 CFR 361.43(d)]

CONTENT OF THE INDIVIDUALIZED PLAN FOR EMPLOYMENT (IPE)

Must the IPE describe the responsibilities of entities other than the State VR program to provide services and benefits?

> Yes. The terms and conditions of the IPE must include, among other things, the responsibilities of other entities as a result of arrangements made under the comparable services and benefits requirements (see below). [34 CFR 361.46(a)(6)(iii)]

Must the IPE provide for coordination of services provided under the IPE with services provided under other Federal or state programs?

> Yes. The IPE must provide for the coordination of services provided under an IPE with services provided under other individualized plans established under other Federal or State programs. [34 CFR 361.46(b)(5)]

RECORD OF SERVICES

Must the designated State unit provide documentation on services provided to an individual who is referred to other programs within the One-Stop service delivery system?

> Yes. In the event an individual is referred to another program through the designated State unit's information and referral system, including other components of the statewide workforce investment system, documentation must be provided on the nature and scope of service provided by the designated State unit to the individual and on the referral itself. [34 CFR 361.47(a)(13)]

SCOPE OF VOCATIONAL REHABILITATION SERVICES

What services related to WIA must the State unit ensure are provided to individuals with disabilities?

The term "vocational rehabilitation services" includes, among other services, referral and other services necessary to assist applicants and eligible individuals to secure needed services from other agencies, including other components of the statewide workforce investment system. [34 CFR 361.48(d)]

COMPARABLE SERVICES AND BENEFITS

How are referral and other services to secure needed services from other agencies under WIA treated under the comparable services and benefits provisions?

Referral and other services to secure needed services from other agencies, including other components of the statewide workforce investment system, are exempt from the comparable services and benefits requirement if those services are not available under the Rehabilitation Act and implementing regulations. [34 CFR 361.53(b)(3)]

Must the interagency agreements include policies relating to comparable services and benefits?

Yes. The State plan must assure that the Governor, in consultation with the entity in the State responsible for the vocational rehabilitation program and other appropriate agencies, will ensure that an interagency agreement or other mechanism for interagency coordination takes effect between the designated State vocational rehabilitation unit and any appropriate public entity, including the State entity responsible for administering the State Medicaid program and a component of the statewide workforce investment system to ensure the provision of vocational rehabilitation services (other than services exempt from the comparable benefits and services requirement) that are included in the IPE. [34 CFR 361.53(d)]

Does a "Ticket" provided under the Ticket to Work Program constitute a comparable service and benefit for purposes of the state VR program?

Because Social Security recipients with disabilities are issued "Tickets" under TWWIIA in order to receive employment-related services from an employment network, the "Ticket" constitutes a comparable service and benefit under the state VR program. Thus, to the extent that a ticket holder is receiving services from another entity (i.e., an employment network), the designated State unit need not expend state VR program funds on services that are comparable to the services the individual is already receiving. On the other hand, if the individual initially chooses the designated State unit as its employment network (or otherwise transfers his or her ticket to the designated State unit) then the individual would be served solely by the designated State unit and the ticket would not be considered a comparable service and benefit. [66 FR 4418 (January 17, 2001)]

PARTICIPATION OF INDIVIDUALS IN COST OF SERVICES BASED ON FINANCIAL NEED

May the designated State unit charge SSI and SSDI recipients for the cost of vocational rehabilitation services?

There is no Federal requirement that the financial need of individuals be considered in the provision of vocational rehabilitation services. The designated State unit may, however choose to consider the financial need of eligible individuals for purposes of determining the extent of their participation in the costs of vocational rehabilitation services. The authority to consider participation of individuals in the cost of vocational rehabilitation services based on financial need does not, however, extend to individuals determined eligible for Social Security Disability Insurance and Supplemental Security Income benefits. [34 CFR 361.54, 66 FR 4433 (January 17, 2001)]

For additional information about the implementation of the Workforce Investment Act from a disability policy perspective, see Policy Briefs entitled:

Policy Brief Series
- Provisions in the Workforce Investment Act Relating to Nondiscrimination on the Basis of Disability and the Development by Governor of a Written Methods of Administration (March 2000, Vol. 2, No. 3)
- Provisions in the Workforce Investment Act Describing the Interplay between Workforce Investment Systems and Vocational Rehabilitation Programs (April 1999, Vol. 1 No. 1)

Additional RRTC/ICI Publications on WIA and One-Stop systems:
- Tools for Inclusion: People with Disabilities: Having A Voice In the Development and Implementation of the New Workforce Investment System (March 2000, Vol. 8, No. 2)
- Tools for Inclusion One-Stop Centers: A Guide for Job Seekers with Disabilities (February 2000, Vol. 8, No. 1)
- Institute Brief: WIA and One-Stop Centers: Opportunities and Issues for People with Disabilities (December 2000, Vol. 10, No. 1)

For additional information about the implementation of the Ticket to Work Program see the following RRTC/ICI Publications:
- Policy Brief: Proposed Regulations Implementing the Ticket To Work and Self-Sufficiency Program (The Ticket to Work Program) (February, 2001)
- Tools for Inclusion: The Proposed Ticket to Work Regulations (February 2001)
- These publications are available via the Institute for Community Inclusion web site at: www.childrenshospital.org/ici

> ### Also see the following papers:
> - A Description of the Workforce Investment Act From a Disability Policy Perspective (Silverstein, January, 2000)
> - A Preliminary Analysis of the Relationship Between the Workforce Investment Act and the Federal Disability Policy Framework (Silverstein, January, 2000)

The Workforce Investment Act:
Opportunities and Issues for the Disability Community

By David Hoff, Institute for Community Inclusion (ICI), RRTC on State Systems & Employment, Boston

*The following material is reproduced from the ICI publication **The Institute Brief**; Volume 10 Number 1 –December 2000. Copies of this publication may be obtained by contacting the ICI on the web site <www.childrenshospital.org/ici>*

Major changes in the employment and training systems across the country are currently taking place, changes that could have a significant impact on services for people with disabilities. These changes are a result of the Workforce Investment Act (WIA), a federal law, effective July 1, 2000, which governs how publicly-funded workforce investment and training services operate. The new federally-sponsored nationwide employment and training system established under WIA is called "America's Workforce Network". This publication provides a basic overview of WIA, and examines the impact of this law on the lives of people with disabilities, as well as the systems and organizations that assist them.

What are the basic principles of WIA?

There are six key principles of WIA:
- Streamlining services: Multiple employment and training programs are integrated into one system
- Universal Access: Every individual, including people with disabilities, has access to basic or "core" services
- Increased accountability: States, local service areas, and training providers are held accountable for performance results
- Strong role for local boards: WIA establishes Local Workforce Investment Boards (LWIBs) which play a strong role in the implementation of WIA
- State and local flexibility: States and local areas have a great deal of flexibility in how funding is used to customize services to meet the needs of the local community
- Improved youth programs: The act establishes a youth council in each area, and links youth programs more closely to local labor market needs.

What does WIA replace? What is different about WIA compared to previous legislation?
WIA replaces the Job Training Partnership Act (JTPA). While some activities and services that occurred under JTPA continue under WIA, others change significantly. Some of the major changes:

- No more prerequisites for receiving services. Under WIA, all adults age 18 and older are eligible for core services. Under JTPA, only economically disadvantaged adults, age 22 or older, received any services.
- WIA establishes a One-Stop delivery system for accessing employment and training services. Some of the services that have traditionally been available at state, county or local offices of employment and training (i.e., "job service" "unemployment offices") will now be available via One-Stop Centers.

- Under WIA, Individual Training Accounts (ITAs) are established for purchasing training services; training was previously provided through contracts with training providers.
- Private Industry Councils (PICs) and Regional Employment Boards (REBs) are replaced by local Workforce Investment Boards (WIBs). Under JTPA, PICs could directly operate programs; under WIA, Local Workforce Investment Boards may not operate programs, unless this requirement is waived by the Governor.

How can people with disabilities benefit from WIA?

Job Seeker Assistance: One of the goals of WIA is to establish a system so that all job seekers have easy access to services to help them find a job and advance their careers, and also meet employer workforce needs. Under WIA, the many different federally funded employment and training programs are brought together. The goals is a more simplified "user friendly" system for job seekers to easily access the services they need to find and maintain employment. People with disabilities will potentially benefit from this overall push for higher quality and easy access to services.

Full Inclusion: WIA's core principle of "universal access" allows people with disabilities to benefit by having access to the same services as everyone else. Receiving services side-by-side with other members of the general public, promotes the idea of people with disabilities being fully integrated into the mainstream community. Under WIA, services are to be "readily accessible" meaning that most people with disabilities should be able to use services without having to ask for accommodations. At the same time, when needed, people with disabilities are entitled to reasonable accommodations in order to access services under WIA.

Focus on People with Disabilities: WIA places a focus on the need for the employment and training services to meet the needs of people with disabilities. In the past, people with significant disabilities have not usually benefited from these "generic" services. However, people with disabilities are mentioned throughout the WIA legislation and regulations, as among the groups and individuals that WIA is designed to serve. These are very specific mechanisms with the legislation to make sure that people with disabilities are well served by each state's workforce development system.

Why is it important for people with disabilities and advocates for people with disabilities to pay attention to WIA?

Significant resource and service delivery decisions are being made as part of WIA activities. Since WIA merges many different workforce programs, and establishes a system designed to meet the needs of all job seekers, there are competing priorities of populations and individuals to be served. Therefore, advocacy efforts are essential to ensure that the needs of individuals with disabilities are not overlooked, and that people with disabilities are well served under this new system.

THE ONE-STOP SYSTEM

What is the One-Stop system?

The One-Stop system operates through a network of centers in each state. These centers provide a variety of services to assist individuals to meet their employment and training needs, while also assisting local employers to meet their needs for qualified personnel. Each state is required to have at least one comprehensive center that is physically located in each local service delivery area.

What is a local service delivery area?

Service delivery areas are designated by the Governor of each state, and based on a variety of factors, such as population, local labor market areas, and the need to provide services within a reasonable travel distance for individuals. Some states have many local workforce investment areas, while others will only have a few or just one. Any unit of local government (such as a city or county) with a population of 500,000 or more, is automatically approved as a local workforce investment area.

What about rural areas, and states with low population density?

In addition to full service One-Stop Centers, local service delivery areas are permitted to have "satellite centers" which provide access to WIA services. In rural areas and in states with low population density, "satellite centers" and other alternative service delivery mechanisms (such as roving vans) are being used to deliver One-Stop services.

My state has had One-Stop Centers for several years. Why did they exist before this law?

One-Stop Centers were established as demonstration projects in most states, prior to the passage of WIA. WIA establishes One-Stops as a permanent part of the workforce development and training system, and the major mechanism for accessing services under this system. One-Stop Centers that opened prior to the implementation of the law on July 1, 2000 continue to exist, but with possible changes to conform to the new law.

There are three categories of One-Stop services: core, intensive, and training.

Core Services are provided at the Center and are available to anyone. Core services include: outreach, intake and orientation; initial assessment; determination of eligibility for additional services; job search and placement assistance; career counseling; labor market information.

Intensive Services are intended for eligible individuals who have not become successfully employed as a result of core services. Intensive services are provided either directly by the Center or through a contract with a service provider. Examples include: comprehensive assessments of skills and service needs; development of individual employment plans; group and individual counseling; case management.

Training Services are intended for eligible individuals who have not become successfully employed as a result of core and intensive services, and are not typically provided by the One-Stop Center. Types of training include: occupational skills training; on-the-job training; skills upgrading; job readiness training; adult education and literacy training; and customized training for employers. If funds for intensive and training services are limited, priority is given to individuals with low incomes, and individuals receiving public assistance; people with disabilities should be among those given priority under these criteria.

What are ITAs?

ITAs are Individual Training Accounts. With limited exceptions, training services under WIA are provided through ITAs. If a person is determined eligible for training services under WIA, the individual receives an ITA, which he or she then uses to obtain training services from any

approved provider of training services. The specifics of how ITAs operate vary in each state and local area, but could include vouchers, draw-down accounts, etc. To help guide individuals in choosing a training provider, the One-Stop system must make information and data available on each provider's performance.

PARTNERSHIPS AND COLLABORATION UNDER WIA

Vocational Rehabilitation: Where does it fit in?

The public Vocational Rehabilitation (VR) System is one of many mandated partners in the One-Stop system, with VR services available to at least some degree via the One-Stop system. Specifics on how these services are delivered by the One-Stop system vary from state to state system (this includes both general VR services, and services for the blind and visually impaired, which are part of the public VR system). For example, in some cases the entire local office of VR is located at the One-Stop Center, while in other cases, individual VR counselors are based at a One-Stop on a full-time or part-time basis. While under WIA each state's public VR System must be an integral component of the workforce investment system, VR continues to exist as a separate program, with its own federal funding source.

What does being a required partner mean?

Each partner must make available through the One-Stop system the "core services" that are applicable to the partner's programs. The WIA regulations outline a variety of core services, but specifics on what these "core services" mean for each partner, and how they are delivered, is determined at the state and local level. Additionally, each partner must provide funding to create and maintain the One-Stop system to the extent consistent with the legislation that governs that partner's programs; for example, funding provided by the VR system cannot violate the Rehabilitation Act. Each partner also participates in the operation of the One-Stop system, and serves on the Local Workforce Investment Board.

Besides Vocational Rehabilitation, what are the other required partners?

Under WIA, the other required partners in the One-Stop system are:
1. Federally funded Adult, Dislocated Worker, & Youth Activities
2. Employment Service programs under the Wagner-Peyser Act
3. Federally Funded Adult Education & Literacy Programs
4. Federally funded Post-secondary Vocational Education
5. Federally funded Welfare-to Work programs
6. Federally funded Senior Community Service Employment Activities
7. Trade Adjustment Assistance & NAFTA Adjustment Assistance
8. Veterans Employment & Training Programs
9. Employment & Training Programs of the Federal Community Services Block Grant
10. Dept. of Housing and Urban Development Administered Employment & Training Programs
11. Programs under state unemployment insurance laws.

Unlike VR, none of these other required partners only funds services for people with disabilities. However, all provide services that can benefit people with disabilities, and people with disabilities should be among the individuals served by these other partners.

In examining WIA, should the focus on disability-related issues go beyond the role of VR in this system?

Yes. The role of public VR is only part of what people with disabilities and advocates should be concerned with in looking at WIA. There are a wide range of services beyond those available from VR that people with disabilities are entitled to and could benefit from in this new workforce investment system.

What is a MOU?

A MOU is a Memorandum of Understanding. A MOU is required between each partner (such as state VR) in the One-Stop system and the Local Workforce Investment Board. Included in this MOU must be a description of services that are provided by the partner via the One-Stop system, how the costs of these services are funded, and how the partner contributes to the operating costs of the One-Stop system. The MOU must also indicate how individuals will be referred between the One-Stop operator and One-Stop partners.

What about other disability agencies? How are they involved?

The public Vocational Rehabilitation system is the only disability focused agency that is a required partner in the One-Stop system under WIA. However, states and local areas can have additional partners in the One-Stop system, which could include public disability agencies such as state or county mental health agencies, state developmental disability/mental retardation agencies, and others. Additionally, there are a number of options for non-partner disability agencies (both public and private) to work in a collaborative fashion with the workforce investment system, and with One-Stop Centers, without being partners. Examples of such collaboration include: funding of services for specific individuals, acting as a resource and consultant to One-Stops on meeting the needs of the population served by that agency, assisting service providers under WIA to serve individuals served by the agency, etc.

How do partners deliver their services via the One-Stop system?

Partnership arrangements will vary, depending on the structure of the local One-Stop system and MOU's. The basic types of arrangements at full-service One-Stop Centers include:

- Simple Co-Location with Coordinated Delivery of Systems: Under this type of arrangement, several partner agencies share space and coordinate services, but each maintains their own separate identity and controls their own resources.
- Full Integration: All partner programs are coordinated under one management structure and accounting system. There is joint delivery of program services, and resources are combined.

Full Integration is ultimately what is envisioned under WIA. However, given the various funding streams, regulations, and management structures that various partners operate under, it is expected that it make time some time for the One-Stop system in many local areas to evolve towards a fully integrated system. Not only will it take some time to work out the operational

details, but the various partners need time to learn about each other, and develop an understanding of how they can work in a collaborative fashion to each other's mutual benefit.

When a person goes to a One-Stop Center, how do they access the services of various One-Stop partners?

Ideally, a One-Stop system has intake and registration systems designed so that individuals can easily access the best combination of partner services, in a way which is seamless and user-friendly, and meets their individual needs. An individual should experience intake and orientation so that, in addition to being made aware of the universally accessible core services which all individuals can utilize, the One-Stop will be able to quickly determine the full array of additional services from various partners that the customer may be eligible for; the One-Stop then works in collaboration with the customer to determine which partner's services will best meet his or her individual needs. From the customer's perspective, the important thing should be that they are receiving the core, intensive, and training services they need to obtain employment and advance in their careers, and not be concerned about "who is paying for what". There should not be the need to apply for every partner's services separately, or the customer to engage in extensive negotiation and advocacy to receive the services of each partner. The details of how services are provided in an integrated, seamless way by the various partners should be worked out "behind the scenes."

SERVICE OPTIONS UNDER WIA

There are several options for people with disabilities. Here are some of them:

- Directly accessing core, and non-disability intensive and training services: Like anyone else, people with disabilities have the right to come into a One-Stop Center and use the core services that are available. Additionally, they could be determined eligible for intensive or training services not targeted specifically for people with disabilities. Individuals with disabilities have a right to be given full consideration for such non-disability services.

- Accessing VR services: If eligible, an individual can access and receive services from the state Vocational Rehabilitation (VR) agency via the One-Stop. However, not all individuals with disabilities are eligible for VR services, and there is no requirement that eligible individuals must use VR services. If an individual chooses not to use VR services, they are still entitled to use the full range of other One-Stop services which they are eligible for.

- Accessing other disability services: Via the One-Stop, an individual may be able to access special programs for people with disabilities, such as intensive services delivered by the One-Stop, or referral to a disability agency (such as an approved community rehabilitation provider) for intensive or training services.

- Using the One-Stop in collaboration with a community agency: If an individual is already being served by a community rehabilitation provider (CRP) or other community agency, the agency staff can assist the individual to use the core services of the One-Stop as part of their overall efforts to help the individual obtain employment. This option is available for any individual served by any community agency.

It is important that people with disabilities recognize the range of service options available to them under WIA, both disability and non-disability specific, and advocate for delivery of services in a way

that meets their needs, and with which they are most comfortable. In many cases, a person with a disability may best be served by a combination of services from different One-Stop partners and collaborators (possibly including VR).

What about services for youth?

A significant focus of WIA is on services for youth ages 14-21. Many youth with disabilities are eligible for youth activities, and these activities can play a significant role as part of a successful transition from school to adult life. Each local workforce area has a Youth Council which helps coordinate youth activities. For information on youth activities in your area, contact your Local Workforce Investment Board.

Service Options Beyond WIA

Services that fall under WIA are just one of the options available for people with disabilities who need employment and training services. There continue to be a variety of employment services for people with disabilities, which do not require going to a One-Stop. These include services available or funded via:
- state departments of developmental disabilities/mental retardation
- state or county mental health systems
- the Social Security Administration
- school systems
- the Department of Veteran's Affairs
- other entities.

There also continues to be an extensive network of private provider agencies in every state.

These various service options are accessed as they have always been, by registering or applying directly to the agencies that are providing or funding these services. However, there may be some level of collaboration between these other service options and the workforce investment system. For example, some individuals receiving services from a community rehabilitation provider, are using the core services of a One-Stop to assist them in their job search. In some states and local areas, the mental health and developmental disability systems have agreements to work together with the workforce investment system. In many ways, One-Stops should be viewed as a complement to existing services, rather than a replacement. There are a wide variety of ways that services under WIA can fit into the overall service delivery structure for people with disabilities, and many of these are just beginning to be explored.

GOVERNING STRUCTURE FOR WIA

- At the national level, the Employment and Training Administration of the United States Department of Labor (USDOL) coordinates WIA activities.
- At the state level, a State Workforce Investment Board, appointed by the Governor , provides monitoring and coordination of each state's workforce investment system. Among the responsibilities of this state board are submission of a five year state plan to USDOL, development of state performance measures, establishment of local workforce investment areas, development of allocation formulas for funds to local areas, and development of procedures for certifying training providers.

- At the local level, each service delivery area's workforce investment system is overseen by a Local Workforce Investment Board (LWIB). Among the activities of the LWIB, are choosing and overseeing the One-Stop operators, developing a five year Local Workforce Investment Plan, identifying eligible training providers, and developing agreements with all of the One-Stop partners. Members of this board include representatives of: education, labor organizations, economic development agencies, all One-Stop partners (including vocational rehabilitation), and community-based organizations. This board is appointed by the Chief Local Elected Official (often the mayor of the major city in the area or the head of the elected county board).

- Board membership: The chair as well as the majority of the members on the state and local boards must be representatives of business. There is no requirement that the membership of LWIBs include people with disabilities. However, the WIA legislation urges the inclusion on these boards of people with disabilities, and organizations representing people with disabilities.

MONITORING AND INFLUENCING WIA

There are a variety of ways that people with disabilities and advocates can monitor and impact what's occurring under WIA. When it appears the needs of people with disabilities are not being properly met, it is usually best to assume that this is due to lack of awareness and mis-assumptions, rather than deliberate discrimination. In many cases, making those involved aware of the situation, and providing some education combined with gentle but firm advocacy, can often resolve issues. However, when issues have gone unresolved, if circumstances warrant it, people with disabilities should use the formal complaint procedures available, contact oversight bodies, and involve legal advocates.

Here are ways people with disabilities and advocates can monitor and influence what's occurring under WIA.

Become familiar with WIA requirements

Through publications such as this and others, become familiar with the opportunities and requirements under WIA for serving people with disabilities. In particular, become well-informed about the equal opportunity and non-discrimination regulations for WIA, so that you understand the rights of people with disabilities in using services under WIA and are able to monitor and advocate to ensure these regulations are enforced.

Monitor the local delivery of services under WIA

Visit your local One-Stop, and see how welcoming it is for people with disabilities.

- Examine both the physical accessibility, as well as the ability of people with disabilities to easily access services.
- Observe whether people with disabilities are being served together with other customers of the One-Stop and have access to all core services.
- Also note whether individuals with disabilities are considered potentially eligible for a range of intensive and training services, and not just those funded by Vocational Rehabilitation or services only for people with disabilities.
- If necessary, meet with the Center's Equal Opportunity Officer, Center Director, or contact the Local Workforce Board or other officials, if there are concerns about the delivery of services for people with disabilities at the One-Stop or under other WIA programs (such as services for youth).

Provide input into new centers

If there are plans to open a new One-Stop Center in your area, find out who is involved in the development of the center (centers are chartered by Local Workforce Investment Boards). Advocate and be a resource so that centers are designed to truly provide universal access for all people with disabilities both physically and in the delivery of services.

Stay informed about state or local board activities

Find out if the state or local board has a mailing list, and ask to be put on it. The State and Local Workforce Investment Boards are required to have regular open meetings at which they make information on board activities available to the public. Call your state or local board and find out the schedule and location of public meetings. Attend meetings, and get to know the board members. Provide feedback concerning how One-Stops and other services under WIA can best help people with disabilities achieve their employment and career goals. Local boards are required to make available minutes of formal meetings upon request.

Monitor the Annual Report to USDOL

Each state is required to report annually to USDOL on how well the state's workforce investment system is doing in helping people with disabilities find and maintain employment, and what steps are being taken to ensure ongoing improvement in this area. Obtain this report to ascertain the state's perception of progress in meeting the employment needs of people with disabilities. Provide feedback concerning what steps the state should be taking to improve outcomes. Monitor the state's follow-through in the commitments it makes to USDOL.

Provide input to the state board on local board performance

The state board provides oversight of the local boards, and will be re-certifying local boards when WIA has been in place for two years. Provide feedback to the state board on how your local board and service delivery area is performing in assisting people with disabilities to meet their employment and career goals.

Advocate for board membership

Find out who is on your state and local workforce investment boards. If it hasn't occurred already, advocate that people with disabilities be included in the membership of these boards.

Consider becoming a member of your Local Workforce Investment Board

Through membership on your Local Workforce Investment Board, you can have a significant voice in the implementation of the Local Plan and workforce investment activities. Local Boards are required to make information available to the public concerning how to become a member of the board; as noted earlier, the boards are appointed by the Chief Local Elected Official (usually the mayor of a major municipality, or elected head of a county board). Remember, that at least 50% of the membership of each board must be business. Human service agencies may find better success in becoming a member of a board as a business, rather than a community agency. As members of the local board, human service agencies can work to ensure that people with disabilities are fully included in the workforce development system. In addition, they can work with the local system to address their own, often significant workforce needs as employers.

Get involved with a local board committee

Much of the work of local boards is accomplished through committees. You do not have to be a member of the local board to be on a committee, and committee membership can be an excellent opportunity to have input and build relationships. Ask your local board about opportunities for committee membership.

Monitor MOA Compliance

Each state is required to have a Methods of Administration (MOA) which details how the state will ensure compliance with the Nondiscrimination and Equal Opportunity Regulations for WIA, mentioned above. Monitor activities under WIA to ensure compliance with the commitments made in the MOA. If necessary, utilize the complaint procedures within these regulations, to ensure that the rights of people with disabilities to services are enforced.

Review and Update of MOA

The Governor of each state must review and update the MOA at least every two years. As you monitor compliance with the MOA, provide feedback concerning modifications that should be made, to ensure equal opportunity for all individuals under WIA, including people with disabilities.

In your advocacy efforts, continually keep disability issues in the forefront. Remind the officials responsible about the core values of WIA, and how these core values are as applicable to people with disabilities, as to anyone else.

ISSUES FOR PEOPLE WITH DISABILITIES IN THE IMPLEMENTATION OF WIA

The basic principles of WIA–universal access, empowering individuals through customer choice, streamlining services with integration of services offered, flexibility, accountability to the user–are concepts that people with disabilities have long encouraged and pushed to be part of service delivery systems. However, the actual application of these concepts will determine whether WIA truly delivers on its potential for people with significant disabilities.

Opportunities under WIA

If WIA delivers for people with disabilities in a positive way, people with disabilities receive the assistance they need to obtain quality jobs, side-by-side with non-disabled individuals. Under this positive scenario, people with disabilities, along with all other individuals served under WIA are not provided services with a conscious or sub-conscious "take it or leave it" attitude, but instead have choice and control over the services provided. It is also not left to the responsibility of the individual with a disability to negotiate the maze of funding mechanisms in order to obtain the employment services they need. From the perspective of the job seeker with a disability, funding is provided in a simple and seamless way.

Concerns about WIA

This optimistic scenario under WIA is in contrast to other possible alternatives. To successfully obtain employment, people with disabilities often require a more intensive level of assistance and level of resources than typical job seekers. There is also significant specific expertise that is often

required to meet the needs of people with significant disabilities. In its efforts to meet the needs of all job seekers, there is concern that the specific and often unique needs of people with disabilities will be overlooked under WIA, or not met in an effective fashion.

Also, what is exactly meant by the WIA principle of "accountability for results?" Are services provided and funded under WIA held accountable for meeting the needs of the entire workforce or potential workforce, including people with disabilities? Or are acceptable outcomes focused primarily on the rate of placements, number of placements, and job retention? If the latter is the case, then people with more significant disabilities are not going to be served well (if at all) under WIA, as there is often the perception (whether true or not) that such individuals require more time and are more risky to place. In essence, there is the potential for "creaming" of the individuals perceived to be the most "job ready," with individuals with more significant needs left unserved.

Another issue is that placement of people with disabilities in sheltered work settings, and similar non-integrated work settings, is possibly considered an acceptable outcome under WIA. This is a concern to those who feel the expected outcome for people with disabilities should always be placement directly in integrated community settings, and not in segregated facilities.

Role of VR

Another issue for people with disabilities is the role of state vocational rehabilitation (VR) programs as a mandated partner in the One-Stop system. Does this mean that vocational rehabilitation will collaborate more effectively with other agencies in the workforce development arena, to better meet the needs of people with disabilities? Or, will it mean that the targeted resources for people with disabilities under vocational rehabilitation become diluted and less effective as they are combined with those of other agencies?

A related concern is the need to make sure that the VR System is not considered the only option for service delivery under WIA for people with disabilities. In connection with the role of VR, it has been observed that the general workforce development system at times has the following misperceptions:

a) the public VR system serves all people with disabilities

b) to obtain job placement assistance, all people with disabilities must be served through the VR system.

Reality is that people with disabilities are served by a number of agencies, such as state mental health agencies, and state developmental disability/mental retardation agencies, which often serve many more people with disabilities than the public VR agency. There are also many people with disabilities not served by any disability funding agency, who simply want quality job placement services. Like any other member of the general public, people with disabilities are entitled to the full range of services available under WIA, and not those services only available or funded by VR.

Youth Services

A final issue is the ability to take full advantage of the major opportunities available for youth with disabilities under WIA. The youth activities under WIA can play a significant role in a successful transition from school to adult life; as a result of fairly liberal eligibility criteria, many youth with

disabilities qualify for these services. However, youth with disabilities must ensure that local officials are aware of and comply with these eligibility criteria, allowing for maximum access to youth activities. Also, advocacy needs to occur so youth with disabilities are fully integrated into activities, with their support and accommodation needs met.

Need for Advocacy

Despite the relatively low national unemployment rates, only about 30% of adults with significant disabilities are participating in the nation's workforce, as compared to 80% of the general population. Such a low rate of workforce participation begs for different approaches to meeting the employment needs of people with disabilities. WIA holds forth the possibility of new and innovative services to assist with obtaining employment. But will the promises of WIA turn out to be an empty promise for people with disabilities? Much is dependent on whether the needs of people with disabilities are considered as WIA is implemented, and that people with disabilities are advocating to ensure that WIA delivers on its promise of "universal accessibility" and quality service delivery.

What laws protect people with disabilities in the delivery of services under WIA?

In receiving services under WIA, people with disabilities are protected under the Americans with Disabilities Act, and Section 504 of the Rehabilitation Act of 1973, both of which prohibit discrimination against people with disabilities. In addition there are specific regulations which are designed to ensure that states, local areas, and WIA service providers (such as One-Stop Centers) provide equal opportunity and do not discriminate against people with disabilities as well as other individuals and groups. Among the requirements of these regulations:

- facilities and services must be "readily accessible"
- staff must be trained to ensure equal opportunity and nondiscrimination
- all WIA service providers must have an Equal Opportunity Officer
- outreach must occur to specific groups including people with disabilities.

The regulations also contain specific complaint procedures if an individual feels they have been discriminated against in the delivery of services.

ISSUES FOR COMMUNITY ORGANIZATIONS SERVING PEOPLE WITH DISABILITIES

For Community Rehabilitation Providers (CRPs), multicultural agencies, Independent Living Centers, and other community organizations serving people with disabilities, implementation of the Workforce Investment Act (WIA), provides opportunities for new and different collaborations and enhanced service delivery. Among the purposes of the One-Stop Centers established under this system, is to assist all job seekers in obtaining employment, while assisting employers to meet their human resource needs. This system can potentially benefit community organizations in a number of different ways. A few examples:

- The job listings, and other job search resources available via a One-Stop Center can enhance the existing job development resources of a community organization.
- Community organizations can provide training to the people they serve on using a One-Stop, thus not only assisting individuals to meet their immediate needs for employment, but also by teaching them how to use a resource that can assist them throughout their working career.

- Community agencies can work collaboratively with One-Stop Centers in providing services, such as Job Seeking Skills groups within One-Stop Centers, resume development classes, and mutual sharing of knowledge on finding employment for people with significant barriers.

- One-Stop Centers can serve as a possible source of referrals for community organizations, to provide the intensive level of job placement assistance that is not typically available through the relatively self-directed core services of One-Stop Centers.

- One-Stop Centers can also assist community organizations in meeting their own staffing needs, as a source of candidates for staff positions at the community agency.

Other Opportunities

Working with One-Stops, however, is not the only opportunity for community organizations under WIA. Under WIA, significant decisions are being made concerning the allocation of training and service dollars. This provides opportunities for community agencies for expansion of services, or provision of services in new and different ways. In particular, opportunities for community organizations may be available through the use of Individual Training Accounts (ITAs) which allow individuals to purchase training services from a vendor of their choice. A significant piece of WIA also focuses on the needs of youth, with the establishment of Youth Councils, providing potential opportunities for community organizations who are involved, or wish to be involved, in transition services for students with disabilities. Additionally, the U.S. Department of Labor regularly issues grant submission requests for special projects, which community agencies may wish to pursue, possibly in collaboration with other entities. Similar funding opportunities may also be available from state and local workforce boards. With these opportunities though comes a note of caution. Community organizations could potentially be left "out of the loop" when it comes to decisions around allocation of training and service dollars under WIA. The ability of community organizations to take advantage of the potential opportunities under WIA, is dependent on their ability to connect with the state and local boards and officials making such decisions.

Recommendations for community organizations under WIA include:

- Management staff of community organizations should find out where the One-Stop Centers are in their local area, and visit the centers. (There may be more than one center located in the area served by the community organization.) Make an appointment with the center director(s), and explore avenues for possible collaboration. Ensure that your community organization is recognized as an important member of the community who wishes to be involved in a collaborative way with the One-Stop Center.

- All staff of community agencies who are involved in assisting job seekers with disabilities to obtain employment should visit the local One-Stop Center(s) to develop an understanding of the services available, and how these services can be utilized as part of service delivery for the individuals they work with.

- Build connections with your Local Workforce Investment Board (LWIB) in order to ensure that your agency and the individuals you serve are given full consideration in decisions related to the allocation of training and service funds. Find out how to get involved in board activities, either through membership on the LWIB, or on a board committee. Ask about how the board is administering Individual Training Accounts (ITAs). Find out about the process

for becoming an approved provider of Training Services using ITAs, and determine whether this is something you wish to pursue.

- Regularly monitor the funding opportunities from the US Department of Labor for special project opportunities.
- Talk to One-Stop Centers and LWIBs about assistance in meeting agency staff recruitment and training needs.

ISSUES FOR PUBLIC VOCATIONAL REHABILITATION

Each state's public vocational rehabilitation (VR) agency is a mandated partner in the One-Stop system. As a mandated partner, VR must make available via the One-Stop system, the core services applicable to VR. The exact nature of the VR and One-Stop partnership is going to vary significantly from state-to-state, and even within states, depending on the structure of services, statewide agreements, and content of the local Memorandums of Understanding (MOUs) between VR and the Local Workforce Investment Board. Here are issues for consideration by VR in partnering with One-Stops.

Not everyone with a disability qualifies for VR services

The definition of who qualifies for VR services is much narrower than the broader definition of disability under the ADA. Only people with a disability that interferes with their ability to get or hold a job are eligible for VR services. Therefore, there are many individuals with disabilities who will come into a One-Stop who do not qualify for VR services. While VR may not be able to assist every person with a disability who comes in contact with the One-Stop system, VR should be prepared to provide direction on service alternatives to VR.

Order of selection issues

In states where VR caseloads are near full capacity, there may be an "order of selection" in place, whereby VR is able to accept only those individuals with the most significant disabilities who could benefit from VR services. If there are individuals who qualify for VR services, whom VR is currently unable to serve, other One-Stop services can play a key role in helping customers who might otherwise not be able to get services.

Qualified individuals do not have to accept VR services

The Workforce Investment Act (WIA) regulations are very clear - even if a One-Stop customer qualifies for VR services, they are not required to use VR services. Individuals who choose not to use VR services, have the absolute right to utilize One-Stop core services, and any other One-Stop services that they qualify for.

VR funds and staff may not be used for non-VR purposes

The partnership between the One-Stop and VR must abide by the requirements of the Rehabilitation Act. For example, VR staff at a One-Stop may do such things as determining eligibility for VR services, explaining VR services during an orientation session, conducting a workshop for VR clients, and providing direct assistance to VR clients. However, VR staff and funds cannot be used to meet the needs of non-VR clients. For example, VR staff cannot help a non-VR client with their resume or in finding a job. Therefore, no matter what level of integration is occurring between VR and the One-Stop system, there must be mechanisms in place to ensure that the resources of VR are utilized to serve only people with disabilities.

An interactive relationship

The WIA regulations state that the relationship between VR and the One-Stop system should be interactive in nature, with referring of individuals by VR to other components of the One-Stop system, and the One-Stop system similarly referring individuals to VR. Ideally, the One-Stop system can be designed in such a way that individuals will fully benefit from the potential of the One-Stop system, through blending of One-Stop partner services. An individual would utilize VR services as needed, but also benefit from the wide array of other services available as well. One of the major challenges of the One-Stop system will be to do this in a way that creates the perception of seamless service delivery from the customer viewpoint, and also makes the individual fully aware of the options available to them.

Options for people with disabilities

The bottom line is that people with disabilities have a number of options in using One-Stop services. They can:

1) receive most or all of their services exclusively from VR

2) receive some services from VR, and other services from other One-Stop partners

3) only use non-VR One-Stop services

How people with disabilities use One-Stop services is going to be highly dependent on individual needs, choices, and eligibility.

A Mutually Beneficial Relationship

WIA offers an opportunity for VR to work in a much more collaborative way with other service systems. This could benefit VR twofold:

- VR will have the opportunity to share its expertise with a much wider audience, thus not only benefiting more individuals with disabilities, but also allowing other service systems to recognize the enormous expertise and importance of VR as part of the overall service delivery system.

- VR will also have the opportunity to utilize the resources of other partners and services, allowing the resources of VR to be stretched to serve more individuals and/or individuals with more significant needs.

Ideally, VR and the rest of the One-Stop system can mutually benefit from each others' expertise. Here are just a few examples of how such a partnership can work:

- VR can assist One-Stop Centers in assuring that the facility and services are fully accessible– both programmatically and physically.

- VR can assist One-Stop customers who are using other One-Stop services to find employment, with obtaining assistive technology, arranging for job accommodations, and developing post-employment supports, as long as they also qualify for VR services.

- If VR staff are assisting people to find employment, they can utilize the various job search services of the One-Stop, including job listings, on-site employer interviews and information sessions, as well as employer contacts of other One-Stop staff. VR staff can similarly share their employer contacts with other One-Stop staff.

- VR clients can avail themselves of the various workshops the One-Stop may offer, such as resume development, interviewing skills, etc.

- VR staff can assist clients in accessing other services available at the One-Stop Center, including other intensive services, as well as training services.
- Through creating understanding among other One-Stop staff concerning the services of VR, other One-Stop partners can utilize the expertise of VR to meet customer needs, and refer individuals to VR who qualify and could benefit from VR services.

A well developed partnership will allow the resources of VR and other partners to be used in a broader yet more efficient fashion, and allow VR to focus on its particular areas of expertise.

WIA will no doubt lead to VR working much more collaboratively with other service providers and funding agencies. Under WIA, it will be essential that VR make every effort to ensure that its vital role for people with disabilities is recognized and utilized.

ISSUES FOR PUBLIC NON-PARTNER HUMAN SERVICE AGENCIES

The federal legislation and regulations implementing the Workforce Investment Act (WIA) mandate a number of partners that are to be part of the Workforce Development system in each state. The only mandated partner that is specific to people with disabilities is the state Vocational Rehabilitation agency. However, WIA does not prohibit a state from including other state agencies and programs as partners. Other potential partners include state developmental disability agencies, state mental health agencies, Temporary Assistance to Needy Families (TANF), and others. Whether or not other partners should be included is being left to the discretion of individual states and local service delivery areas. The questions for those agencies that are not mandated WIA partners are:

- Are there opportunities in my state for non-mandated agencies and programs to become WIA partners?
- What are the requirements and process for becoming a partner?
- What does being a partner mean for our agency, and what will it require of our agency?
- What are the potential advantages and disadvantages to becoming a partner?
- What are the potential advantages and disadvantages to not becoming a partner?
- Besides being a WIA partner, are there other avenues and opportunities for our agency or program to become involved in WIA activities and services?

Agencies and programs that are not mandated WIA partners have three options:
1) They can ignore WIA under the presumption that it does not impact them and/or provides no opportunity to positively impact the services they provide.
2) They can learn about WIA, not necessarily with the intent of becoming a partner, but to at least develop a core understanding of the issues involved, the impact WIA has in their state and possibly on their particular agency, and to look for avenues for collaboration with the workforce investment system.
3) They can actively advocate for their inclusion as a partner in WIA.

It behooves any agency which in one way or another is involved with assisting individuals to find employment to avoid the "head in the sand approach" of option # 1. It makes much more sense to at least develop an understanding of WIA, and possibly advocate to become a WIA partner. Significant workforce development and labor exchange services are provided under WIA, with many of these

services offered via One-Stop Centers. Major decisions concerning allocation of workforce development resources which fund training and placement services, are made by the state and local officials overseeing WIA. With such critical decisions being made concerning services and resource allocation, it is important that non-mandated agencies be aware of what is occurring, because:

- it potentially presents enormous opportunities for better meeting the needs of individuals served by the agency. Even if an agency is not a mandated partner, individuals served by that agency, are still entitled to receive services under WIA.

- in the implementation of WIA, it is important that the needs of the population served by the agency be considered.

- as decisions are made concerning shifting allocation of resources under WIA, non-mandated agencies need to be "at the table" to ensure that decisions are made that won't result in a loss of resources to the agency.

For agencies whose focus is not specifically on people with disabilities (such as TANF), WIA offers the promise of collaboration with other agencies, which will assist such agencies in meeting the needs of their clients with disabilities. One of the basic tenets of WIA is multi-agency partnerships, which in theory enables the sharing of expertise and resources in meeting the needs of individuals with significant barriers to employment, including people with disabilities.

What does it mean to be a WIA partner?

This varies from state-to-state, since the federal requirements for being a WIA partner are general in nature, with each state figuring out what works best for them. Agencies should consider the following in deciding whether or not to become an optional partner under WIA.

- What can be gained as a partner? Does it enable the people served by the agency to receive better services? Does being a partner under WIA, allow the agency to focus more on its areas of expertise, allowing the agency to utilize the expertise of other agencies as part of service delivery? Does becoming a partner allow the agency to have more of the "inside track" in becoming involved in workforce investment activities? Does becoming a partner allow for expansion or more efficient use of resources?

- What are the possible concerns over becoming a partner? Will the agency have to give up control of some of its resources? Is the One-Stop system capable of meeting the needs of the individuals served by the agency in a quality way? Will the energy and effort that will have to go into coordination with other partners be worth the end result? Would the agency be better off working in a collaborative way with the workforce investment system, and One-Stop system, without becoming an official partner, being able to experiment with various types of involvement on a formal and informal basis?

The following are recommendations for agencies and programs which are not mandated WIA partners.

- Find out who is involved in the implementation of WIA in your state, and determine if there are ways for you to learn about and have input into the process of implementation (contact information is contained in the resource section at the end of this publication)

- Find out about the make-up of your state and local WIA boards. Who is on the board? Are there individuals who are able to represent the needs of your agency, and the people it serves?

- Learn what being a partner in the One-Stop system entails. Obtain information about the Memorandums of Understanding (MOUs) being developed and used in your state between local Workforce Investment Boards and One-Stop partners, which will provide information on specific parameters and requirements of being a partner. Talk to individuals from agencies that are One-Stop partners, particularly at the local level, and find out what their experience has been. Keep in mind that many of these partnerships are still in their early stages, so how these partnerships will operate over the long-term remains to be seen.

- Find out if your state and/or local WIA service delivery areas, are considering having WIA partners besides those that are federally mandated. If your agency is not currently being considered as an optional partner, and it is something you feel would be of benefit to your agency, advocate to become a WIA partner.

- Determine what other mechanisms and options are available, besides becoming a partner agency, for accessing the resources resulting from WIA in order to benefit the individuals served by your agency.

- Learn about the changes in services and resource allocation that are occuring within your state under WIA. Determine how your agency can position itself to respond effectively and to take advantage of these changes.

Acknowledgements

USDOL and RSA Contacts

disAbility Employment and Initiatives Unit

Address
Disability Employment and Initiatives Unit
Room N-4641
Department of Labor/Employment and
Training Administration
200 Constitution Ave., N.W.
Washington, D.C. 20210

ETA Disability Online Web site
http://wdsc.doleta.gov/disability

Office of National Programs
Director
Phone: 202-219-5500, ext. 122

Alexandra Kielty - Division Chief,
disAbility Initiatives Unit
Phone: 202-693-3730; FAX: 202-693-3818

Sandra Y. Johnson - Grant Office Technical
Representative (GOTR)
Phone: 202-693-3735; FAX: 202-693-3818

Jim Downing - Workforce Development
Specialist
Phone: 202-693-3821; FAX: 202-693-3818;
e-mail: jdowning@doleta.gov

Scherrone Dunhamn
Workforce Development Specialist
Phone: 202-693-3744
FAX: 202-202-693-3818

Alex Spady
Office Automation Clerk
Phone: 202-693-3759
FAX: 202-693-3818

One-Stop Office
Karen Staha
Acting Office Director
Phone: 202-219-8395

Dick Ensor
Workforce Development Specialist on
Disability Initiative
Phone: 202-219-8395, ext. 182
FAX: 202-219-5024

Chonita Tillmon
Technical Support on Disability Initiative
Phone: 202-693-3760; FAX: 202-693-3818

Contacts in the Welfare-to-Work Office:
Dennis Lieberman
Director of the Welfare-to-Work Grant
Implementation Team
Phone: 202-693-3375

Nayda Cruz-Lopez
Office of Welfare-to-Work
Phone: 202-693-3381

Helen Williams
Office of Welfare-to-Work
Phone: 202-693-3384

Listing current as of 3/2001 - updated listings are available at: http://wdsc.doleta.gov/disability

Rehabilitation Services Administration Regional DOL/One-Stop Disability Coordinators

Region	Contact Person	Phone	Fax	E-mail
I	Maryanne Langton Richard Lawrence Department of ED/OSERS J.W. McCormack PO and Courthouse Room 232 Boston, MA 02109	617-223-4086	617-223-4573	Maryanne_Langton@ed.gov Richard_Lawrence@ed.gov
II	Anthony Spinelli Department of ED/OSERS 76 Park Place, Room 1236 New York, NY 10007	212-264-4016	212-264-3029	Anthony_Spinelli@ed.gov
III	Anthony Renzi Department of ED/OSERS The Wanamaker Building, Suite 512 100 Penn Square East Philadelphia, PA 19107	215-656-8531	215-656-6188	Anthony_Renzi@ed.gov
IV	Darlo Koldenhoven Department of ED/OSERS 61 Forsyth St. SW, Room 18-T-91 Atlanta, GA 30303	404-562-6330	404-562-6346	Darlo_Koldenhoven@ed.gov
V	Charles Linster Department of ED/OSERS 111 N. Canal, Room 1048 Chicago, Illinois 60606	312-886-8625	312-886-8623	Charles_Linster@ed.gov
VI	Martha Garber Department of ED/OSERS Harwood Center 1999 Bryan St., Suite 2740 Dallas, TX 75201-6817	214-880-4927	214-880-4931	Martha_A._Garber@ed.gov
VII	Geraldine Harris Department of ED/OSERS 10220 N. Executive Hills Boulevard Kansas City, MO 64153-1367	816-880-4102	816-891-0807	Geraldine_Harris@ed.gov
VIII	Marian Fuller Department of ED/OSERS Federal Office Building, Suite 310 1244 Speer Boulevard Denver, CO 80204-3582	303-844-2135	303-844-6269	Marian_Fuller@ed.gov
IX	Joe Pepin Madeline Majete Department of ED/OSERS Federal Office Building, Room 215 50 United Nations Plaza San Francisco, CA 94102	415-437-7852 415-437-7854	415-437-7848	Joe_Pepin@ed.gov Madeline_Majete@ed.gov
X	Diana Koreski Department of ED/OSERS 915 Second Avenue, Room 2848 Seattle, WA 98174-1099	206-220-7840	206-220-7842	Diana_Koreski@ed.gov

Current as of 3/2001 - updated listing available at: http://wdsc.doleta.gov/disability/htmldocs/rsa_regional_coord.html

USDOL One-Stop Disability Coordinators

Region	Contact Person	Phone	Fax	E-mail
I Boston	Jose Melendez or Holly O'Brien USDOL/ETA JFK Federal Bldg, Rm E-350 Boston, MA 02203	617-565-2246	617-565-2229	jmelendez@doleta.gov hobrien@doleta.gov
I New York	Ellyn Spratt-Soualah USDOL/ETA 201 Varick St., Rm 755 New York, NY 10014	212-620-6816	212-337-2144	espratt-soualah@doleta.gov
II Philadelphia Region	Sharon Duckett USDOL/ETA P.O. Box 8796 3535 Market St., Rm 13300 Philadelphia, PA 19104	215-861-5217	215-861-5261	sduckett@doleta.gov
III Atlanta Region	Tom Nelson USDOL/ETA Atlanta Federal Ctr, Rm 6M12 60 Forsyth St., S.W. Atlanta, GA 31313	404-562-2119	404-562-2153	tnelson@doleta.gov
IV Hub Dallas Region	James Howard USDOL/ETA Federal Building, Rm 317 525 Griffin St. Dallas, TX 75203	214-767-2154	214-767-4952	jhoward@doleta.gov
IV Hub Dallas Region	Lynn Kinzer USDOL/ETA 1999 Broadway St., Ste. 1780 Denver, CO 80202-5716	303-844-1654	303-844-1744	lkinzer@doleta.gov
V Hub Chicago Region	Tom Dilisio USDOL/ETA 230 S. Dearborn St., Rm 628 Chicago, IL 60604	312-353-4218	312-353-4474	tdilisio@doleta.gov
V Affiliate Chicago Region	Pam Bouallegue or Fred Homan USDOL/ETA City Center Square 1100 Main St., Suite 1050 Kansas City, MO 64105	816-426-3796 x244 816-426-3796 x247	816-426-2729 816-426-2729	pbouallegue@doleta.gov fhoman@doleta.gov
VI Hub San Francisco Region	Sarah Jang Deirdre Miles-Briscoe USDOL/ETA 71 Stevenson St., Rm 830 P.O. Box 193767 San Francisco, CA 94119-3767	415-975-4668	415-975-4612	sjang@doleta.gov dmiles-briscoe@doleta.gov
VI Affiliate San Francisco Region	Mary Edgar or Rosemary Kafara-Cowen USDOL/ETA 1111 Third Avenue, Ste 900 Seattle, WA 98101-3212	206-553-4386 x8002	206-553-0098 x8018	medgar@doleta.gov rkarafa@doleta.gov

Current as of 4/2001 - updated listing available at: http://wdsc.doleta.gov/disability/htmldocs/onestop_coord.html

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One-Stops: Complying with the Legal Requirements

Section Purpose

Provide information on the legal requirements of the One-Stop system in service delivery for people with disabilities

Section Contents

A) **One-Stop Systems: Legal Guidelines & Requirements for Serving People with Disabilities:** Discusses the specific legal obligations of the One-Stop system in serving people with disabilities, and the legal rights of people with disabilities in using the One-Stop system

B) **Policy Brief:** *Provisions in the Workforce Investment Act Relating to Nondiscrimination on the Basis Of Disability and the Development by the Governor of a Written Methods of Administration:* Detailed analysis and excerpts from the Workforce Investment Act Nondiscrimination and Equal Opportunity Regulations pertaining to people with disabilities

One-Stop System: Legal Guidelines & Requirements for Serving People with Disabilities

By David Hoff, Institute for Community Inclusion

Services and activities provided by the One-Stop system must comply with a number of regulations concerning provision of services for people with disabilities.

- As recipients of federal funds from the U.S. Department of Labor and other federal sources, the One-Stop system and One-Stop Centers must comply with Section 504 of the Rehabilitation Act

- As activities provided or made available by state or local governments, the One-Stop System must comply with Title II of the Americans with Disabilities Act (ADA)

- The One-Stop system must also abide by specific regulations on nondiscrimination and equal opportunity for services provided under the Workforce Investment Act [29 CFR Part 37], which focus not only on services for people with disabilities but address equal opportunity for a wide range of other groups and individuals.

The purpose of this piece is to specifically focus on the legal requirements of the One-Stop system and One-Stop Centers concerning provision of services to people with disabilities, with a general review of the legal requirements. Elsewhere in this section is a Policy Brief, "Provisions in the Workforce Investment Act Relating to Nondiscrimination on the Basis of Disability and the Development by Governor of a Written Methods of Administration" which provides detailed excerpts and interpretation of these regulations.

The Nondiscrimination and Equal Opportunity regulations prohibit One-Stop Systems from discriminating against people with disabilities in the process of hiring One-Stop staff. However, the information contained in this piece focuses only on nondiscrimination and equal opportunity in delivery of services.

> ***Please note:*** *The information in this section is based on interpretation of various federal regulations and requirements and has undergone a through review process. However, it should in no way be interpreted as an official policy document or legal determination. One-Stop systems are advised to discuss specific legal issues with competent counsel.*

IMPACT OF STATE AND LOCAL LAWS AND REGULATIONS CONCERNING NONDISCRIMINATION

This piece contains information only on federal laws and regulations. Federal requirements are the baseline standards for nondiscrimination and equal opportunity. State and local laws and regulations may have additional requirements that the One-Stop system must comply with.

What do the regulations say?

- Need to anticipate needs of people with disabilities: The One-Stop system is required to have anticipated the needs of people with disabilities in the physical design of centers, as well as the design of services. Programs or activities of One-Stop Centers, when viewed in their entirety, must be readily accessible and useable by people with disabilities. What this means is that people with various physical and mental disabilities should be able to go into a One-Stop Center and use many of the available services, without having to make special requests for

accommodations. In addition (as noted below in more detail), individuals do have the right to ask for accommodations to meet their own specific needs. [For information on accommodations, see Section 3.]

- **Cannot refuse to provide services:** A One-Stop Center may not refuse to provide services because the person has a disability. People with disabilities must have opportunities to participate in the programs and services of the One-Stop system that are as effective and meaningful as those provided to people without disabilities.

- **Maximum integration:** People with disabilities must be served in the most integrated setting as possible, in the same programs and services as everyone else, side-by-side with people without disabilities. The law does allow for the development of separate services or programming for people with disabilities, but only when this is deemed necessary to provide a person with a disability with services that are as effective as those provided to others. For example, a One-Stop Center can offer a job seeking skills class for people with disabilities that addresses disability issues.

- **Cannot require participation in separate programs:** Even when separate programs for people with disabilities are permitted, the person with a disability may refuse to participate in the separate program option, and has the right to use the same services that are offered to non-disabled individuals.

- **No unnecessary eligibility standards or rules:** Unnecessary requirements that tend to screen out individuals with disabilities, such as requiring a driver's license as the only acceptable means of identification, or a requirement that individuals must complete intake forms without assistance, are not allowed.

- **No special requirements for people with disabilities:** The One-Stop system may not impose requirements on people with disabilities that are not imposed on others. For example, a One-Stop Center cannot require that a person with disability always be accompanied by a support person, caregiver, or personal assistant.

- **Special benefits are permitted:** The One-Stop system and a One-Stop Center may provide special benefits, beyond those required by regulations, to individuals with disabilities. Examples include such things as additional one-on-one assistance, extra time beyond typical time limits for use of a computer work station, e-mailing or sending job listings to a person's home, etc.

- **Must provide reasonable accommodations:** The One-Stop system and One-Stop Centers must provide reasonable accommodations to customers with disabilities, unless providing the accommodation would cause undue hardship. "Reasonable accommodations" are modifications or adjustments which allow a person with a disability to enjoy the same benefits of services as people without disabilities, such as more intensive staff assistance, provision of a sign-language interpreter, etc.

- **Must make reasonable modifications:** The One-Stop system and One-Stop Centers must also make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination unless making modifications would fundamentally alter the nature of services. For example, it is reasonable to modify a policy that registration materials must be filled out without assistance. However, if a One-Stop Center has a policy that people must work quietly in the resource library, it is not reasonable to make an exception to this policy for a person with a disability.

- Equally effective communications: The One-Stop system must ensure that communications with customers and members of the public with disabilities are as effective as communications with others. This means, among other things, providing appropriate auxiliary aids and services when needed (unless it would result in a fundamental alteration in the nature of services or activities).

  - Auxiliary aids and services include: qualified interpreters, assistive listening headsets, closed and open captioning on videos, telecommunications devices for deaf persons (TDDs and TTYs), computers that allow voice input and output, readers, taped texts, Brailled materials, videotext displays, and transcription services. *For more information on telecommunications and computer accessibility strategies, see Section 3.*

  - The method or device desired by the customer should be given primary consideration, unless it can be shown that another effective means of communication exists.

  - The One-Stop system and One-Stop Centers are not required to provide the newest or most advanced technologies as long as the auxiliary aid or service that is selected allows for effective communication.

- No extra charges: A One-Stop Center cannot charge a person with a disability a fee to cover the costs of providing accessibility. Examples: a One-Stop cannot charge a person who is deaf for the cost of a sign language interpreter; a person who needs specialized equipment (such as a voice output computer) cannot be charged for the cost of this equipment; if a person with a disability needs additional assistance from center staff in order to have access to One-Stop services, the individual cannot be charged for the extra staff time

- Procedures for Determination of Limits on Program Accessibility: If a local One-Stop system believes that it does not need to make facilities or services accessible because it would result in "undue hardship" (fundamental alteration in the nature of the program, or pose undue financial or administrative burdens), the following guidelines should be followed (per federal regulations):

  - Direct service staff cannot decide that an action which would allow program access by a person with a disability is unfeasible. This decision must be made by a member of senior management. Local One-Stop systems should determine the appropriate official to make such decisions (the Center Director, Chair of the Local Workforce Investment Board, state oversight officials, etc.) and communicate this determination to all staff.

  - The determination that undue financial burdens would result must be based on all resources available for use in the operation of the One-Stop Center. It is likely that in making this determination, arbitrators and courts would consider the resources of the state's entire workforce development system, not just the funding available to an individual Center.

  - If it is determined that an action would result in undue hardship, this decision must be given in writing to the individual or individuals who requested the accommodation. This statement must include the reasons that the accommodation would result in an undue hardship.

  - The One-Stop Center must consider and take any other actions that would not result in undue hardship, but which would allow maximum access for the person with a disability to the services and programs of the One-Stop system.

- ♦ The view of the United States Department of Justice is that compliance with these program accessibility requirements would not, in most cases, result in undue financial and administrative burdens on a public entity such as a local One-Stop system.
- ♦ When determining that an action to make services accessible is unfeasible, it is recommended that that legal advice be sought from the U.S. Department of Labor Civil Rights Center (USDOL CRC) or other legal sources (see list of resources at the end of this piece).

- Compliance with MOA: Each state's Governor is required to develop and adhere to a written Methods of Administration (MOA) document that specifies how the state will reasonably guarantee that programs under WIA (including One-Stop Centers) will comply with WIA's nondiscrimination and equal opportunity provisions. The contents of this MOA are covered by very specific requirements; items include how staff will be trained to ensure equal opportunity, and how the state will monitor WIA programs for compliance. Local One-Stop systems and One-Stop Centers must ensure that they comply with their state's MOA.

- Requirement to have an Equal Opportunity Officer: Every One-Stop Center must designate an Equal Opportunity Officer, who should be a senior level employee of the One-Stop. Among other responsibilities, the Equal Opportunity Officer:
  - ♦ Serves as a liaison with the U.S. Department of Labor Civil Rights Center [USDOL CRC]
  - ♦ Monitors and investigates the One-Stop's activities to ensure that the One-Stop is fully compliant with nondiscrimination and equal opportunity requirements
  - ♦ Reviews the One-Stop's written policies to ensure they are not discriminatory
  - ♦ Develops and publishes the One Stop's procedures for processing complaints
  - ♦ Reports directly to appropriate officials (including the state WIA director and the Governor's WIA liaison) about equal opportunity issues
  - ♦ Participates in ongoing training.

How do the regulations actually impact One-Stop services?
- An individual with a disability who goes to a One-Stop Center must be provided the same orientation, registration, assessment, and any other services that are typically provided, in the same settings as everyone else.
- People with disabilities must be able to use the One-Stop Center library and other resources, and are entitled to receive information in formats and in a way that they can understand. For example, if an individual has dyslexia, information must be conveyed verbally; an individual who is blind, must receive written information in Braille or other format that allows them access to the information.
- People with disabilities are entitled to sign up for any open classes or workshops offered by the One-Stop Center.
- People with disabilities must be given equal consideration for all of the intensive and training services that are offered via the One-Stop system.

Can a One-Stop Center ask whether an individual has a disability?

A One-Stop may not make unnecessary inquiries into the existence of a disability. One-Stops may ask whether an individual has a disability, but there must be a specific reason for making such an inquiry. . (Note: This is different from the employment provisions of the ADA under Title I, which prohibit employers from asking about the presence of a disability, prior to an offer of employment.) Possible reasons for asking about disability could include:

- to determine if the individual is eligible for special services or funding as a result of the individual's disability
- for data collection purposes as required by the Nondiscrimination and Equal Opportunity regulations
- to ensure that accommodation needs are met so individual can fully benefit from services.

Requests for information concerning the presence of a disability cannot be used as a basis for excluding individuals from receiving services. For more information on this issue, see the piece "Asking About Disability and Respecting Confidentiality" in Section 1.

What disability statistics are One-Stops required to collect?

Each One-Stop must record the disability status (when known) of every applicant, registrant, terminee, applicant for employment, and One-Stop employee. This information must be stored in a manner that ensures confidentiality of information about an individual's disability status. Local One-Stop systems and One-Stop Centers must also maintain logs of complaints alleging discrimination.

Who enforces the equal opportunity regulations?

The Civil Rights Center (CRC) of the U.S. Department of Labor is responsible for administering and enforcing the nondiscrimination and equal opportunity provisions in WIA and the implementing regulations and developing and issuing policies, standards, guidance, and procedures for effecting compliance.

Who may file complaints of discrimination and how are they filed?

Any person who believes that either he or she, or any specific class of individuals, has been or is being subjected to discrimination may file a written complaint, either personally or through a representative. The complaint may be filed with either the One-Stop's Equal Opportunity Officer or the Director of the USDOL Civil Rights Center. The deadline for filing complaints is 180 days from the time the alleged discriminatory act happened.

What are the required elements of a One-Stop System's complaint resolution procedures?

At a minimum, complaint resolution procedures must:

- Provide for a notice of final action within 90 days from the date the complaint is filed

- Contain:
  a) notice that complaint has been received;
  b) written statement of the issues and whether the One-Stop will accept or reject the issue for investigation
  c) a period for fact-finding or investigation
  d) a period for voluntary resolution
  e) a written notice of final resolution which must include a notice of right to file an appeal with the CRC

- Provide for alternative dispute resolution, such as an impartial mediator.

Requirements for Outreach and Marketing Targeted to People with Disabilities

As part of its efforts to provide universal access, One-Stops must do outreach and marketing to both the general public and specific populations, including people with disabilities. Examples of outreach noted in the regulations include:

- Advertising the One-Stop system's services in the media
- Sending notices about One-Stop services to schools and community service groups that serve people with disabilities
- Consulting with appropriate service groups (such as community rehabilitation providers, disability agencies, and advocacy groups) to determine how the One-Stop system can improve its outreach and services to people with disabilities and broaden the pool of people using One-Stop services.

What are a One-Stop's obligations to disseminate its equal opportunity policy?

The One-Stop Center must provide notice that it does not discriminate on any prohibited grounds to:

- Registrants and applicants for services
- Participants in One-Stop system services
- Applicants for employment and employees
- Unions or professional organizations that hold collective bargaining or professional agreements with the One-Stop system
- Sub-recipients or subcontractors that receive WIA Title I funds from the One-Stop system
- Members of the public

This notice must be available in accessible formats, and the One-Stop system must ensure that communication of this policy to people with disabilities is as effective as communication with other people.

The equal opportunity policy notice must contain the following specific wording:

Equal Opportunity Is the Law

It is against the law for this recipient of Federal financial assistance to discriminate on the following basis:

- Against any individual in the United States, on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief; and
- Against any beneficiary of programs financially assisted under Title I of the Workforce Investment Act of 1998 (WIA), on the basis of the beneficiary's citizenship/status as a lawfully admitted immigrant authorized to work in the United States, or his or her participation in any WIA Title I-financially assisted program or activity.

The recipient must not discriminate in any of the following areas:

- Deciding who will be admitted, or have access, to any WIA Title I-financially assisted program or activity;
- Providing opportunities in, or treating any person with regard to, such a program or activity; or
- Making employment decisions in the administration of, or in connection with, such a program or activity.

What to Do If You Believe You Have Experienced Discrimination

If you think that you have been subjected to discrimination under a WIA Title I-financially assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation with either:

- The recipient's Equal Opportunity Officer (or the person whom the recipient has designated for this purpose); or
- The Director, Civil Rights Center (CRC), U.S. Department of Labor, 200 Constitution Avenue NW, Room N-4123, Washington, DC 20210.

If you file your complaint with the recipient, you must wait either until the recipient issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with the Civil Rights Center (see address above).

If the recipient does not give you a written Notice of Final Action within 90 days of the day on which you filed your complaint, you do not have to wait for the recipient to issue that Notice before filing a complaint with CRC. However, you must file your CRC complaint within 30 days of the 90-day deadline (in other words, within 120 days after the day on which you filed your complaint with the recipient).

If the recipient does give you a written Notice of Final Action on your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with CRC. You must file your CRC complaint within 30 days of the date on which you received the Notice of Final Action.

This notice must also include the Equal Opportunity Officer's name and contact information.

Where must this notice be published?

At a minimum this notice must be:
- posted prominently in reasonable places where it will be available to customers
- disseminated in internal communications
- included in internal and external handbooks and manuals
- made available to each customer, and made part of each customer's file

What information concerning equal opportunity must outreach materials include?

The One-Stop Center must indicate that it is an "equal opportunity employer/program" and that "auxiliary aids and services are available upon request to individuals with disabilities" in recruitment brochures and other materials that are ordinarily distributed or communicated in written or oral form. These materials must also indicate the telephone number of the center's TDD/TTY or relay service.

Resources:

U.S. Dept. of Labor Civil Rights Center Contact Information:

The Director
Civil Rights Center (CRC)
U.S. Department of Labor
200 Constitution Avenue NW, Rm N-4123
Washington, D.C. 20210
Phone: (202) 219-8927
e-mail: CRC-WIA@dol.gov

You can also contact the Civil Rights Officer at your regional USDOL office (locations are listed in government pages of the phone book, and are also available at: www.dol.gov/dol/opa/public/aboutdol/offices.htm)

U.S. Department of Justice ADA Hotline

Voice: (800) 514-0301
TTY: (800) 514-0383
Web site: www.usdoj.gov/crt/ada/adahom1.htm
Call to obtain answers to both general and technical questions.

Additional ADA resources are listed in the resource section of this manual

National Association of Protection and Advocacy Systems
900 Second Street, NE, Suite 211
Washington, D.C. 20002
Voice: (202) 408-9514, Fax: (202) 408-9520
Web site: www.protectionandadvocacy.com

This is the national association for the Protection and Advocacy (P & A) Systems, which are federally mandated to protect the rights of persons with disabilities through legally-based advocacy. Every state and territory has a P & A. To find the P & A in your local area, contact NAPAS or consult the listing on their web site. P & As can help answer questions concerning the ADA and other legal issues for people with disabilities.

__Full text of the WIA Regulations on Nondiscrimination and Equal Opportunity:__ Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Investment Act of 1998; Final Rule; Part 37 of Title 29 of the Code of Federal Regulations [29 CFR Part 37]; Federal Register, November 12, 1999. Available on-line at: www.dol.gov/dol/_sec/public/regs/fedreg/final/99028202.htm

Provisions In The Workforce Investment Act Relating To Nondiscrimination On The Basis Of Disability And The Development By The Governor Of A Written Methods Of Administration

The following material is reproduced from the Institute for Community Inclusion, Center on State Systems and Employment (RRTC), Center on Workforce Investment and Employment Policy (RRTC) publication Policy Brief; Volume 2 Number 3 - March 2000

INTRODUCTION

On August 7, 1998 President Clinton signed into law the Workforce Investment Act of 1998 (Public Law 105-220). Hereinafter in this policy brief, Public Law 105-220 will be referred to as "The Act" or "WIA." Title I of WIA provides assistance to states interested in establishing statewide and local workforce investment systems.

Interim final regulations issued by the Department of Labor on November 12, 1999 [Part 37 of Title 29 of the Code of Federal Regulations, 29 CFR Part 37] implement the nondiscrimination and equal opportunity provisions set out in Section 188 of the Act. Section 188 prohibits discrimination on the grounds of disability as well as race, color, religion, sex, national origin, age, political affiliation or belief, and for beneficiaries only, citizenship or participation in a WIA Title I financially assisted program or activity. These regulations are modeled on regulations issued under the Job Training Partnership Act.

The purpose of this policy brief is to identify and describe the key provisions in the interim final regulations articulating the nondiscrimination and equal opportunity responsibilities of the Governor, recipients of WIA funds, and programs and activities that are part of the One-stop delivery system and that are operated by One-Stop partners. The focus on the policy brief will be on those provisions specifically addressing nondiscrimination and equal opportunity for persons with disabilities.

Of particular importance is the requirement in the interim final regulations that the Governor develop and maintain a written document called a "Methods of Administration" describing how the state plans on meeting its nondiscrimination and equal opportunity responsibilities. This document must be completed within 180 days of either the date on which the interim final rule is effective (May 6, 2000) or the date on which the Secretary of Labor gives final approval of the state plan, whichever is later.

GENERAL PROVISIONS

What is the Purpose of the Regulation?

The purpose of the interim final regulation is to implement the nondiscrimination and equal opportunity provisions set out in section 188 of WIA. The regulations also provide uniform procedures for implementing these provisions.

To whom does this regulation apply?

The regulation applies to any recipient of assistance under Title I of WIA, including state-level agencies that administer, or are financed in whole or in part with WIA Title I funds, state and local workforce investment boards, local WIA grant recipients, One-Stop operators, service providers, and on-the-job training employers. The regulation also applies to programs and

activities that are part of the One-Stop delivery system and that are operated by One-Stop partners to the extent that the programs and activities are being conducted as part of the One-Stop delivery system.

What forms of discrimination do the Act and the implementing regulations prohibit?

No individual in the United States may, on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and for beneficiaries only, citizenship or participation in any WIA Title I financially assisted program or activity, be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in the administration of or in connection with any WIA-Title I funded program or activity.

What specific discriminatory actions based on disability are prohibited by the regulation?

The specific discriminatory actions based on disability follow generally the regulations implementing Title II of the Americans with Disabilities Act. [64 Federal Register 61692, November 12, 1999] Discriminatory actions that are prohibited by the regulation include:

- Denying a qualified individual with a disability the opportunity to participate in or benefit from the aid, benefits, services, or training;
- Affording such an opportunity that is not equal to that afforded others;
- Providing such an opportunity that is not as effective in affording equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement as that provided to others;
- Providing different, segregated, or separate opportunity to individuals with disabilities or any class of individuals with disabilities, unless such action is necessary to provide qualified individuals with disabilities with an opportunity that is as effective as that provided to others; and
- Otherwise limiting a qualified individual with a disability in enjoyment of any right, privilege, advantage, or opportunity enjoyed by others.

In addition, a recipient:

- May not deny a qualified individual with a disability the opportunity to participate in WIA Title I financially assisted programs or activities despite the existence of permissibly separate or different programs or activities.
- Must administer WIA Title I financially assisted programs and activities in the most integrated setting appropriate to the needs of qualified individuals with disabilities.
- May not, directly or through contract or other arrangement, use standards, procedures, criteria, or administrative methods that have the purpose or effect of subjecting qualified individuals with disabilities to discrimination or defeating or substantially impairing accomplishment of the objectives of the WIA Title I financially assisted program or activity.
- In the selection of contractors, must not use criteria that subject qualified persons with disabilities to discrimination.
- Must not impose or apply eligibility criteria that screen out or tend to screen out an individual with a disability or any class of individuals with disabilities from fully and

equally enjoying any aid, benefit, service, training, program, or activity unless such criteria can be shown to be necessary for the provision of the aid, benefit, service, training, program or activity being offered.

- Furthermore, with regard to aid, benefits, services, training, and employment, a recipient must provide reasonable accommodation to qualified individuals with disabilities who are applicants, registrants, participants, employees (or applicants for employment), unless providing the accommodation would cause undue hardship.

- The term "reasonable accommodation" means modifications or adjustments to an application/registration process that enables a qualified applicant/registrant with a disability to be considered for the aid, benefits, services, training, or employment; modifications or adjustments that enable a qualified individual with a disability to receive aid, benefits, services, or training equal to that provided to nondisabled individuals or to perform the essential functions of a job; or modifications or adjustments that enable a qualified individual with a disability to enjoy the same benefits and privileges as are enjoyed by other similarly situated individuals without disabilities.

- A recipient must also make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination unless making modifications would fundamentally alter the nature of the service, program, or activity.

- In addition, recipients must take appropriate steps to ensure communications with beneficiaries, registrants, applicants, participants and members of the public who are individuals with disabilities are as effective as communications with others. This means, among other things, furnishing appropriate auxiliary aids and services where necessary unless it would result in a fundamental alteration in the nature of a service, program, or activity.

To what extent are employment practices covered by the regulation?

Discrimination is prohibited in employment practices in the administration of, or in connection with the following:

- Any WIA Title I financially assisted program or activity; and

- any program or activity that is part of the One-Stop delivery system and is operated by a One-Stop partner to the extent that the program or activity is being conducted as part of the One-Stop delivery system.

Recipients that are also employers, employment agencies, or other entities covered by Titles I and II of the ADA should be aware of obligations imposed by those titles. This rule does not preempt consistent state and local requirements.

What office in the Department of Labor is responsible for administering this regulation?

The Civil Rights Center, in the Office of the Assistant Secretary for Administration and Management, is responsible for administering and enforcing the nondiscrimination and equal opportunity provisions in WIA and the implementing regulations and for developing and issuing policies, standards, guidance, and procedures for effecting compliance.

RECORDKEEPING AND OTHER AFFIRMATIVE OBLIGATIONS OF RECIPIENTS

What is the grant applicant's obligation to provide a written assurance of compliance with the nondiscrimination provisions of Section 188 of WIA?

As a condition to the award of financial assistance under Title I of WIA, the grant applicant must assure that it will comply fully with the nondiscrimination and equal opportunity provisions of WIA and other civil rights statutes such as the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973.

The WIA state plan must provide a statement that WIA Title I assisted programs and activities will be conducted in compliance with these laws and implementing regulations. The state must also certify that it has developed and maintains a Methods of Administration (which is described below).

What are the rules governing the designation and responsibilities of equal opportunity officers?

Every recipient (except small recipients) must designate an equal opportunity officer. A small recipient means a recipient who has fewer than 15 beneficiaries per year and employs fewer than 15 employees. The individual should be a senior level employee of the recipient i.e., the individual should have the requisite education, training, and experience and have authority to direct the equal opportunity effort. The responsibilities of the equal opportunity officer include:

- Serving as a liaison with the Department of Labor's Civil Rights Center;
- Monitoring and investigating the recipient's activities;
- Reviewing the recipient's written policies;
- Developing and publishing the recipient's procedures for processing complaints;
- Reporting directly to appropriate officials (including the state WIA director and the Governor's WIA liaison) about equal opportunities matters;
- Undergoing ongoing training;
- If applicable, overseeing the development and implementation of the recipient's Methods of Administration.

What are a recipient's obligations to disseminate its equal opportunity policy?

A recipient must provide initial and continuing notice that it does not discriminate on any prohibited ground to, among others, registrants, applicants, participants, and employees. During each presentation to orient new participants and new employees, and the general public, a recipient must include a discussion of the rights, including the right to file a complaint, under the nondiscrimination and equal opportunity provisions of WIA.

What are the recipient's responsibilities to collect and maintain data and other information?

Each recipient must record the disability status (where known) of every applicant, registrant, terminee, applicant for employment, and employee. This information must be stored in a manner ensuring confidentiality. Recipients must also maintain logs of complaints alleging discrimination. The most important purposes of the equal opportunity data and information collection and maintenance system are to assist the CRC and those assigned by the state in monitoring performance by recipients, identifying instances or areas of discrimination and identifying individuals or groups of individuals who have been discriminated against. A vital element of a system is the ability for the reviewer to correlate aggregate data to individual records.

What are a recipient's responsibilities under the regulation regarding the provision of universal access to WIA Title I financially assisted core services?

Recipient's responsibilities include:
- Advertising the recipient's program in the media;
- Sending notices to schools and community service groups that serve various populations; and
- Consulting with appropriate service groups about ways in which the recipient may improve its outreach and service to various populations to broaden the pool of those considered for participation in One-Stops and other WIA-assisted programs and activities.

GOVERNOR'S RESPONSIBILITIES TO IMPLEMENT THE NONDISCRIMINATON AND EQUAL OPPORTUNITY REQUIREMENTS OF WIA

What are the Governor's Oversight Responsibilities?
The Governor is responsible for oversight of all WIA Title I financially assisted state programs. This responsibility includes ensuring compliance with the nondiscrimination and equal opportunity provisions.

To what extent may a Governor be liable for the actions of a recipient he or she has financially assisted under WIA Title I?
The Governor is jointly and severally liable for all violations of the nondiscrimination and equal opportunity provisions by recipients unless the Governor:
- Established and adhered to a Methods of Administration (see below);
- Entered into a contract with the recipient that clearly establishes the recipient's responsibilities;
- Acted with due diligence to monitor the recipient's compliance;
- Took prompt and appropriate corrective action to effect compliance.

What are a Governor's oversight responsibilities regarding recipients' recordkeeping?
The Governor must ensure that recipients collect and maintain prescribed records in an appropriate manner.

What are a Governor's responsibilities to develop and maintain a Methods of Administration?
Each Governor must establish and adhere to a Methods of Administration (MOA) for state programs under WIA Title I. The MOA must be designed to give reasonable guarantee that all recipients will comply and are complying with the nondiscrimination and equal opportunity provisions of WIA and the implementing regulations. The MOA must be in writing (with narrative and documentation), reviewed and updated periodically (at least every two years), and signed by the Governor.

At a minimum, each Methods of Administration must:
- Describe how the state programs and recipients have satisfied the requirements concerning:
  - assurances,
  - equal opportunity officers,
  - notice and communication,
  - data and information collection and maintenance,
  - universal access,
  - Governor's oversight responsibilities regarding recipient recordkeeping, and
  - complaint processing procedures;

- Include a system for determining whether a grant applicant or service provider is likely to conduct its programs and activities in a nondiscriminatory way;

- Include a system for periodically monitoring the compliance of recipients which must include—a statistical or other quantifiable analysis of records and data, an investigation of any significant differences identified, and an assessment to determine whether the recipient has fulfilled its administrative obligations (e.g., assurances, equal opportunity officers, notice and communication, data and information collection and maintenance, universal access, and complaint processing procedures) and any duties assigned to it under the MOA (e.g., monitoring, sanctions and corrective actions, and policy development, communication and training);

- Include a review of recipient policy issuances to ensure they are nondiscriminatory;

- Include a system for reviewing recipient's job training contracts and other similar agreements to ensure that they are nondiscriminatory and contain required language;

- Include procedures for ensuring that recipients comply with section 504 of the Rehabilitation Act (e.g., provide reasonable accommodation, reasonable modifications to policies and procedures, program and architectural accessibility, administering the program in the most integrated setting appropriate, and ensuring effective communication);

- Include a system of policy communication and training to ensure that personnel are aware of and can effectively carry out these responsibilities;

- Include procedures for obtaining prompt corrective action (including in the case of a finding of discrimination, procedures for retroactive relief— e.g., back pay, and prospective relief— e.g., training, policy development and communication— to ensure that the discrimination does not recur), or, as necessary, applying sanctions when noncompliance is found; and

- Include supporting documentation to show that the commitments made in the Methods of Administration have been and or are being carried out, including—policy and procedural issuances, copies of monitoring instruments and instructions, evidence that nondiscrimination and equal opportunity policies have been developed and communicated, information reflecting the extent of training, reports of monitoring reviews and reports of follow-up actions taken (e.g., use of sanctions), and copies of any notices made.

When must the Governor carry out his or her obligations with regard to the Methods of Administration?

The Methods of Administration must be completed within 180 days of either the date on which the interim final rule is effective (May 6, 2000) or the date on which the Secretary of Labor gives final approval of the state plan, whichever is later.

COMPLIANCE PROCEDURES (INCLUDING COMPLAINT RESOLUTION PROCEDURES)

How does the Director of the Civil Rights Center, Department of Labor, evaluate compliance with the nondiscrimination and equal opportunity provisions in WIA and the implementing regulations?

The Director may conduct pre-approval compliance reviews of grant applicants and post-approval compliance reviews of recipients. The Director may also investigate and resolve complaints. Further, the Director may periodically review the adequacy of the Methods of Administration as well as the adequacy of the Governor's performance under the MOA.

Who may file a complaint and with whom?

Any person who believes that either he or she, or any specific class of individuals, has been or is being subjected to discrimination may file a written complaint, either by him/herself or through a representative. The complaint may be filed with either the recipient or the Director of the Civil Rights Center.

What are the required elements of a recipient's complaint resolution procedures?
At a minimum, procedures must:

- Provide for a notice of final action within 90 days from the date the complaint is filed;
- Contain specified elements (e.g., notice that complaint has been received, written statement of issues and whether recipient will accept or reject the issue for investigation, period for fact-finding or investigation, period for voluntary resolution, and a written notice of final resolution which must include a notice of right to file an appeal with the CRC); and
- Provide for alternative dispute resolution.

Are there any circumstances in which the Director will send a complaint to another authority?

Yes. Where a case involves an allegation of employment discrimination under the ADA, the Director may refer the complaint to the Equal Employment Opportunity Commission.

Where the complaint alleges discrimination by an entity that operates a program or activity financially assisted by a grantmaking agency other than the Department of Labor, but that participates as a partner in a One-Stop delivery system, the Civil Rights Center in DOL and the Office for Civil Rights in the grantmaking agency (e.g., the Department of Education where the partner is the state vocational rehabilitation agency) will have dual jurisdiction over the complaint. Under these circumstances, the Director of the Civil Rights Center will refer the complaint to the grantmaking agency for processing.
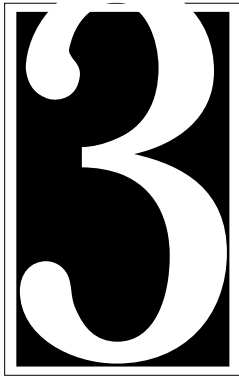
According to the preamble to the interim final regulations, local workforce investment boards, when developing and entering into memoranda of understanding with One-Stop partners should include attention to equal opportunity issues that may affect the One-Stop partners or the delivery system. Such issues include how discrimination complaints will be handled and how the cost of reasonable accommodations will be shared. [64 FR 61697, November 12, 1999]

If the Director concludes that compliance cannot be secured by voluntary means what actions must he or she take? [29 CFR 37.99]

If the Director concludes that compliance cannot be secured by voluntary means, he or she must either issue a final determination (which could result in withholding in whole or in part of WIA Title I funds), refer the matter to the Attorney General with a recommendation that an appropriate civil action be instituted, or take such other action as may be provided by law.

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Ensuring Accessibility at a One-Stop Center

Section Purpose

Provide tools and information to ensure that One-Stop Centers are completely accessible to people with disabilities in terms of both physical accessibility and service delivery.

Section Contents

A) Accessibility Checklists:

  1) **One-Stop Centers: Service Accessibility Checklist** - A comprehensive checklist to be used by One-Stop Centers to ensure service accessibility

  2) **USDOL Disability Initiative Facilities Checklist** - A comprehensive checklist, developed by the U.S. Department of Labor, to be used by One-Stop Centers to ensure physical accessibility for people with disabilities

B) **Designing a Universally Accessible Electronic Work State and Kiosk:** Excerpts from a report presented to California's One-Stop Career Center Steering Committee, which comprehensively covers various issues and strategies for consideration in the design of a universally accessible electronic work station and kiosk

C) **Examples of Electronically Accessible Work Stations and Kiosks:** Based on information from a USDOL report, provides examples from various One-Stop systems around the country concerning how they are handling issues related to electronic access.

D) **Low-Cost and No-Cost Accessibility Ideas:** A list of easily implemented ideas which can help One-Stop Centers achieve accessibility for people with disabilities

E) **Getting Help in Making One-Stops Accessible:** A listing of resources and organizations which can assist One-Stops in ensuring full accessibility for people with disabilities

One-Stop Centers: Service Accessibility Checklist

Discussions about accessibility frequently emphasize facilities and equipment - the "physical" factors that make a One-Stop usable. The U.S. Department of Labor has issued several checklists that the One-Stop system can use to assess their compliance with legal requirements for structures and devices. Accessibility of services is less concrete and readily visible but equally important. Service accessibility means that, for example, staff can use TTY machines or request interpreters; that information for customers with disabilities is available in a variety of formats and presented in a clear, understandable fashion; that emergency procedures take account of customers with disabilities; and that in general, customers with disabilities are able to equally benefit from the services of the One-Stop system as all other customers.

Under the law, it is not sufficient that the One-Stop system simply respond to requests for assistance and accommodations from people with disabilities. When local One-Stop systems design services, they are required to proactively anticipate the needs of people with various physical, mental, and sensory disabilities. This checklist provides guidelines for service accessibility as well as a summary of the most important equipment that customers need to access One-Stop resources.

Through the use of this checklist, local One-Stop systems and One-Stop Centers can help ensure they

- comply with the law (Section 504 of the Rehabilitation Act, Title II of the Americans with Disabilities Act, and the Nondiscrimination and Equal Opportunity Provisions of the Workforce Investment Act)
- create an environment that makes people with disabilities feel welcome; and
- design services so that people with disabilities can fully benefit.

For information on Nondiscrimination and Equal Opportunity, see Section 2.

Staff Knowledge

❒ Staff recognize the importance of making people with disabilities feel welcome

❒ Staff have had basic awareness training on how to meet the needs of customers with disabilities

❒ Staff understand that they are required to provide reasonable accommodations to customers or potential customers with disabilities, unless senior staff determine that providing such an accommodation would cause an undue hardship

❒ Staff understand the obligations of the One-Stop Center under the Americans with Disabilities Act, the Rehabilitation Act, and the Nondiscrimination and Equal Opportunity Regulations for WIA, including:

♦ people with disabilities have the same rights as anyone else to use the services of the One-Stop system

♦ services and facilities must be readily accessible

♦ services must be delivered in a setting that is fully integrated as possible (meaning that customers with disabilities receive services alongside customers who are not disabled)

❒ Staff understand that they must make reasonable modifications in service delivery to avoid discrimination against people with disabilities, unless senior staff determine that making these modifications would fundamentally alter the nature of the service

- ❐ Staff understand that the Center is required to provide appropriate auxiliary aids and services to ensure that communication with customers and potential customers with disabilities is as effective as communication with other individuals, unless this would result in a fundamental alteration in the nature of the service or activity

- ❐ Staff are aware that they cannot decide that an action which would allow program access by a person with a disability is unfeasible. Such decisions must be made by the designated senior staff member.

- ❐ Staff have been trained in emergency evacuation procedures for people with disabilities, including the evacuation of persons with mobility impairments

- ❐ Staff know how to procure and use various equipment and materials for assisting people with disabilities, including the Center's telecommunications device for the deaf (TT/TTY/TDD), accessible work stations, accessible materials, etc.

Disclosure of Disability

- ❐ When working with customers with disabilities, staff discuss disability only as it pertains to the customer's need to access employment and training services

- ❐ Staff who are working with a customer with a disability get permission from the customer before discussing information about the individual's disability with other One-Stop staff or external individuals (e.g., other agencies)

- ❐ When working with customers with disabilities, staff provide information to other One-Stop staff about a customer's disability only as needed

- ❐ Private office space is available for discussion of disability-related issues

- ❐ All discussions with customers and other individuals about a customer's disability take place in private; if discussions are by phone, calls are made in an area where the caller cannot be overheard

- ❐ Policies and procedures are in place to ensure that staff do not disclose information about a person's disability to other customers

- ❐ Staff understand that under the ADA, the One-Stop Center may ask whether a customer has a disability (under Title II), but that employers are prohibited from doing so during the job application process (under Title I). As a result, staff also understand that they may not disclose the fact that an individual has a disability to an employer without the customer's permission.

- ❐ Staff educate employers about the limits of inquiry under the ADA

- ❐ Staff discuss with customers with disabilities the issue and implications of disclosure of disability to employers and potential employers

- ❐ The management information systems for the One-Stop have been reviewed to ensure that access to information concerning a customer's disability status, and information about their disability, is limited only to staff who require such information to effectively deliver services to the individual

Accommodation Requests

- ❐ The One-Stop Center has procedures and guidelines for handling requests for reasonable accommodations and reasonable modifications in policies, practices, or procedures.

- ❐ A senior management person has been designated to make determinations that a reasonable accommodation or modification is unfeasible, because it would result in a fundamental alteration in the nature of the program or pose undue financial or administrative burdens
- ❐ The One-Stop Center posts clear procedures for requesting reasonable accommodations and modifications in waiting areas, the resource library, and other public areas, and includes them in writing in outreach materials.

Registration and Orientation

- ❐ Staff offer every customer assistance with filling out forms and application materials
- ❐ When signing up for orientation, everyone is asked whether they will need assistance or accommodations to participate
- ❐ If a person needs assistance in filling out registration or intake forms, this is done one-on-one in a private room, where the individual's responses will not be overheard
- ❐ If customers are asked whether they have a disability, this is asked of every customer, and asked in writing, not verbally
- ❐ If the One-Stop Center has special programs for people with disabilities, this information is given in writing, so that people with disabilities don't have to inadvertently disclose by writing down information that is given orally
- ❐ Information in orientation sessions is explained slowly and clearly, with plenty of time and opportunities for questions
- ❐ As required by WIA regulations, every orientation session includes a presentation of customers' rights to nondiscrimination and equal opportunity, including the right to file a complaint,
- ❐ Clearly understood procedures for requesting reasonable accommodations and modifications are included in writing and reviewed verbally during orientation
- ❐ A list of the One-Stop's auxiliary aids and services for communication, assistive technology devices, and material in accessible formats is provided in writing and reviewed verbally during orientation

Service Delivery

- ❐ People with disabilities are served in integrated settings; people with disabilities participate in the programs and services of the One-Stop Center alongside people without disabilities
- ❐ If people with disabilities are served separately from other customers, doing so meets the legal requirement that this be necessary in order for people with disabilities to have opportunities as effective as those provided to other customers
- ❐ If permissible separate programs exist at the One-Stop Center, people with disabilities are not required to participate in such programs
- ❐ People with disabilities have the access to the full range of core, intensive, and training services available to all customers, and are not served exclusively via services from Vocational Rehabilitation
- ❐ The eligibility criteria for intensive and training services do not discriminate against people with disabilities, either overtly or inadvertently [by design or in effect]

- All customers are routinely asked if they will need some type of accommodations or special assistance to take full advantage of One-Stop services
- All customers are routinely offered the option of meeting with staff in private offices
- Information is presented in a way that is understandable to people who have limited or no reading skills
- Information that is presented orally is also available in writing for people who are deaf or hard of hearing, and for people whose learning style requires reinforcement of items in writing
- Services are designed so that individuals who are not knowledgeable, comfortable with, or able to use electronic technology (i.e., computers) can fully benefit from One-Stop services
- Quiet work space is available for people with Attention Deficit Disorder and hearing impairments to thoroughly read and comprehend materials

General Communication Requirements

- The One-Stop Center has taken appropriate steps to ensure that communication with customers and potential customers with disabilities is as effective as communication with other customers
- One-Stop staff regularly ask all customers if they need information in alternative formats, or need help understanding information
- One-Stop staff regularly inform all customers that communications aids and services are provided upon request
- The One-Stop Center has a procedure for responding to requests for auxiliary aids and services. This procedure includes a mechanism for determining that if an aid or service must be substituted for one that was requested, the aid used was equally effective
- The One-Stop Center has identified a source for sign language interpreters, and can respond quickly to interpreter requests

Work Stations and Equipment

- Accessible work station: At least one computer work station for customers has been designed to be as universally accessible as possible for customers with disabilities. [See guidelines and examples of accessible electronic work stations elsewhere in this section].
- Large monitor: For people with low vision, the center has a 19" - 21" monitor with a moveable mounting arm that provides increased character size and a clearer, sharper image
- Screen enlargement capability: The center has computers that allow users with low vision to enlarge the print on the monitor's screen
- Voice output capability: For people with visual disabilities and reading limitations, the center has a work station that can "read" text on the screen and convert the text into voice output; computer has a headphone jack and headphones
- Flatbed scanner: The center has a scanner that can convert a paper document into electronic format [useful for people who access information through voice output and/or need documents converted to Braille]
- Trackball: The center has a work station with a trackball as an alternative to a mouse. [This is useful for customers who have gross motor skills but lack fine motor skills]

- ❒ Alternative keyboard: For people with a variety of disabilities, including those with limited use of their hands and those who tire easily, the center has a modified version of the standard keyboard that allows key selection by variable hand and finger motion

- ❒ Word prediction software: The center has word prediction software that enables the user to reduce the number of keystrokes used in typing

- ❒ Large keyboard caps and keyboard orientation aides: For customers with low vision, the center has a work station with key markings that enlarge letters and numbers on the keyboard

- ❒ Braille printer: The center has a Braille printer for use by customers and staff

- ❒ Height adjustable table: Work stations and work tables include height-adjustable tables for use by wheelchair users

- ❒ Tape recorder: A tape recorder is available for customers who have difficulty taking notes to tape presentations and discussions, and for staff to make audio recordings of written material

- ❒ Portable Assistive Listening Device: The center has a portable assistive listening device available for individuals with mild to severe hearing loss. [These devices increase the loudness of the speaker while reducing background noise.]

[Information on work station requirements are based in part on information from "Assuring Access to Job Seekers with Disabilities in Missouri's One-Stops", which is incorporated into Missouri's state workforce plan. This information was furnished by Missouri Assistive Technology. Guidelines and examples of accessible work stations and assistive technology are contained elsewhere in this section.]

Materials

- ❒ The One-Stop Center has basic orientation materials in alternate formats (large print, Braille, audio-tape, text on computer disk, etc.) and has also identified resources to quickly obtain other materials in alternate formats upon request

- ❒ Materials are available in formats that account for a variety of learning styles, and are also accessible to people who have limited or no reading skills (e.g., pictures, videos, audio-tapes)

- ❒ Paper materials are presented in contrasting colors (e.g., black and white)

- ❒ Videos for customers are closed-captioned

- ❒ The One-Stop's website is fully accessible to people with disabilities and "Bobby" approved.   [A free service that analyzes web pages for their accessibility to people with disabilities — www.cast.org/bobby]

Evacuation Procedures

- ❒ There is a mechanism for ensuring that people who are deaf or hard of hearing are aware of an activated fire or smoke alarm

- ❒ There is an established emergency evacuation procedure that addresses the needs of people with disabilities, including persons with mobility impairments

Marketing Materials and Outreach

- ❒ Marketing materials mention people with disabilities as one of the groups that One-Stop Centers serve

- ❒ Pictures and graphics in marketing materials include positive images of people with disabilities receiving services with other customers

- ❒ The One-Stop Center indicates that it is an "equal opportunity employer/program" and that "auxiliary aids and services are available upon request to individuals with disabilities" in recruitment brochures and other materials. These materials also indicate the telephone number of the center's TDD/TTY or relay service

- ❒ A list of the One-Stop's auxiliary aids and services for communication, assistive technology, and material in accessible formats is provided as part of outreach materials

- ❒ As part of its efforts to provide universal accessibility, the One-Stop Center does outreach to people with disabilities, as required by WIA regulations. This includes such activities as:
  - ♦ Advertising in media that targets people with disabilities
  - ♦ Sending notices about One-Stop activities to community groups, organizations and associations that people with disabilities participate in
  - ♦ Consulting with community groups, organizations, and associations about ways in which the One-Stop Center can improve its outreach and services to people with disabilities

- ❒ Off-site presentations to the general public by One-Stop staff are held in locations that are fully accessible for people with disabilities

- ❒ Presentations to the general public include a discussion of customers' rights concerning nondiscrimination and equal opportunity, as required by WIA regulations

Access to Transportation

- ❒ If the service delivery area has public transportation, the One-Stop Center is in a location that provides optimal public transportation access so that people with disabilities and others who do not drive can easily reach the center

- ❒ Any One-Stop materials that contain driving directions, also include public transportation directions, and/or other transportation options for individuals who do not drive. This includes directions contained on the One-Stop web site.

- ❒ If the service delivery area is not served by public transportation, the One-Stop Center has taken steps to ensure that individuals who do not drive, including people with disabilities, have access to the full range of One-Stop services. This can include developing transportation options and resources, delivering services in satellite locations, etc. See section 12 on Transportation for suggestions

Notice on Equal Opportunity and Nondiscrimination

- ❒ The One-Stop Center posts notices in the waiting area, resource library, and other public areas that outline rights and protections for people with disabilities and other individuals, including the right to equal opportunity, accessible services, and complaint procedures. These posters comply with the required wording in the nondiscrimination and equal opportunity regulations, and include the contact information of the Equal Opportunity Officer

- ❒ The required notice about nondiscrimination and equal opportunity is :
  - ♦ Included in orientation materials made available to every customer
  - ♦ Included in handbooks and manuals

- ♦ Included in marketing materials
- ♦ Disseminated in internal communications
- ♦ Placed in each customer's file
- ♦ Provided in accessible formats
- ♦ Provided to applicants for employment and employees
- ♦ Provided to unions or professional organizations that hold collective bargaining or professional agreements with the One-Stop
- ♦ Provided to sub-recipients or subcontractors that receive WIA Title I funds from the One-Stop

Equal Opportunity and Nondiscrimination Regulations

❏ The One-Stop Center has an Equal Opportunity Officer, who is a senior level employee, as required by WIA regulations

❏ The Equal Opportunity Officer fulfills all the requirements of this position including:
- ♦ Serving as the liaison with the U.S. Department of Labor Civil Rights Center
- ♦ Monitoring the One-Stop Center's activities and written policies to ensure compliance with all applicable laws pertaining to nondiscrimination and equal opportunity
- ♦ Receiving and investigating any complaints concerning possible discrimination by the One-Stop Center
- ♦ Reporting directly to appropriate officials (including the state WIA director and Governor's WIA liaison) about equal opportunity matters
- ♦ Participating in ongoing training concerning nondiscrimination and equal opportunity

❏ One-Stop management and staff are aware of and follow the requirements contained in the state's Methods of Administration (MOA) for Nondiscrimination and Equal Opportunity under WIA

❏ Services, programs, and facilities are reviewed at least annually to ensure that the One-Stop and its services are nondiscriminatory and provide equal opportunity for customers with disabilities

Record Keeping Requirements

❏ Logs of complaints alleging discrimination are kept by the One-Stop Center, as required by law

❏ The disability status (when known) of all customers and applicants for services is recorded. This information is stored in a way that ensures confidentiality.

Facilities Checklist

The following checklist was developed by the U.S. Department of Labor's One-Stop Disability Initiative to ensure that the facilities of One-Stop Centers are physically accessible and welcoming for people with disabilities, and comply with ADA requirements for physical accessibility.

Editor's note: A few additional items have been added to the original USDOL version of this checklist

Part 1: Entrance Accessibility

People with disabilities should be able to arrive on the site, approach the building, and enter the building as freely as everyone else. At least one path of travel should be safe and accessible for everyone, including people with disabilities.

Path of Travel

❒ Is there a path of travel that does not require the use of stairs?

❒ Is the path of travel stable, firm, and slip-resistant?

❒ Is the path at least 36 inches wide?

❒ Can a person with a visual disability detect all objects protruding into the path with a cane?

Note: In order to be detected using a cane, an object must be within 27 inches of the ground. Objects hanging or mounted overhead must be higher than 80 inches to provide clear headroom. It is not necessary to remove objects that protrude less than 4 inches from the wall.

❒ Do curbs on the pathway have curb cuts at drives, parking, and drop-offs?

Ramps

❒ Are the slopes of ramps no greater than 1:12?

Note: Slope is given as a ratio of the height to the length; 1:12 means that for every 12 inches along the base of the ramp, the height increases one inch. For a 1:12 maximum slope, at least one foot of ramp length is needed for each inch of height.

❒ Do all ramps longer than 6 feet have railings on both sides?

❒ Are railings sturdy, and between 34 and 38 inches high?

❒ Is the width between railings at least 36 inches?

❒ Are ramps non-slip?

❒ At the top and bottom of ramps and at switchbacks, is there a 5-foot-long level landing at every 30-foot horizontal length of ramp?

Parking and Drop-Off Areas

❒ Are an adequate number of accessible parking spaces available (8 feet wide for car plus 5-foot striped access aisle)?

For guidance in determining the appropriate number to designate, the table below gives the ADAAG requirements for new construction and alterations. For lots with more than 100 spaces, contact ADAAG (see the "Access Board" listing at the end of this section):

Total spaces:	Required # of accessible spaces:
1 to 25	1
25 to 50	2
51 to 75	3
76 to 100	4

Note: Check your state building code for parking requirements. State codes can be more stringent.

❒ Are 16-foot-wide spaces, with 98 inches of vertical clearance, available for lift-equipped vans?

Note: At least one of every 8 accessible spaces must be van-accessible.

❒ Are the accessible spaces closest to the accessible entrance?

❒ Are accessible spaces marked with the International Symbol of Accessibility?

❒ Are there signs reading "Van Accessible" at van spaces?

❒ Is there an enforcement procedure to ensure that only those who need it use accessible parking?

Entrance

❒ If there are stairs at the main entrance, is there a ramp, lift, or alternative accessible entrance?

Note: Do not use a service entrance as the accessible entrance unless there is no other option.

❒ Do all inaccessible entrances have signs indicating the location of an accessible entrance?

❒ Can the alternate accessible entrance be used independently?

❒ Does the entrance door have at least a 32 inch clear opening (for a double door, at least one 32-inch leaf)?

❒ Is there at least 18 inches of clear wall space on the pull side of the door, next to the handle?

Note: A person using a wheelchair needs this space to get close enough to open the door.

❒ Is the threshold level less than 1/4 inch, or beveled, up to 1/2 inch high?

❒ Are doormats 1/2 inch high or less, and secured to the floor at all edges?

❒ Is the door handle no higher than 48 inches and operable with a closed fist?

Note: The "closed fist" test for handles and controls is as follows: Try opening the door or operating the control using only one hand, held in a fist. If you can do it, so can a person who has limited use of his or her hands.

❒ Can doors be opened without too much force (maximum is 5 lb.)?

Note: You can use a fish scale to measure the force required to open a door. Attach the hook of the scale to the doorknob or handle. Pull on the ring end of the scale until the door opens, and read off the amount of force required. If you do not have a fish scale, you will need to judge subjectively whether the door is easy enough to open.

❒ If the door has a closer, does it take at least 3 seconds to close?

❒ Is the entire front desk or at least a section of the front desk at a height where customers in wheelchairs can see over the desk comfortably and have face-to-face conversation with staff?

Emergency Egress

❒ Is there sufficient lighting for egress pathways such as stairs, corridors, and exit routes?

Part 2: Access to Goods and Services:

Ideally, the layout of the building should allow people with disabilities to obtain goods or services without special assistance. Where it is not possible to provide full accessibility, assistance or alternative services should be available upon request.

Horizontal Circulation

❒ Does the accessible entrance provide direct access to the main floor, lobby, or elevator?

❒ Are all public spaces on an accessible path of travel?

❒ Is the accessible route to all public spaces at least 36 inches wide?

❒ Is there a 5-foot circle or a T-shaped space for a person using a wheelchair to reverse direction?

Doors

❒ Do doors in public spaces have at least a 32-inch clear opening?

❒ On the pull side of doors, next to the handle, is there at least 18 inches of clear wall space so that a person using a wheelchair can get near to open the door?

❒ Can doors be opened without too much force (5 lb. maximum)?

❒ Are door handles 48 inches high or less and operable with a closed fist?

❒ Are all threshold levels less than 1/4 inch, or beveled, up to 1/2 inch high?

Rooms and Spaces

❒ Are all aisles and pathways to all goods and services at least 36 inches wide?

❒ Is there a 5-foot circle or T-shaped space for turning a wheelchair completely?

❒ Is carpeting low-pile, tightly woven, and securely attached along edges?

❒ In routes through public areas, are all obstacles cane-detectable (located within 27 inches of the floor or protruding less than 4 inches from the wall), or are they higher than 80 inches?

❒ Do signs designating permanent rooms and spaces, such as rest room signs, exit signs, and room numbers, comply with the appropriate requirements for accessible signage?

Note: Mount signs on the wall, on the latch side of the door.

Controls

❒ Are all controls that are available for use by the public (including electrical, mechanical, window, cabinet, game, and self-service controls) located at an accessible height?

Note: Reach ranges — The maximum height for a side reach is 54 inches; for a forward reach, 48 inches. The minimum reachable height is 15 inches.

❒ Are the controls operable with a closed fist?

Seats, Tables, and Counters

❒ Are the aisles between chairs or tables at least 36 inches wide?

❒ Are the spaces for wheelchair seating distributed throughout?

❒ Are the tops of tables or counters between 28 and 34 inches high?

❒ Are knee spaces at accessible tables at least 27 inches high, 30 inches wide, and 19 inches deep?

Vertical Circulation
- ❐ Are there ramps or elevators to all levels?
- ❐ On each level, if there are stairs between the entrance and/or elevator and essential public areas, is there an accessible alternate route?

Stairs
- ❐ Do treads have a non-slip surface?
- ❐ Do stairs have continuous rails on both sides, with extensions beyond the top and bottom stairs?

Elevators
- ❐ Are there both visible and verbal or audible door opening/closing and floor indicators?
  Note: one tone = up, two tones = down.
- ❐ Are the call buttons in the hallway no higher than 42 inches?
- ❐ Do the controls outside and inside the cab have raised and Braille lettering?
- ❐ Is there a sign on the jamb at each floor identifying the floor in raised and Braille letters?
- ❐ Is the emergency intercom usable without voice communication?
- ❐ Are there Braille and raised-letter instructions for the communication system?

Lifts
- ❐ Can the lift be used without assistance? If not, is a call button provided?
- ❐ Is there at least 30 by 48 inches of clear space for a person using a wheelchair to approach to reach the controls and use the lift?
- ❐ Are controls between 15 and 48 inches high (up to 54 inches if a side approach is possible)?

Part 3: Telephones

There are a variety of considerations in ensuring that the phone system is accessible to people with disabilities, including phones available for use by customers.

Telephones
- ❐ If pay or public use phones are provided, is there clear floor space of at least 30 by 48 inches in front of at least one?
- ❐ Is the highest operable part of the phone no higher than 48 inches (up to 54 inches if a side approach is possible)?
- ❐ Does the phone protrude no more than 4 inches into the circulation space?
- ❐ Does the phone have push-button controls?
- ❐ Is the phone hearing aid compatible?
- ❐ Is there a phone adapted with high-grade amplification for use by customers with moderate to severe hearing loss, located in a quiet area, away from ambient noise?
- ❐ Is the phone with volume control identified with appropriate signage?

❐ Is one of the phones equipped with a telecommunications device for the deaf (TTY/TDD)?

❐ Is the TTY/TDD available for customers to call into the center as well as for customers to use for calling employers (if the One-Stop has phones that customers can use for calling employers)?

❐ Is the location of the TDD identified by accessible signage bearing the International TDD Symbol?

❐ Is there a hands-free speaker phone with large keypad available for use by individuals who have difficulty holding a receiver and/or dialing numbers?

Part 4: Usability of Rest Rooms

When rest rooms are open to the public, they should be accessible to people with disabilities. Closing a rest room that is currently open to the public is not an allowable option.

Getting to the Rest Rooms

❐ If rest rooms are available to the public, is at least one rest room (either one for each sex, or unisex) fully accessible?

❐ Are there signs at inaccessible rest rooms that give directions to accessible ones?

❐ Is there tactile signage identifying rest rooms?

Note: Mount signs on the wall, on the latch side of the door. Avoid using ambiguous symbols in place of text to identify rest rooms.

❐ Is the doorway at least 32 inches clear?

❐ Are doors equipped with accessible handles (operable with a closed fist), 48 inches high or less?

❐ Can doors be opened easily (5 lb. maximum force)?

❐ Does the entry configuration provide adequate maneuvering space for a person using a wheelchair?

Note: A person using a wheelchair needs 36 inches of clear width for forward movement, and a 5-foot diameter clear space, or a T-shaped space, to make turns. A minimum distance of 48 inches, clear of the door swing, is needed between the two doors of an entry vestibule.

❐ Is there a 36-inch-wide path to all fixtures?

Stalls

❐ Is the stall door operable with a closed fist, inside and out?

❐ Is there a wheelchair-accessible stall that has an area of at least 5 feet by 5 feet, clear of the door swing, OR is there a stall that is less accessible but that provides greater access than a typical stall (either 36 by 69 inches or 48 by 69 inches)?

❐ In the accessible stall, are there grab bars behind, and on the side wall nearest to, the toilet?

❐ Is the toilet seat 17 to 19 inches high?

Lavatories

❒ Does one lavatory have a 30-inch-wide by 48-inch-deep clear space in front?

Note: A maximum of 19 inches of the required depth may be under the lavatory.

❒ Is the lavatory rim no higher than 34 inches?

❒ Is there at least 29 inches from the floor to the bottom of the lavatory apron (excluding pipes)?

❒ Can the faucet be operated with one closed fist?

❒ Are soap and other dispensers and hand dryers 48 inches high or less and usable with one closed fist?

❒ Is the mirror mounted with the bottom edge of the reflecting surface 40 inches high or lower?

Part 5: Signage

Signage should be designed so that it is useful for people with disabilities.

❒ Is all signage 60 inches above the ground?

❒ Are signs on doors on the same side as the door knob?

❒ Is signage well lit, using uniform lighting (e.g., not spotlights), with illumination coming from behind or beside the text or sign?

❒ Is signage in clear contrasting colors (e.g., black and white)?

❒ Is signage in Braille?

Part 6: Additional Access

When amenities, such as public drinking fountains, are provided to the general public, they should be accessible to people with disabilities.

Drinking Fountains

❒ Is there at least one fountain with clear floor space of at least 30 by 48 inches in front?

❒ Is there one fountain with its spout no higher than 36 inches from the ground, and another with a standard height spout (or a single "hi-lo" fountain)?

❒ Are controls mounted on the front (or on the side near the front edge), and operable with one closed fist?

❒ Does the fountain protrude no more than 4 inches into the circulation space?

Designing a Universally Accessible Electronic Work Station and Kiosk

The following information is excerpted from a report by the Electronic One-Stop Steering Committee to California's One-Stop Career Center Task Force. One-Stop Centers may find these guidelines helpful in designing electronic work stations and kiosks that are as accessible as possible for people with disabilities.

TECHNOLOGY AND SERVING INDIVIDUALS WITH SPECIAL NEEDS

Presented by:
Electronic One-Stop Steering Committee
California One-Stop Career Center System
Office of Workforce Policy
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Performance Goals For Universally Accessible Workstations

Universal design yields products that are usable by, and useful to, the widest possible range of people. The cost to create an accessible workstation/kiosk is not generally higher than to design an inaccessible workstation/kiosk. It is recognized that it is not possible to create a product that is usable by all people under all circumstances. The objective is to design a computer workstation/kiosk that:
- can be used by individuals with the widest possible range of abilities and/or circumstances
- can be used effectively by as many people as possible without special assistive technologies
- is compatible with assistive technologies that might be used by people for whom we currently cannot provide direct access
- is commercially feasible using currently available technologies, materials, and skills

Accessibility Guidelines

When readily achievable, the workstation/kiosk must provide the following types of access for individuals with special needs:

1. Non-Visual Access

All important information is presented in an auditory fashion. This includes all directories, labels for all controls, and feedback from controls that are necessary to operate the workstations/kiosk.

2. Non-Auditory Access

All essential information is presented in a visual fashion. This includes all "Help" functions and auditory information used to indicate the status of an operation (such as beeps).

3. Non-Time Dependent Access

The workstation/kiosk allows operations to be done at any rate. Response times can be adjusted over a whole range from very slow to very fast.

4. Minimal Physical Ability Access

- The workstation/kiosk can be operated through the use of a single button or activation area.
- The workstation/kiosk is compatible with assistive devices. The workstation/kiosk provides a

standard port and standard data format that are compatible with assistive control and assistive display devices that may be used by individuals with disabilities.

- The physical design of the workstation/kiosk accommodates the use of prosthetic or assistive devices.
- The workstation/kiosk allows the user to reverse all choices or to confirm them before they take effect.

5. Limited Reach or Strength Access

The workstation/kiosk can be used by individuals who are sitting, standing, and/or have limited strength.

6. No-Color Perception Access

The workstation/kiosk has at least one mode that does not require color perception.

7. No-Speech Capability Access

The workstation/kiosk has at least one mode that does not require the user to speak.

8. Documentation Access

All documentation for the workstation/kiosk is available in electronic text form.

9. Non-Allergenic Access

The workstation/kiosk is made of non-allergenic materials and will not trigger photo-sensitive or audio-sensitive epilepsy.

10. Novice User Access

- The workstation/kiosk provides context-sensitive "help" information
- The workstation/kiosk provides a way for a novice user to learn about the system without outside help

Standard Features

These features make the workstation/kiosk more user-friendly:

1. Adjustable font size and monitor contrast settings [helpful for persons with visual problems]
2. The ability to adjust volume and pitch [for persons with hearing loss]
3. Sufficient physical stability to permit a user to lean on or grab parts of the kiosk for support
4. A universal "Help" button that activates on-screen user support
5. The ability to turn off unwanted output modes (sound and visual display) to ensure privacy
6. Operable by persons who have limited reading and/or language skills
7. Operable by persons who have memory, cognitive, or learning impairments
8. The capability for a repeat user to enter the system where he/she left off in a prior visit
9. At least one way to search and locate information that is usable by people who read and write at no higher than a 6th grade level
10. A secure identifier (such as a PIN) for each customer to ensure client confidentiality
11. Information that is provided in more than one language (Spanish or other relevant languages) in areas where many residents don't speak English

These standards for performance goals are derived, in part, from the Trace Center, the Congressional Telecommunications Access Advisory Committee, and other state sources.

Techniques For Increasing Accessibility

The following examples describe techniques that allow individuals with a wide range of disabilities to access and use One-Stop workstations/kiosks. These techniques also work for individuals who have reading problems or cannot read English at all.

Use without vision

Individuals who have low vision or blindness cannot accurately use types of controls that require vision for use. These include

- mice
- track balls
- dials without markings or stops
- push-button controls where the only indication of the control's position or setting is visual

Keys and buttons: If the workstation includes buttons, make them discrete buttons that can be located tactually (by touch). If the workstation uses a flat membrane keyboard, putting a raised edge around the control areas or buttons makes it possible to tactually locate the keys. Once an individual locates the different controls, they need to identify what they are.

- On a standard number pad arrangement, a nib on the "5" key may be all that is necessary
- On a QWERTY keyboard, put a tactile nib on the "F" and "J" keys
- Providing distinct shapes for keys either indicates their function or makes it easy to tell them apart
- If using keys, provide some type of audio and tactile feedback so that the individual knows when the key has been activated. If the key is a two-state key (on/off), use a key that is physically different in each state (a toggle switch or a push-in/pop-out switch), so the person can tell what state it is in by feeling it
- Providing Braille labels for keys and controls allows individuals who know Braille to figure out what the controls are for. Large raised letters can work for short labels on large objects. If raised large letters are not possible, incorporate a voice mode that announces keys when they are pressed, but does not activate them.
- The workstation should provide speech output of all information (text and non-decorative graphics) on the display.
- A headphone jack, combined with a way to turn off the screen, provides confidential access to information by individuals who are blind.

Use without hearing

- To alert the user to a message, or to warn the user, use a prominent visual indication in the field of vision (e.g. a screen flash) or a tactile signal that will attract the person's attention.
- If the equipment uses voice or speech messages to which the user must respond, a teletypewriter (TTY) accessible method for using the system could be provided.
- To allow the workstation/kiosk to be used by individuals with hearing impairments (and in noisy environments), a Show Sounds/Caption feature could be provided that would cause all important sounds to be represented visually.

- Provide written electronic text versions of all spoken graphic or movie information.
- A headphone jack allows individuals with hearing impairments to use earphones, audio jacks on their hearing aids, or inductive loops such as a "Silhouette" to tie their hearing aid directly into the audio so that they can hear more clearly.
- Vibrating alphanumerical pagers and other wireless paging systems to alert individuals

Examples of use with adjustable response times

- Running out of time is a common problem for people both with and without disabilities. The easiest solution is to avoid any time-out situations or places where the user must respond to a question or moving display in a set amount of time or at a specific time. Where timed responses are required or appropriate, allow the user to adjust them or set them to very high values.

Operation with restricted physical abilities

- If you avoid buttons that are activated when touched, an individual will be able to explore the controls in order to find the desired button. If touch-activated controls are unavoidable (for example, on a touch screen), provide an alternate mode where a confirm button is used to confirm selections (items are read when touched, and activated when the confirm button is pressed). It is also a good idea to make all actions reversible, or to require confirmation before executing non-reversible actions.
- Avoid controls that require simultaneous activation of two or more buttons. Controls which have non-slip surfaces and those that can be operated with the side of the hand, elbow, or a pencil minimize the physical activity required. Concave-top on buttons are easier to use with head sticks, mouse sticks, and artificial or trembling hands. Rotary controls can be used if they can be operated without grasping and twisting.
- Strategies for making it easier to insert cards or connectors include providing a bevel around the slot or connector, using cards or connectors that can be inserted in any orientation or which self-center or self-align. Locating the slot or connector on the front and near a ledge or open space allows the user to brace their hand or arm.
- In a "scanning" mode, individual items on the screen can be highlighted (and optionally announced). When a desired item is reached, the individual can press a switch below the screen to select that item. Although this technique is quite slow, it does provide additional access options for individuals with physical disabilities.

Use with restricted reaching or limited strength

- Basic strategies involve reducing the force needed to operate controls, latches, etc., and avoiding the need for sustained pressure or activity. Other strategies involve providing arm or wrist rests, providing shortcuts to reduce the number of actions needed, and eliminating the need to operate controls wherever possible by having automatic adjustments.
- Place the controls where they can be easily reached with minimal changes to body position. Many products that have controls located on different parts of the product also allow the functions to be controlled from the keyboard. Voice recognition provides flexibility of input, but it should never be the only way to adjust a function. A remote control option allows the individual to operate the device without having to move to it.

- To allow individuals who have artificial hands or prosthetic hooks or who use headsticks or mouthsticks to use the screen, it is important that the touchscreen not require that it be touched by a human body.

- A problem exists in trying to accommodate both individuals who are very short and individuals who are very tall. Three strategies for addressing this are:
  - Screens with adjustable height
  - Screens that rotate to present themselves downward or upward
  - Dual screen systems

Examples of compatibility with Assistive Devices

- The infrared link consists of an industry standard IrDA infrared link coupled to a Universal Disability Infrared Access Protocol. This protocol allows individuals to access and use the workstation/kiosk via the IrDA infrared link. All buttons and actions are controllable via the infrared link. Also, any information presented on the screen can be accessed via the IR link as well.

- The infrared link allows individuals to access and use the workstation/kiosk who are unable to reach and touch the standard screen. It also allows individuals who are unable to see the screen or hear any auditory output clearly enough (due to simultaneous visual and hearing difficulties) to access and use it with a separate assistive technology they would bring with them. This technique allows access by individuals with severe physical disabilities, as well as individuals who have simultaneous visual and hearing disabilities or are deaf-blind by allowing them to use personal assistive technologies.

- Almost all stationary and portable multimedia computers now include the IrDA link as a standard part of the computer. Support for this link is also built directly into Windows 95.

Use without color perception

- Strategies for addressing this guideline revolve around eliminating the requirement that a person see color to operate the device. This does not eliminate the use of color in any way as long as the information conveyed by the color is also conveyed in some other fashion. Avoid:
  - a number of common pairs of colors that are indistinguishable by people with color perception anomalies
  - colors with a low luminance

- As long as the colors have different hues and intensity, differently colored objects can be distinguished even on a black and white screen by their different appearance.

Use without requiring speech

- Provide an alternate mechanism for achieving all of the functions that are controlled by speech, including speech identification or verification.

- Make speech messages accessible by presenting them simultaneously in text form where they can be easily seen by the user. Such captions should be verbatim and displayed long enough to be easily read.

- If the system provides interactive communication using speech and video, it would be helpful to provide a method for allowing non-speech communication (e.g. text conversation) in parallel with the video.

Use that does not trigger motor/sensory seizures
- Reduce or eliminate screen flicker or image flashing. Avoid:
    - the sensitive 10-30 hertz frequency range
    - very bright flashes that occupy a large part of the visual field (particularly the center of the visual field)

Use with limited literacy
- Use graphics and illustrations to supplement and support written information
- Use words that readers can easily understand. Most word processing programs have readability formulas that staff can use to check the vocabulary level of One-Stop materials
- Use sentences that readers can easily comprehend
- Use descriptions, settings, symbols, and background examples that are understandable to most users
- Incorporate built-in memory aids, have default settings that anticipate needs, and provide immediate feedback

Use with restricted cognitive/memory abilities
- Allow users to create a personal profile that the system can recall during subsequent use of the workstation so users don't have to retrace steps they've already completed. Whenever possible, make on-site and/or off-site help available.
- Where a complex series of steps is required, some type of cueing can be provided to help lead the person through the process. It is also helpful to provide an "undo" or back-up function, so that mistakes can be easily corrected. Where systems are not reversible, request confirmation of actions.
- Use short and simple phrases or sentences on labels and instructions. Avoid abbreviations.
- Allow users to freeze moving text, or provide the same information in another type of display that does not move.

These examples and techniques are derived, in part, from the Trace Center, the Congressional Telecommunications Access Advisory Committee, San Diego State University Center for Learning, Instruction, and Performance Technologies, and other sources. For a listing of all of the published strategies in addressing the performance guidelines, as well as for further information and links to ongoing discussions, see the Access Board's web page at: http://www.access-board.gov and the National Institute on Disability and Rehabilitation Research's Rehabilitation Engineering Center on Access to Telecommunications System's strategies web page at: http://trace.wisc.edu/telecom.

Examples of Electronically Accessible Work Stations and Kiosks

There is no one perfect way to design universally accessible work stations and kiosks. One-Stop Centers across the country are trying a variety of ideas and technologies to best meet the needs of customers with disabilities. The following examples are excerpted from a U.S. Department of Labor report, *Report-Out On Discussions With States About Facilitated Self-Service to Special Applicant Groups*

Brevard County, Florida

Brevard Job Link adapted Workforce Organizer Screen software from Minnesota. The software overlays Windows, providing a user-friendly interface for all customers, particularly those who are unaccustomed to computers.

Contact Person:
Dianne Messer
Brevard Job Link
Phone: (407) 632-1111, extension 64030

California

Riverside County has deployed 40 ADA-compliant information kiosks in high profile, strategic locations. Text on the touch-screen is presented at a lower reading comprehension level with pictures to accommodate people who have difficulty reading English. A help button activates a video of a person explaining the information specific to that screen. A phone handset enables customers to access companies and organizations listed on a screen without having to dial numbers. Customers can use the phone handset to schedule appointments, or register for classes with a local training provider or community college.

TouchMedia is working with Riverside and several other Service Delivery Areas (SDAs) to determine new features for the next generation of kiosks, such as sign language on-screen and Braille-to-text interface.

Contact Person:
Loren Sims
Economic Development Agency of Riverside County
Phone: (909) 955-3100

Kentucky

The Louisville Workforce Development Cabinet has deployed accessible workstations in five One-Stop Centers. Each workstation is equipped with:

- 17-inch monitor
- a voice recognition system (Dragon Dictate Naturally Speaking)
- Kensington Trackball (a trackball fitted into a slot that can be manipulated with the forearm or hand)
- an Intelli-keyboard, whose large keys require very little pressure to activate
- Wivik on-screen keyboard
- Head Master, which allows individuals to activate on-screen key by "sipping and puffing" on a plastic straw-like device

Contact Person:
Dave Matheis
Kentucky Department of Vocational Rehabilitation
Phone: (502) 564-4440

A second generation of workstations is being designed in collaboration with the Kentucky Department for the Blind. Each workstation has:

- 20-inch monitor
- Dragon Dictate Naturally Speaking
- Kensington Trackball
- Intelli-keyboard
- text to braille interface
- "sticky keys" that allow users to hold keys down for longer periods of time and avoid multiple entries from the same key
- screen magnification software (Zoom Text Extra Level 2)
- screen reader software (JAWS for Windows 3.2)
- a Closed Circuit TV system, which enables split screen presentation and modification of the screen's foreground and background colors
- scanning software with an OCR, which can scan text from a paper copy and read the text back to the user while highlighting each word of text on-screen in large print and color (a benefit for both people with low vision and people with learning disabilities)

The Department for the Blind is also testing the Head Master and the Wivik on-screen keyboard on this prototype.

Contact Person:
Roger Raybould
Kentucky Department for the Blind
Phone: (606) 677-4042

Once both prototypes have been used and assessed, the best features of both will be installed on workstations and deployed throughout the state of Kentucky.

Minnesota

Each One Stop Center features one "super-accessible" workstation, which has:

- a fully motorized and height-adjustable table
- 17-inch color monitor (to accommodate Zoom Text)
- Kensington trackball
- ergonomic armrests, footrest, and chair
- a Boom Mic to enable the user to input voice commands for Dragon Dictate
- reduced size keyboard to accommodate people with a limited range of motion
- Tracker, a hands-free mouse that acts as an alternate input control system

Minnesota utilizes AT&T's Translation Service to assist customers who do not speak English, and provides phone access to job listings via Jobline. Jobline, developed by the National Federation of the Blind (NFB), is a toll-free service that enables One-Stop customers to access both America's Job Bank and participating state job banks through the telephone. Callers can create and save personal profiles that include speech preferences and access context-sensitive help information at any time. NFB will train participating agencies and entities in the use of the system. Jobline is expected to be implemented in as many as 40 states by early 2001.

Contact Persons:
Kathy Mullarky
Minnesota Department of Economic Security
Phone: (651) 297-3410

James Gashel
National Federation of the Blind
Phone: (410) 659-9314

The Trace Research And Development Center

The Trace Research and Development Center at the University of Wisconsin has developed a set of "EZ Access Features" that can be built into standard commercially available kiosks and workstations, making them accessible to a wide range of people. The Trace Center works directly with computer companies, software engineers, and government agencies to integrate access features and enhancements into standard devices to make them operable by people who would not otherwise be able to use them. These features are easily activated but do not change the way that the devices look or operate for people who can use them in their standard mode. These features add less than 10% to the cost of each kiosk. EZ Access Features include the following options:

- Talking Touch and Confirm - enables the kiosk to read aloud information on the screen, including graphically-displayed information. Users activate selections by touching a "confirm" button.
- Speed List - provides easy access to information in the form of a vertical list on the touchscreen
- Auto Scan
- hearing aid compatible handsets or a headphone jack
- an infrared link - enables people to use aids that assist them, such as braille devices, in conjunction with the kiosk.

Contact Person:
Chris Law
Trace Research and Development Center
Phone: (608) 263-8859

Vermont

All One-Stops are equipped with adjustable workstations to accommodate people using wheelchairs, Zoom Text (screen magnification and screen reading) for people with low vision, and a TTY and FM Loop for people who are deaf or hard of hearing. The FM Loop enables hard of hearing customers to participate in training with other customers and to engage in one on one counseling with One-Stop or VR staff. One-Stop customers who do not use or cannot access computers can search for Vermont jobs via Vermont's toll-free telephone system.

Contact Person:
Bernie Juskiewicz
Vermont Department of Employment and Training
Phone: (802) 888-2540

Wisconsin

Two different types of accessible workstations have been developed using "off the shelf" technology. The workstations have been available in Madison since 1996. These prototypes will change based upon customer feedback. One type utilizes a touch-screen system and has a 17-inch monitor that can be raised or lowered. People who cannot touch the screen with their hands can use a mouth stick or a trackball.

The other workstation is accessible to people who could not use a touch-screen system, such as people who have low vision or are blind, as well as people who are unable to use their hands. It has a 21-inch monitor that slides forward for better viewing, both a standard keyboard and a large print keyboard, screen magnification software, screen reader software, a speech synthesizer, voice recognition software, and Braille printing.

Both workstations have adjustable furniture and aids that can accommodate wheelchairs. Customers wishing to use these workstations usually meet first with an Accessibility Coordinator, who helps them to determine which workstation would best serve their needs and provides training.

Contact Person:
Glenn Olsen
Department of Workforce Development
Phone: (608) 264-8164

Additionally, Racine has developed a bilingual, touch-screen kiosk that provides both audio and text versions of the One-Stop Center's menu of services in both English and Spanish. The kiosk can be used to schedule certain appointments, such as to meet with a career counselor.

Contact Person:
Michael Burks
Racine County Workforce Development Center
Phone: (414) 638-6440

The following is an additional example that was not in the USDOL report:

New York

A technology sub-committee developed specific recommendations for the One-Stop sites in Herkimer, Madison and Oneida. The recommendations consist of two differently configured accessible workstations for each center. The intent is that between these two work stations, people with a wide range of disabilities will be able to fully use the computerized technology and resources. The recommendations for these work stations contain specific equipment requirements. In addition, the sub-committee developed a list of recommended assistive technology, software, and additional recommendations.

Contact Person:
Donna Gillette
RCIL - Utica
Phone: (315) 797-4642

Low-Cost and No-Cost Accessibility Ideas

- Set up reception areas and waiting rooms with at least one integrated space for wheelchair users.
- Good lighting benefits most people, but is essential when lip reading or sign language is used. It can also be helpful to individuals with visual impairments.
- Carpeting provides better acoustics and minimizes echoes. Thick-pile carpets however, are hard for users of wheelchairs.
- When choosing a worksite or meeting location, remember that newer construction and recent major renovations usually mean better physical access.
- Many people who are legally blind retain some vision and may benefit from visual input.
- An audible public address system enhances hearing accessibility for everyone.
- When beverages are provided, straws are necessary for people with dexterity, neurological, and other disabilities.
- Doors with lever handles are easier for everyone.
- Signs (black on white) which use symbols are more accessible to people with learning, cognitive and visual disabilities.
- Curb cuts and access ramps are rendered useless if not kept clear of ice and snow.
- During meetings, it is helpful if
    1) Speakers wait to be recognized by the chair
    2) People speak one at a time
    3) Individuals introduce themselves for voice identification.
- Allow time before and after presentations for questions about presented materials.
- Make printed copies of speeches and presentations available ahead of time to allow for taping and interpreter familiarity.
- Do not stand or walk between interpreters and their audience.
- A smoke-free environment is required for people with emphysema, allergies, and other respiratory disabilities.
- Reserved up-front seating can be helpful for some people with hearing and visual disabilities.
- Avoid flashing and flickering lights and loud noises; they can trigger seizure disorders.
- Modular workspaces offer nearly limitless accommodation options and offer the added bonus of future modifications. They are preferable to creating a non-integrated, inflexible "handicapped workstation."
- Commend and patronize merchants, agencies and professionals who operate barrier-free establishments.
- Black print on white, flat (not glossy) paper, with a combination of upper and lower case letters, provides good visual contrast. Large print is preferable, 14 point or larger, serfi style (that is, with "feet " at the bottom). Avoid colored print or paper for essential information. Use color for a decorative border only.

Courtesy of Boston Center for Independent Living, Boston, MA

Getting Help in Making One-Stops Accessible

The following resources can help One-Stop Centers identify equipment, modifications, accommodations, and assistive technology to ensure full access for people with disabilities.

Local and Regional Resources

Disability and Business Technical Assistance Centers (DBTACs)

There are 10 federally funded regional DBTACs which provide information to businesses, people with disabilities, and others on accommodation and accessibility issues, as well as other ADA information. A full listing of all DBTACs is contained in the resource section (Section 14) under "Americans with Disabilities Act and Other Legal Information."

Web site: www.adata.org/index-dbtac.html

Voice/TTY: (800) 949-4232 (will connect with your regional DBTAC)

State Assistive Technology Projects

Each state has a federally funded assistive technology program. Although their information and services vary, they are a good starting point in identifying local assistive technology ideas and resources. Contact information for each state is available by contacting RESNA (see its separate listing below for details):

Voice: (703) 524-6686
TTY: 703/524-6639
email: resnaTA@resna.org
Web site for finding state assistive technology projects:
www.resna.org/taproject/at/statecontacts.html

National Resources

ABLEDATA: The National Database of Assistive Technology Information

8401 Colesville Road, Suite 200
Silver Spring, MD 20910-3319
Voice/TTY: (800) 227-0216 or (301) 608-8998
Web site: www.abledata.com

A federally funded project whose mission is to provide information on assistive technology and rehabilitation equipment. This project's web site has a database of 25,000 products and devices; ABLEDATA information specialists also provide in-depth telephone help.

Access Board

1131 F Street N.W.
Washington, D.C. 20004
Voice: (202) 272-5434 or (800) 872-2253
TDD: (800) 993-2822
Web site: www.access-board.gov

The U.S. Access Board (or Architectural and Transportation Barriers Compliance Board) is the federal agency that develops minimum standards under the Americans with Disabilities Act (ADA) and other federal regulations. The Board offers technical assistance on the ADA Accessibility Guidelines (ADAAG) and has a number of publications available, as well as a listing of state contacts who can give information on state codes.

Alliance for Technology Access
2175 East Francisco Boulevard, Suite L
San Rafael, CA 94901
Voice: (800) 455-7970 or (415) 455-4575
TTY: (415) 455-0491
E-mail: atainfo@ataccess.org
Web site: www.ataccess.org

ATA is dedicated to increasing the use of standard, assistive, and information technologies for people with disabilities. Has a variety of resources, including a resource library, to assist in identifying appropriate technology. Publisher of "Computer and Web Resources for People with Disabilities," a comprehensive guide.

Apple Computer Inc., Worldwide Disability Solutions Group (WDSG)
Apple Technologies
1 Infinite Loop
Cupertino, CA 95014
Voice: (800) 776-2333
Web site: www.apple.com/education/k12/disability

The Worldwide Disability Solutions Group works with key education, rehabilitation, and advocacy organizations nationwide to identify the computer-related needs of individuals with disabilities and to help develop responsive programs. WDSG is involved with Apple's research and development to ensure that Apple computers have built-in accessibility features. The web site contains information on making Apple computers fully accessible for people with disabilities, including shareware and freeware that can be downloaded.

assitivetech.net
Center for Rehabilitation Technology
College of Architecture
Georgia Institute of Technology
490 10th Street, NW
Atlanta, GA 30332-0156
Voice/TTY: (404) 894-4960
Web site: www.assistivetech.net

An online information resource providing up-to-date information on assistive technologies, adaptive environments and community resources. Has a comprehensive listing of assistive technology, and also information specialists available to assist with questions about assistive technology.

IBM Accessibility Center
IBM Corporation
1133 Westchester Avenue
White Plains, New York 10604
Voice: (800) 426-4832
TDD:(800) 426-4833
E-mail: snsinfo@us.ibm.com
Web site: http://www-3.ibm.com/able

Finds products and solutions so that people with disabilities can fully access and utilize information technology. Web site contains extensive checklists, product listings and technical assistance information.

Job Accommodation Network (JAN)

West Virginia University
P.O. Box 6080
Morgantown, West Virginia 26506-6080
Accommodation Information (Voice / TTY):
(800) 526-7234
ADA Information (Voice / TTY):
(800) 232-9675
Fax: (304) 293-5407
E-mail: jan@.icdi.wvu.edu
Web site: http://janweb.icdi.wvu.edu

Federally-funded free information and consultation service on job accommodations and related information. JAN's web site has a searchable online database (SOAR) which can be used to research accommodation options. JAN also has consultants available by phone, who can assist in identifying possible accommodations. These consultants have instant access to the most comprehensive and up-to-date information about accommodation methods, devices, and strategies. While intended to focus on job accommodations, JAN consultants can also be helpful to One-Stop Centers in ensuring accessibility for people with disabilities.

RESNA (Rehabilitation Engineering and Assistive Technology Society of North America)

1700 N. Moore Street, Suite 1540
Arlington, VA 22209-1903
Voice: (703) 524-6686
TTY: (703) 524-6639
E-mail: natloffice@resna.org
Web site: www.resna.org

A membership organization of people who are interested in how technology can help people with disabilities achieve their goals. RESNA has a variety of publications and resources. Web site includes a list of assistive technology professionals by state.

TechKnowledge

Tech Connections
490 Tenth St. NW
Atlanta, GA 30318
Voice/TTY: (877) TEK-SEEK (877-835-7335)
Web site: www.techconnections.org
E-mail: techconnections@crt.gatech.edu

Tech Connections is a national dissemination project designed to increase the utilization of existing and emerging assistive technology. Web site contains variety of information and resources. Information and referral specialists are available to answer questions at no charge. Also has a monthly newsletter.

Trace Research & Development Center

S-151 Waisman Center, 1500 Highland Ave.
University of Wisconsin-Madison
Madison, WI 53705-2280
Voice: (608) 262-6966
TTY: (608) 262-5408 (TTY)
E-mail: info@trace.wisc.edu
Web site: http://trace.wisc.edu

Engineers technological access solutions, and has a variety of information and resources on assistive technology.

Virtual Assistive Technology Center
Web site: www.at-center.com

The purpose of the VATC is to put computers within reach of individuals with disabilities. The web site contains a variety of freeware and shareware that can be downloaded to help people with disabilities use computers. The web site also contains information, publications, a message board, and links to related web sites. VATC also publishes a newsletter on assistive technology.

Additional resources on accommodations are in the resource section of this manual under "Accommodations & Assistive Technology."

4

Disability Overview

Section Purpose

Provide a basic understanding of disability issues, and etiquette that should be followed in interacting with an individual with a disability

Section Contents

A) **What Do We Mean By The Term "Disability"?:** A review of various definitions of disability and the impact disabilities can have on individual's lives

B) **Basic Etiquette: People with Disabilities:** Basic guidelines for interacting with a person with a disability in a respectful way

C) **Watch Your Language!:** A guide to respectful language in describing and referring to people with disabilities

D) **Basic Facts: People with Disabilities:** A statistical overview of disability, including prevalence, employment, and other facts

E) **Myths and Facts About People with Disabilities:** A review of typical misperceptions and beliefs about people with disabilities

What Do We Mean By the Term "Disability"?

"Disability" includes a wide range of conditions. A few examples:
- paralysis
- blindness or visual impairment
- deafness or hard of hearing
- mental retardation
- learning disabilities
- psychiatric disabilities and mental health conditions
- epilepsy
- chemical sensitivity
- head injuries
- cerebral palsy
- HIV/AIDS

and many others

Disability impacts people's lives in a wide variety of ways, and the level of impact can range from minimal to extensive

In some cases, a person's disability is a minor inconvenience, something that is controlled through medication, or requires some simple adaptations. In other cases, a person's disability plays a major role in their lives, impacting their ability to earn a living, to participate in activities in the community, and to do many of the things that many non-disabled people take for granted in their daily lives.

Disabilities are often not apparent

Learning disabilities, psychiatric disabilities, epilepsy, and multiple sclerosis are just a few of the many disabilities that are often "hidden". Never presume that someone doesn't have a disability just because it is not readily apparent.

Disability is a natural part of the human existence

There has been a major shift in our society's view of disability. Disability used to be seen as an aberration, something that had to be "fixed" before a person could fully participate in their community. A more progressive view is that disability is simply part of a person's identity, not something to be fixed, and that people with disabilities have the same right as anyone else to full participation in society.

This manual considers only long-term disability

Oftentimes when people are injured (such as a broken leg) they temporarily leave work "on disability", and return when they are fully recovered. However, this manual is not intended to apply to people whose disability is extremely temporary. This material focuses people whose disability has ongoing, possibly life-long, impact.

Legal definitions vary considerably.

A person may be considered "disabled" under the Americans with Disabilities Act but not by their state's vocational rehabilitation agency. Also, particular conditions specify the criteria that a person must meet in order to have that condition. For example, not all people who wear glasses have a visual impairment. The following are some important legal definitions of "disability":

Americans with Disabilities Act (ADA)
- a physical or mental impairment that substantially limits one or more of the major life activities of such individual;
- a record of such an impairment; or
- being regarded as having such an impairment.

Social Security
The inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment(s) which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months.

Rehabilitation Act
The term "individual with a disability" means any individual who

- has a physical or mental impairment which for such individual constitutes or results in a substantial impediment to employment and
- can benefit in terms of an employment outcome from vocational rehabilitation services.

Under WIA regulations, people with disabilities are defined using the ADA definition. On a practical level, this means that there will be people who utilize One-Stop services who are considered to have a disability, but do not meet the more restrictive definition under the Rehabilitation Act, and therefore are not eligible for services from Vocational Rehabilitation as a One-Stop partner.

Basic Etiquette: People with Disabilities

1) Always Use "Person First" Language

   Examples:
   - "person with a disability" *not* "the disabled"
   - "person who is blind" *not* "a blind person"

   For more examples, consult the piece entitled "Watch Your Language" on the following pages

2) "Disability" is the most generally accepted term — not "handicap"

3) Offering Assistance
   - It is okay to offer assistance
   - Ask before providing assistance
   - Once the offer for assistance has been accepted, ask for instructions and clarify what kind of assistance the person wants.

4) Respect all assistive devices (i.e., canes, wheelchairs, crutches, communication boards, etc.) as personal property. Unless given specific and explicit permission, do not move, play with, or use them.

5) Always direct your communication to the individual with a disability. If a person is accompanied, do not direct your comments to the companion.

6) Remember that people with disabilities are interested in the same topics of conversations as people who do not have disabilities.

7) Use a normal speaking tone and style. If someone needs you to speak in a louder voice, they will ask you to do so.

8) Remember that people with disabilities, like all people, are experts on themselves. They know what they like, what they do not like and what they can and cannot do.

9) When introduced to a person with a disability, it is appropriate to offer to shake hands. People with limited hand use or who wear an artificial limb can usually shake hands. (Shaking hands with the left hand is an acceptable greeting.)

10) Treat adults as adults. Address people who have disabilities by their first names only when extending the same familiarity to all others.

Adapted in part from material developed by Access AmeriCorps, a collaborative project of the Corporation for National Service, and United Cerebral Palsy Associations, Inc.

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Watch Your Language!

The words we use to describe one another can have an enormous impact on the perceptions we and others have, how we treat one another, mutual expectations, and how welcome we make people feel. The following are guidelines for talking with, and about, a person with a disability. While these guidelines can be helpful, keep in mind the following:

> If you're unsure of the proper term or language to use, ask!

> The best way to refer to someone with a disability is the same way we all like to be referred to: by name.

GENERAL GUIDELINES		
OUTDATED OR OFFENSIVE	**REASON(S)**	**CURRENTLY ACCEPTED***
The anything: The blind The disabled The autistic	Views people in terms of their disability; Groups people into one undifferentiated category; Condescending; Does not reflect the individuality, equality, or dignity of people with disabilities.	People with disabilities Deaf people People who are blind People who are visually impaired People with autism
Handicapped	Outdated; connotes that people with disabilities need charity. Disabilities don't handicap: attitudes and architecture handicap.	People with disabilities
The disabled	An individual is a person before one is disabled. People with disabilities are individuals who share a common condition.	People with disabilities
Admits she/he has a disability	Disability is not something people "admit" to or needs to be admitted to.	Says she/he has a disability
Normal, healthy, whole (when speaking about people without disabilities as compared to people with disabilities)	People with disabilities may also be normal, healthy and whole. Implies that the person with a disability isn't normal.	Non-disabled Person without a disability
Courageous	Implies person has courage because of having a disability.	Has overcome his/her disability Successful, productive

* All currently accepted terms should be used with "people first" language - i.e., "people with...," "person with...," the exception to this are "deaf people" and "deaf community," which are fine

	SPECIFIC DISABILITIES & CONDITIONS	
Deaf and dumb Dumb Deaf-mute	Implies mental incapacitation; Simply because someone is deaf does not mean that they cannot speak.	Deaf Non-verbal Hard of hearing Person who does not speak Unable to speak Uses synthetic speech
Hearing impaired Suffers a hearing loss	Negative connotation of "impaired", "suffers"	Deaf Hard of hearing
Slurred speech Unintelligible speech	Stigmatizing	Person/people with a communication disability Person/people with slow speech
Confined to a wheelchair Wheelchair-bound	Wheelchairs don't confine; they make people mobile	Uses a wheelchair Wheelchair user Person who uses a wheelchair
Cripple Crippled	From Old English, meaning "to creep"; was also used to mean "inferior"; Dehumanizing	Has a disability Physical disability Physically disabled
Deformed Freak Vegetable	Connotes repulsiveness, oddness; Dehumanizing	Multiple disabilities Severe disabilities
Crazy Insane Psycho Maniac Nut Case	Stigmatizing Considered offensive Reinforces negative stereotypes	Behavior disorder Emotional disability Person with mental illness Person with a psychiatric disability
Retarded Retardate Mentally defective Slow Simple Moron Idiot	Stigmatizing; Implies that a person cannot learn	Developmentally delayed Developmental disability (the term "mental retardation" should be used sparingly)
Mongoloid	Considered offensive	Person with Down syndrome
Stricken/ Afflicted by MS	Negative connotation of "afflicted", "stricken"	Person who has multiple sclerosis
CP victim	Cerebral palsy does not make a person a "victim"	Person with cerebral palsy
Epileptic	Not "person first" language; Stigmatizing	Person with epilepsy Person with seizure disorder
Fit	Reinforces negative stereotypes	Seizure
Birth defect	Implies there was something wrong with the birth	Congenital disability
Deinstitutionalized	Stigmatizing; groups people into one category; not focused on the individual	Person who used to live in an institution
Midget	Outdated term; considered offensive	Person of short stature

* All currently accepted terms should be used with "people first" language - i.e., "people with...," "person with...," the exception to this are "deaf people" and "deaf community," which are fine

Basic Facts: People with Disabilities

How many people in the United States have a disability?
- An estimated 48.9 million people, or 19.4 percent of the non-institutionalized civilians, have a disability.
- An estimated 24.1 million people have a severe disability.
- An estimated 34.2 million people, or 17.5 percent, have a functional limitation.

  Source: U.S. Census Bureau's Survey of Income and Program Participation (SIPP) - 1992

  As defined in the 1994 Census survey, a person with a severe disability is one who is unable to perform one or more activities of daily living; or, has one or more specific impairments; or, is a long term user of assistive devices such as wheelchairs, crutches, and walkers.

  As defined in the 1994 Census survey, a person with a non-severe disability is one who has difficulty performing functional activities such as hearing, seeing, having one's speech understood, lifting, carrying, climbing stairs and walking; or, difficulty with activities of daily living.

What are the employment rates for people with disabilities?
People with disabilities of working are employed at a rate considerably below the general population. U.S. Census Bureau information for individuals of working age (21 to 64 years old) in the United States indicates that:

- 82% of the general population are employed
- Among all people with disabilities of working age (29.4 million), 52% are employed
- Among people with severe disabilities (14.2 million), 26% are employed

Source: U.S. Census Bureau's Survey of Income and Program Participation (SIPP) - 1994

The more recent U.S. Current Population Survey indicates similar findings. From 1997-1999, for individuals aged 25 to 61 years old, in the United States:

- 88% of people without disabilities worked 52 hours or more in the previous year
- 34% of people with disabilities worked 52 hours or more in the previous year

Source: U.S. Current Population Survey - analysis by Cornell University RRTC; definition of disability is based on self-reporting of a health problem or disability which prevents an individual from working or which limits the kind or amount of work an individual can do

Employment and People with Disabilities
- Among adults with disabilities of working age (18 to 64 years of age), three out of ten (29%) work full- or part-time, compared to eight out of ten (79%) of those without disabilities - a gap of fifty percentage points.
- Among those with disabilities ages 16 to 64 who are not employed, seven out of ten (72%) say that they would prefer to work.
- Among adults with disabilities who work full-time, fewer than half (46%) say that their work requires them to use their full talents or abilities, compared to two out of three (66%) in 1994.

- Fully one-third (34%) of adults with disabilities lived in a household that had an annual income of less than $15,000 in 1997, compared to only about one in eight (12%) of those without disabilities. This twenty-two percentage point gap between the percentage of disabled and non-disabled persons living in very low income households has remained virtually the same since 1986.
- Just over half (54%) of adults with disabilities have heard of the Americans with Disabilities Act (ADA).

Source: 1998 National Organization on Disability/Louis Harris & Associates Survey of Americans with Disabilities

Facts About Specific Disabilities

- An estimated 2.5 million people, or 1% of the population, have mental retardation
- In any one year period, an estimated 51.3 million people, or 28% of the population, have a mental disability
- About 5 million people, or 2.8% of the adult population, have a severe mental disability

Source: National Institute on Disability and Rehabilitation Research - 1996

Almost One-Third of All Families are Impacted by Disability

- An estimated 20.3 million families, or 29% of all families in the United States, have at least one member with a disability

Source: 1990 Family Resource Supplement to the National Health Interview Survey

Myths and Facts About People with Disabilities

Myths are roadblocks that interfere with the ability of people with disabilities to have equality in employment. These roadblocks usually result from a lack of experience and interaction with persons with disabilities. This lack of familiarity has nourished negative attitudes concerning employment of persons with disabilities. Listed below are some common myths and the facts that tell the real story.

MYTH

Hiring employees with disabilities increases workers compensation insurance rates.

FACT

Insurance rates are based solely on the relative hazards of the operation and the organization's accident experience, not on whether workers have disabilities.

MYTH

Employees with disabilities have a higher absentee rate than employees without disabilities.

FACT

Studies by firms such as DuPont show that employees with disabilities are not absent any more than employees without disabilities.

MYTH

People with disabilities are inspirational, courageous, and brave for being able to overcome their disability.

FACT

People with disabilities are simply carrying on normal activities of living when they work at their jobs, go grocery shopping, pay their bills, or compete in athletic events.

MYTH

People with disabilities need to be protected from failing.

FACT

People with disabilities have a right to participate in the full range of human experiences including success and failure. Employers should have the same expectations of, and work requirements for, all employees.

MYTH

People with disabilities have problems getting to work.

FACT

People with disabilities are capable of supplying their own transportation by choosing to walk, use a car pool, drive, take public transportation, or a cab. Their modes of transportation to work are as varied as those of other employees.

MYTH

People with disabilities are unable to meet performance standards, thus making them a bad employment risk.

FACT

In 1990, DuPont conducted a survey of 811 employees with disabilities and found 90% rated average or better in job performance compared to 95% for employees without disabilities. A similar 1981 DuPont study which involved 2,745 employees with disabilities found that 92% of employees with disabilities rated average or better in job performance compared to 90% of employees without disabilities.

MYTH

People who are deaf make ideal employees in noisy work environments.

FACT

Loud noises of a certain vibratory nature can cause further harm to the auditory system. People who are deaf should be hired for all jobs that they have the skills and talents to perform. No person with a disability should be prejudged regarding employment opportunities.

MYTH

Considerable expense is necessary to accommodate workers with disabilities.

FACT

Most workers with disabilities require no special accommodations and the cost for those who do is minimal or much lower than many employers believe. Studies by the Job Accommodation Network have shown that 15% of accommodations cost nothing, 51% cost between $1 and $500, 12% cost between $501 and $1,000, and 22% cost more than $1,000.

MYTH

Employees with disabilities are more likely to have accidents on the job than employees without disabilities.

FACT

In the 1990 DuPont study, the safety records of both groups were identical.

Source: President's Committee on Employment of People With Disabilities - October, 1994

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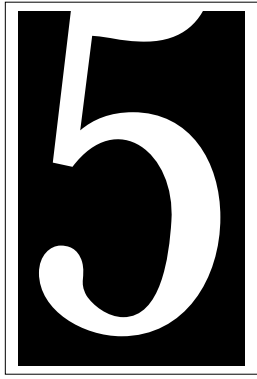
5 Disability Fact Sheets

Section Purpose

Provide specific information and resources concerning various disabilities, so that One-Stop staff can develop a basic understanding of various disabilities

Section Contents

Fact Sheets

The following fact sheets are contained in this section:

A) Attention-Deficit/Hyperactivity Disorder

B) Autism & Pervasive Developmental Disorders

C) Cerebral Palsy

D) Developmental Disability

E) Down Syndrome

F) Epilepsy

G) People with Hearing Impairments

H) Learning Disabilities

I) Mental Illness

J) Basic Etiquette: Mental Illness

K) Mental Retardation

L) Basic Etiquette: People with Mental Retardation/ Cognitive Disabilities

M) Basic Etiquette: People with Mobility Impairments

N) Basic Etiquette: People with Speech Impairments

O) Basic Etiquette: People with Visual Impairments

Screening Tools

This sections contains three screening tools, to assist One-Stop staff in identifying individuals with previously undiagnosed disabilities, in order to obtain the necessary supports and assistance so the individuals can fully benefit from the One-Stop system.

A) Simple Screening Tool for a Learning Disability

B) Simple Screening Tool for Possible Emotional Or Mental Health Issues

C) Simple Screening Tool for Possible Alcohol or Substance Abuse Problems

Fact Sheet: ATTENTION-DEFICIT/HYPERACTIVITY DISORDER

Definition

Attention-Deficit/Hyperactivity Disorder (AD/HD) is a neurobiological disorder. Typically people with AD/HD have developmentally inappropriate behavior, including:

- poor attention skills
- impulsivity
- hyperactivity

People with AD/HD may also experience problems in the areas of social skills and self esteem.

Incidence

AD/HD is estimated to affect between 3-5 % of the school-aged population.

Characteristics

An individual with AD/HD is often described as having a short attention span and as being distractible. The individual will have difficulty with one or all parts of the attention process:

- focusing (choosing something to pay attention to)
- sustaining focus (paying attention for as long as is necessary)
- shifting focus (moving attention from one thing to another)

An individual who has symptoms of inattention often:

- fails to give close attention to details, making careless mistakes
- has difficulty sustaining attention to tasks
- appears not to be listening when spoken to directly
- has difficulty following through on instructions; may fail to finish tasks (not due to oppositional behavior or failure to understand instructions)
- has difficulty organizing tasks and activities
- avoids, dislikes, or is reluctant to engage in tasks that require sustained mental effort
- loses things necessary for tasks or activities (e.g., office supplies, books, or tools)
- is easily distracted by extraneous stimuli
- is forgetful in daily activities

Symptoms of hyperactivity include:

- fidgets with hands or feet or squirms in seat
- leaves seat in classroom or in other situations in which remaining seated is expected
- runs about or climbs excessively in situations in which this is inappropriate
- has difficulty playing or engaging in leisure activities quietly; is "on the go" or acts as if "driven by a motor"
- talks excessively

Impulsiveness with AD/HD happens when people act before thinking. An individual who has symptoms of impulsivity often:

- blurts out answers before questions have been completed
- has difficulty awaiting his/her turn
- interrupts or intrudes on others (during conversations or games)

Note: From time to time all people will be inattentive, impulsive, and overly active. In the case of AD/HD, these behaviors are the rule, not the exception.

Vocational Implications

Planning for the vocational needs of a person with AD/HD begins with an accurate diagnosis. People suspected of having AD/HD must be appropriately diagnosed by a knowledgeable, well-trained clinician. Treatment plans may include behavioral and educational interventions and sometimes medication.

Many people with AD/HD experience great difficulty in environments where attention and impulse/motor control are necessary for success. People with AD/HD tend to overreact to changes in their environment. They respond best in a structured, predictable environment with clear and consistent rules and expectations.

Adaptations which might be helpful (but will not cure AD/HD):
- post daily schedules and assignments
- call attention to schedule changes
- set specific times for specific tasks
- design a quiet work space for use upon request
- provide frequent, regularly scheduled breaks
- teach organization and study skills
- supplement verbal instructions with visual instructions
- modify test delivery

Resources for further information on attention deficit disorders:

CHADD
(Children and Adults with Attention Deficit Disorders)

499 NW 70th Avenue
Suite 101
Plantation, FL 33317
Voice: (954) 587-3700 or (800) 233-4050
(voice mail to request information packet)
Web site: www.chadd.org

National Attention Deficit Disorder Association (ADDA)

1788 Second Street, Suite 200
Highland Park, IL 60035
Voice: (847) 432-ADDA ; Fax: (847) 432-5874
E-mail: mail@add.org
Web site: www.add.org

Additional resources are listed in the resource section at the end of this manual.

Adapted from NICHCY Fact Sheet Number 19 (FS19), 1998

National Information Center for Children and Youth with Disabilities
P.O. Box 1492
Washington, DC 20013
E-mail: nichcy@aed.org
web: www.nichcy.org
1-800-695-0285 (Voice/TT)

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Fact Sheet: AUTISM & PERVASIVE DEVELOPMENTAL DISORDERS

Definition

Autism and Pervasive Developmental Disorder (PDD) are developmental disabilities that share many characteristics. Usually evident by age three, autism and PDD are neurological disorders that affect an individual's ability to communicate, understand language, play, and relate to others.

Characteristics

Individuals with autism or PDD vary widely in abilities, intelligence, and behaviors. Some individuals do not speak; others have limited language that often includes repeated phrases or conversations. People with more advanced language skills tend to focus on a small range of topics and have difficulty with abstract concepts. Repetitive activities, a limited range of interests, and impaired social skills are generally evident as well. Unusual responses to sensory information (i.e., loud noises, lights, certain textures of food or fabrics) are also common. Other characteristics are as follows:

- The primary disabilities are in behavior, communication, and social interactions
- Major challenges with verbal and nonverbal communication skills
- Difficulties in relating to people, objects and events; can appear aloof, uninterested, and lacking in concentration
- Repetitive behavior such as hand flapping, touching, twiddling of fingers, and rocking
- A desire for familiar things and set routines
- Difficulty with changes in routine or familiar surroundings

Vocational Implications

- When teaching someone with autism, the emphasis needs to be on learning ways to communicate, as well as structuring the environment so that it is consistent and predictable
- Individuals with autism or PDD learn better, and are usually less confused, when information is presented visually as well as verbally.

Resources for further information on autism and PDD:

Autism Society of America
7910 Woodmont Avenue, Suite 650
Bethesda, MD 20814
Telephone: (301) 657-0881
For information and referral, call 1-800-328-8476.
Web site: www.autism-society.org

Autism National Committee
635 Ardmore Avenue
Ardmore, PA 19003
Web site: www.autcom.org

Institute for the Study of Developmental Disabilities
Indiana Resource Center for Autism
Indiana University
2853 East 10th Street
Bloomington, IN 47408-2601
Voice: (812) 855-6508
TTY: (812) 855-9396
Fax: (812) 855-9630
E-mail: prattc@indiana.edu
Web site: www.isdd.indiana.edu/~irca

Additional resources are listed in the resource section at the end of this manual.

Fact Sheet: CEREBRAL PALSY

Definition

"Cerebral palsy" is the name given to a group of permanent, usually non-progressive disorders marked by loss or impairment of control over voluntary muscles. It results from damage to the developing brain that may occur before, during, or after birth, up to 5 years of age. Cerebral palsy is not a disease and should not be referred to as such. Forms of cerebral palsy include:

- Spastic: muscles over-contract when stretched, resulting in stiff, jerky motions; joints are sometimes fixed in abnormal positions
- Athetoid: constant movement of muscles; difficulties with speech because of slurred speech and poor hearing
- Ataxic: Inability to maintain balance or coordination; individuals may have to be protected from falling or have to wear a protective helmet

Other types do occur, although infrequently. Any one individual may have a combination of these types. Cerebral palsy is often, but not always, associated with a number of other complications which may include:

- Speech, hearing and vision problems
- Perceptual problems, which often interfere with learning
- Approximately one-third of people with cerebral palsy also have mental retardation

Resources for further information on cerebral palsy:

United Cerebral Palsy Associations, Inc.
1660 L Street N.W.; Suite 700
Washington, DC 20036
Voice: (202) 776-0406
TTY: (202) 973-7197
Voice/TTY: (800) 872-5827
Fax: (202) 776-0414
E-mail: ucpnatl@ucpa.org
Web site: www.ucpa.org

Independent Living Research Utilization Project (ILRU)
The Institute for Rehabilitation and Research
2323 South Sheppard, Suite 1000
Houston, TX 77019
(713) 520-0232; (713) 520-5136 (TT)
E-mail: ilru@ilru.org
Web site: www.bcm.tmc.edu/ilru

Easter Seals—National Office
230 West Monroe Street, Suite 1800
Chicago, IL 60606
Voice: (312) 726-6200;
TTY: (312) 726-4258
(800) 221-6827
E-mail: nessinfo@seals.com
Web site: www.easter-seals.com

National Rehabilitation Information Center (NARIC)
8455 Colesville Road, Suite 935
Silver Spring, MD 20910-3319
Voice: (800) 346-2742; (301) 588-9284
TTY: (301) 495-5626
Web site: www.naric.com

Both Easter Seals and UCP have many state chapters and affiliated organizations

Additional resources are listed in the resource section at the end of this manual.

Fact Sheet: DEVELOPMENTAL DISABILITY

Developmental disability is a general category that includes but is not limited to mental retardation, autism, cerebral palsy, epilepsy, and spina bifida, as well as other neurological impairments where the following criteria are met:

- The disability is attributable to a mental or physical impairment or combination of mental and physical impairments
- The disability occurred before age 22
- The disability is likely to continue indefinitely
- The disability results in substantial functional limitations in three or more of the following areas:
  - self-care
  - receptive and expressive language
  - learning
  - mobility
  - self-direction
  - capacity for independent living
  - economic self-sufficiency
- No one is automatically considered to have a developmental disability because of a diagnosis or IQ score. An individual's strengths and needs are taken into consideration.

Resources for further information on developmental disabilities:

National Association of Developmental Disabilities Councils (NADDC)

1234 Massachusetts Ave, NW, Suite 103
Washington, DC 20005
Voice: (202) 347-1234
FAX : (202)347-4023
Web site: www.igc.org/NADDC

Developmental Disabilities (DD) Councils provide resources, information, and referral on services for people with developmental disabilities. Every state and territory has a DD Council; a list is available from NADDC.

American Association of University Affiliated Programs (AAUAP)

8630 Fenton St., Suite 410
Silver Spring, MD 20910
Voice: (301) 588-8252
Fax: (301) 588-2842
Web site: www.aauap.org

University Affiliated Programs are federally funded organizations that provide a wide variety of training, technical assistance and other activities, all focused on the inclusion of people with developmental disabilities into the community. At least one UAP is located in every state and territory; a listing is available from AAUAP or online at www.aauap.org/UAP.HTM.

Additional resources are listed in the resource section at the end of this manual.

Fact Sheet: DOWN SYNDROME

Definition

Down syndrome is the most common and readily identifiable chromosomal condition associated with mental retardation. It is caused by a chromosomal abnormality: for some unexplained reason, cell development results in 47 chromosomes instead of the usual 46. This extra chromosome changes the typical development of the body and brain.

Incidence

Approximately 4,000 children with Down syndrome are born in the U.S. each year, or about 1 in every 800 to 1,000 live births.

Characteristics

There are over 50 clinical signs of Down syndrome, but it is rare to find all or even most of them in one person. Individuals with Down syndrome are usually smaller than their non-disabled peers, and their physical as well as intellectual development is slower.

Besides having a distinct physical appearance, individuals with Down syndrome frequently have specific health-related problems. A lowered resistance to infection makes these individuals more prone to respiratory problems. Visual problems such as crossed eyes and far- or near-sightedness are higher in people with Down syndrome, as are mild to moderate hearing loss and speech difficulty.

Implications Of Down Syndrome On Employment

People with Down syndrome display a wide range of talents, skills, and abilities, and have a wide range of support needs. Some people with Down syndrome can live and work fairly independently, while others need a significant amount of assistance and support. As with people with other disabilities, people with Down syndrome can work successfully in the community if they are placed in jobs that are a good match for their skills, abilities and interests, with appropriate levels of support available.

Resources for further information on Down Syndrome:

American Association on Mental Retardation (AAMR)

444 N. Capitol Street N.W.; Suite 846
Washington, DC 20001-1512
Voice: (202) 387-1968; (800) 424-3688
Fax: (202) 387-2193
Web site: www.aamr.org

The Arc of the United States (formerly the Association for Retarded Citizens)

1010 Wayne Avenue, Suite 650
Silver Spring, MD 20910
500 East Border Street; Suite 300
Arlington, TX 76010
Voice: (301) 565-3842
Fax: (301) 565-5342
E-mail: info@thearc.org
Web site: www.thearc.org

National Down Syndrome Congress

7000 Peachtree-Dunwoody Road, N.E.
Lake Ridge 400 Office Park
Building #5, Suite 100
Atlanta, GA 30328
Voice: (770) 604-9500; (800) 232-6372
Fax: (770) 604-9898
E-mail: NDSCcenter@aol.com
Web site: www.ndsccenter.org

National Down Syndrome Society

666 Broadway, 8th Floor
New York, NY 10012
Voice: (212) 460-9330; (800) 221-4602
Fax: (212) 979-2873
E-mail: info@ndss.org
Web site: www.ndss.org

Additional resources are listed in the resource section at the end of this manual.

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National Information Center for Children and Youth with Disabilities
P.O. Box 1492
Washington, DC 20013
E-mail: nichcy@aed.org
web: www.nichcy.org
1-800-695-0285 (Voice/TT)

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Fact Sheet: Epilepsy

Definition Of Epilepsy

A condition of the nervous system characterized by sudden seizures, muscle convulsions, and partial or total loss of consciousness for a short period.

Facts About Epilepsy

- Epilepsy is caused by a sudden, brief change in chemical-electrical charges of the brain
- About two million Americans have epilepsy
- About 65% of seizure disorders are controlled with medication
- A person cannot swallow his/her tongue during a seizure
- It is important to discuss with the person with a seizure disorder what his/her particular needs are

Characteristics Of Seizures May Include

- Loss of consciousness with severe muscle twitching
- A momentary loss of contact with the environment, with fluttering eyelids or twitching of a limb
- Seizures are partial when the brain cells not working properly are limited to one part of the brain. Partial seizures may cause periods of altered consciousness and "automatic behavior" - purposeful-looking behavior such as buttoning or unbuttoning a shirt. Such behavior, however, is unconscious, may be repetitive, and is usually not recalled afterwards .

Guidelines For Assisting A Person Who Is Having A Seizure

If someone is having a seizure, in most cases, you should simply make sure the area is clear so the individual does not injure him/herself. People who have epilepsy are not violent against themselves or others during a seizure. However, certain safety precautions should be taken so that no one is hurt accidentally. Some safety precautions:

- Move sharp objects, and place a pillow under the person's head
- Do NOT place anything in the individual's mouth
- After the seizure has run its course, the person may want to rest for a bit before returning to normal activity
- If a seizure persists for more than a few minutes, emergency medical assistance is necessary

Resources for further information on epilepsy

Epilepsy Foundation of America (EFA)

4351 Garden City Drive, Suite 406
Landover, MD 20785
Voice: (301) 459-3700; (800) 332-1000
Publications: (301) 577-0100
Fax: (301) 577-4941
E-mail: postmaster@efa.org
Web site: www.efa.org

National Institute of Neurological Disorders and Stroke (NINDS)

National Institutes of Health
Building 31, Room 8A06
9000 Rockville Pike
Bethesda, MD 20892
Voice: (301) 496-5751; (800) 352-9424
Web site: www.ninds.nih.gov

Basic Etiquette: PEOPLE WITH HEARING IMPAIRMENTS

1) "Hearing disability," "hard of hearing," and "deaf" are not the same.
   - "Hearing disability" refers to both persons who are hard of hearing and persons who are deaf
   - "Deaf" people utilize their vision skills for communication
   - "Hard of hearing" persons seek ways to retain their listening and speaking skills.

2) It is okay to use the terms "the deaf" or "deaf person". This is an exception to the "person-first language" rule.

3) There are a wide range of hearing losses and communication methods. If you do not know the individual's preferred communication method, ASK.

4) To get the attention of a person with a hearing loss, call his/her name. If there is no response, you can lightly touch him/her on the arm or shoulder, or wave your hand.

5) When using an interpreter:
   - Always address your comments, questions, and concerns directly to the person with whom you are talking, never to the interpreter.
   - Always face the individual, and not the interpreter.

6) Always look directly at a person who has a hearing loss. Use eye to eye contact.

7) Use facial expressions and body language to communicate the emotion of a message, such as displeasure or approval.

8) Watch the individual's eyes to ensure understanding - do not depend on affirmative head nodding only.

9) If possible, use e-mail to communicate

10) Tips in using a TTY (Teletypewriter):
   - Make your communication clear, simple, and concise.
   - Typical abbreviations:
     - GA - "Go ahead" - means that the person has finished their statement and the other person can start typing
     - Q - Use instead of a question mark
     - SK - Means you want to conclude your conversation
     - When you read "SK", type "SKSK" if you are completely finished talking.

11) Can the person read lips?
   - Not all people who are deaf can read lips
   - Speak clearly, slowly, and expressively to determine if the person can read your lips
   - Do not exaggerate your speech
   - People who read lips only understand 20 to 25% of what is being said
   - Be sensitive to the needs of people who lip read by facing the light source and keeping hands, cigarettes, and food away from your mouth when speaking.

12) If you are asked to repeat yourself several times, try rephrasing your sentence.

13) When providing information that involves a number or an address, consider alternative ways to provide it; writing, faxing, or e-mailing are great ways to ensure accuracy and decrease frustration.

14) Have pencil and paper available and use them if necessary

15) If you are experiencing extreme difficulty communicating orally, ask if you can write. Never say, "Oh, forget it, it is not important." Keep messages simple and direct.

16) Be aware of the environment. Large, crowded rooms and hallways can be very difficult for hearing impaired persons. Bright sunlight and shadows also present barriers.

17) In group settings:
- let the deaf individual determine the best seating arrangement in order for them to see the speaker and interpreter
- watch for signals that the deaf individual wishes to contribute
- ensure that one person speaks at a time
- do not pace while giving a presentation
- do not talk with your back to the audience while writing on a flipchart or blackboard
- incorporate visual aids, demonstrations, flip charts, written agendas, and handouts in presentations.

18) Do not change the topic of conversation without warning. Use transitional phrases such as "Okay, we need to discuss. . . ."

Resources for further information hearing impairments:

National Association of the Deaf
814 Thayer Avenue
Silver Spring, MD 20910-4500
Voice: (301) 587-1788
TTY: (301) 587-1789
Fax:(301) 587-1791
E-mail: NADinfo@nad.org
Web site: www.nad.org

National Information Center on Deafness (NICD)
Gallaudet University
800 Florida Avenue, N.E.
Washington, D.C. 20002-3695
Voice: (202) 651-5051
TTY; (202) 651-5052 (TTY)
E-mail: nicd.infotogo@gallaudet.edu
Web site: www.gallaudet.edu/~nicd

National Institute on Deafness and Other Communication Disorders Clearinghouse
One Communication Avenue
Bethesda, MD 20892-3456
Voice: (800) 241-1044
TTY: (800) 241-1055
E-mail: nidcdinfo@nidcd.nih.gov
Web site: www.nih.gov/nidcd/

National Technical Institute for the Deaf
Rochester Institute of Technology
Lyndon Baines Johnson Building
Center on Employment
52 Lomb Memorial Drive
Rochester, NY 14623-5604
Voice/TTY: (716) 475-6219
Fax: (716) 475-7570
E-mail: ntidcoe@rit.edu
Web site: www.rit.edu/~435www/

Has variety of information and materials related to employment of individuals who are deaf and hard of hearing, including information for employers

Registry of Interpreters for the Deaf
8630 Fenton Street, Suite 324
Silver Spring, MD 20910
Voice/TTY: (301) 608-0050
Fax: (301) 608-0508
E-mail: admin@rid.org
Web site: www.rid.org
Maintains nationwide registry of where employers can find sign language interpreters

Additional resources are listed in the resource section at the end of this manual.

Fact Sheet: LEARNING DISABILITIES

Definition of Learning Disabilities

A disorder in one or more of the basic processes involved in understanding or using spoken or written language, that impacts an individual's ability of in one of the following areas:

- listening
- thinking
- speaking
- reading
- writing
- spelling
- doing mathematical calculations

Learning disabilities include such conditions as:
- perceptual disabilities
- brain injury
- minimal brain dysfunction
- dyslexia
- developmental aphasia.

Learning disabilities do not include learning problems that are primarily the result of:
- visual, hearing, or motor disabilities
- mental retardation
- environmental or cultural factors
- economic disadvantage

Incidence

Estimates of the number of individuals with learning disabilities vary greatly, ranging from 1% to 30% of the general population. (Differences in estimates may reflect variations in the definition used.) In 1987, the Interagency Committee on Learning Disabilities concluded that 5% to 10% is a reasonable estimate of the percentage of people affected by learning disabilities.

Characteristics

- People with learning disabilities are usually of average or even above average intelligence. Learning disabilities are characterized by a significant difference between the individual's achievement in different areas, as compared to his or her overall intelligence.

- Learning disabilities may occur in the following areas:

  - Spoken language: Delays, disorders, or discrepancies in listening and speaking;
  - Written language: Difficulties with reading, writing, and spelling;
  - Arithmetic: Difficulty performing arithmetic functions or in comprehending basic concepts
  - Reasoning: Difficulty organizing and integrating thoughts
  - Organization skills: Difficulty organizing all facets of learning

It is important to remember that there is a high degree of interrelationship and overlapping among areas of learning. Individuals with learning disabilities may exhibit a combination of characteristics.

The following may also be associated with learning disabilities:
- hyperactivity
- inattention
- perceptual coordination problems

A variety of other symptoms may be present, including:
- uneven and unpredictable test performance
- perceptual impairments
- motor disorders
- impulsiveness
- low tolerance for frustration
- problems in handling day-to-day social interactions and situations

Vocational And Employment Issues

The label "learning disabilities" is all-embracing; it describes a syndrome, not a specific individual with specific problems. Therefore, assisting an individual with a learning disability to obtain employment requires a very personalized approach that takes into account an individual's strengths and support needs. An individual's learning disability may mildly, moderately, or severely impair the learning process.

Guidelines For Working With Individuals With Learning Disabilities

- Capitalize on the individual's strengths

- Provide high structure and clear expectations

- Provide opportunities for success in a supportive atmosphere to help build self-esteem

- Allow flexibility in procedures (e.g., when individuals have trouble with written language allow them to use of tape recorders for note-taking; allow completion of forms and diagnostic tests orally)

Resources for further information on learning disabilities:

Directory of facilities and services for the learning disabled, 17th ed. (1997). Novato, CA: Academic Therapy.
Voice: 1-800-422-7249 (outside CA); (415) 883-3314.

MacKenzie, L. (1997). The complete learning disabilities directory. Lakeville, CT: Grey House.
Voice: (806) 435-0867

Council for Learning Disabilities (CLD)

P.O. Box 40303
Overland Park, KS 66204
Voice: (913) 492-8755
Fax: (913) 492-2546
E-mail: webmaster@cldinternational.org
Web site: www.cldinternational.org

International Dyslexia Association

International Office
8600 LaSalle Road
Chester Building, Suite 382
Baltimore, MD 21286-2044
Voice: (410) 296-0232; (800) 222-3123
Fax: (410) 321-5069
E-mail: info@interdys.org
Web site: www.interdys.org

Learning Disabilities Association of America

4156 Library Road
Pittsburgh, PA 15234-1349
Voice: (412) 341-1515
Fax: (412) 344-0224
E-mail: ldanatl@usaor.net
Web site: www.ldanatl.org
A listing of state affiliates is available at:
www.ldanatl.org/StatePages.shtml

National Center for Learning Disabilities

381 Park Avenue South, Suite 1401
New York, NY 10016
Voice: (212) 545-7510; (888) 575-7373
Fax: (212) 545-9665
Web site: www.ncld.org

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National Information Center for Children and Youth with Disabilities
P.O. Box 1492
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Additional resources are listed in the resource section at the end of this manual.

Fact Sheet: MENTAL ILLNESS

Definition

Mental illnesses are disorders of the brain that disrupt a person's thinking, feeling, moods, and ability to relate to others. Mental illness is an illness that affects or is manifested in a person's brain that often results in a diminished capacity for coping with the ordinary demands of life. It may affect the way a person thinks, behaves, and interacts with other people.

Incidence

Mental illnesses can affect persons of any age, race, religion, or income. Five million people in the United States alone suffer from a serious chronic brain disorder.

Characteristics

The term "mental illness" encompasses numerous psychiatric disorders, and just like illnesses that affect other parts of the body, they can vary in severity. Many people suffering from mental illness may not look as though something is wrong, while others may appear confused, agitated, or withdrawn.

It is a myth that mental illness is a weakness or defect in character and that sufferers can get better simply by "pulling themselves up by their bootstraps." Mental illnesses are not the result of personal weakness, lack of character, or poor upbringing. Mental illnesses are real illnesses—as real as heart disease and cancer—and they require and respond well to treatment.

The term "mental illness" is an unfortunate one because it implies a distinction between "mental" disorders and "physical" disorders. Research shows that there is much that is "physical" in "mental" disorders (and vice-versa). For example, the brain chemistry of a person with major depression differs from that of a nondepressed person, and medication can be used (often in combination with psychotherapy) to bring the brain chemistry back to normal. Similarly, a person who is suffering from hardening of the arteries in the brain—which reduces the flow of blood and thus oxygen in the brain—may experience "mental" symptoms such as confusion and forgetfulness.

Mental illness is characterized by a wide range of behaviors which include, but are not limited to:

- depression
- feelings of hopelessness
- sadness
- apathy
- inattention
- poor concentration
- fatigue
- sleep or eating disturbances
- anxiety
- withdrawal
- constant talking, joking, fantasizing
- extreme fear or panic

Advances In Treatment

In the past 20 years especially, psychiatric research has made great strides in the precise diagnosis and successful treatment of many mental illnesses. Whereas once mentally ill people were warehoused in public institutions because they were disruptive or feared to be harmful to themselves or others, today most people who suffer from a mental illness — including those that can be extremely debilitating, such as schizophrenia — can be treated effectively and lead full lives. As a diabetic takes insulin, most people with serious mental illness need medication to help control symptoms. Supportive counseling, self-help groups, housing, vocational rehabilitation, income assistance, and other community services can also provide support and stability, allowing the individual to focus on recovery.

Types Of Psychiatric Disabilities

Some of the more commonly known psychiatric disorders are depression; manic depression (also known as bipolar disorder); anxiety disorders, including specific phobias (such as fear of heights), social phobia, panic disorder, agoraphobia, obsessive-compulsive disorder, and generalized anxiety disorder; schizophrenia and other psychotic disorders, such as delusional disorder; substance abuse and disorders related to substance abuse; delirium; dementia, including Alzheimer's disease; eating disorders, such as bulimia and anorexia; sleep disorders; sexual disorders; dissociative disorders, such as multiple personality disorder; and personality disorders, such as borderline personality disorder and antisocial personality disorder.

Resources for further information on mental illness:

The Center for Psychiatric Rehabilitation
Boston University
940 Commonwealth Avenue West
Boston, MA 02215
Voice: (617) 353-3549
Fax: (617) 353-7700
TTY: (617) 353-7701
Web site: www.bu.edu/sarpsych

National Alliance for the Mentally Ill (NAMI)
200 North Glebe Road; Suite 1015
Arlington, VA 22203-3754
Voice: (703) 524-7600; (800) 950-6264
TTY: (703) 516-7227
Fax: (703) 524-9094
E-mail: napsec@aol.com
Web: www.nami.org

National Depressive & Manic-Depressive Association
730 North Franklin Street; Suite 501
Chicago, IL 60610-3526
Voice: (800) 826-3632
Fax: (312) 642-7243
E-mail: myrtis@aol.com
Web: www.ndmda.org

International Association of Psychosocial Rehabilitation Services (IAPSRS)
10025 Governor Warfield Parkway #301
Columbia, MD 21044-3357
Voice: (410) 730-7190
TTY: (410) 730-1723
Fax: (410) 730-5965
E-mail: general@iapsrs.org
Web site: www.iapsrs.org

National Institute of Mental Health
NIMH Public Inquiries
6001 Executive Blvd, Rm. 8184, MSC 9663
Bethesda, MD 20892-9663
Voice: (301) 443-4513
Fax: (301) 443-4279
E-mail: nimhinfo@nih.gov
Web site: www.nimh.nih.gov

National Mental Health Association
1021 Prince Street
Alexandria, VA 22314-2971
Voice: (800) 969-6642; (703) 684-7722
TTY: (800) 433-5959
E-mail: nmhainfo@aol.com
Web site: www.nmha.org

O.C. Foundation, Inc.
P.O. Box 70
Milford, CT 06460-0070
Voice: (203) 878-5669
E-mail: info@ocfoundation.org
Web site: www.ocfoundation.org
(for information on Obsessive-Compulsive disorder)

Based in part on material from:

National Alliance for Mentally Ill - www.nami.org

American Psychiatric Association - www.psych.org/public_info/what_is_mi.html

Basic Ettiquette: PEOPLE WITH MENTAL ILLNESS

1) The terms mental illness and psychiatric disability are essentially interchangeable. Some groups and individuals prefer one term to the other, but in general both terms are considered acceptable. A possible alternative is to describe a person as someone who has "mental health issues".

2) Do not assume that people with psychiatric disabilities are more likely to be violent than people without psychiatric disabilities; this is a myth.
   - The wide range of behaviors associated with mental illness vary from passivity to disruptiveness.
   - When the illness is active, the individual may or may not be at risk of harming him or herself, or others.

3) People with mental illness do not have mental retardation; however, some people who have mental retardation also have mental illness. Do not assume that people with psychiatric disabilities also have cognitive disabilities or are less intelligent than the general population. In fact, many people with mental illness have above-average intelligence.

4) Do not assume that people with psychiatric disabilities necessarily need any extra assistance or different treatment.

5) Treat people with psychiatric disabilities as individuals. Do not make assumptions based on experiences you have had with other people with psychiatric disabilities.

6) Do not assume that all people with psychiatric disabilities take or should take medication.

7) Do not assume that people with psychiatric disabilities are not capable of working in a wide variety of jobs that require a wide range of skills and abilities.

8) Do not assume that people with psychiatric disabilities do not know what is best for them, or have poor judgment.

9) If someone with a psychiatric disability gets upset, ask calmly if there is anything you can do to help and then respect their wishes.

10) Do not assume that a person with a psychiatric disability is unable to cope with stress.

Fact Sheet: MENTAL RETARDATION

Definition
People with mental retardation develop at a below average rate and experience difficulty with learning and social adjustment.

Incidence
Research indicates that between 1% - 2% of the U.S. population experiences some form of mental retardation.

Basic Criteria
- Significantly sub-average general intellectual functioning, which may be indicated by an IQ of 70 or below
- Significant challenges in adapting to living and work environments

Mental retardation is a very broad category that includes a wide range of skills, abilities and support needs.

Levels:
- Mild - needs minimal help in some areas of life, with no help in most areas.
- Moderate - needs more help in some areas of life than others.
- Severe - needs help in most areas of life.
- Profound - needs maximum help in all areas of life.

Most individuals with mental retardation are in the mild to moderate range.

Learning Characteristics Of A Person With Mental Retardation
Persons with mental retardation have the capacity to learn, to develop, and to grow. The great majority of these individuals can become productive and full participants in society. However, they do face challenges in learning. A person with mental retardation tends to have one or more of the following characteristics:

1) Slow rate of learning - Person has the ability to learn, but takes longer to do so

2) Thinks in a concrete way - Has difficulty with abstract thinking

3) Difficulties generalizing - Cannot take knowledge learned in one situation and apply it to another

4) Needs to be taught how to make choices - Has difficulty weighing pros and cons, and applying past experiences to present decision-making

5) Challenges in setting goals and problem solving - Needs help to figure out problems and determine steps required to reach goals. Tasks that many people learn without instruction may need to be structured or broken down into small steps.

6) Memory problems - Has difficulty remembering how to complete tasks that take several steps, or that are not routine; training needs to include lots of opportunities for practice and repetition.

7) Short attention span - Has trouble sticking with an activity or focusing attention for long periods of time

8) **Expressive language** - Has difficulty conveying ideas and feelings to other people; explaining that he/she doesn't understand something; and asking questions

Resources for further information on mental retardation:

American Association on Mental Retardation (AAMR)

444 N. Capitol Street N.W.; Suite 846
Washington, DC 20001-1512
Voice: (202) 387-1968; (800) 424-3688
Fax: (202) 387-2193
Web site: www.aamr.org

The Arc of the United States (formerly the Association for Retarded Citizens)

1010 Wayne Avenue, Suite 650
Silver Spring, MD 20910
500 East Border Street; Suite 300
Arlington, TX 76010
Voice: (301) 565-3842
Fax: (301) 565-5342
E-mail: info@thearc.org
Web site: www.thearc.org

National Down Syndrome Congress

7000 Peachtree-Dunwoody Road, N.E.
Lake Ridge 400 Office Park; Building #5, Suite 100
Atlanta, GA 30328
Voice: (770) 604-9500; (800) 232-6372
Fax: (770) 604-9898
E-mail: NDSCcenter@aol.com
Web site: www.ndsccenter.org

National Down Syndrome Society

666 Broadway, 8th Floor
New York, NY 10012
Voice: (212) 460-9330; (800) 221-4602
Fax: (212) 979-2873
E-mail: info@ndss.org
Web site: www.ndss.org

Additional resources are listed in the resource section at the end of this manual.

Basic Etiquette: People With Mental Retardation/Cognitive Disabilities

1) People with mental retardation are not "eternal children." Adults with mental retardation should be treated and spoken to in the same fashion as other adults. Do not "talk down" to a person with mental retardation. Assume that an adult with mental retardation has had the same experiences as any other adult.

2) Like everyone else, people with mental retardation are extremely diverse in their capabilities and interests. Avoid stereotypes, such as the assumption that all people with mental retardation enjoy doing jobs that are repetitive, or want to work in fast food restaurants or supermarkets.

3) Many people with mental retardation can read and write. Don't assume that a person with mental retardation lacks academic skills, such as reading, writing, and the ability to do mathematics. While an individual's disability may significantly impact these areas, many people with mental retardation have at least some level of these academic skills.

4) Even if people's academic skills are limited, they still have much to share and contribute. A low level of academic skills does not mean that people don't have valuable ideas and thoughts. Provide opportunities for people with limited academic skills to contribute verbally, and take what they have to say seriously. Ensure that people who have difficulties reading or writing have equal access to written materials (for example, by taping them or having someone review the materials with them orally). Use pictures or simple photographs to identify rooms, tasks, or directions.

5) Treat the individual as you would anyone else. If engaging in a conversation with someone with mental retardation, bring up the same topics of conversation as you would with anyone else such as weekend activities, vacation plans, the weather, or recent events.

6) Giving instructions. People with mental retardation can understand directions if you take your time and are patient. Use clear language that is concise and to the point. When giving instructions, proceed slowly, and ask the person to summarize the information, to ensure that it has been understood. You may have to repeat yourself several times in order for the individual to take in all the information. "Walk through" the steps of a task or project. Let an individual perform each part of the task after you explain it.

7) Don't defer to a staff person or caregiver. When a person with mental retardation is accompanied by another person such as a staff person, caregiver, or family member, don't direct questions and comments to them. Speak directly to the person with mental retardation. Also, don't allow someone else to speak for the person with a disability.

8) Avoid the term "mental retardation." If you need to speak about a person's disability, people with mental retardation prefer the term "developmental disability" rather than "mental retardation". (Mental retardation is one type of developmental disability.)

Basic Etiquette: People With Mobility Impairments

1) My Chair, My Body - Wheelchairs are NOT footstools, stepladders, or fire hazards. People who use a wheelchair, walker, or cane often consider this technology to be an extension of their body. They are part of an individual's "personal space" and should be treated with the same dignity and respect. Do not lean on them, push them, or move them without explicit permission.

2) Talk face to face. If an individual uses a wheelchair, sit down and/or position yourself at the same eye contact level.

3) **ALWAYS ASK** if you can offer assistance **BEFORE** you provide assistance. If your offer is accepted, ask for instructions and follow them.

4) When given permission to push a wheelchair, push slowly at first. Wheelchairs can pick up momentum quickly.

5) Personally check locations of events for accessibility. Use a checklist (such as those found in Section 3). If barriers cannot be removed, alert persons with mobility impairments before the event so that they can make decisions and plan ahead.

6) Do not ask people how they acquired their disability, how they feel about it, or other personal questions unless it is clear that they want to discuss it. It is not their job to educate you.

7) It is considered patronizing to pat an individual who uses a wheelchair on the back or on the head.

8) Remember that, in general, persons with mobility impairments are not deaf, visually impaired, or cognitively impaired. The only accommodations that you need to make are those that relate to mobility impairment.

Resources for further information on mobility impairments:

National Institute of Neurological Disorders and Stroke (NINDS)
Office of Communications and Public Liaison
Bethesda, MD 20892
Voice: (301) 496-5751; (800) 352-9424
Fax: (301) 402-2186
Web: www.ninds.nih.gov/

National Spinal Cord Injury Association
8300 Colesville Road, Suite 551
Silver Spring, MD 20910
Voice: (800) 962-9629; (301) 588-6959
E-mail: nscia2@aol.com
Web site: www.spinalcord.org

Basic Etiquette: People With Speech Impairments

1) Take your time, relax, and listen.
   - With a little time and patience, you can comfortably converse with a person who has a communication disability.
   - Don't try to rush the conversation or second-guess what a person has to say.
   - Plan for a conversation with a person with impaired speech to take longer.

2) It's okay to say, "I don't understand."

3) Solicit and provide feedback. If necessary, repeat your understanding of the message in order to clarify or confirm what the person said.

4) Do not ignore a person with a speech impairment because of your concern that you will not understand them.

5) Do not pretend you understand what is being said if you do not. Instead, repeat what you have understood and allow the person to respond. The response will clue you in and guide your understanding.

6) Do not interrupt a person with a speech impairment. Be patient and wait for the person to finish, rather than correcting or speaking for the person.

7) If necessary, ask short questions that can be answered with a few words, a nod, or a shake of the head.

8) Face the individual and maintain eye contact. Give the conversation your full attention.

9) If the individual is accompanied by another individual, do not address questions, comments, or concerns to the companion.

10) Do not assume that a person with a speech impairment is incapable of understanding you.

11) Some people with speech impairments have difficulty with inflections. Do not make assumptions based on facial expressions or vocal inflections unless you know the individual very well.

12) Do not play with or try to use someone's communication device. Such aids are considered an extension of an individual's "personal space" and should be respected as such.

13) If you are having trouble communicating, ask if an individual can write the message or use a computer or TTY.

Resources for further information on speech impairments:

American Speech-Language-Hearing Association (ASHA)
10801 Rockville Pike
Rockville, MD 20852
Voice/TTY: (800) 638-8255; (301) 897-5700
E-mail: actioncenter@asha.org
Web site: www.asha.org

Stuttering Foundation of America
3100 Walnut Grove Road #603
P.O. Box 11749
Memphis, TN 38111
Voice: (800) 992-9392
E-mail: stuttersfa@aol.com
Web site: www.stuttersfa.org

Basic Etiquette: People With Visual Impairments

1) Blind doesn't mean blind - having a vision disability does not necessarily mean that a person lives in total darkness.

2) **Saying Hello & Good-bye**
   - Don't assume that people with vision disabilities will remember your voice.
   - It is considered rude to ask a person with a visual disability, "Do you remember my voice?"
   - Identify yourself by name when you approach a person with a vision disability and tellthem when you are leaving the conversation or area.

3) **Communication**
   - Use a normal tone of voice (for some reason, people with vision disabilities are often shouted at).
   - It is okay to use vision references such as "see" or "look".

4) **Orientation**
   - It is considered polite to indicate your position with a light tap on the shoulder or hand.
   - However, keep your physical contact reserved.

5) Give a person with visual impairment a brief description of the surroundings. For example:
   - "There is a table in the middle of the room, about six feet in front of you," or
   - "There is a coffee table on the left side of the door as you enter."

6) Use descriptive phrases that relate to sound, smell, and distance when guiding a visually impaired person.

7) **Mobility Assistance**
   - Offer the use of your arm.
   - If your assistance is accepted, the best practice is to offer your elbow and allow the person with the vision disability to direct you.
   - Don't grab, propel, or attempt to lead the person.
   - Do not clutch the person's arm or steer the individual.
   - Walk as you normally would.

8) Do not be offended if your offer to assist a visually impaired person is declined.

9) **Service Animals**
   - Guide dogs are working animals and should not be treated as pets.
   - Do not give the dog instructions, play with, or touch it without the permission of itsowner.

10) Avoid clichéd phrases such as "the blind leading the blind", "What are you…blind?" "I'm not blind, you know."

12) Do not grab or try to steer the cane of a person with visual impairments.

- The usual formats are Braille, large print, audiotape, or computer disk/electronic text.
- Do not assume what format an individual uses or prefers.

13) Always determine the format in which a person with visual impairments wants information.

14) Direct your comments, questions or concerns to the person with a visual impairment, not to his or her companion.

15) If you are reading for a person with a visual impairment:

- First describe the information to be read.
- Use a normal speaking voice.
- Do not skip information unless requested to do so.

Resources for further information on blindness and visual impairments:

American Council of the Blind
1155 15th Street N.W., Suite 720
Washington, DC 20005
Voice: (800) 424-8666; (202) 467-5081
E-mail: ncrabb@erols.com
Web site: www.acb.org
State affiliates listed at www.acb.org/Affiliates/index.html

American Foundation for the Blind (AFB)
11 Penn Plaza, Suite 300
New York, NY 10001
Voice: (800) 232-5463
TTY: (212) 502-7662
E-mail: afbinfo@afb.org
Web site: www.afb.org/afb

National Federation of the Blind
1800 Johnson Street
Baltimore, MD 21230
Voice: (410) 659-9314
E-mail: epc@roudley.com
Web site: www.nfb.org
State chapters listed at www.nfb.org/chapsite.htm
Professional divisions listed at www.nfb.org/nfbdvlst.htm
As a consumer and advocacy organization, this resource offers extensive information regarding the blindness field including the latest technology & devices. Services include:

- "Jobline" (national employment listings via phone). Many states are investigating the use of this system for One-Stop Centers.
- "Newsline" (free spoken newspaper service).

Additional resources are listed in the resource section at the end of this manual.

Simple Screening Tool for a Learning Disability

When a One-Stop customer experiences difficulty performing certain tasks, there is a possibility they may have a learning disability (which may not have been previously identified). One-Stop staff are not intended to be diagnosticians. However, this simple screening tool can assist One-Stop staff in determining the possible presence of a learning disability.

- Keep in mind, a checklist is a guide, a list of characteristics. It is difficult to provide a checklist of typical characteristics of adults with learning disabilities because their most common characteristics are their unique differences. In addition, most adults exhibit or have exhibited some of these characteristics. In other words, saying yes to any one item – or several items – on this checklist does not mean that an individual has a learning disability. However, if the customer answers "yes" to most of the items, and experiences these difficulties to such a degree that they cause problems in employment, education, and/or daily living, it might be a sign that the person could benefit from further specialized assessment from a qualified professional.

- This information should obviously be collected discreetly and in a way that respects the individual's right to privacy.

- A specialized assessment from a qualified professional will help the One-Stop staff determine how best to support the individual's employment and training goals, and help the individual obtain additional support services. Such an assessment cannot and should not be used to exclude the individual from One-Stop services.

There are many useful checklists available from a number of organizations. The following checklist was adapted from lists developed by the following organizations: Learning Disabilities Association of America, For Employers... A Look at Learning Disabilities, 1990; ERIC Clearinghouse on Disabilities and Gifted Education, Examples of Learning Disability Characteristics, 1991; The Orton Dyslexia Society's Annals of Dyslexia, Volume XLIII, 1993; and the Council for Learning Disabilities, Infosheet, October 1993

Checklist for Possible Presence of a Learning Disability

- ❒ Does the person perform similar tasks differently from day to day?

- ❒ Does the person read well but not write well, or write well but not read well?

- ❒ Is the person able to learn information presented in one way, but not in another?

- ❒ Does the person have a short attention span, impulsivity, and/or difficulty maintaining focus?

- ❒ Does the person have difficulty telling or understanding jokes?

- ❒ Does the person misinterpret language and/or have poor comprehension of what is said?

- ❒ Does the person have difficulty with social skills?

- ❒ Does the person misinterpret social cues?

- ❐ Does the person find it difficult to memorize information?

- ❐ Does the person have difficulty following a schedule, being on time, or meeting deadlines?

- ❐ Does the person get lost easily, either driving and/or moving around large buildings?

- ❐ Does the person have trouble reading maps?

- ❐ Does the person often misread or miscopy?

- ❐ Does the person confuse similar letters or numbers, reverse them, or confuse their order?

- ❐ Does the person have difficulty reading the newspaper, following small print, and/or following columns?

- ❐ Is the person able to explain things orally, but not in writing?

- ❐ Does the person have difficulty writing ideas on paper?

- ❐ Does the person reverse or omit letters, words, or phrases when writing?

- ❐ Does the person have difficulty completing job applications correctly?

- ❐ Does the person have persistent problems with sentence structure, writing mechanics, and organizing written work?

- ❐ Does the person spell the same word differently in one document?

- ❐ Does the person have trouble dialing phone numbers or reading addresses?

- ❐ Does the person have difficulty with math, math language, and math concepts?

- ❐ Does the person reverse numbers in a checkbook and have difficulty balancing a checkbook?

- ❐ Does the person confuse right and left, up and down?

- ❐ Does the person have difficulty following directions, especially multiple directions?

- ❐ Does the person appear to be poorly coordinated?

- ❐ Is the person unable to tell you what has just been said?

- ❐ Does the person hear sounds, words, or sentences imperfectly or incorrectly?

Locating a Qualified Professional

To find a qualified professional who can assess whether an individual has a learning disability, One-Stop staff should begin with the resources available for assessment from various One-Stop partners, including Vocational Rehabilitation, education, and others. The resource section of this manual contains a listing of learning disability resources that can provide referrals to professionals qualified to conduct adult-appropriate assessments.

Additional local resources to check include:

- adult education in the public school system
- adult literacy programs or literacy councils
- community mental health agencies
- educational therapists or learning specialists in private practice
- local college/university counseling or study skills centers
- high school guidance counselors
- private schools or institutions that specialize in learning disabilities
- special education departments and/or disability support service offices in colleges or universities
- university-affiliated hospitals

Adapted from a document produced by the National Institute for Literacy Heath Resource Center - National Clearinghouse on Post-secondary Education for Individuals with Disabilities – American Council on Education and National Adult Literacy and Learning Disabilities Center

Full text of the original document is available at: www.nifl.gov/nalld/resource

National Adult Literacy and Learning Disabilities Center
Academy for Educational Development
1875 Connecticut Avenue, NW
Washington, DC 20009
Voice: (202) 884-8185; (800) 953-ALLD

NOTE: Several states over the last few years have piloted various screening and intervention tools specifically targeted towards assisting people on TANF with undiagnosed learning disabilities. The states of Washington and Kansas have the most experience with these pilots as of this writing (June, 2000) and readers may want to contact these agencies for more specific information

Simple Screening Tool for Possible Emotional Or Mental Health Issues

There are times when One-Stop staff may see indications that a customer may have emotional or mental health issues. One-Stop staff are not intended to be diagnosticians. However, this simple screening tool can assist One-Stop staff in determining the possible presence of an emotional or mental health issue.

- This information should obviously be collected discreetly and in a way that respects the individual's right to privacy. Also, to the extent possible, the information should be based on direct information from the person seeking assistance as well as the direct observation of staff.

- Please be aware that saying "yes" to any of these items, even in combination, does not necessarily indicate any form of emotional or mental health problem. An individual's responses could simply be signs of a bad day, legitimate anger at events, a specific problem troubling them, or physical disability. However, if the customer answers "yes" to most of the items, and experiences these difficulties to such a degree that they cause problems in employment, education, and/or daily living, it might be a sign that the person could benefit from further specialized assessment from a qualified professional. Vocational Rehabilitation (a One-Stop partner), the state or county mental health agency, local mental health center, or other disability organization should be able to assist in obtaining such an assessment (see list of mental health resources at the end of this manual).

- A specialized assessment from a qualified professional will help the One-Stop staff determine how best to support the individual's employment and training goals, and help the individual obtain additional support services. Such an assessment cannot and should not be used to exclude the individual from One-Stop services.

❐ Does the person report feeling worried about something wrong with their thinking or their mind?

❐ Does the person report that they are taking prescribed medication to either help them be less anxious, help them with their thinking, or help them be less depressed?

❐ Does the person exhibit any unusual physical movements such as facial tics, muscle spasms, drooling?

❐ Has the person ever mentioned doing harm to themselves or others?

❐ Has the person ever mentioned hearing voices in their head or seeing things that aren't really there?

❐ Does the person seem extremely lethargic and uninterested in everything?

❐ Does the person seem unduly distracted (acting as if they are not paying attention or do not hear you even when you are speaking directly to them)?

❐ Does the person appear very angry even when there is no immediate problem?

❐ Does the person appear to be speaking to themselves frequently or to others who aren't in the immediate area?

❑ Does the person seem very distrustful for no good reason you can ascertain?

❑ Has the person ever been arrested or had other legal problems?

Has the person ever gotten help from a community mental health center, a community counseling agency, or a private counselor for one or more of the following:

❑Depression

❑Drinking or drug problems

❑Doing harm to themselves

❑Doing harm to others

❑Disorganized thinking

❑Agitation or nervousness

> *Based on a tool developed for the Welfare to Work program of the Columbia River Mental Health Services, Inc. in Vancouver, WA.*

For more information, contact:

Joe Marrone, ICI
4517 NE 39th Ave.
Portland, OR 97211-8124
TEL: 503-331-0687
EMAIL: jm61947@aol.com

NOTE: Several states have recently begun to pilot assessment instruments for people with mental illness on TANF. The state of Minnesota is the furthest along as of this writing (April, 2000) and readers may want to contact the Minnesota DSHS, both the Family Investment Program and Mental Health Division, for more specific information about recent results.

Simple Screening Tool for Possible Alcohol or Substance Abuse Problems

There are times when One-Stop staff may see indications that a customer may have an alcohol or substance abuse problem. One-Stop staff are not intended to be diagnosticians; however, the following simple screening tool can assist One-Stop staff in determining the possible presence of alcohol or substance abuse.

- This information should obviously be collected discreetly and in a way that respects the individual's right to privacy. Also, to the extent possible, the information should be based on direct information from the person seeking assistance as well as the direct observation of staff.

- Please be aware that saying "yes" to any of these items, even in combination, does not necessarily indicate that an individual has an alcohol or substance abuse problem. However, if the customer answers "yes" to most of the items ("no" to item 12), and experiences these difficulties to such a degree that they cause problems in employment, education, and/or daily living, it might be a sign that the person could benefit from

further specialized assessment from a qualified professional. Vocational Rehabilitation (a One-Stop partner), the state or county mental health agency, local mental health center, or other disability organization should be able to assist in obtaining such an assessment (see list of mental health resources at the end of this manual).

- A specialized assessment from a qualified professional will help the One-Stop determine how best to support the individual's employment and training goals, and help the individual obtain additional support services. Such an assessment cannot and should not be used to exclude the individual from One-Stop services.

Within the last six months:

❒ Has the person ever used alcohol or other drugs?

❒ Has the person ever felt that [s]he uses too much alcohol and drugs?

❒ Has the person tried to quit drinking or using drugs?

❒ Has the person had to get some kind of help due to problems associated with alcohol or other drugs?

Has drinking or using other drugs ever caused problems for the person in one or more of the following areas?

❒ Work
❒ Family
❒ Friendships?
❒ School

❒ Has the person ever gotten into a fight or argument while drinking?

❒ Has the person ever come in with the smell of alcohol on his/her breath?

Has the person ever had one or more of the following?

❒ Blackouts or memory loss
❒ Convulsions or DTs
❒ Hepatitis or liver problems
❒ Used needles to shoot drugs

> For more information, contact:
> Joe Marrone, ICI
> 4517 NE 39th Ave.
> Portland, OR 97211-8124
> TEL: 503-331-0687
> EMAIL: jm61947@aol.com

❒ Does the person spend time thinking about getting alcohol or drugs?

❒ Does the person feel bad or guilty about his/her alcohol or drug use?

❒ Has the person ever driven under the influence of alcohol or other drugs?

❒ Has the person had periods of one week or more of not using alcohol or any other drugs?

> *This instrument shown above is based in most part on a standardized instrument for substance abuse assessment called the SASSI. The actual tool shown was developed for the Welfare to Work program of the Columbia River Mental Health Services, Inc. in Vancouver, WA.*

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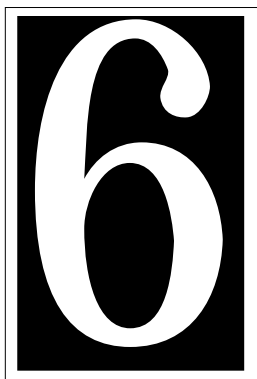
Job Accommodation Information

Section Purpose

Provide information for One-Stop staff to assist customers with disabilities in identifying and obtaining accommodations for employment success. This information can also be useful to One-Stop Systems in employing staff with disabilities.

Section Contents

A) **Job Accommodation: An Overview**: General discussion of job accommodations including definitions, guidelines for the process of identifying and obtaining accommodations, and legal issues pertaining to job accommodation

B) **Funding Assistive Technology and Accommodations:** A discussion of the various options available for funding accommodations

C) **Job Accommodations—Where to Get Help:** A listing of resources and organizations available to assist in identifying job accommodations and appropriate assistive technology

D) **Job Accommodation Examples:** A comprehensive listing, organized by type of disability, of various accommodations that have been used in the workplace

E) **JAN: Opening Doors to Job Accommodation:** A description of the services available from the Job Accommodation Network, a free service which can assist in the identification of accommodations

Job Accommodations: An Overview

Developing accommodations and supports is an integral part of assisting people with disabilities to find employment. Successful job development involves fitting the job to the person as much as fitting the person to the job. One-Stop staff who work with people with disabilities need a basic knowledge of the legal and practical matters concerning reasonable accommodations in employment.

What is job accommodation?

"Job accommodation" means modifying a job, job site, or way in which a job is done so that the person with a disability can have equal access to all aspects of work. It can make it possible for people with disabilities to:

- apply for jobs
- perform essential job functions
- be as productive as their co-workers
- accomplish tasks with greater ease or independence.

Job accommodations can also allow people with disabilities to enjoy the same "perks" that their co-workers enjoy, such as access to the employee cafeteria or use of company-provided transportation.

What is an assistive technology device?

An assistive technology device is a tangible item, device, or piece of equipment that enables a person with a disability to perform a task, or increase or improve their performance on a task. Assistive technology can range from relatively simple, inexpensive, "low tech" items from a retail store (hardware, office supply, and electronics stores have an abundance of assistive technology) to highly sophisticated technology such as specialized computer equipment and mechanical devices from specialized vendors. Assistive technology devices are often used as job accommodations.

What are essential functions and how are they determined?

"Essential functions" are the basic duties that an employee must be able to perform, with or without reasonable accommodation. Factors to consider in determining if a function is essential include:

- does the position exist to perform that function? (e.g., a cashier exists to exchange money with customers)
- what will the consequences be if this employee is not required to perform the function?
- how many other employees are available to perform the function?
- how much time have present or past employees spent performing this function?
- the written job description
- what has been the actual work experience of present or past employees in this job?
- what degree of expertise or skill is required to perform the function?
- terms of a collective bargaining agreement, if applicable.

What are the steps involved in developing job accommodations?

1) Identify accommodation needs: The first step is identifying the areas of a job (tasks, job functions, etc.) that a person with a disability cannot fully perform without some type of accommodation.

2) Identify accommodation: The next step is identifying the actual modification that will solve the problem. This can sometimes be fairly simple and straightforward, with obvious solutions. Other times, this step requires extensive investigation and outside assistance.

   • Begin by discussing options with the applicant or employee. Frequently, the appropriate accommodation is obvious. The individual may suggest an accommodation based upon his/her own life or work experience. Assuming that it is reasonable, it is then simply a matter of arranging for the accommodation.

   • If this consultation does not identify an appropriate accommodation, an employer may need to analyze the job and workplace more thoroughly, and research accommodation options. An employer may choose to do such an analysis independently, or may wish to bring in outside expertise. The state Vocational Rehabilitation agency (a One-Stop partner) and organizations that represent or assist individuals with disabilities may be helpful. In addition, a number of organizations provide free consultation service on accommodations (see resource list at the end of this section).

   • Through the course of an analysis, be sure to consider all six categories of types of accommodations (listed on page 147).

   • A comprehensive, systematized approach to identifying accommodations is *Job Accommodation System*, available from the Institute for Community Inclusion (see resource section).

Who pays for accommodations?

If the accommodation meets the criteria for a "reasonable accommodation" under the Americans with Disabilities Act (see below), the employer must pay for any costs involved. However, there may be cases where the accommodation is not considered a reasonable accommodation, or where it does not make practical sense for the employer to pay for equipment or assistive technology.

One consideration is ownership of equipment. If the employer pays for a piece of equipment or assistive technology as a reasonable accommodation, the employer owns it, and the individual with a disability may not be able to use it at home or take it to their next job. If the equipment is useful or necessary in a variety of settings, the person with a disability may wish to purchase it themselves, even if it would be reasonable for the employer to pay.

Further information on funding considerations and resources is contained elsewhere in this section.

What are an employer's responsibilities for providing job accommodations?

Employers must provide accommodations, and pay any costs involved, to any qualified job applicant or employee if the accommodation is considered "reasonable" under the Americans with Disabilities Act (ADA). A reasonable accommodation is one which does not pose an "undue hardship" on an employer.

When is an accommodation considered an undue hardship for an employer?

"Undue hardship" means that an accommodation would be unduly costly, extensive, substantial, or disruptive, or would fundamentally alter the nature or operation of a business. Among the factors considered:

- the nature and cost of the accommodation
- the resources and size of the business
- the type of business, including the composition, functions, and structure of the workforce
- the impact the accommodation would have on the facility and business as a whole.

If an accommodation is considered to be an undue hardship, the employer must attempt to find an alternate solution (see below).

Who decides whether or not an accommodation would pose an undue hardship?

The decision concerning whether an accommodation poses an undue hardship is made by the employer, taking into account the factors listed above. However, employers cannot simply state that will not provide an accommodation, without some type of negotiation and discussion with the applicant or employee. ADA regulations require that employers engage in an interactive process with individuals with disabilities in response to a request for reasonable accommodation.

What alternatives must an employer explore if an accommodation poses an undue hardship?

- If a particular accommodation would be an undue hardship, an employer must try to identify another accommodation that would not pose such a hardship.
- If cost causes an accommodation to be judged an undue hardship, an employer must consider whether an outside source, such as a Vocational Rehabilitation agency or tax credit, can offset the cost. Consult the piece on "Funding Assistive Technology & Accommodations" for information on state and federal tax credits and deductions.
- The employer must also give the applicant or employee the opportunity to provide the accommodation or pay for the portion of the accommodation that is considered to be excessively expensive.

Who is responsible for requesting an accommodation?

The employee with a disability is responsible for requesting an accommodation.

Who is responsible for identifying an appropriate accommodation?

Ultimately, the employer is responsible. Once a person with a disability has made a request for a reasonable accommodation, the employer must make a reasonable effort to identify a specific solution.

When can an accommodation be requested?

A job accommodation may be requested by the employee with a disability

- during the job application process
- after a job offer is made, or
- at any time during the course of employment.

Employers are specifically prohibited by Title I of the ADA from asking job applicants about the presence of a disability. However, the employer may ask if the individual can perform specific job responsibilities and/or how the person would go about accomplishing those tasks, with or without an accommodation.

- In particular, if an individual's disability is readily apparent (e.g., an individual uses a wheelchair), the employer may ask how the individual will perform specific job tasks which the employer perceives as potentially problematic given the nature of the individual's disability.
- Once an individual has requested an accommodation, an employer can ask for more specific information concerning the nature of an individual's disability.

When is it best to request an accommodation?

Requesting accommodations requires some level of disclosure concerning disability, and as with any issue related to disclosure, a number of variables must be considered.

- Will the accommodation be needed during the interview/hiring process?
- Is the accommodation needed immediately to perform job duties?
- What will be the impact of making the request:
  - before hiring?
  - immediately after?
  - after one or more months of employment?

As always with disclosure issues, the job seeker's wishes should be absolutely adhered to. However, as career counselors, One-Stop staff should help guide the job seeker through the decision-making process, with consideration of the implications of disclosure and non-disclosure. *For more information on disclosure, see section 7.*

Is it always a good idea to wait until the hiring process has been completed, and leave it up to the employer to identify the accommodation?

The law is clear: once a request has been made, it is the employer's legal responsibility to identify a reasonable accommodation. However, practical realities may call for a different approach.

- Accommodation needed for application process - Given the subjective nature of the hiring process, if the individual needs an accommodation to apply for a position, it's probably best to avoid approaching the employer with the attitude, "You need to find me an accommodation so that I can apply for this job." Applicants can actually take the accommodation process as an opportunity to demonstrate their competence. It creates a positive impression when job applicants have a clear idea of what types of accommodations they need and how these can be arranged.
  - Such accommodations can be simple (an accessible office, materials in Braille) or more involved (a short-term job try-out in lieu of or in addition to the traditional hiring routine of application, interview, and testing).
  - When asking for such accommodations, the job applicant should clarify to the employer how the accommodation(s) will allow the employer to give the applicant equal consideration.
- Identification of reasonable accommodation needed for a positive hiring decision - For everyone, part of the hiring process is convincing an employer that they can perform the tasks of a job. Again, remember that hiring is a subjective process, based on the perceptions and impressions of the employer.

- Better: "I can do this job and here's how I can do it (via the accommodation which I've identified)."
- Worse: "I can do this job, but you'll have to figure out how (by finding me an accommodation)."

• Need for training on assistive technology - If the accommodation consists of a piece of equipment that requires some training (e.g., a voice activated computer), a person with a disability may need to receive training prior to applying, in order to demonstrate their competence. As in the previous point, the job applicant increases the chances of being hired when they can demonstrate that they have not only identified an accommodation, but are trained on how to use it.

What is the best approach for job seekers when seeking accommodations with employers?

Accommodations are best developed in a spirit of cooperation, not conflict, with employers. Remember, positive relationships with employers are necessary for long-term success. Approach the process as a joint problem-solving exercise with many possible solutions. However, if circumstances warrant it, job seekers and One-Stop staff should not hesitate to gently remind employers that providing reasonable accommodations is not a "favor" to the potential employee, but something that the law requires.

When requesting accommodations from an employer, it is helpful to consider that employers actually accommodate the needs of all workers through the provisions of desks, chairs, work tools, supplies, etc. These "accommodations" enable employees to perform the tasks of their job and/or to perform them more efficiently. When a person with a disability requests accommodations, he/she is not asking for anything more than what the employer provides to all other employees - the "tools" to effectively perform the job.

What are the job applicant's or employee's options if an employer refuses to provide a reasonable accommodation?

If ultimately an employer will not provide an accommodation, even after negotiation and advocacy, the job applicant or employee should determine specifically why the employer is unable to provide the accommodation, and which factors are causing the accommodation to pose an "undue hardship". If the job applicant or employee disagrees with the employer's opinion that the accommodation poses an undue hardship, the following steps can be taken:

• Consultation with legal advocacy organizations to get a professional opinion on the matter (a listing of such organizations is in the resource section at the back of this manual under Americans with Disabilities Act and Other Legal Information). Discussing situations with legal experts can help in determining whether the employer is truly meeting their legal obligations.

• If it appears that the employer has not met their legal obligation to provide reasonable accommodations, the job applicant or employee may wish to determine possible options for legal action, including filing a complaint with the EEOC or state anti-discrimination board. The EEOC has mediation services available which may be able to assist in reaching a solution. [Additional information on filing complaints and mediation is contained in section 8 - "ADA and Employment"]. Obviously, taking legal action should only be pursued in the rare instances where all other options for reaching a mutually satisfactory solution have been exhausted.

Job Accommodation Categories

Accommodations are often thought of as physical equipment or modifications. However, accommodations can include a wide range of non-physical modifications. It is helpful to consider these six categories (specified in the Americans with Disabilities Act) with the employer and employee when discussing how to resolve task barriers. Examples of specific job accommodations are listed elsewhere in this section.

TYPE	DEFINITION	EXAMPLE
Job Restructuring	Adjustments to work procedures or to the order in which tasks are usually performed	• Change work schedule • Rearrange the order in which tasks are done • Decrease number of non-essential job duties
Assistive Device	Objects that help an employee do the job or complete tasks with greater ease or independence	• Mechanical reacher • Electric stapler • Magnifying lens • Non-skid material/surface • Voice-activated computer
Training	Teaching methods that help an employee to learn or re-learn job duties	• Use a map to orient new employees • Supply large print instructions • Demonstrate a different way to perform a task
Personal Assistant	Person who helps an employee with job duties, work routines, or work-related aspects of a job	• Interpreter assists with communication • Co-worker helps with a task • Mentor provides training or support
Building Modification	Alterations to the physical environment that allow safe and equal access to facilities	• Lever to turn round door knob • Raised letters on elevators and signs • Flashing lights on fire alarms and telephones
Job Reassignment	Temporary or permanent task transfers between co-workers or sharing jobs with other employees	• Swap task with co-worker • Job share with co-worker • Reassign task to another employee

Publication Resources & References

Information on accommodations is taken in part from:

Roberts, G., Zimbrich, K., Butterworth, J., Hart, D. (1993). Job Accommodation System. Institute for Community Inclusion, Boston

Job Accommodation System is a comprehensive guide to the decision making process in developing job accommodations for people with disabilities. Copies of this guide are available by contacting the ICI: (617) 355-6506; TTY: (617) 355-6956; ici@tch.harvard.edu; www.childrenshospital.org/ici

Information in this section on the legal aspects of reasonable accommodations is based in part on material from the U.S. Equal Opportunity Commission booklet "The ADA: Your Responsibilities as an Employer," available at: www.eeoc.gov/facts/ada17.html

Funding Assistive Technology and Accommodations

There are a variety of options available for funding assistive technology, equipment, and accommodations needed to perform job tasks. One-Stop staff assistance can range from limited guidance, to extensive involvement in arranging for funding and will depend on:

- the level of services being provided to the individual;
- the complexity of the individual's situation; and
- the time available to obtain funding.

Funding by the Employer

The first option that should be considered is the employer. Employers are required to pay for assistive technology, equipment, and other accommodations, if the request meets the criteria for a "reasonable accommodation" under the Americans with Disabilities Act (ADA). A lengthy discussion about whether an accommodation is "reasonable" may not be necessary if employers see the cost of an accommodation as simply part of the investment needed to ensure a productive employee. Employers' costs can be offset by:

ADA Small Business Tax Credit:

Businesses with 30 or fewer employees or $1,000,000 or less per year in total revenue can receive a tax credit for the cost of accommodations provided to an employee (or customer) with a disability. This credit covers 50% of eligible expenditures up to $10,000 (maximum credit per year of $5000). For additional information, contact the Internal Revenue Service.

- Web site: www.irs.ustreas.gov
- Voice: 800-829-1040; TDD: (800) 829-4059
- Publications (request publications 535 and 334 which cover ADA deductions & credits) Voice: (800) 829-3676; TDD: (800) 829-4059

WOTC & WtW Tax Credits:

Although not directly connected to accommodations, any employer can use these tax credits to help offset costs of assistive technology, equipment, or accommodations for a person with a disability.

- **Work Opportunity Tax Credit** - WOTC is available to employers for hiring individuals from economically disadvantaged backgrounds. Employers can receive a tax credit of up to $2,400 per individual hired. Many people with disabilities meet the criteria for WOTC, including all recipients of Supplemental Security Income (SSI) and all clients of state Vocational Rehabilitation agencies.
- **Welfare-to-Work Tax Credit** - If a person with a disability is a recipient of Temporary Aid to Needy Families (TANF) at the time of hire, the employer can receive a federal tax credit for up $8,500 per individual hired.

Additional information on these tax credits can be obtained from the U.S. Department of Labor: http://workforcesecurity.doleta.gov/employ/updates.asp. WOTC state and regional contacts can be found at:http://wdr.doleta.gov/contacts

WOTC and WtW tax credit request forms and state contact information can also be obtained by calling (877) 828-2050 (a toll-free number). This Fax-On-Demand service allows access to WOTC/WtW request forms via Fax by using a touch-tone telephone or a fax machine. Up to two documents may be requested per call. Once you call this service, simply follow the instructions and enter the document number (listed below) that corresponds to the form or information needed.

> #1 - System Index of Information
> #101 - The Regional Contact Address Directory
> #102 - The State Contact Address Directory
> #103 - IRS Form 8850
> #104 - ETA Form 9061

Non-Employer Options

In some cases, an accommodation may not be considered "reasonable" but may still be necessary or desired. Also, as noted in the "Overview" document, there are circumstances where it does not make practical sense for employers to pay for a "reasonable" accommodation, such as:

- The individual with a disability needs to own a piece of equipment or assistive technology so that he or she can take it with them when changing jobs
- The individual needs to identify, acquire, and possibly be trained on a piece of assistive technology to increase the likelihood of being hired.

The individual may pay for the accommodation out of pocket; however, there are a variety of other non-employer options. Some are fairly straightforward and quick; others require significant investigation and lead time.

Vocational Rehabilitation

The state Vocational Rehabilitation agency (VR) can pay for assistive technology, equipment, or other accommodations for individuals who qualify for VR services. Since VR is a One-Stop partner, it makes sense for One-Stop staff to start by contacting VR to determine if VR can pay or identify other funding options.

Medical Insurance

- Medicare - Medicare may pay for a piece of equipment or assistive technology for insured individuals, if the equipment is deemed medically necessary.
- Medicaid - Similarly, Medicaid may pay for a piece of equipment or modification if it is deemed medically necessary for a Medicaid recipient. The rules governing Medicaid vary from state to state.

  Information is available from your local Medicaid and Medicare office (listed in the government pages of the phone book) or by contacting the Health Care Financing Administration (www.hcfa.gov).

- Private Insurance - Private health insurance may cover the cost of assistive technology or equipment. Individuals should review their insurance policies and contact their insurance company to see if such devices are covered.

Social Security Work Incentives

- IRWE - Individuals who receive Social Security disability benefits (Supplemental Security Income - SSI and Social Security Disability Insurance - SSDI) can use an Impairment Related Work Expense (IRWE) to help offset the cost of assistive technology or work accommodation. It is fairly quick and straightforward to arrange IRWEs.

- PASS - Individuals receiving SSI can use a Plan for Achieving Self Support (PASS) to offset the entire cost of assistive technology, equipment, or accommodations. PASS's require an application process and typically take approximately 30 to 60 days to be approved. While PASS's are more complicated, PASS Cadres (experts on the PASS program) are available to help.

To find out more, visit the SSA web site at: www.ssa.gov/work and look in the "work incentives" section. Contact information for PASS Cadre's is on the SSA web site. You can also call SSA at (800) 772-1213, to find out who your local PASS Cadre is. See section 9, "Social Security," for more information on IRWE and PASS.

Veterans Affairs

If the individual with a disability is a veteran, or a dependent of a veteran, they may be eligible for funding from the Veteran's Administration (VA). The VA is specifically authorized by law to pay for devices and assistive technology for people with disabilities. Contact your local Veteran's Affairs Office, listed in the government pages of the phone directory, or the national office at (800) 827-1000 or www.va.gov.

Local Service, Charitable, Religious & Civic Organizations

Funding may be available from local organizations. Although it can take some work to identify possible organizations, funding can then sometimes be obtained fairly quickly. Listings are often available from local community guides and phone books. An individual with a disability may belong to such an organization or have a connection (via a relative or neighbor) that can be useful in utilizing this funding resource.

Private Foundations

A wide variety of national, regional, and local private foundations can be sources of funding. Application procedures and application response time vary significantly. Resources and assistance in identifying funding sources is available from:

> The Foundation Center
> 79 Fifth Avenue
> New York, NY 10003
> Phone: (212) 620-4230
> Fax: (212) 691-1828
> e-mail: library@fdncenter.org
> Web site: http://fdncenter.org
> Each state has a resource library on funding, called a "cooperating collection." The list of cooperating collections is available from the Foundation Center.

Funding Sources for Assistive Technology, Equipment, and Accommodations

Funding Source	Comments	For More Information/Contact
Employer	Required to fund only if meets criteria for "reasonable accommodation" under ADA	Employer costs can be offset by: • **ADA Small Business Tax Credit**- up to $5,000/yr. Contact IRS via government pages of phone book or www.irs.ustreas.gov • **WOTC & WtW Tax Credit** – Any employer can receive up to $2,400/employee from WOTC, and $8,500/employee from WtW. Contact U.S. Department of Labor via government pages of phone book or at www.doleta.gov/employer/wotc.htm; forms available by calling (877) 828-2050
Vocational Rehabilitation	One-Stop partner; must qualify for VR services	VR contact via One-Stop should be able to help
Medicare	For people who have Medicare health insurance	Contact local Medicare office (government pages of phone book) or HCFA at www.hcfa.gov
Medicaid	For people with Medicaid health insurance. State may have additional guidelines.	Contact local Medicaid office (government pages of phone book) or HCFA at www.hcfa.gov
Private Insurance		Check policy and/or contact carrier
Social Security Work Incentives	<u>IRWE</u> – for people on SSI & SSDI <u>PASS</u> – for people on SSI	Contact local Social Security Administration (SSA) office or call (800) 772-1213 Web site: www.ssa.gov/work
Veteran's Affairs	For people who are veterans or dependents of veterans	Contact the VA via the government pages of the phone book or at (800) 827-1000; web site: www.va.gov
Local Service, Charitable, Religious, & Civic Organizations	Check to see if individual with disability has connection with such an organization	Local community guides and phone books often have listings of such organizations
Private Foundations	Application procedures and response time vary significantly	The Foundation Center 79 Fifth Avenue, New York, NY 10003 Tel: (212) 620-4230 Fax: (212) 691-1828 - e-mail: library@fdncenter.org - Web site: http://fdncenter.org • Each state also has a Foundation Center "cooperating collection"

Job Accommodations: Where to Get Help

Where do I get outside assistance?

In many cases, One-Stop staff will be able to work together with the customer and employer to develop accommodations that enable the individual to succeed on the job. However, there may be times where the complexities of an individual's situation and/or limitations on One-Stop resources warrant bringing in outside assistance. If the Vocational Rehabilitation system, a One-Stop partner, is not already working with this individual, contacting them is a good first step. Additionally, a number of local and national organizations can assist in the accommodation development process.

Resources for information and assistance on accommodations

Local and Regional Resources

State Assistive Technology Projects

Each state has a federally funded assistive technology program. These programs vary in their available information and services; however, they can all help identify local assistive technology ideas and resources. Contact information for each state is available at the following web site: www.resna.org/taproject/at/statecontacts.html

or by calling RESNA:
Voice: (703) 524-6686
TTY: (703) 524-6639
E-mail: resnaTA@resna.org

Disability and Business Technical Assistance Centers (DBTACs)

Web site: www.adata.org/index-dbtac.html
Voice/TTY: (800) 949-4232 (will connect with your regional DBTAC)

There are 10 federally funded regional DBTACs which provide information to businesses, people with disabilities, and others on accommodation and accessibility issues, as well as other ADA information. A full listing of DBTACs is contained in the resource section under "Americans with Disabilities Act and Other Legal Information."

National Resources

ABLEDATA: The National Database of Assistive Technology Information

8401 Colesville Road, Suite 200
Silver Spring, MD 20910-3319
Voice/TTY: (800) 227-0216 or (301) 608-8998
Web site: www.abledata.com

A federally-funded project whose primary mission is to provide information on assistive technology and rehabilitation equipment. This project's web site contains a database of 25,000 products and devices. ABLEDATA information specialists will also provide in-depth help over the telephone.

Alliance for Technology Access
2175 East Francisco Boulevard, Suite L
San Rafael, CA 94901
Voice: (800) 455-7970 or (415) 455-4575
TTY: (415) 455-0491
E-mail: atainfo@ataccess.org
Web site: www.ataccess.org

ATA is dedicated to increasing the use of standard, assistive, and information technologies for people with disabilities. Has a variety of resources, including a library, to help identify appropriate technology. Publisher of Computer and Web Resources for People with Disabilities, a comprehensive guide.

assitivetech.net
Center for Rehabilitation Technology
College of Architecture
Georgia Institute of Technology
490 10th Street, NW
Atlanta, GA 30332-0156
Voice/TTY: (404) 894-4960
Web site: www.assistivetech.net

An online information resource providing up-to-date information on assistive technologies, adaptive environments and community resources. Has a comprehensive listing of assistive technology, and also information specialists available to assist with questions about assistive technology.

Prentke Romich Company
1022 Heyl Road
Wooster, OH 44691
Voice: (800) 262-1984
Fax: (330) 263-4829
Web site: www.prentrom.com

A manufacturer of augmentative communication devices for people with disabilities, Prentke Romich has a guide for funding assistive technology available at its web site.

Job Accommodation Network (JAN)
West Virginia University
P.O. Box 6080
Morgantown, West Virginia 26506-6080
Accommodation Information (Voice / TTY): (800) 526-7234
ADA Information (Voice / TTY): (800) 232-9675
Fax: (304) 293-5407
E-mail: jan@.icdi.wvu.edu
Web site: http://janweb.icdi.wvu.edu

Federally-funded free information and consultation service on job accommodations and related information. JAN's web site has a searchable online database (SOAR) which can be used to research accommodation options. JAN also has consultants available by phone, who can assist in identifying possible accommodations. These consultants have instant access to the most comprehensive and up-to-date information about accommodation methods, devices, and strategies.

National Business & Disability Council
201 I.U. Willets Rd
Albertson, NY 11507
Voice: (516) 465-1515
Information hot line: (516) 465-1519
Fax: (516) 465-3730
Web site: www.business-disability.com

The National Business & Disability Council (NBDC) is a resource for businesses on integration of individuals with disabilities into the workforce. Among the services of NBDC is an information hotline to answer questions on accessibility issues.

RESNA (Rehabilitation Engineering and Assistive
Technology Society of North America)
> 1700 N. Moore Street, Suite 1540
> Arlington, VA 22209-1903
> Voice: (703) 524-6686
> TTY: (703) 524-6639
> Fax: (703) 524-6630
> E-mail: natloffice@resna.org
> Web site: www.resna.org
>
> A membership organization of people who
> are interested in how technology can help
> people with disabilities achieve their goals.
> RESNA has a variety of publications and
> resources. Web site includes a list of
> assistive technology professionals by state.

Tech Connections
> 490 Tenth St. NW
> Atlanta, GA 30318
> Voice/TTY: (877) TEK-SEEK
> (877-835-7335)
> Web site: www.techconnections.org
> E-mail: techconnections@crt.gatech.edu
>
> Tech Connections is a national
> dissemination project designed to increase
> the utilization of existing and emerging
> assistive technology with a particular focus
> on employment. Web site has a variety of
> information and resources. Information
> and referral specialists are available to
> answer questions at no charge. Also has a
> monthly newsletter.

Trace Research & Development Center
> S-151 Waisman Center
> 1500 Highland Avenue
> University of Wisconsin-Madison
> Madison, WI 53705-2280
> Voice: (608) 262-6966
> TTY: (608) 262-5408
> E-mail: info@trace.wisc.edu
> Web site: http://trace.wisc.edu
>
> Engineers technological access solutions,
> and has a variety of information and
> resources on assistive technology.

Virtual Assistive Technology Center
> Web site: www.at-center.com
>
> The purpose of the VATC is to put
> computers within reach of individuals with
> disabilities. The web site contains a variety
> of freeware and shareware that can be
> downloaded to help people with
> disabilities use computers. The web site
> also contains information, publications, a
> message board, and links to related web
> sites. VATC also publishes a newsletter on
> assistive technology.

*Additional resources on accommodations are in the resource section of this manual under
"Accommodations & Assistive Technology."*

Job Accommodation Examples

Accommodations are determined on a case-by-case basis. They are made as a cooperative effort among the employee with a disability and the employer. Depending on the nature of the services being provides and the preferences of the individual with a disability, One-Stop Center employment counselors may be involved in this process. Other individuals may also be involved such as union representatives, etc.

The main issues to be considered are:

- the job tasks that must be performed
- the functional limitations of the individual
- whether the proposed accommodation(s) will result in undue hardship to the employer.

Accommodations may include specialized equipment, facility modifications, adjustments to work schedules or job duties, as well as a whole range of other creative solutions.

Offered below are examples of accommodations that have been made for qualified workers with disabilities. These are strictly a sampling of accommodations that have been made, and this list is by no means all encompassing concerning possible solutions to accommodation issues.

To receive guidance on specific problems and possible solutions, call the USDOL Office of Disability and Employment Policy's Job Accommodation Network at 800-526-7234, or 800-ADA-WORK (800-232-9675); e-mail: jan@.icdi.wvu.edu

web site: http://janweb.icdi.wvu.edu

JAN is a free service.

Mental Retardation

PROBLEM: A cashier with mild mental retardation has difficulty making change.

SOLUTION: The worker uses a talking calculator and a chart of bills and coins. COST: $150

PROBLEM: A greenhouse worker with mental retardation has difficulty correctly mixing various chemicals.

SOLUTION: Measuring cups, a checklist, and the chemicals have been color-coded in a coordinated manner so the person can accomplish tasks by matching colors. COST: $25

Blind/Visual Impairment

PROBLEM: A new restaurant employee who is legally blind uses a service dog to travel to and from work. The employee does not need the dog to perform her job duties.

SOLUTION: A dog crate is placed in a back office with a clear path of travel in and out of the facility. The dog is crated during the work day and is out of any contact with food products or supplies used in the restaurant. COST: $75

PROBLEM: A receptionist who is blind works at a law firm. She cannot see the lights on the phone console which indicate which telephone lines are ringing, on hold, or in use by staff.

SOLUTION: The employer purchases a light-probe, a penlike product which detects a lighted button. COST: $45

PROBLEM: An assembler/operator with a severe vision limitation has the job of wrapping hose-pipe fittings with special tape. This requires close examination of the work materials. Quality of work is very important.

SOLUTION: A total view magnifier on an adjustable swivel base is installed. COST: $450

PROBLEM: A legal department secretary in the cable television industry who is legally blind has to perform such duties as typing, answering telephones, filing and photo-copying.

SOLUTION: The employee is given a specially designed work table to hold a personal computer, a printer and a VTEK (a large print display processor which replaces the smaller standard terminal screen), all of which can be easily accessed. An automatic paper feeder is added to the printer. COST: $1,360

PROBLEM: A college professor with AIDS is having vision problems associated with the disability. His greatest difficulty is in grading student papers.

SOLUTION: A video magnification system is purchased which facilitated his reading the papers. In addition, students who use the school's word processing system are asked to provide copies of their papers on computer diskette. This allows the professor to use a computer speech synthesis system which the school has already purchased for students and staff with vision problems. COST: $2,600

Learning Disability

PROBLEM: Because of low reading skills a child care assistant with a learning disability has difficulty preparing lessons based on children's books.

SOLUTION: The employee is given a videotape of various children's stories and effective hand motions to review. COST: $50

PROBLEM: A "quick service" restaurant grill operator has a severe learning disability. He can not read, and can recognize only specific single letters on orders for hamburgers.

SOLUTION: Condiment bins are coded with the first letter of the item so that a worker can match the orders to the bins. In addition, he is taught three key words ("only," "none," and "plain") through flash card repetition. COST: Less than $25

PROBLEM: A person with an attention deficit disorder works in a packaging facility and is having problems staying on the task.

SOLUTION: The employer provides a tape recorder with headphones and cassette tapes which contains music and frequent reminders to attend to the work. This reduces distractions and helps prompt the individual to focus on the job. COST: Less than $200

Deaf/Hard of Hearing

PROBLEM: A worker who is deaf is responsible for inspecting underground water utilities. When the employee is underground alone, co-workers above ground need to communicate with him.

SOLUTION: A wireless portable vibrating paging system is purchased for the employee. COST: $445

PROBLEM: A teacher with a hearing impairment has difficulties hearing the students' voices over the squeaks of chairs and desks moving over the linoleum floor. Also, the teacher can not see some of the students' faces and therefore cannot effectively lip read.

SOLUTION: To eliminate noise, used tennis balls are cut and attached to the feet of the chairs and desks. The teacher rearranges the desks in a horseshoe in order to see the faces of all students. COST: $0 (The tennis balls are donated by an avid tennis player who would have thrown them away.)

PROBLEM: A technician in the telephone service industry uses a hearing aid. The job duties include installing and repairing telephone lines, which includes using a "butt-in" portable test phone that is attached to telephone lines being repaired. The test set interfered with the technician's hearing aid.

SOLUTION: A "butt-in" test set equipped with an audio speaker is purchased which allows the worker to test lines without having to place the test set against the ear. This device is also useful for workers NOT wearing hearing aids. In addition, the technician is provided with an amplified tone locator. COST: $200

PROBLEM: A large grocery store wants to hire an individual with Down Syndrome and a mild hearing loss as a bagger/stock person. The concern is that he will not be able to hear the paging loudspeaker system that is used to call employees to different parts of the store for work assignments.

SOLUTION: A personal paging device, which is worn on the wrist or belt and which vibrates when activated by an incoming signal, is purchased for the employee. When signaled, the employee immediately goes to the office for specific instructions. In this way, the employer can be sure that the employee both heard and understood his assigned tasks. COST: $350

Physical Disability

PROBLEM: A technical editor in the publishing industry has a spinal cord injury and needs to work lying on his back.

SOLUTION: A work station is provided that enabled the editor to work on a computer while in a supine position. COST: $2,000

PROBLEM: A department store retail clerk with multiple sclerosis uses a scooter and has problems with stamina.

SOLUTION: The employee is reassigned to a department on the first floor, provided with space for the scooter, given a sit/lean stool at the register, and scheduled for first shift with every third day off. COST: $200

PROBLEM: An individual who has a congenital heart defect which limits strenuous activity, and mobility limitations due to childhood polio works as a receiving clerk, which requires unpacking merchandise, checking it in, assigning numbers, and making price checks.

SOLUTION: A rolling chair with locking wheels, which adjusts to the level of the task. COST: $200.

PROBLEM: A company vice president with arthritis has difficulty maintaining stamina during the workday.

SOLUTION: The employer provides flexibility in the vice president's work hours and a recliner for her office so that she can change body positions to cut down on fatigue. COST: $750

PROBLEM: A clerk with low back strain/sprain has limitations in lifting, bending, and squatting, all results of lower back injury. The job requires mail sorting and filing incoming documents in a large numerical filing system.

SOLUTION: Both the clerk and the documents are put on wheels. A rolling file stool is supplied for use when filing at lower levels, and upper-drawer filing is done with documents on a rolling cart, without need to lift or bend. COST: $44

PROBLEM: A computer service technician with cerebral palsy loses function of the lower extremities. The job related problems include bending, stooping, balancing, and getting underneath the mainframe equipment to perform need repairs.

SOLUTION: An automotive repair creeper is purchased and modified with back support to enable the employee to slide easily under the mainframes. COST: $30

PROBLEM: A clerk's hand has two large fingers instead of four fingers and a thumb, and her arms are unusually short. This makes it difficult for her to perform some of her job duties, including answering incoming phone calls and accessing a computer to check information for customer service representatives.

SOLUTION: A large button overlay is used on the telephone; and a ball-shaped device, with a pencil stylus going through it, is used to facilitate taking messages and typing. Also used is a strap-on hand stylus for straight typing. COST: $15

PROBLEM: An electro-mechanical assembly crew member acquires a cumulative wrist/hand trauma disorder which affects handling and fingering functions. This decreases his ability to use hand tools for the assembly of electro-mechanical devices.

SOLUTION: A rechargeable electric screwdriver is purchased, to reduce repetitive wrist twisting. These are subsequently purchased for all employees as a preventative measure. COST: $65

PROBLEM: A clerk whose job duties include delivering files and paperwork to various areas in a multistory building has multiple sclerosis which gradually makes it very difficult to move quickly and to carry heavy packages.

SOLUTION: A lightweight, motorized three-wheeled scooter with a basket is purchased for the employee. COST: $2,000

PROBLEM: An airline programmer/analyst with post-polio fatigue brought on by stress cannot be on call 24 hours a day and work overtime as need.

SOLUTION: Waiver of the requirements of 24-hour on-call duty and overtime. The employee works the hours prescribed for older adult worker program participants of the airline. COST: $0

PROBLEM: An assembler for a furniture manufacturer has spinal degeneration, uncoordinated gait and balance difficulties. The limitations involve walking, carrying materials and balancing.

SOLUTION: Installing a plywood platform to raise part of the work station, suspending tools from the ceiling to balance their weight and using a cart to move assembly parts. COST: $200

PROBLEM: An experienced electronics equipment inspector paralyzed from the waist down needs to perform tasks related to using precision equipment and assembly inspection; he needs rapid mobility around the plant.

SOLUTION: A heavy motorized wheelchair is stored on the premises overnight for his use in the plant. The employee uses his lightweight chair for travel. The bins containing items to be inspected are lowered, and a lap-board is provided for his specification books. COST: less than $200.

PROBLEM: The back problem of a well-drilling rig operator is aggravated by the constant vibration of the standard seat in the rig.

SOLUTION: A scientifically designed mechanical seat is installed which allows the operator to make necessary adjustments of position, absorbing most of the vibration. The seat is used by all workers and prevents additional trauma. COST: $1,100.

Mental Health/Psychiatric Disability

PROBLEM: A sales manager in a computer supply company is diagnosed with severe chronic depression. Although treatment is initiated, she continues to experience bouts of crying during times of stress.

SOLUTION: After discussion with her employer, she is provided with the use of a small room for privacy. This room previously was usesd to store office supplies. When she feels the need,

she can take a break and use this private area to compose herself. A new cabinet is purchased to store the office supplies. COST: $200

PROBLEM: A productive worker with schizophrenia that was diagnosed and treated successfully years earlier has begun to show radical behavior changes.

SOLUTION: When confidential talks with the employee are not beneficial, the employee and employer agree that the employee will meet with a psychiatrist. The meeting results in a change of medication which regulates the problem behaviors. The employer pays for the counseling session. Cost: less than $200

PROBLEM: A data entry clerk has agoraphobia and has difficulty traveling during peak hours of traffic.

SOLUTION: The employee's work hours are changed from 8:30 a.m.-4:30 p.m. to 10:00 a.m.-6:00 p.m. COST: $0

PROBLEM: A clerk-typist with severe depression and problems with alcoholism experiences problems with the quality and quantity of her work.

SOLUTION: Employee is provided with extended sick leave to cover a short period of hospitalization and a modified work schedule to attend weekly psychotherapy treatment. Treatment is covered by company medical plan. COST: $0

PROBLEM: A human resources manager has seasonal affective disorder, a condition requiring adequate light during a sufficient number of daytime hours to ward off depression.

SOLUTION: A simple device called a sunlight box is installed in the person's office. COST: $265

Medical Disability

PROBLEM: As the result of diabetes, a productive employee in a retail business is experiencing fatigue, and needs time during the day to administer medication. She is having difficulty performing her sales duties for a sustained period of time.

SOLUTION: The employee's schedule is altered to allow for a longer meal break and for special brief time periods during the day to administer medication. COST: $0

PROBLEM: An insurance claims adjuster becomes ill when exposed to certain chemicals in the air (chemical sensitivity).

SOLUTION: The ventilation system in the employee's office is modified, and co-workers are asked not to use scented products. The employee is also permitted to attend staff and training meetings remotely by speaker phone and to wear a mask when need. COST: $650

PROBLEM: A worker with a polycystic renal (kidney) disease is a senior technician in the coal industry who is responsible for the preparation of samples for testing. This employee requires Continuous Ambulatory Peritoneal Dialysis (CAPD) four times daily, with one exchange occurring during working hours.

SOLUTION: Space is made available in the dispensary for the employee to perform CAPD while at work. Storage space is also provided for extra supplies to be used in case of bad weather emergencies necessitating a second exchange at work. COST: $0

PROBLEM: A personnel manager with AIDS experiences a serious drop in energy levels during the mid-afternoon hours.

SOLUTION: A small chair that converts to a sleeping mat is provided. During a 90-minute afternoon break, the employee puts a Do not disturb sign on the door and takes a nap. All staff meetings are scheduled for the morning. The employee makes up the time in the evening or on weekends as necessary. COST: $50

PROBLEM: An administrative assistant with amyotrophic lateral sclerosis (ALS) has difficulty with using the phone, typing, computer input, completing forms and reports, and doing some filing.

SOLUTION: A cordless headset for the telephone is purchased, arm rest extensions from the edge of the desk are installed to reduce strain on wrists and arms, and a new effortless lock and handle are installed on the restroom door. COST: $450

Head Injury/Traumatic Brain Injury

PROBLEM: A worker with traumatic brain injury (TBI) is employed at a bank, processing checks and other transactions. Items must be numbered and placed into a sorting machine tray in a special manner. The problem lays in periodic confusion due to memory loss and weakness in one side of his body.

SOLUTION: A job coach/trainer supplied by the rehabilitation agency assists in special training in task sequencing, and equipment is adjusted to accommodate weakness. COST: $0

These examples are excerpted from materials developed by the President's Committee on Employment of People with Disabilities. Used with permission.

JAN: Opening Doors to Job Acommodation

WHAT IS JAN?

The Job Accommodation Network (JAN), a service of the USDOL Office of Disability and Employment Policy, is a free on-line and telephone resource for anyone who has questions about job accommodations, or about the employment sections of the Americans with Disabilities Act (ADA).

WHO SHOULD USE JAN?

Employers, persons with disabilities, service providers, rehabilitation counselors, or anybody involved in helping a person with a disability obtain or retain a job.

HOW DOES JAN WORK?

There are two ways to obtain information on accommodations from JAN.

- Using JAN's Searchable Online Accommodation Resource (SOAR), an on-line database which allows you to search for various accommodation options: www.jan.wvu.edu/soar/index.html
- Calling JAN's toll-free information line, where trained consultants respond to questions, discuss specific job accommodations, and suggest additional resources to assist you.

CALLING JAN

All calls to JAN are kept confidential. If you are calling about accommodating an individual on the job, the more you tell the consultant about the required tasks and the functional limitations and abilities of the individual, the better the consultant will be able to help. When you call, the following steps occur:

1) The receptionist listens to each question and transfers the caller to the JAN consultant who is most knowledgeable in that particular area.

2) The consultant asks questions to obtain the information needed in order to develop the best solution(s).

3) The consultant searches a database of previous accommodations and provides as many potential accommodation options as possible. These may include:
   - different approaches to job tasks
   - proposed policy changes,
   - commercially available products,
   - different ways to use existing products,
   - resources for device modification/fabrication.

4) The consultant provides methods of implementing and maintaining the accommodation(s) and recommends processes for reviewing the effectiveness of the accommodation(s).

5) JAN staff will prepare and send materials in the format requested. Information can be sent electronically, faxed or mailed using the U.S. Postal Service.

As follow-up, the caller may be asked to complete a questionnaire regarding the recommended accommodation(s) and their usefulness. This feedback helps JAN improve services and assist future callers with accommodation solutions.

JAN staff has cumulatively over 100 years of experience and has delivered information on over 100,000 job accommodations since 1984.

HOW DO I REACH JAN?

Accommodation Information (Voice / TTY): (800) 526-7234
ADA Information (Voice / TTY): (800) 232-9675
Fax: (304) 293-5407
E-mail: jan@.icdi.wvu.edu
Web site: http://janweb.icdi.wvu.edu

Mail:

Job Accommodation Network (JAN)
West Virginia University
P.O. Box 6080
Morgantown, West Virginia 26506-6080

Adapted from material produced by the President's Committee on Employment of People with Disabilities - July 1998

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7

Job Placement for People with Disabilities

Section Purpose

Provide One-Stop staff a comprehensive understanding of the process for assisting individuals with significant disabilities to obtain employment.

Section Contents

Job Development for People with Disabilities: Overview

Assisting people with disabilities to find employment is in many ways not much different than working with any other customer. Like anyone else, people with disabilities need to:

- have a clear idea of the type of job they wish to pursue
- consider what type of work environment would be the best fit for them
- use their personal and professional networks as a key component of their job search.

The biggest difference for people with disabilities is that they may need some support and assistance as they go through a job search, and that some of the steps are somewhat more planful, intensive and deliberate. There also may be some considerations that must be addressed as a result of their disability, such as disclosure of disability to employers. Many of the techniques used to assist people with disabilities are also effective with other individuals who are considered to have "barriers" to employment.

Job ready? Jobs now! The issue of job readiness and job matching

Programs and services for people with disabilities have often focused on the concept of "job readiness", spending months and even years getting an individual "ready" for employment. However, one thing that has been proven consistently is that professional "experts" are poor predictors of who will and won't succeed in employment.

Instead of worrying about job readiness, focus on "job matching": finding a job environment and description that suit the current interests, support needs, personality, and skills of the individual with a disability. Starting with the belief that anyone can work, provided that they have a job that's a good match, will go a long way towards assisting people with disabilities to find employment. Once people are done with their formal education, they are for the most part as "job ready" as they are going to be. As advocate Gerry Provencal has said, "We're far too patient with the passage of time for people with disabilities. Time is as precious for a person with a disability as it is for all of us."

Examples of good job matching

- A woman who is loud and boisterous gets a job working in a warehouse, where other people are loud and sociable. Another person with a similar personality gets a job in a "bargain basement" sales floor which is full of activity.

- An individual with limited physical movements, who uses a wheelchair, gets a job doing data entry. He enters data by hooking his augmentative communication device (a computerized device through which he "speaks") into a computer.

- An individual who is quiet, and prefers not to interact with others, gets a job doing filing and other solitary clerical tasks.

- A man who has issues with hygiene gets a job in a recycling plant.

- A person who needs periodic assistance gets a job in an office environment where people work in an open space with a good deal of interaction.

- A person whose disability is cyclical in nature gets a job in an environment that offers flexible hours and time off policies.

- A woman with mental retardation, who needs periodic monitoring, gets a housekeeping job in a hotel cleaning the public areas (the lobby, offices, hallways). She uses a picture book to keep track of her tasks.

The role of further education and training

The emphasis on job matching does not preclude consideration of additional job training and education (possibly through the use of an ITA to enhance an individual's job skill). People with disabilities, like others, may need such training to attain work goals.

Job development where to begin

In assisting a customer with a disability to find employment, the One-Stop system staff should begin by working with the individual as they would with any other customer, selecting the most useful options from the full range of services and resources that exist within the center. What classes, assessment tools, and activities are available? Does the person need to work on their resume or interview skills? Will there be on-site employer presentations and interviews in which the person can participate? During this process, One-Stop staff should work with the individual to determine:

- the types of assistance and accommodations the person will need to fully access and benefit from One-Stop services.
- the additional supports and resources — beyond the typical One-Stop services — the person needs to find and keep a job.

Use ALMIS

As with any other customer, One-Stop staff should assist people with disabilities to use the resources of America's Labor Market Information System (ALMIS) and America's Career Kit. Among these resources are:

- America's Job Bank (www.ajb.org), the world's largest pool of active job opportunities.
- America's Learning Xchange (www.alx.org), which provides information on career exploration, training, education, testing, assessment, and other career tools.
- America's Career InfoNet (www.acinet.org), which includes a wealth of information on job trends, wages, and national and local labor markets.
- O*NET Online (http://online.onetcenter.org/), a database that describes a wide variety of occupations, their requisite skills, and earnings potential.
- The assessment and career exploration tools of O*NET (Interest Profiler, Work Importance Locator, Ability Profiler). Additional information on these O*NET tools is available at: www.onetcenter.org/product/tools.html

Get beyond task skills

Job development for people with disabilities tends too often to focus exclusively on an individual's task skills. Yet many people (with and without disabilities) succeed or fail on a job based not on their skills but how well they fit into the social environment of the workplace. When developing successful employment opportunities, consider:

- What environments does the individual enjoy?
- In what environments have they succeeded?
- What social skills do they bring to the work environment?
- In what environments would their personality & social skills be considered an asset? For example, a customer service director would value a friendly, outgoing applicant; a quiet person might be better off doing clerical work.
- What types of work environments should be avoided?

The tools for the task

This section contains a variety of additional information and tools to help One-Stop staff work with people who have disabilities.

- Why Employers Hire People with Disabilities - A summary of research whose findings may surprise you
- Employment Issues for People with Mental Illness - A piece that addresses specific issues concerning job development and placement for people with mental health issues
- Person-Centered Placement Planning - A discussion of specific strategies that can be helpful in assisting job seekers with disabilities in planning their job searches
- Career Exploration - Sometimes a person - especially someone who hasn't had much job experience - needs to gather more information before undertaking a job search. This piece gives a list of specific ideas for career exploration.
- Dealing with Gaps in Work History - Strategies for individuals who have significant periods of unemployment as part of their work histories
- Contacting Employers - Disclosure, Interviews, and Accommodation - A review of issues to be considered when an individual applies for employment
- Disclosure of Non-Apparent or Hidden Disabilities - An information piece that examines the pros and cons of disclosure for people whose disabilities are not readily apparent
- Conducting a Job Interview: Accommodating Persons with Disabilities - A piece on interviews and accommodations designed to be shared with employers
- Pre-Employment Inquiries & People with Disabilities - An overview of what employers can and cannot ask of job applicants
- Employer Tips on Interviewing Applicants with Disabilities - Guidelines for interviewing for One-Stop staff to share with employers
- One-Stop Staff - Contacting Employers - A discussion of issues involved when One-Stop staff contact employers on behalf of an individual with a disability
- Financial Incentives for Hiring People with Disabilities - A summary of various tax credits and financial incentives that are available to employers who hire individuals with disabilities
- Business Leadership Networks - A USDOL program which can assist One-Stop systems in building employer relationships
- Checklist: Placement Planning & Job Development - This tool provides a comprehensive listing of issues that should be considered during the job development and placement process
- Job Development Planning Tool - Steps to take when assisting a person with a disability to plan a job search
- Finding the Right Job - Job Seeker Planning Tool - A tool that can used by job seekers for career exploration and planning

Why Employers Hire People with Disabilities

When working with individuals where the employer will knowingly be hiring an individual with a disability (either because the disability is readily apparent or the individual has chosen to disclose his/her disability), identifying employment opportunities requires that One-Stop staff determine what business needs can be met by hiring a person with a disability. The Institute for Community Inclusion and Boston College Center for Work and Family held focus group discussions with employers and identified three categories of benefits that employers receive when they knowingly hire people with disabilities:

1) **Benefits Directly Related to Business Objectives** - hiring people with disabilities meets the organization's personnel needs by filling vacancies.

2) **Benefits Indirectly Related to Business Objectives** - hiring individuals with disabilities benefits a company's long-term viability and profitability by enhancing the corporate image and demonstrating a commitment to the community.

3) **Benefits Related to Organizational Values** - hiring people with disabilities reflects the organization's commitment to corporate social responsibility, and is viewed as "the right thing to do"; the benefits to the company are of secondary importance in comparison to the outcomes expected for the employee with a disability and for the community at large.

In addition to the company's values, the decision to hire a person with a disability may be influenced by the personal values of the hiring manager, particularly if they have a family member, friend, or neighbor with a disability.

Through discussions with employers as well as observation, One-Stop staff and the job seeker should try to determine why the business is potentially interested in hiring an individual with a disability.

- If an employer is strictly motivated by Category 1, One-Stop staff and the job seeker will have to demonstrate that hiring the individual will provide direct economic benefit. There will probably be less flexibility around how the job is designed and the individual is supported.

- On the other hand, if the employer is motivated by Categories 2 and 3, the company will likely be more committed to "making it work." This presents the opportunity for greater flexibility and more creative solutions. However, these categories should never be viewed as hiring as an "act of charity" — it is simply that the decision to hire is based on criteria other than straight-forward economic return. It is still paramount — for the long-term success of the individual and for people with disabilities in general — that the job be performed competently in a socially inclusive work environment.

What has been interesting in the experience of those who have spent significant time assisting people with disabilities to find employment, is the number of employers who initially hire a person with a disability for reasons 2 and 3 who were "pleasantly surprised" that the person turned out to be a "good employee." These experiences show that much work needs to be done to change the mis-perception that many people with disabilities cannot be fully productive participants in the labor force.

Based in part on material from:
Pitt-Catsouphes, M., Butterworth, J. (1995). Different Perspectives: Workplace Experience with the Employment of Individuals with Disabilities. Boston College

Employment Issues for People with Mental Illness

By Amanda Sawires Yager, Institute for Community Inclusion

One of the most misunderstood disabilities is mental illness. Major advances have been made in the understanding and treatment of mental illness, and are continuing to be made. Through a combination of counseling, medication, self-help groups and other support services, many people with mental illness lead very productive lives. One-Stop system staff may have significant concerns and questions about their ability to meet the needs of people with mental illness. However, as with any other individual with a disability, by simply practicing good customer service, combined with respect, understanding, and following some simple guidelines, One-Stop staff can assist many people with mental health issues to find employment and advance in their careers. People with mental illness include doctors, lawyers, software engineers, university professors with Ph.D.'s, architects, teachers - people from virtually every profession and background.

Although a person with a psychiatric disability might have complex needs, this does not preclude his/her ability to contribute through working. One of the most significant barriers to employment for people with mental health issues are attitudes: their own, those of family members and helping professionals, and employers. Poor work history or poor social behavior can also be barriers.

How to Help

The following principles have been shown to be effective in helping people with mental illness to get jobs. One-Stop staff need to:

- believe that the goal of employment is both valuable and possible
- be able to instill hope, support, and enthusiasm for the goal of work
- be aware that using a variety of strategies is most likely to lead to success
- understand that employment advocacy is crucial.

An essential element for success is to have the job seeker direct the job search and be involved in all aspects of the process. As with any job seeker, it is essential to do everything possible to ensure a good match between the individual and the work environment.

The Issue of Stigma

People with mental illness are probably more overtly stigmatized and discriminated against than are those with other disability labels. This, in combination with the symptoms of the illnesses themselves, leads to an unemployment rate estimated to be as high as 90%. Dealing with the stigma of mental illness may be more handicapping to the individual than the effect of the disability itself! That is why it is so important for One-Stop staff to provide an environment of hope, belief, and support.

Myths and Facts about Mental Illness

Background Information on Mental Illness

MYTH: Mental illness is rare.

FACT: Mental illnesses are more common than cancer, diabetes, or heart disease. In any given year, more than five million Americans experience an acute episode of mental illness. One in every five families is affected in their lifetime by a severe mental illness, such as bipolar disorder, schizophrenia, and major depression. (Source: NAMI)

MYTH: Someone who is mentally ill is likely to get much worse.

FACT: The course of severe mental illness over an extended period of time is not necessarily just maintenance (staying the same) or regression (getting worse). The treatment success rate for schizophrenia is 60 percent, 65 percent for major depression, and 80 percent for bipolar disorder. Comparatively, the success rate for heart disease ranges from 41 to 52 percent. One half to two thirds of people with schizophrenia achieve considerable improvement or recovery over 20 to 25 years. With time, resources, ongoing intervention, and enough support, an individual can reach significant employment outcomes.

MYTH: If someone looks or acts odd it means that staff need to be concerned about the potential for violence.

FACT: Contrary to media focus, individuals with mental illness are no more prone to violence than the general public, and in fact, are more likely to be the victims of violence than the perpetrators. The exception is adding the presence of substance abuse, which increases the likelihood of aggressive behaviors (as it does with the general public).

Who Can Work

MYTH: If someone's mental illness is not under control, they are not "job ready".

FACT: Individuals with complex needs, including psychiatric disabilities, have often been labeled as not "job ready". However, individuals with similar needs can be found working successfully in the community. Waiting for all disability-related issues to be under control may mean that the customer is never judged to be "ready". Job readiness really happens when "the skills, interests, values and needs of a person [are matched] with the demands of a specific job and the values and needs of a particular employer." (Marrone, Gandolfo, Gold, Hoff, 1998). Job readiness is a dynamic, not a static, concept.

MYTH: The stress of working is likely to cause relapses for someone with severe mental illness.

FACT: Part of the stress response for these individuals is the knowledge that the typical new worker adjustment period might be misread as a recurrence of mental illness symptoms. All people undergo stress in making major life changes, both positive and negative ones. If the changes caused by a new job are planned and have built-in supports, stress can be minimized. Individuals who are taught coping skills to anticipate potential problems are likely to do better at handling stressful situations. Education on self-monitoring can be an important tool for the individual adjusting to a new work environment.

MYTH: A person with mental illness who states he/she is not ready to enter the world of work is obviously not ready.

FACT: Individuals with mental illness may be fearful at the prospect of work due to poor self esteem or inexperience. These individuals need to build confidence through career

exploration activities, such as those listed elsewhere in this section. One-Stops can assist such individuals by gradually introducing them to the world of work, through classes on interview techniques and resume building, informational interviews, job shadowing, tours, and so on. Participating in group activities at a One-Stop Center, especially activities which include individuals without disabilities, can be particularly helpful in building the confidence of people with mental illness.

MYTH: If customers request or need help to get a job, they are not ready to work.

FACT: Asking for help is a sign of health, not weakness. The professional is there not to "do it all" but to enhance that customer's skills, presentation, and self-confidence. Professionals can help by:

- identifying assets
- providing training and support
- gathering information
- presenting options
- counseling on implications
- bringing in other contacts.

Securing Employment

MYTH: A person with mental illness always needs specialized disability resources to get a job.

FACT: Specialized resources can help, but basic strategies are always useful. Networking, in particular, is invaluable to all job seekers. People with mental illness may find that connections are helpful in lessening the chance of being automatically rejected due to lack of recent job experience, gaps in work history, previous terminations from jobs, and discriminatory attitudes.

MYTH: If a person with mental illness is really motivated to work he/she should be willing to try out any job.

FACT: Every person has different needs and concerns. Severe mental illnesses often arise in late adolescence or early adulthood. A person with a mental illness therefore, may not have had the opportunity for much vocational exploration and, early on in the personal journey into (or back into) employment, may need to try out different jobs based on preferences as opposed to aptitude, knowledge, or experience.

MYTH: A person with a mental illness should only work at low stress jobs that require no interpersonal contact.

FACT: While mental illness can cause problems in interpersonal relations, each person's strengths and deficits are different, as are each job's requirements. (For example, the interpersonal skills needed for a desk clerk at a Motel 6 are different than those required for a desk clerk at a five-star hotel.) Rather than broadly generalizing about personal barriers, it is best to help job seekers with mental illness understand their own capabilities and how those capabilities fit into a specific job match.

MYTH: Since it seems impossible to find a job listing that fits a particular customer, it is unlikely he/she will be able to find any appropriate job.

FACT: There are many points of entry into the world of work. Networking and personal relationships are important ways to create jobs that fit. Employers are much more flexible then we often realize. One-Stop staff should work on finding out the needs of employers and proposing to fill them in a way that is a "win-win" for all involved.

Employer Issues

MYTH: Only employers who are "Good Samaritans" will hire someone with mental illness.

FACT: Employers hire people with mental illness for a number of reasons. The primary reason is the same reason that they hire anyone else - in order to get the services of a good employee. Additionally, employers may hire an individual with a mental illness because they appreciate the consultation and support that an agency offers, and/or because they believe it is the right thing to do. For more information, see the piece "Why Employers Hire People with Disabilities" elsewhere in this section.

MYTH: Employers need to know that a person has a mental illness

FACT: Under the Americans with Disabilities Act, employers cannot ask about a person's disability, and people are under no obligation to disclose that they have a disability. It is essential to discuss the issue of disclosure with a customer early in the job hunting process, and to help that person make an informed choice about the best course of action to pursue. See the discussion on disclosure in the piece entitled, "Contacting Employers: Disclosure, Interviews, and Accommodations" elsewhere in this section.

MYTH: Employment settings are limited in their ability to handle people who are perceived as deviating from the norm.

FACT: Community settings can and do accommodate a range of skills and behaviors, and employers are getting better every day at creating environments which value and support a wide range of personalities. Advocacy and a good person-job match are key to a successful job search.

MYTH: It is very difficult to accommodate a worker with a mental illness.

FACT: By definition, accommodation is specific to an individual and a job. There are many types of possible accommodations, such as flexible work schedules, job creation and job carving, and providing a co-worker mentor. It is important to approach the issue of accommodations with an employer in the spirit of cooperation. Most data show that accommodation costs are minimal (less than $500) in the overwhelming majority of situations. See Section 6, "Job Accommodations", for additional information and examples.

MYTH: If person with mental illness gets a job and it does not work out, it means that that person is less likely to succeed in another job.

FACT: Different job situations, even the same job titles with different employers, have both similarities and differences. When a person with a mental illness loses a job, that person should not be precluded from seeking another job right away. The fact that the person was successful in becoming employed should be celebrated. At the same time, help the person understand what went awry and how it can be avoided in the future. The loss of a job can be a learning experience. Focus on what the individual learned about his/her strengths and abilities, and then use this knowledge to find a better job!

References

Marrone, J., Balzell, A., Gold, M. (1995). *Employment Supports for People with Mental Illness.* Psychiatric Services 46(7), 707-711.

Marrone, J., Gandolfo, C., Gold, M., Hoff, D. (1998). *Just Doing It: Helping People with Mental Illness Get Good Jobs.* Journal of Applied Rehabilitation Counseling, 29 (1), 37-48.

Marrone, J., Gold, G. (1994). *Supported Employment for People with Mental Illness: Myths & Facts.* Journal of Rehabilitation, 60 (4), 38-47.

National Alliance for Mentally Ill (www.nami.org)

Person-Centered Placement Planning

Anyone conducting a job search should do some type of planning, to ensure that the objectives and goals for the job search are clear, that the steps in the process have the best chance of resulting in a successful job search, and to avoid wasting time, going off in arbitrary directions. Job seekers vary significantly in the amount of planning that needs to be done, before undertaking an active job search. Some job seekers have a fairly clear idea of what type of job they are looking for, based on their past experience, education, skills and personal preferences. Others need to spend substantial amount of time doing some upfront planning, determining what direction makes the most sense, and possibly doing some significant soul searching, before moving ahead in the job search process. Job seekers with disabilities are no different.

Like other individuals, some people with disabilities (but not all) need to undertake a substantial and deliberate planning process, before actively seeking a job. The reality for many people with disabilities, is that they have had limited work and life experience on which to base their job search decisions, and also have limited expectations for themselves. Some people with disabilities have also had limited experience in making decisions for themselves, and are used to deferring to others. Some job seekers with disabilities therefore may not be sure of what type of job to pursue, may have abstract ideas about the type of job they may enjoy based on limited information, or may only be interested in a field of work only because others have told them that's what they would be good at.

A good planning process for people with disabilities (and anyone else) must be empowering to the individual, and promote self-reflection, personal insight, creativity and a wide range of possibilities. A useful approach is "person-centered" planning, which develops individual solutions through collaboration, creative thought, and group problem solving. This planning process is not a whole lot different than that used by many other job seekers. Some key elements are:

- initial focus on helping a person identify needs, interests, choices, desires, and dreams
- identify employment options that fit well with the job seeker's personal vision
- the professional's role is to guide and support the individual, not to be an "expert" who makes decisions on the person's behalf
- family, friends and community resources help generate career directions, employment contacts, and supports
- consideration of relevant multicultural issues.

Suggested Steps in the Planning Process

Determine what needs to be decided
Does the job seeker have a general idea of what they want, and just needs to narrow it down? Or is the person at square one, and need to do some significant planning and assessment before moving forward?

Decide whom else to involve
Job development is far more effective and efficient when a variety of ideas, perspectives, and business contacts are contributed. Essentially, the job seeker needs three things from others: assistance in developing a clear vision about the type of job to pursue; information about the needs of the job market; and contacts for job leads and career exploration. Potential participants include:

- **Job seeker contacts:** Taking advantage of personal networks is often key for many people, with and without disabilities. One-Stop staff should help the job seeker generate contacts (people who can help with their job search), such as family, friends, housemates, proprietors of places they do business with, organizations in which they are involved, former co-workers, school contacts, other professionals in their life, etc. Particularly for people who are struggling in determining a direction to go in a job search, it can be extremely helpful to involve others who can provide different perspectives, share some of their positive experiences they have had with the individual, and help move beyond the self-reporting of the individual as the only source of information. Note: Individuals vary significantly in their comfort level concerning others' involvement in their career planning and job search. One-Stop staff should discuss the advantages of such involvement, try to minimize the job seeker's uncertainties, but proceed with this approach only if the individual is comfortable.
- **One-Stop contacts:** As an organization dedicated to meeting the employment and training needs of job seekers, One-Stops obviously have many contacts that can be utilized, including staff members, businesses with which the One-Stop has existing relationships, other job seekers, etc.

Decide what the job seeker needs from others
Contacts for job leads? Help to determine a direction for the job search? Ideas on how to explore career possibilities? Before involving others, the job seeker and One-Stop staff should clarify what they need.

Decide the method(s) for involving others
The involvement of others can happen in many ways. The job seeker or One-Stop staff can make personal contact to gather ideas, information, and contacts. However, the dynamics and energy of a group "brainstorming" session can offer significant benefits if the job seeker is comfortable with this type of meeting. Successful placement of people with disabilities in community jobs requires a never-ending supply of creativity. Brainstorming, especially in a large group, can be a very effective way to create the energy and enthusiasm needed to generate ideas and maximize creativity in the job search.

Do some exploring
The typical job planning process gathers information such as education and work experiences. In a person-centered planning process it's important to delve beyond these basic facts. Help the job seeker really explore their life:

- When, where, and in what kinds of environments/places have they currently or in the past:
    - had the most success
    - been happiest
    - enjoyed themselves
    - found fulfillment
    - not enjoyed or not liked what they were doing
- What do they like to do with their free time?
- What types of hobbies do they enjoy?
- Is the individual part of any clubs or organizations?

◊ Include both past and present experiences
◊ Be sure to look at all aspects of the individual's life: school, home, community, and employment experiences
◊ Explore the underlying reasons why the job seeker has felt either positively or negatively about experiences and activities.

Develop a Job Search Profile

From the information generated, develop

- a job exploration or job search goal
- a list of the important criteria for the type of positions that would be a good match

The primary criteria in developing this list should be the job seeker's own interests and preferences, not what others consider appropriate for the individual. The profile can have a specific goal such as "working in an office doing clerical work," or more general such as "work involving music," or "a position requiring no customer contact." The profile can include a number of options. For each criterion, note whether it is absolutely essential/required or somewhat optional. A list of possible criteria to consider are contained in the piece "Career Exploration" elsewhere in this section.

Develop a Plan of Action

Questions that need to be considered at this point:

- Is there enough information available to begin the job search?

- Does the job seeker need to undertake some career exploration activities to assess potential ideas and generate more information before beginning the actual job search? Career exploration activities include such things as: community and business research, informational interviewing, job tours, job shadowing, volunteer work, and situational assessment. (See the piece "Career Exploration" in this section for suggestions.)

  In the action plan, be sure to specify:
  - tasks to be completed by the job seeker
  - tasks to be completed by One-Stop staff
  - tasks to be completed by other individuals who are part of the career exploration and job development process

Revise the Plan of Action as Needed

If the plan's goal is further career exploration, clearly this plan will need to be revised once enough information has been generated to begin the actual job search. It is also a good rule of thumb to revisit and possibly revise a plan every 30 to 45 days if an individual is still not employed.

> **Develop a step-by-step action plan by considering the following:**
> - What would it take to accomplish...?
> - What are the next steps towards these goals?
> - Who is the most logical person to take each step?
> - Who else do we need to get involved? Who are the experts? Who knows them?
> - What can each person commit to?
>
> *From: Butterworth, J., Hagner, D., Heikkinen, B., Faris, S., DeMello, S., McDonough, K. (1993). Whole Life Planning: A Guide for Organizers and Facilitators. Boston: Institute for Community Inclusion*

This section also includes two forms: "Job Development Planning Tool," to guide One-Stop staff, and "Finding the Right Job - A Tool for Jobseekers". These simple tools may be helpful in conducting a person-centered career planning process.

The Setting Makes a Difference

Group brainstorming can be done at the One-Stop Center. However, as an alternative, consider holding it:

- at the person's home, a restaurant, or some other relaxed social setting where the job seeker feels more in control. Experience in working with people with significant disabilities has shown that removing a group planning process from the typical settings (e.g. agency offices) can have an extremely positive impact on the session's quality and outcomes.

- in the evening or on the weekend. This is especially important when the job seeker wishes to involve personal contacts (such as family and friends), who may be busy during traditional business hours.

Guidelines for Brainstorming

- Generate lots of ideas. The goal is generate is to come up with as many ideas as possible concerning possible jobs, careers, contacts for job leads, etc.

- Involve everyone and anyone. Involve as many people as possible

- Get different perspectives. Avoid having most or all participants from the same group or background. Involve people who know the job seeker from a variety of settings, and people who bring a variety of life experiences to the table.

- Search for different questions. Different questions can lead to new and different ideas. For example, answers to the question "What jobs is Jose qualified for?", may lead to a limited set of ideas. However, asking the question "What does Jose really love to do?", or "Where does Jose have the most fun?" may lead to new and creative ideas.

- There are no wrong answers – all ideas are valid. Rule # 1 of any brainstorming session – naysayers aren't allowed. Ideas that initially seem off-the-wall and unrealistic can often lead to creative real solutions.

- Have Fun! Brainstorming sessions should avoid any pretext of a formal meeting. While the intent is serious, keep the atmosphere casual and relaxed, so people can let their minds roam freely, and feel comfortable lots of different ideas. An important tip: refreshments and food help!

Resources on person-centered planning

Whole Life Planning: A Guide for Organizers and Facilitators
by John Butterworth, David Hagner, Bonnie Heikkinen, Sherill Faris, Shirley DeMello, Kirsten McDonough (1993).

Published by:
Institute for Community Inclusion
Children's Hospital
300 Longwood Ave.
Boston, MA 02115
Voice: (617) 355-6506
TTY: (617) 355-6956
Fax: (617) 355-7940
E-mail: ici@tch.harvard.edu
www.childrenshospital.org/ici

Listen to Me!
Allen Shea & Associates in collaboration with Michael Smull, Steve Sweet, Claudia Bolton and Pam Lopez Greene

Available from:
USARC/PACE
419 Mason, Suite 105
Vacaville, CA 95688
Voice: (707) 448-2283
www.allenshea.com/listentome.html

It's Never Too Early, It's Never Too Late: A Booklet About Personal Futures Planning,
by Beth Mount and Kay Zwernik (1988).

Published by:
Minnesota Governor's Council on Developmental Disabilities
300 Centennial Office Building
658 Cedar Street
St. Paul, Minnesota 55155
Voice: (651) 296-4018
TTY: (651) 296-9962
FAX: (651) 297-7200
E-mail: admin.dd@state.mn.us;
www.mainserver.state.mn.us/mncdd/products.htm

Planning Possible Positive Futures: Planning Alternative Tomorrows with Hope
by Jack Pearpoint, John O'Brien, Marsha Forest.

Available from:
Inclusion Press International
24 Thome Crescent
Toronto, ON., Canada M6H 2S5
Voice: (416) 658-5363
Fax: (416) 658-5067
E-mail: includer@idirect.com
www.inclusion.com

Career Exploration

People's interests are strongly influenced by what they have experienced in life. The reality for many people with disabilities is that their life experiences have been very limited. As a result, a good planning process will need to include real opportunities for the individual to explore the world of work and develop preferences and interests. Good career exploration gathers information not only on specific interests and skills, but also on the personal characteristics and other attributes that the job seeker has to offer, and the work environments and culture that will be the best and most supportive fit.

Have you ever had a certain impression about what a certain field of work was like, only to have that impression change significantly once you worked in that field or explored it more closely? Like anyone else, people with disabilities may express an interest in a field, but have a limited understanding about what it entails. Additionally, they may have a finite view of the types of jobs that are available. The following are methods for helping people with disabilities (or any job seeker) determine what direction to go with their job search.

Assessment and Career Exploration Tools

America's Labor Market Information System and America's Career Kit has a number of excellent resources:

- America's Career InfoNet (www.acinet.org), which includes a wealth of information on job trends, wages and national and local labor markets.
- O*NET Online (http://online.onetcenter.org/), is a database that describes a wide variety of occupations, their requisite skills, and earnings potential.
- O*NET Career Assessment and Exploration Tools, which include:
  - Interest Profiler - A self-assessment career exploration tool, where participants identify and learn about broad interest areas most relevant to their-related interests.
  - Work Importance Locator - A self-assessment career exploration tool which helps clarify what an individual finds most important in jobs.
  - Ability Profiler - An ability assessment developed for counseling and career exploration which measure nine job-relevant abilities.

    *[Additional information on these O*NET tools is available at www.onetcenter.org/product/tools.html]*

As with any other customer, One-Stop staff should help customers with disabilities use these and similar tools, for career assessment and exploration.

Research

Like any other job seekers, business and community research can help an individual with a disability learn what types of jobs are available (and not available), areas of growth, and who the area's biggest employers are. Research on specific professions and employers can help to plan a job search and identify business contacts. The tools of America's Workforce Network available at One-Stop Centers, and online, can be an excellent starting point including America's Career InfoNet, and O*NET Online, described above.

Besides the tools of America's Workforce Network, One-Stop Center are likely to have other information sources in their resource library. Sources for information include:

- annual reports
- business publications
- newspapers
- directly contacting the employer for an information packet.

The advent of the internet has made collecting such information much easier, and it's recommended that the world wide web be used as the starting point for such research. The Career Resource Library of America's Career InfoNet provides links to other internet based resources.

Experiential Methods

While these can be good starting points, activities that expose individuals to the realities, dynamics, and idiosyncrasies of real work environments can be invaluable. Also, due to a variety of issues (limited life experience, cognitive limitations, etc.), standard assessment tools do not always fully or accurately reflect the interests and capabilities of many people with disabilities.

The following experiential methods can help determine the types of positions to explore in the actual job development process. The connections that the One-Stop system has with the employer community should make it relatively simple to arrange those activities that involve direct employer contact. The One-Stop system will find these methods useful not only for customers with disabilities, but for all job seekers. In fact, many local One-Stop systems may already have many of these and similar services available to assist job seekers.

- **Informational Interviewing:** Informational interviewing involves meeting with an employer, not for a job interview, but simply to gather information about the business. It is a wonderful way to increase job seekers' knowledge of a field; it also provides the opportunity to gain experience interacting with employers without the pressure of a hiring decision.

- **Job Tours:** Similar to informational interviewing, touring various businesses exposes the job seeker and One-Stop staff to a variety of jobs and work environments.

- **Job Shadowing:** Job shadowing involves spending time observing an individual as he/she performs a job. This can last for an hour, an entire work day, or a series of days, depending on the nature of the job and the level of interest of the job seeker.

- **Volunteer Work:** Doing volunteer work can be a helpful step for some individuals and for certain fields. For example, many people enter the human service and radio/television production fields through volunteer work and internships. Certain cautions apply:

  - From a values standpoint, it is important to recognize that volunteer work is not a substitute for paid employment. As part of the career development process, keep volunteering brief, and make sure that the goal remains employment.

  - For both legal and ethical reasons, people with disabilities should only do volunteer work that is similar to what other members of the community are doing as volunteers.

  - It can sometimes take enormous effort to find a volunteer job for a person with a significant disability. Such effort may be better spent on finding paid employment!

  - A final word: Volunteer work is an option for some people in specific situations, but it is not for everyone.

- **Temporary Work Assignments:** A short-term, temporary work assignment can help an individual determine whether or not a job or setting suits them, and adds experience to a resume.
- **Situational Assessment:** Situational assessment means trying out a job in the community, for a few hours up to a few days, so the job seeker can determine if they are well-suited for that type of work. Individuals are often paid by a non-employer source for situational assessments. State Vocational Rehabilitation (a One-Stop partner) or local community rehabilitation providers may be able to assist in arranging situational assessment. For a detailed explanation of situational assessment, see the book *Demystifying Job Development* (reference at the end of this article).

What Method to Use

There is "no one right way" to go about career exploration; methods will vary depending on the needs and abilities of each individual. To determine which methods will be the most useful, consider the following points:

- Choose methods that are appropriate to the individual. For example, someone who has limited interpersonal communication skills and abilities will probably not benefit from an informational interview, and might be better off doing a situational assessment.

- Use the methods that provide the most information in the shortest time so the individual can move ahead with the actual job search.

No matter what methods are used as part of the career exploration process, it's important to gather certain information:

- What types of work are available in the fields that interest the job seeker?
- What skills do these jobs require?
- In what types of work cultures and environments is the individual comfortable?
- What types of jobs meet the specific requirements of the job seeker?

Placment Planning and Career Exploration: Areas to Look At

When determining the types of employment opportunities to pursue, the focus is often on the individual's job skills and where these can be applied. Yet many people (with and without disabilities) succeed or fail on a job based on how well they fit into the social environment of the workplace. When developing successful employment opportunities, consider: where would an individual's personality be considered a real asset? (For instance, a friendly, outgoing personality is an important attribute for a customer service job.) A list of possible criteria to examine as part of the career exploration process are listed below under "Placement Planning and Career Exploration: Areas to Look At"

As the career exploration process progresses, the job developer and job seeker should be looking for common themes among areas of interest. For example, an individual may have explored several different fields. While the person may have had interest in a variety of jobs, the ones where he/she is most intrigued may be jobs where there is a great deal of interaction with others, where there is a low level of supervision, which have an informal work atmosphere, which have a variety of tasks, or which focus on a specific area.

The following lists some areas for consideration when undertaking career exploration and planning. This information can be used as part of a job search profile, and also in evaluating a career exploration experience. Use these criteria to examine two perspectives:

1) the requirements of a field or specific job
2) the degree of importance that a job seeker places on each requirement

In no way is this list exhaustive. Add your own ideas!

- Types of jobs and businesses that are of interest
- Geographic area for job search
- Minimal salary and benefit requirements
- Number of hours of work per day/week
- Time of day and week requirements (mornings, evenings, overnights, weekends, holidays)
- Access to public transit
- Connection with seeker's past education and training
- Personal attributes of job seeker that could be an asset within a job setting (e.g., friendly, helpful, neat, attention to detail, quiet)
- Formality or informality of workplace
- Amount of supervision desired/required
- Level of interaction with co-workers and supervisors
- Camaraderie and sociability of employees
- Level of worker autonomy
- Repetitiveness of tasks
- Variety of tasks
- Flexibility and opportunity for changes in routine

- Availability of training
- Opportunities for career advancement
- Stamina and endurance requirements
- Mobility requirements (i.e., need to move around in an area or within a work facility)
- Communication requirements
- Production rate/speed requirements
- Strength: lifting and carrying
- Manual dexterity
- Reading requirements
- Mathematics/counting
- Level of independence required
- Customer contact
- Dress requirements
- Need to work independently
- Complexity of tasks
- Amount of self-initiative required
- Need/ability to tell time and time awareness
- Stress and pressure of position
- Need to ask for assistance
- Area orientation requirements (small work area, large work area, entire building, several buildings, etc.)
- Environment: noise, temperature, indoors/outdoors

Dealing with Gaps in Work History

By David Hoff, Institute for Community Inclusion

Sometimes people with disabilities have significant periods of unemployment or gaps in their work history. Unfortunately, these gaps are often a "red flag" to employers. If a job seeker has had periods of unemployment, she/he and One-Stop system staff need to develop strategies to address these gaps. Simply hoping the employer won't notice is not likely to be effective!

When To Address Work History Gaps

The first question that must be answered is when to address this issue. Should it be addressed in the resume or cover letter? Or should the job seeker wait until the interview? There is no right or wrong answer. As with many issues, it ultimately comes down to what the job seeker is comfortable with.

- The plus of addressing it early is that the employer will be fully aware of the situation prior to the interview, thus reducing the negative impact on the interview situation itself. However, revealing gaps at this stage can potentially reduce the chances of even getting an interview.
- The plus of waiting until the interview is that the job seeker will have the opportunity to explain the situation in person, and answer any concerns the employer has. However, since the employer is not aware of the situation ahead of time, this could potentially have a negative impact on the outcome of the interview.

Designing a Resume to Reduce Attention to Work History Gaps

The traditional resume (organized chronologically) can call attention to such issues as gaps in work history or limited work experience. Consider using creative methods to downplay gaps in experience and work history:

- a functional resume that highlights the skills rather than the work experience of the individual
- using only years, not months, for work dates
- not distinguishing between paid and unpaid work
- briefly summarizing (in positive terms) what the job seeker did when they weren't working.

Another alternative is to totally abandon the standard resume format, and instead use a personal profile of the individual, pinpointing his/her abilities, skills, and interests. This type of format can be particularly useful for individuals who have limited work experience.

- Using a non-traditional resume format possibly implies that something is awry, but it at least allows the applicant to spotlight strengths, not deficits. Remember, the purpose of a resume is to be a marketing tool. It should not tell a person's life story. Think of a resume as an "advertisement" for a person intended to get the employer's attention and move the job search forward. A personal profile can help the employer see past the disability and view the job seeker as an individual with various interests and abilities.

Developing a Reasonable Explanation

Although strategies can be used to diminish the visibility of gaps in work history, if the individual has not been employed for significant amounts of time (a year or more), One-Stop staff should work with the job seeker to develop some type of reasonable explanation, because in all likelihood the employer will ask. The explanation should

- minimize the potential negative impact on employment prospects
- feel comfortable to the job seeker.

The idea is not to mislead the employer, but to create as positive a perception as possible with the facts of what the person did when they weren't working. Remember, the employer does not have a right to the job seeker's complete life history, only to that information which is relevant to the individual's ability to perform the essential functions of a position. Possible explanations might include:

- I had some health problems which are now taken care of.
- There was an illness in the family.
- I was taking care of my children or a family member.
- I was doing volunteer work with a community organization.
- I had the opportunity to pursue some non-work interests.
- I took a few years off to travel.

As with any disclosure issue, job seekers vary significantly in their comfort level concerning providing information on work history gaps. However, even in cases where the job seeker decides to be fairly open, he/she should only provide the information that is truly necessary. There is no reason to provide extensive details; in fact, giving too much information could even make the employer uncomfortable.

Emphasize the Present, Not the Past

Ultimately, the most important strategy is to emphasize current activities. The job seeker needs to demonstrate that:

- whatever problems or issues they have had in the past are resolved or have been addressed
- they are now fully capable of handling the tasks of a job

This is also where having done some temporary work assignments, short-term job tryouts, internships, etc., can be helpful, as they can help diminish any concerns the employer may have, and demonstrate an individual's current capabilities.

Contacting Employers: Disclosure, Interviews, and Accommodations

When a job seeker with a disability is ready to begin contacting employers, One-Stop staff should work with the customer to consider a number of issues.

- Will the customer be "screened in" or "screened out" by the usual hiring process (i.e., application, testing, interviewing)?
- Does the customer make a positive first impression?
- Can the person communicate verbally?
- Is the person a good advocate for themselves?
- Does the person require accommodations for the interview or the job?
- Will the person fit into "pre-existing" opening, or will there need to be some type of job restructuring?
- Does the person want to be represented to employers by One-Stop staff or other professionals?
- Does the person wish to disclose his/her disability to employer?
- What are the implications of disclosing/not disclosing?
- Is the disability "hidden", or is it readily apparent to potential employers?

Consider the implications of applicable issues and various options for addressing them. The bottom line is that the strategies used must

- feel comfortable to the job seeker
- maximize the possibilities for a positive hiring decision and success on the job.

Preparing for the Interview

As they would with any other customer, One-Stop staff should assist job seekers with disabilities to prepare for interviews. People with disabilities should use the One-Stop resources for interview preparation (workshops, mock interviews, etc.) available to all customers as a starting point. In addition, there are disability-specific issues that should be addressed:

- ADA rights - The Americans with Disabilities Act clearly prohibits an employer from asking about a disability prior to an offer of employment. One-Stop staff should make the job seeker aware of their legal rights under the ADA concerning employer hiring practices. Information on these rights can be found in section 8, "ADA & Employment".

- Disclosure - A key issue is determining whether or not to disclose any information about the job seeker's disability, and if so, how to go about it in a way that will positively impact the hiring process (further information on this issue is contained below).

- Making a positive impression on employers - Like any job seeker, people with disabilities should be prepared to "sell" themselves in a job interview and demonstrate that they are fully qualified for the position. In situations where disclosure will occur, the applicant must be even more prepared to explain how they will be able to perform the various tasks of a position, how the impact (if any) of the person's disability will be mitigated, and why they will be an asset to the organization.

- Other scenarios - One-Stop staff should review with the job seeker how to handle various scenarios, including inappropriate inquiries about the person's disability, in a way that has the least possible negative impact on the interview.

Disclosure

Disclosure of disability is very much a personal decision by the job seeker. However, two basic guidelines are extremely useful:

1) Disclose disability-related information only as necessary.

2) Disclose to as few people as necessary.

Additionally, One-Stop system staff should abide by the following:

- Always get permission from the customer before disclosing any information about a job seeker's disability to an employer
- Always abide by the customer's decision about disclosure
- Do not share personal information about the customer with supervisors and co-workers at the person's job site
- Within the One-Stop Center, do not discuss personal and sensitive customer information and issues in public areas or with people who do not "need to know."

Disclosure: Before or During the Interview

In most cases, if an individual can complete the hiring process without having to disclose, it is probably best to wait until at least after the job offer has been made (if disclosure is going to occur at all). However, there are situations in which earlier disclosure may make sense.

- Is the disability obvious? - In cases where the disability is readily apparent (such as an individual who uses a wheelchair, or who is blind), disclosure will occur the first time the potential employer meets the individual. Should disclosure occur when the interview is being set up or should it occur "naturally" when the interview takes place? There is no right or wrong answer. If the job applicant would rather provide some information about his/her disability to the employer prior to the interview, a potential strategy is to provide basic information and request accommodations (if necessary) after the applicant has a confirmed appointment for a job interview.
- Less obvious disabilities - An individual may display behavior or have physical characteristics that could be perceived as "unusual" and misinterpreted. Is it better to leave unanswered questions in the employer's mind, or to try and clear up the misconceptions and/or unfounded fears that the employer may have that relate to the disability?

Interview Accommodations

- Typical interview accommodations - Some of these are obvious. If a person uses a wheelchair, the interview location, including the rest room, must be accessible. If the job seeker has difficulty communicating due to a hearing impairment or speech impediment, some alternative method of communication must be used, such as an interpreter. Having materials in accessible formats for someone who is blind or visually impaired is also typical.
- Other interview accommodations - What if the person simply interviews poorly, possibly due to cognitive limitations? What if testing is a standard part of the interview process for the job, and the person tests poorly? Will typical hiring procedures allow the employer to fully evaluate whether the applicant can perform the essential functions of the position? If not, then possible accommodations could be:
  - having an advocate (such as One-Stop staff) accompany the individual to the interview

- using an alternative testing format (if tests are involved)
- using a situational assessment (i.e. allowing the applicant to try out a job for a day or two before a final hiring decision is made)
- being hired on a trial basis.

The One-Stop staff or job seeker will have to advocate for this type of accommodation with the employer, requesting it as a reasonable accommodation under the ADA. Such strategies should be used judiciously, and only in cases where the standard interviewing and hiring procedures put the individual at a disadvantage for equal consideration.

- **Explaining Interview Accommodations to the Employer:** There are always pluses and minuses to using any type of accommodation for interviews. The decision of whether to request an interview accommodation should depend on how the accommodation will positively impact the chances of the individual getting the job versus the potential negative impact of using such an accommodation. If an interview accommodation is necessary, the One-Stop staff or job seeker should explain the accommodation to the employer. For example, if an interpreter is to be used, interpreter etiquette (such as directing questions at the individual and not the interpreter) should be discussed ahead of time. Remember that an employer may have never used such an accommodation before. It is important to emphasize how an accommodation will assist the employer in making an educated hiring decision, and to ensure that the employer is completely comfortable with the accommodation so that it does not become a distraction to the hiring process.

Non-Apparent Disabilities & Disclosure

When dealing with a non-apparent or "hidden" disability (i.e., a disability that is not readily apparent to most people), the issues are less clear. Is it a good idea to disclose? Not disclose? Such a complicated decision requires consideration of the following:

- **Personal ethics of the job seeker.** How does the person view the issue of non-disclosure? Do they view it as possible deception of the employer, or as "none of the employer's business"? For some individuals, disclosure is a part of honest interactions, and they are too uncomfortable to carry the burden of non-disclosure around.

- **Ability to hide the facts.** Is the disability going to become obvious to the employer during the process of checking references and employment verification? For example, if an individual tries to hide a past felony conviction when applying for a position within a company where security checks are standard procedure, the cover-up may be judged harshly when the truth comes out.

- **Is the truth better?** Will the individual give off signals that cause the employer to wonder "what's going on," perhaps causing the employer not to hire the individual?

- **Is the truth relevant?** If the disability has no impact on the individual at work there is no reason to share the information. The Americans with Disabilities Act (ADA) makes the assumption that the presence of a disability is irrelevant unless it clearly affects the person's ability to do the essential parts of the job.

- **Consequences.** What are the ramifications of disclosing vs. not disclosing? While some employers are fearful of hiring people with previously non-apparent disabilities, some are not. Some non-apparent disabilities are more discriminated against than others (e.g., mental illness is often feared and misperceived).

Remember, it is not the One-Stop staff's job to decide for people what to do about disclosure, but rather help job seekers weigh the above factors and arrive at their own decisions. Once the customer decides, respect that decision, and work with the individual on how to implement it. Should the choice be made to disclose, the individual may need advice as to how, when, and to whom to disclose.

Dealing Openly with Disability

If disclosure is decided upon, it is crucial that the job seeker project an image of capability. An employer will be concerned with the individual's ability to perform the necessary job functions. The job seeker must explain a disability so that

- the employer can understand it
- it is not perceived as negatively impacting the workplace.

The manner in which a disability is explained and/or accommodations are requested, including the words used, can have an enormous impact on the employer's perception of the person's capabilities. Instead of using a "disability label", describe it in functional terms that explain the impact of the disability. Simply stating, "I have an anxiety disorder" could create significant questions. A better alternative would be to say, "I have a condition that causes me to become anxious at times. When it happens I am unable to focus on what I am doing at that moment, but it does not affect others. In past jobs, I have been able to manage it effectively with minimal impact on my work. This condition does require that I have a quiet work space, with minimal outside noise. If you hire me, I would work together with you to set up my work space so that it would be mutually satisfactory."

When an Employer Makes Inappropriate Inquiries

While the ADA clearly states that a potential employer cannot ask questions concerning a person's disability prior to an offer of employment, this does not necessarily stop employers from making such inquiries, even if inadvertently. How should a job seeker act if an employer asks, "What's wrong with you?"

- "You can't ask me that, it's illegal under the ADA." This is correct, but might result in the person not being hired.
- A better response: "I'll tell you what - let me tell you all the things I can do," and then go on to describe why they are eminently qualified for the job.

Obviously if an employer is persistent in asking about a person's disability, and the person chooses not to disclose, the employer should be gently

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Guiding Principles for Job Seekers in the Disclosure Process

- Describe yourself by job qualifications, not by disability
- Articulate and demonstrate how you can perform the essential functions of the job
- Do not volunteer negative information
- Avoid medical terms or human service/disability jargon as they can confuse and potentially scare the employer.
- Stress current, positive activity rather than dwelling on past negative experiences or issues
- If possible, connect past problems and issues with significant life event(s)
- Stress that you are in charge and control

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informed that such inquiries are illegal. It is important that people with disabilities know and exercise their legal rights, but such rights are best used in a proactive way to promote the individual for the position. While people with disabilities should certainly pursue legal action when they have been clearly discriminated against, the ADA should be used more as an education tool, not a sledge hammer: the goal is to get jobs, not file lawsuits. When developing interview strategies, determine the best course of action so that the person not only gets the job, but succeeds on the job.

Disclosure After The Job Offer

After the job offer has been made, the timing of disclosure will depend on the need for accommodations as well as the preferences of the worker. One consideration is whether the information will be better received after the employer has had the opportunity to get to know the employee independent of the disability label. If there is a probationary period for the position, the individual may wish to disclose only after that period ends. Should there be no need for immediate accommodation, there is no rush and potentially no need to disclose.

Whom to disclose to:

If the person decides to inform the employer, careful consideration should be given to whom the recipient of this information should be, and how much they should be told. Possible recipients include co-workers, supervisors, managers, human resources staff, or an Equal Employment Opportunity officer. Should they all be told or only a few of them? There are very few situations where everyone in the workplace needs to know. Generally, it is best to begin by disclosing only to those who need to know. Many employees opt to tell their supervisor or manager, and/or a human resources representative. They later decide who among their co-workers to tell. This allows relationships to develop prior to disclosure and thus diminishes stigma.

Final Thoughts on Disclosure

There is no one right answer for every situation, and dealing with disclosure requires making the "best guess" concerning the impact a particular situation will have on the hiring decision and the person's success on the job. The ultimate determinant is the preference of the job seeker, but One-Stop staff should assist the job seeker in weighing the pros and cons of pursuing various strategies. Even in cases where some level of disclosure will occur, there is no reason to provide extensive details beyond what is necessary for individuals to have an understanding of the situation. As Joe Marrone of the Institute for Community Inclusion says, "it's disclosure, not confession."

Based in part on material from:

Hoff, D., Gandolfo, C., Gold, M., Jordan, M., (2000). Demystifying Job Development, TRN, St. Augustine, FL. Web site: www.trninc.com; e-mail: trn@aug.com; voice: (800) 280-7010)

Disclosure Of A Non-Apparent or Hidden Disability

Some Pros

- Reduced stress. Many people report that "hiding is more stressful than telling." Disclosing also makes it easier, if the need arises, to discuss accommodations.

- Immediate knowledge of the work environment. You will have "cleared the air" and will know what to expect.

- Release from the worry that a past employer or reference might inadvertently "drop" the fact that you have a disability.

- Full freedom to question health insurance and other benefits. If a medical examination is required, you will not have to worry about passing it (a concern with certain disabilities).

- Freedom to communicate with your employer should you face changes in your condition.

- Disclosure may make you feel more "comfortable." That word is the real key to the issue of disclosure.

The Bottom Line: you and the employer must both feel comfortable.

Some Cons

- Bad past experience(s): rejection or loss of a job because of the disability.

- Fear of being placed in a "dead-end job."

- Fear of being an object of curiosity.

- The concern that if something doesn't go right, it will be blamed on the disability.

- Fear of being "different."

- Mostly, just fear of not getting the job.

- Raises other questions for employers.

- May trigger stereotyping.

Rules For A Good Disclosure

1) Script your disclosure. Write it down and have it critiqued. Run through it with friends who are employers and with other people in the working world.

2) Rehearse your disclosure script until you feel comfortable and good about it, not only with your lips, but with your body language.

3) When you prepare your script, avoid being too clinical or too detailed. It may be of great interest to you, but the interviewer wants to know only three things:
   - Will you be there?
   - Can you do the job as well as or better than anyone else?
   - Will you be of value to the company?

4) Remember your script and be positive about your skills and abilities. The more positive you are, the more you will convey that you are you and "just happen to have a disability." Conversely, the more you discuss your disability, the more important it will become in the employer's mind.

(Modified from the Summer 1985 issue of "Inside MS," Multiple Sclerosis Society.)

Conducting a Job Interview: Accommodating People with Disabilities

Tips for Employers

Hiring the right person for the job starts with conducting a good interview. The employer is not interviewing a disability. The employer is interviewing a person with skills and abilities. These guidelines will assist businesses in ensuring that people with disabilities are afforded a fair and equitable opportunity to present their job qualifications.

- Make sure your company's employment offices and your interviewing location(s) are accessible to applicants with mobility impairments, visual, hearing, or cognitive disabilities (this includes restrooms).
- Be willing to make appropriate and reasonable accommodations to enable a job applicant with a disability to present him/herself in the best possible light. For example:
    - offer assistance to applicants who are blind or have limited use of their hands in completing their job application forms;
    - provide an interpreter for an applicant who is deaf;
    - offer detailed or specific instructions to persons with cognitive disabilities.
- Don't let a rehabilitation counselor, social worker or other third party take an active part in, or sit in on, an interview unless the applicant requests it.
- Make sure you have in-depth knowledge about the essential job functions of the position for which the applicant is applying, as well as the details of why, how, where, when and by whom each task or operation is performed. This will enable you to structure the interview better and ensure that all questions are job related.
- Relax and make the applicant feel relaxed. Don't be afraid of making mistakes. At the same time, remember that candidates (particularly those applying for professional positions) must be expected to assume an equal share of the responsibility for making your interaction with them comfortable.
- Don't speculate or try to imagine how you would perform a specific job if you had the applicant's disability. The person with a disability has mastered alternate techniques and skills of living and working with his/her particular disability. You should ask an applicant to describe how he/she would perform a certain job function if it is an essential part of the position.
- Concentrate on the applicant's technical and professional knowledge, skills, abilities, experiences, and interests, not on the disability. Remember, you can't interview a disability, hire a disability or supervise a disability. You can interview a person, hire a person, and supervise a person.
- If the applicant is not technically or professionally qualified for the position in question, end the interview. If the applicant is technically or professionally qualified, feel free to discuss in an open, honest and straightforward manner how he/she plans to perform specific on-the-job duties and what he/she will need to get the job done. Remember, all questions should be job-related and asked in an open ended format.

> *Source: President's Committee on Employment of People with Disabilities, October, 1993*
>
> *Used with permission*

Pre-Employment Inquiries and the ADA

For all job applicants, employers must comply with specific aspects of the Americans with Disabilities Act in their application, interviewing and other pre-employment procedures.

What Are the Restrictions on Pre-Employment Inquiries?

Questionnaires, applications, medical examinations, and tests are often used by employers to determine the competency of the applicant. Keep in mind that, at the pre-offer stage, disability-related questions and medical examinations are prohibited under the ADA.

How Should An Employer Handle Pre-Employment Inquires during the Interview Process?

- All questions must be directly related to the ability of the applicant to perform tasks of the job.
- Make sure to ask only questions regarding the information on the individual's application form.
- An employer may ask the applicant what prior job duties he or she has performed.
- An employer should be careful not to ask applicants about visible physical characteristics or their health status.
- If an individual has a readily apparent disability (such as an individual who is deaf or hard of hearing), an employer may ask how the individual would perform certain essential functions of the job, if the employer has concerns about whether the individual can perform a specific task.
- It is not legal to inquire if the applicant has a psychiatric disability, a history of having a psychiatric disability, or if he or she has consulted with a psychiatrist.
- Questions cannot be asked about past drug addiction.

May An Employer Conduct an Employment Physical?

- The law permits a medical examination if the medical evaluation is conducted after an offer of employment has been made.
- If physicals are conducted, they must be conducted for all employees in that job category and the medical information gathered must be kept separate from the personnel file.
- Drug testing is not considered a "medical examination" under the law. Therefore, pre-employment tests for illegal drug use are permitted by the ADA.

How Can An Employer Make Sure They Comply with the ADA Restrictions on Pre-Employment Inquiries?

- Develop a thorough job description that identifies the essential elements of the job. By relying on this description, both the interviewer and applicant are aware of the essential elements of the job.
- Employers should also review old application forms to ensure that medical histories or other inappropriate information is not requested.

Employer Tips on Interviewing Applicants with Disabilities

Employers are as perplexed by the social aspects of interviewing someone with a disability as they are by the legal concerns. Here are some basic guidelines for keeping a job interview focused on the applicants' qualifications.

When Interviewing an Applicant with Any Disability
- Don't ask: "What happened to you?" or "How will you get to work?"
- Don't ask questions in terms of disability, such "Do you have a mental condition that would preclude you from qualifying for this position?"
- Do ask job-related questions: "How would you perform this particular task?"
- Don't ask, "How often will you require leave for treatment of your condition?" However, you may state the organization's attendance requirements and ask if the applicant can meet them.
- Don't start the interview by trying to elicit the applicant's needs for accommodation. The interview should focus on whether the candidate is qualified for the job in question. Focus on the applicant's abilities. If there is a need for a discussion concerning accommodations, this should come later.
- It is the applicant's responsibility to request accommodations. Don't ask the job applicant, "Will you need accommodations?" or "What kind of accommodations will you need?". However, if you have concerns over an applicant's ability to perform an essential function of a job, given the applicant's obvious or disclosed disability, you can ask the applicant how they would go about performing that task.
- Always offer to shake hands. Do not avoid eye contact, but don't stare either.
- Treat the applicant as you would any other adult - don't be patronizing. If you don't usually address applicants by the first name, don't make an exception for applicants with disabilities.
- If you feel it appropriate, offer the applicant assistance (for example, if an individual with poor grasping ability is having trouble opening a door), but don't assume it will necessarily be accepted. Don't automatically give assistance, without asking first.

When Interviewing an Applicant Who Uses a Wheelchair
- Don't lean on the wheelchair.
- Get on the same eye level with the applicant if the conversation lasts more than a minute or so.
- Don't push the wheelchair unless you are asked to do so.
- Keep accessibility in mind. Is that chair in the middle of your office a barrier to a wheelchair user? If so, move it aside.
- Don't be embarrassed to use such phrases as "Let's walk over to the plant."

When Interviewing an Applicant Who is Mentally Retarded
- Use simple, concrete language, but don't use 'baby talk'.
- When giving instructions or directions, proceed slowly.
- Be patient, and repeat directions if necessary.

- Ask the applicant to summarize the information you have given to make sure it was understood.
- Give positive feedback whenever possible and appropriate.

When Interviewing an Applicant Who is Blind

- Immediately identify yourself and others present; cue a handshake verbally or physically.
- Use verbal cues; be descriptive in giving directions. ("The table is about five steps to your left.")
- Verbalize chair location, or place the person's hand on the back of the chair, but do not place the person in the chair.
- Don't be embarrassed to use such phrases as "Do you see what I mean?"
- Don't shout.
- Keep doors either open or closed; a half-open door is a serious hazard.
- Offer assistance with mobility; let the applicant grasp your left arm, usually just above the elbow. Again, ask first, and do not be surprised if assistance is refused.
- Do not touch an applicant's cane. Do not touch a guide dog when in a harness. In fact, resist the temptation to pet a guide dog.

When Interviewing an Applicant Who is Deaf

- You may need to use a physical signal to get the applicant's attention.
- If the applicant is lip reading, enunciate clearly, keep your mouth clear of obstructions, and place yourself where there is ample lighting. Keep in mind that an accomplished lip reader will be able to clearly understand only 30-35% of what you are saying.
- The best method to communicate is to use a combination of gestures and facial expressions. You may also want to learn how to fingerspell, or, if you are more ambitious, take a course in American Sign Language.
- Don't shout.
- If you don't understand what the applicant is telling you, don't pretend you did. Ask the candidate to repeat the sentence(s).
- If necessary, use a sign language interpreter. But keep in mind that the interpreter's job is to translate, not to get involved in any other way. Therefore, always face and speak directly to the applicant, not the interpreter. Don't say to the interpreter, "Tell her..."

For more tips on etiquette, see the information on particular conditions in section 5, "Disability Fact Sheets."

Adapted from: MIN Report, July-August 1991

One-Stop System Staff - Contacting Employers

Sometimes One-Stop system staff may contact employers on behalf of job seekers. If so, then One-Stop staff should discuss with the job seeker what they will say to potential employers about the job seeker. Three points are key:

- The One-Stop staff should contact employer's on the job seeker's behalf, only with the job seeker's permission
- The job seeker should be absolutely comfortable with what the One-Stop is going to say on his/her behalf
- Information concerning the job seeker's disability should be discussed with potential employers only with the job seeker's permission.

Here are some guidelines One-Stop staff should consider when representing job seekers with disabilities to employers:

- Emphasize skills, personality & interests: As with any job seeker, the goal is to highlight the "selling points" and talk about the person's skills, interests, and positive attributes.

- Use functional language that promotes solutions: Use terms that employers use such as job applicant, job description, workforce, etc. Avoid human service or disability-related jargon.

- Don't volunteer negative information: Employers don't need help in finding negatives.

- Orient to individual employer: As with any job seeker, the information provided about the applicant should respond to identified needs of the employer.

- Agreed upon by job seeker: The job seeker needs to be involved, informed, and in agreement with the activity. Job development efforts must be based on the job seeker's needs, interests, and desires.

- Contrast the past with present: Explain how any past problems or issues have been addressed. Focus on current activities that demonstrate abilities.

- Respect/confidentiality: When One-Stop staff assist in the job search, they are modeling behavior for the employer. Always be respectful in discussions with and about the job seeker, and as noted above, always respect confidentiality.

- Confidence & commitment: The employer will judge the candidate partly by how well he/she feels the One-Stop staff believes in and respects the job seeker. One-Stop staff set the tone with confidence and commitment.

- Honesty: Honesty is important in developing long-term employer relationships. Nobody can make guarantees. The most able employee has had a job that did not work out. Don't make promises, but if you do, see them through.

- Follow-up: Follow-up with employers is crucial, as that is good customer service!

Financial Incentives for Hiring People with Disabilities

The primary reason businesses should hire people with disabilities is because the individual is a good match for a specific business need. However, by hiring people with disabilities, there are a number of financial incentives that businesses may qualify for. In the process of assisting people with disabilities to obtain employment, One-Stop staff may wish to make employers aware of these financial incentives. It may be helpful for One-Stop staff to obtain copies of the publications and materials on these financial incentives, to distribute to employers.

ADA Small Business Tax Credit

Businesses with 30 or fewer employees or $1,000,000 or less per year in total revenue can receive a tax credit for the cost of accommodations provided to an employee (or customer) with a disability. This credit covers 50% of eligible expenditures up to $10,000 (maximum credit per year of $5000). For additional information, contact the Internal Revenue Service.

Web site: www.irs.ustreas.gov
Voice: 800-829-1040; TDD: 800-829-4059
Publications (request publications 535 and 334 which cover ADA deductions & credits) -
Voice: 800-829-3676; TDD: 800-829-4059

WOTC & WtW Tax Credits

Work Opportunity Tax Credit

WOTC is available to employers for hiring individuals from economically disadvantaged backgrounds. Employers can receive a tax credit of up to $2,400 per individual hired. Many people with disabilities meet the criteria for WOTC, including all recipients of Supplemental Security Income (SSI) and all clients of state vocational rehabilitation agencies.

Welfare-to-Work Tax Credit

If a person with a disability is a recipient of Temporary Aid to Needy Families (TANF) at the time of hire, the employer can receive a federal tax credit for up $8,500 per individual hired.

Additional information on these tax credits can be obtained from the U.S. Department of Labor: http://workforcesecurity.doleta.gov/employ/updates.asp. WOTC state and regional contacts can be found at:http://wdr.doleta.gov/contacts

WOTC and WtW tax credit request forms and state contact information can also be obtained by calling 877-828-2050 (a toll-free number). This Fax-On-Demand service allows access to WOTC/WtW request forms via Fax by using a touch-tone telephone or a fax machine. Up to two documents may be requested per call. Once you call this service, simply follow the instructions and enter the document number (listed below) that corresponds to the form or information needed.

#1 - System Index of Information
#101 - The Regional Contact Address Directory
#102 - The State Contact Address Directory
#103 - IRS Form 8850
#104 - ETA Form 9061
#105 - Brochure for Employers
IRS Form 8850 can also be downloaded from www.irs.ustreas.gov, or by calling: 800-829-1040

Business Leadership Networks

A Program of the Office of Disability Employment Policy - U.S. Department of Labor

What are Business Leadership Networks?

Business Leadership Networks (BLNs) are part of a national initiative to engage employers in a focused effort to market the benefits of hiring qualified individuals with disabilities to other employers. The intent of BLN's is to have employers market to other employers the benefits of hiring qualified individuals with disabilities.

What are the benefits of BLNs to employers?

BLNs offers employers:
- access to a pool of applicants with disabilities
- pertinent disability employment information
- a network of companies sharing information on specific disability employment issues
- the opportunity to provide training and work experience for job seekers with disabilities
- recognition for best disability employment practices
- access to a largely untapped market for their goods and services.

Another benefit of the BLN is that it provides peer support to businesses interested in or considering hiring individuals with disabilities. Being able to ask their questions of a fellow business contact who has successfully employed individuals with disabilities can be less intimidating for the potential employer than speaking with a vocational counselor, and potential employers can feel that their peers are more able to address their "real life" business concerns.

"A local BLN is a valuable resource for employers who want to improve their hiring, training and support of employees with disabilities. The program hinges on a fundamental principle - success breeds success. When employers discuss the successes and benefits to their organizations of hiring job candidates with disabilities, then other employers are inspired to do the same."

—From the Texas Gulf Coast BLN web site

How can BLNs benefit One-Stop systems?

One-Stop Centers and systems can utilize their local BLN to assist in identifying and promoting employment opportunities for people with disabilities. BLNs allow One-Stop systems:
- to tap into employment opportunities available from employers participating in the BLN
- learn about issues related to employment of people with disabilities from the employer perspective.
- to use the advocacy and sharing of expertise on an employer-to-employer basis that is a fundamental part of BLNs.

Who heads the BLN nationally?

The Head CEO for the BLN nationally is Thomas J. Donohue, President and Chief Executive Officer of the United States Chamber of Commerce.   Mr. Donohue's role is to steer the expansion and growth of the BLN through alliances with state and local chambers of commerce.

What is the structure for local BLNs?

Each local BLN is lead by an employer, in concert with state Governor's Committee on Employment of People with Disabilities and/or other community agencies.

Where are there BLNs?

As of October 2000, there were BLNs in 25 states. Some states, where the labor pool is geographically spread out, have more than one chapter. The eventual goal is to have BLNs across the United States.

How do I find out more?

For more information, and to find out if the status of the BLN in your state or local area, contact
Carol Dunlap Manager
Business Leadership Network
1331 F Street, N.W.
Washington, D.C. 20004-1107
Voice: (202) 376-6200, extension 35
Fax: (202) 376-6868
TTY: (202) 376-6205
Email: dunlap-carol@dol.gov
Web site: www.usbln.com

Annual National BLN Summit

One-Stop staff and other workforce professionals may be interested in attending the annual National BLN Summit. Schedule for upcoming years:

- Des Moines, Iowa - October 22-24, 2001
- Florida - 2002
- California - 2003
- Pennsylvania - 2004

BLN Web Sites

- California - www.cabln.org
- Colorado - www.cbln.org/
- Florida - www.abletrust.org/businesslead.html
- Maryland - Lower Shore BLN - www.lsbln.org/
- Nebraska - www.employmentfirst.org/
- North Dakota - www.thearcuppervalley.com/bln.htm
- Michigan - West Michigan BLN - www.futureforms.com/wmbln/
- Pennsylvania - www.blnofpa.org/
- Texas - Gulf Coast BLN - www.imagineenterprises.com/bln.html
- Washington State - www.wsbln.org/
- Wisconsin - www.dwd.state.wi.us/dvr/BLN/bln.htm
- Wyoming BLN - www.wy-bln.com/
- Evanston (Wyoming) BLN - www.webcom.com/ucedc/ebln.htm

Note: Not all BLNs have web sites

BLN Business Steering Group

Thomas J. Donohue
President and CEO
U.S. Chamber of Commerce

J. Tim Arnoult
Technology and Operations Exec.
Bank of America

Margie Lewis
President and CEO
Parallax, Inc.

Alabama
Roger McCollough
Assistant Vice President
Univ. of Alabama at Birmingham

Arizona
Ron Cleveland
Project Administrator
DiscoverCard/Boost

Arkansas
Terri Boone
Human Resources Manager
Hi-Tech Engineering, Inc.

California
Ron Grogan
Director of Human Resources
IBM

Colorado
Vicky Steere
President
Careers Colorado

Rebecca Peralta
Human Resource Director
Denver Marriott Southeast

Connecticut
Elizabeth Frechette
Corporate Manager/
Workforce Diversity
United Technologies Corporation

District of Columbia
Sandra LeBlanc
General Manager
Marriott at Metro Center

Florida
Vinece Pastor
Group Vice President
SunTrust Bank

Georgia
Darold Sawyer
Lead, Equal Opportunity Programs
Lockheed Martin Aeronautics Co.

Tom Ryals
Quality Logistics Manager
Cello-Foil Products, Inc.

Illinois
William E. Donahue, II
Vice President, Human Resources
Corporate Function
Sears Roebuck and Company

Iowa
Wanda Conway
Operations Human Resources Spec.
Sears Regional Credit Card
Operating Center

Kentucky
Alvin T. Stolen, III
President and CEO
Bank One Kentucky, N.A.

Maryland
Michael Whitehill
Vice President
McCrone, Inc.

Paul Rendine
General Manager
Capitol Securities Management

Kiya Safai
General Manager
Ramada Inn and Conference Center

Robyn Mingle
Director, Human Resources
Black & Decker Corporation

Legusta Floyd, Jr.
Senior Operations Manager
Centennial One

Massachusetts
Jeff Taylor
Chief Executive Officer
Monster.com

Michigan
William G. Birch
Disabilities Manager
Denso Manufacturing Michigan, Inc.

Joyce Henry
Senior Project Manager
Spectrum Health

Minnesota
Richard H. Anderson
Exec. Vice President and COO
Northwest Airlines, Inc.

Karen Moore
Manager, Accommodations
Northwest Airlines, Inc.

Missouri
Staci Michalicek
Recruiter - Midwest Regional Staffing
Bank of America

Nebraska
Heather Kelly
HR Generalist
ConAgra Foods, Inc.

New Jersey
Shawn O'Connor
Vice President, Human Resources
Independence Technology, L.L.C.
of Johnson & Johnson

Heather McHale
Director, Community Relations
Corporate Responsibility
Merrill Lynch

New Mexico
Joyce L. Armijo
Academy Placement Manager
The Kemmmtah Group, Inc.

New York
Jeffrey Sampson
Associate Director/
Community Affairs
Verizon Communications, Inc.

North Carolina
Leo Taylor
Director of Human Resources
Hardee's Food Systems, Inc.

North Dakota
Don Anderson
Vice President of Marketing
Community National Bank

Oregon
Stacey Paginton
Administrator
Luxury Tow Van Corporation

North Dakota
Don Anderson
Vice President of Marketing
Community National Bank

Pennsylvania
John Brouse
President and CEO
Highmark Blue Cross Blue Shield

Puerto Rico
Hector Troche
Human Resources Manager
Storage Technology

Texas
Gene Humpal
Manager of Employment
Services
JC Penney Company, Inc.

Wanda Bunkers
Vice President, Human
Resources
The Associates

Jana Loucks
Director of Human Resources
Hyatt Regency Austin

Cindy Floyd
Human Resource Manager
SITEL Corporation

Virginia
Katherine O. McCary
Vice President
SunTrust Bank, Mid-Atlantic

Barbara Haight
Community Relations
Booz-Allen & Hamilton

Robert Wozniak
Human Resources Director
Busch Gardens

Washington
Ladrene Coyne
Sr. Production Supervisor
Medtronic Physio-Control
Corporation

Wisconsin
Joseph A. Provino, III
Director of Legal Compliance &
Safety
The QTI Group, Inc.

Wyoming
Bob Peck
Vice President/Operations
SafeCard Services

Alan Griffin
Owner
Domino's Pizza

Adapted from materials developed by the Office of Disability Employment Policy - USDOL

Checklist: Finding Jobs for Customers with Disabilities

Customers with disabilities should be served through the full range of activities that all other One-Stop system customers are typically entitled. In addition, when working with customers with disabilities, One-Stop staff should review the following items.

One-Stop System Services

❒ Has the full range of services available been reviewed with the customer?

❒ What types of assistance or accommodations will the individual need to make full use of One-Stop services?

❒ How will assistance or accommodations be provided in One-Stop service delivery?

Benefits Issues

Does the individual receive any government benefits? If so, what types?

❒ Social Security Disability Insurance (SSDI)
❒ Supplementary Security Income (SSI)
❒ TANF
❒ Medicare, Medicaid, or other publicly funded health program
❒ Other benefits (housing subsidy, food stamps, etc.)

> *Note: additional information on benefits is in section 9 - Social Security Disability Benefits*

❒ Does the individual understand the need to report changes in employment status to Social Security and other benefit programs?

❒ Does the individual understand the impact that earnings from employment will have on their benefits?

❒ Does the customer want or need counseling to help determine the impact of employment on their benefits? If so, how will benefits counseling be provided?

❒ Would a PASS Plan (a Social Security work incentive) be helpful to the individual in achieving their employment goals? [Additional information on PASS's is in the social security section of this manual.]

❒ Does the individual have expenses related to employment that could be reduced through an IRWE (Social Security work incentive)? [Additional information on IRWEs is in the social security section of this manual.]

Disclosure

❒ Has the issue of disclosure of disability to prospective employers been discussed?

❒ Does the customer understand that they legally do not have to disclose a disability to prospective employers?

❒ Have the implications of disclosing and not disclosing been discussed with the customer?

❒ Has a course of action has been decided on concerning how the individual will handle disclosure to prospective employers?

❒ Do One-Stop staff who may be representing this individual to prospective employers know and understand this individual's decision concerning disclosure?

Transportation

❒ Does individual drive or have access to an automobile? If not, do transportation issues need to be considered as part of the job search?

What transportation resources are available to the individual?

❒ Mass Transit
❒ Paratransit (special transportation for individuals with disabilities)
❒ Taxicab
❒ Family
❒ Neighbors
❒ Co-workers
❒ Walking
❒ Biking
❒ Employer resources
❒ Other transportation services/resources:

Note: Additional information on transportation is available in section 12 - Transportation.

❒ If the individual doesn't drive, what geographic areas are accessible to the individual via the available transportation resources?

Accommodations for Application Process or Interviewing

❒ Will the individual need accommodations for the application process or interviewing?

❒ If so, what are the accommodations?

❒ How will they be arranged?

Job Accommodations

❒ Are there aspects of a job that the individual cannot fully perform without some type of accommodation?

❒ Are there modifications of a job, job site, or way in which a job is done that will allow the individual with a disability to have equal access to all aspects of work?

❒ Will the individual need these accommodations arranged prior to starting the job?

❒ What will be the process for requesting accommodations?

❒ Will the individual need assistance in advocating for accommodations?

Note: Information on accommodations is available in section 6- Job Accommodations.

Assistive Technology

❒ Is there assistive technology or equipment that will enhance the individual's abilities to perform the tasks of a job or potential job?

❒ Does equipment or assistive technology need to be obtained prior to obtaining employment?

❒ Does the individual need to be trained on how to use the equipment or assistive technology?

❒ How will the technology be paid for?

❒ Does the individual need a technology evaluation? Where can this be obtained (e.g. state Vocational Rehabilitation)?

> *Note: Information on assistive technology and funding of accommodations is available in section 6 "Job Accommodations"*

Job Development

❒ Does the individual have experience in successfully finding employment without professional assistance?

❒ Does the individual want/need assistance in contacting employers?

❒ Does the individual want One-Stop staff to contact employers on his or her behalf? If so, has the information about the individual that will be provided to potential employers been reviewed with the job seeker, and approved by him or her?

❒ Are there significant gaps in the person's work history? How will he/she explain these to potential employers?

Job Support

❒ Will the individual need support/assistance when they begin employment?

❒ What type of support will they need (e.g., job coaching, counseling, clothing/uniforms, personal care assistance, benefits management)? Who will provide it and/or arrange for it? [Note: state Vocational Rehabilitation, as a One-Stop partner, may be able to assist in arranging support on the job.]

Job Development Planning Tool

One-Stop system staff may find this tool helpful in assisting a job seeker with planning their job search, particularly with individuals who need some clearer direction concerning what types of employment to pursue. This tool is meant to be a supplement, not a replacement of the tools that the One-Stop system may use for career exploration and planning with all customers such as those from America's Labor Market Information System, America's Career Kit and particularly America's Career InfoNet (www.acinet.org), O*NET Online (http://online.onetcenter.org/), and the O*NET Career Assessment and Exploration Tools (http://www.onetcenter.org/product/tools.html). Customers with disabilities should still have the opportunity to utilize the career exploration and planning tools that are used with all One-Stop customers.

Develop a Profile
- Develop a profile of the individual.

- Past experience (work, volunteer, school, life)

- Interests/Hobbies

- Tasks they enjoy/do well
  (Remember to think about all areas of their life: home, their present daytime activity, etc.)

- Dreams for the future

- What kind of environments do they enjoy/fit in?

- Are there specific personality types with whom this individual is most comfortable or fits in well?

- Accommodation/support requirements

- Where they have been happiest? Where have they experienced success?

- Where have they not experienced success?

- Who are the important people in their life?

- With what organizations and activities is the individual currently connected?

- With the customer's permission, from whom else could you talk to gather this information? (peers, friends, family, teachers, other professionals)

Brainstorming

Brainstorm possible work environments that might be a good setting for the job seeker. This can be done one-on-one with the job seeker. However, it can be more effective to get a variety of perspectives and ideas. If the customer is comfortable having others be part of this process, consider involving:

- other One-Stop system staff
- other customers (particularly a One-Stop job seeker support group)
- significant individuals in the person's life (friends, family, other professionals, community members)
- business people
- community leaders.

The job seeker and One-Stop staff can consult and brainstorm with these people on an individual basis. However, if the individual is comfortable with a group brainstorming process, with lots of people gathered together, its dynamics and energy can lead to some creative ideas, connections, and outcomes.

From brainstorming, develop a list of at least four criteria for a work environment that would be a good match for the individual.

A.

B.

C.

D.

Others:

Questions to consider:
- Do we know enough to move ahead with a job search?
- Are there things we can do to generate more information? (see list of ideas in the "Career Exploration" piece in this section)

Identify Types of Businesses

Once you have generated sufficient information concerning work environment preferences, identify types of businesses that would potentially be a good match for the person. If necessary, expand on these ideas by talking to other individuals outside the group.

Identify Connections to Those Businesses

Who works in or has a connection to the types of businesses listed above? Does the One-Stop system or the job seeker have contacts and relationships that could be utilized? Use the brainstorming group as the starting point for identifying these network connections, but also talk to anybody else who might be helpful (other One-Stop staff, other job seeker contacts, business people, etc.).

Finding the Right Job: Job Seeker Planning Tool

To succeed on a job, it's important not to just take a job because you can earn money doing it. It's important to find a job that is a good match for you, and that you like what you do!

A job that is a good match is one where you are:
- Doing things you like to do
- Doing things that you are good at
- Working in places you are comfortable
- Working with people you like
- Working the number of hours your want to
- Working the time of day you want to
- Working the days of the week you want to
- Earning enough money

Before you start looking for a job, it's a good idea to think about these things. While you may want to think about them by yourself, it also may be a good idea to talk to other people who know you to get their ideas. These could include:
- friends
- family and relatives
- neighbors
- people you've worked with
- people who participate in activities with you
- people at the places you shop or spend money
- teachers (current or former)
- counselors

Note: The One-Stop system has a number of excellent tools that can also help you in determining what types of jobs and careers might interest you. Among these are the following tools from the United States Department of Labor.

- America's Career InfoNet (www.acinet.org), which includes a wealth of information on job trends, wages and what types of jobs are available in your local area.
- O*NET Online (http://online.onetcenter.org/), has information on a wide variety of jobs and occupations, the skills required for these jobs, and how much you can earn in these jobs.
- O*NET Career Assessment and Exploration Tools, which include:
  - Interest Profiler - A career exploration tool, where you can identify and learn about broad interest areas most relevant to your interests.
  - Work Importance Locator - A career exploration tool which helps you clarify what you find most important in jobs.

*[Additional information on these O*NET tools is available at: www.onetcenter.org/product/tools.html]*

This form is intended to supplement, not replace those tools.

Some Questions To Help You

Here are some questions to think about, in deciding what kind of job would be good for you.

At Home:
What do you do when you are home?

What household chores do you like doing?

What household chores do you not like doing?

What do you like to do for fun at home?

At School:
What classes did you/do you like in school?

What classes did you/do you not like in school?

What activities and clubs did you/do you participate in at school?

What school activities did you/do you like?

What school activities did you/do you not like?

What did you/do you like about school?

What did you/do you not like about school?

At Work:
If you've had jobs or work experience (paid or unpaid):

Where have you worked?

What jobs have you liked?

What jobs have you not liked?

What were the things about the job(s) that you liked?

What were the things about the job(s) that you didn't like??

Leisure:
What do you like to do for fun?

Are there sports or other recreational activities you enjoy?

Do you have any hobbies?

What do you like to do with your friends?

Do you like to do things by yourself or with other people?

What's Important To You About A Job
There are a variety of things people consider in deciding what kind of job to pursue. What is important to some else, may not be important to you. In conducting a job search, it's important to think about what things are absolutely required of a job, if you were to take it, what things would be nice to have (but aren't absolutely required) and what things don't really matter. On the following is a list of items to think about. Put a check mark in the appropriate column which best describes how you feel about each item. Add any additional items that are important to you about a job.

If you got a job, what would be okay and not okay?

	Okay	Not Okay
Working indoors		
Working outdoors (including bad weather)		
Doing physical labor		
Lifting things		
Doing clerical work (like filing & copy work)		
Doing cleaning		
Organizing and sorting things		
Working with food		
Working on a computer		
Having to read things		
Having to write things		
Having to do math		
Doing the same thing all day		
Doing lots of different things during the day		
Working in an office		
Working in a factory		
Working in a store		
Working in a warehouse		
Working in a small building		
Working in a big building		
Working by yourself		
Working with a few people		
Working with lots of people		
Working in a place that is noisy		
Working in a place that is quiet		
Having to talk to people		

	Okay	Not Okay
Having to be quiet all day		
Having a supervisor nearby most of the time		
Not having a supervisor nearby		
Helping customers		
Dressing up for work		
Wearing a uniform		
Dressing how ever you want		
Moving and walking around		
Sitting all day		
Standing all day		
Getting dirty at work		
Having to stay clean at work		
Working with people your own age		
Working mainly with people older than you		
Working mainly with people younger than you		
Working around children		
Starting work in the morning		
Starting work in the afternoon		
Starting work in the evening		
Working on weekends		
Working on holidays		

How many hours per day would you like to work? _____

How many days per week would you like to work? _____

Now that you've thought about what you like and don't like, make a list of jobs that you might like and/or the kind of places you would like to work.

The Next Step

You've got a list of possible jobs and places you may want to work. Before you make any final decisions about the type of job you want, do some research. The tools of America's Workforce Network available at One-Stop Centers, and online, can be an excellent starting point. These include:

- America's Career InfoNet (www.acinet.org) which includes a wealth of information on job trends, wages, and national and local labor markets, as well as other valuable occupational, economic, and demographic information.
- O*NET Online (http://online.onetcenter.org/), a database that describes a wide variety of occupations, the skills needed for those jobs, and how much people make who work in those jobs.

Another great way to do research is to go out and talk to people who work in the jobs and places you are interested in. Ask your family, friends, teachers and/or counselors for help in coming up with names and places to contact.

When you visit places that you think you might want to work at, talk to the supervisors and workers. Find out what the jobs are like and what kind of skills and training you need. Walk around the place and watch what people are doing. Find out what's good and not good about working there. Decide if it's a place you would be happy working, and what types of jobs would be a good match for you. If you really like it, then find out how to get a job in that place or in that type of business.
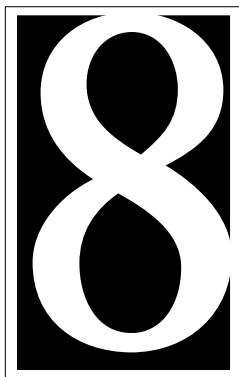
8 Americans with Disabilities Act and Employment

Section Purpose

Provide information on the aspects of the Americans with Disabilities Act (ADA) which apply to employment, so that One-Stop staff can assist customers with disabilities in understanding their rights to equal opportunity, and also ensure that employers are not in violation of the ADA. This information may also be helpful to One-Stop Systems as employers of people with disabilities.

Section Contents

A) **Tool for Inclusion: Americans with Disabilities Act (ADA) Overview**: An overview of the various titles of the ADA

B) **Americans with Disabilities Act - Focus on Employment:** Summary of the employment aspects of the ADA

C) **The Americans with Disabilities Act: Employment Rights of Individuals with Disabilities:** Excerpts from an EEOC booklet which summarizes the rights of individuals with disabilities under the ADA

D) **The Americans with Disabilities Act: Employer Responsibilities:** Excerpts from an EEOC booklet which summarizes the responsibilities and obligations of employers under the ADA

E) **Discrimination in Employment - What to Do:** A summary of steps an individual can take when they feel they have been discriminated against under the ADA

F) **Dispelling Myths About the Americans With Disabilities Act:** A discussion of various presumptions that are often made about the ADA versus the actual facts

G) **What Does Business Really Think About the ADA?:** A review of various findings which indicate the overall positive impression that employers have of the ADA

H) **Resources on the Americans with Disabilities Act:** A listing of various resources and organizations which can assist with questions concerning the ADA

Tools for Inclusion: Americans with Disabilities Act (ADA) Overview

by Karen Zimbrich
Institute for Community Inclusion

Introduction

The Emancipation Proclamation of 1863. The Civil Rights Act of 1964. The Americans with Disabilities Act of 1990. Three legislative promises to keep freedom, equality, and opportunity. This issue of "Tools For Inclusion" gives an overview of the Americans with Disabilities Act (ADA), Public Law101-336. The ADA extends previous civil rights legislation by providing a clear mandate to end discrimination against people with disabilities in all areas of life. The ADA is made up of five titles that cover employment, state and local government services, transportation, public accommodations (i.e., public places and services) and telecommunications. The primary scope and emphasis of each title is presented here. By learning more about the ADA, individuals with disabilities, their families and friends will be able to take full advantage of this landmark civil rights law.

Title I: Employment

The ADA prohibits discrimination in all aspects of employment. The law requires that reasonable accommodation be made to enable qualified individuals with a disability to work on par with other employees. Working conditions, job applications, hiring and firing practices and employment-related services are some of the things covered by the law. A qualified individual is someone who has the education and/or experience required to do the job. Reasonable accommodation means an adjustment to the job or to the work site which does not cause too much hardship for the employer. Examples of job accommodation include rearranging the person's work schedule, modifying the building or work environment and providing additional on-the-job training, on an assistive device or extra personal assistance.

Title II: State and Local Government Services & Public Transportation

Discrimination by state or local government agencies is prohibited by the ADA which also requires that all governmental services or activities be made available and accessible to people with disabilities. These services include communication and public transportation systems. Title II requires that all new public transit buses and rail vehicles be wheelchair accessible and that transit authorities provide comparable transportation services to individuals who cannot use fixed route bus services.

Title III: Public Accommodations

The ADA prohibits discriminatory practices in providing goods and services to the general public and requires that all public buildings be accessible to people who use wheelchairs. Physical barriers in existing facilities have to be removed, if this is easy to accomplish and not too expensive. Furthermore, all new construction and any alterations must be accessible. Restaurants, banks, parks, theaters, stores and so on must change policies, practices and procedures. Examples include widening aisles and doorways, installing ramps and railings and putting up signs in alternative formats such as Braille. When feasible, public entities must also provide special aids or services to people with vision or hearing impairments.

Title IV: Telecommunications

The ADA requires that companies offering telephone services to the general public provide telephone relay services to people with hearing and/or speech impairments. For example, New England Telephone Relay Services are available at any time of day, to any Massachusetts resident with a teletypewriter(TTY) or a computer. Among other services, a relay operator transposes messages from type to voice and voice to type mediums.

Title V: Miscellaneous

The ADA prohibits retaliation against individuals who seek to enforce their own or another's rights under the ADA. Title V covers insurance issues and explains the relationship between the ADA and other, previously existing, laws.

Conclusion

Through the passage of the Americans with Disabilities Act, a commitment has been made to end discrimination against people with disabilities in all aspects of American life.

Americans with Disabilities Act - Focus on Employment

Title I of the ADA governs employment issues. It states:

"No covered entity shall discriminate against a qualified individual with a disability because of the disability of such individual in regard to job application procedures; the hiring, advancement, or discharge of employees; employee compensation; job training; and other terms, conditions, and privileges of employment."

Major Employment Provisions

- The ADA requires equal opportunity in the selection, testing, and hiring of qualified applicants with disabilities.

- The ADA prohibits discrimination against workers with disabilities. "Covered entities" are all employers with 15 or more employees.

- The ADA employment provisions apply to private employers, state and local governments, employment agencies, labor organizations, and joint labor-management committees.

- The ADA requires equal treatment in promotion and benefits.

- The ADA requires reasonable accommodation for applicants and workers with disabilities when such accommodations would not impose "undue hardship." Reasonable accommodation is a concept already familiar to and widely used in today's workplace.

- Employers may require that an individual not pose a direct threat to the health and safety of the individual or others.

- Employers may not make pre-employment inquiries about an applicant's disability or conduct pre-employment medical tests. Employers may ask if applicants can perform specific job functions and may condition a job offer on results of a medical exam, but only if the exam is required for all entering employees in similar jobs.

- Drug testing is not considered to be a medical exam, and can be required as part of the application process. Employers may conduct tests for the illegal use of drugs and may prohibit illegal use of drugs and alcohol in the workplace.

Some Key Definitions

The term "disability" means:

- a physical or mental impairment that substantially limits one or more of the major life activities, for example, walking, seeing, speaking or hearing;

- a record of such an impairment, for example, a person who has recovered from cancer;

- being regarded as having such an impairment even when no limitations exist, for example, a person who is scarred from burns.

The term "qualified individual with a disability" means an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the employment position that such individual holds or desires.

"Reasonable accommodation" may include:

- making existing facilities used by employees readily accessible to and usable by individuals with disabilities;
- job restructuring, part-time or modified work schedules, reassignment to a vacant position;
- acquisition or modification of equipment or devices;
- appropriate adjustment or modifications of examinations, training materials or policies;
- the provision of qualified readers or interpreters;
- other similar accommodations.

See section 6, "Job Accommodation," for more information

The term "undue hardship" means that an action requires significant difficulty or expense. Factors to be considered in determining whether an accommodation would cause an undue hardship include:

- the nature and cost of the accommodation
- the resources and size of the business as a whole and of the facility making the accommodation
- the type of business operation, including the composition, functions, and structure of the workforce
- the impact that the accommodation would have on the facility making it and on the business as a whole.

In general, a larger employer will be expected to make accommodations requiring greater effort or expense than a smaller employer.

Enforcement

The Equal Employment Opportunity Commission (EEOC), the Federal agency that regulates and enforces other employment discrimination laws, is responsible for enforcing ADA employment provisions.

Important Note
Impact of State and Local Laws and Regulations Concerning Nondiscrimination

This section contains information only on federal laws and regulations. Federal requirements are the baseline standards for nondiscrimination and equal opportunity. State and local laws and regulations may have additional requirements that employers must comply with.

The Americans with Disabilities Act: Employment Rights of Individuals with Disabilities

Introduction

The Americans with Disabilities Act of 1990 (ADA) makes it unlawful to discriminate in employment against a qualified individual with a disability. The ADA also outlaws discrimination against individuals with disabilities in state and local government services, public accommodations, transportation and telecommunications. This information explains the part of the ADA that prohibits job discrimination. This part of the law is enforced by the U.S. Equal Employment Opportunity Commission (EEOC) and state and local civil rights enforcement agencies that work with the Commission.

What Employers Are Covered by the ADA?

Job discrimination against people with disabilities is illegal if practiced by:
- private employers,
- state and local governments,
- employment agencies,
- labor organizations, and
- labor-management committees.

The part of the ADA enforced by the EEOC outlaws job discrimination by all employers, including state and local government employers, with 15 or more employees (note: under Massachusetts law, the ADA applies to employers with six or more employees).

Who Is Protected by The ADA?

If you have a disability and are qualified to do a job, the ADA protects you from job discrimination on the basis of your disability. Under the ADA, you have a disability if you have a physical or mental impairment that substantially limits a major life activity. The ADA also protects you if you have a history of such a disability, or if an employer believes that you have such a disability, even if you do not.

To be protected under the ADA, you must have, have a record of, or be regarded as having a substantial, as opposed to a minor, impairment. A substantial impairment is one that significantly limits or restricts a major life activity such as hearing, seeing, speaking, walking, breathing, performing manual tasks, caring for oneself, learning or working.

U.S. Equal Employment Opportunity Commission
EEOC-BK-18 (1991)

The full text of this material is available at: www.eeoc.gov/facts/ada18.html
Copies of this material in booklet form are available from:
Publications Information Center
P.O. Box 12549
Cincinnati, OH 45212-0549
Voice: (800) 669-3362; TTY: (800) 800-3302
Web site: www.eeoc.gov/eeoinfo.html

If you have a disability, you must also be qualified to perform the essential functions or duties of a job, with or without reasonable accommodation, in order to be protected from job discrimination by the ADA. This means two things:

- First, you must satisfy the employer's requirements for the job, such as education, employment experience, skills or licenses.

- Second, you must be able to perform the essential functions of the job with or without reasonable accommodation. Essential functions are the fundamental job duties that you must be able to perform on your own or with the help of a reasonable accommodation. An employer cannot refuse to hire you because your disability prevents you from performing duties that are not essential to the job.

What is Reasonable Accommodation?

Reasonable accommodation is any change or adjustment to a job or work environment that permits a qualified applicant or employee with a disability to participate in the job application process, to perform the essential functions of a job, or to enjoy benefits and privileges of employment equal to those enjoyed by employees without disabilities. For example, reasonable accommodation may include:

- providing or modifying equipment or devices
- job restructuring
- part-time or modified work schedules
- reassignment to a vacant position
- adjusting or modifying examinations, training materials, or policies
- providing readers and interpreters
- making the workplace readily accessible to and usable by people with disabilities.

An employer is required to provide a reasonable accommodation to a qualified applicant or employee with a disability unless the employer can show that the accommodation would be an undue hardship — that is, that it would require significant difficulty or expense.

What Employment Practices are Covered?

The ADA makes it unlawful to discriminate in all employment practices such as:

- recruitment
- firing
- hiring
- training
- job assignments
- promotions
- pay
- benefits
- lay off
- leave
- all other employment related activities.

It is also unlawful for an employer to retaliate against a person with a disability for asserting his or her rights under the ADA. The ADA also protects you if you are a victim of discrimination because of your family, business, social or other relationship or association with an individual with a disability.

Can an Employer Require Medical Examinations or Ask Questions About a Disability?

If you are applying for a job, an employer cannot ask you if you are disabled or ask about the nature or severity of your disability. An employer can ask if you can perform the duties of the job with or without reasonable accommodation. An employer can also ask you to describe or to demonstrate how, with or without reasonable accommodation, you will perform the duties of the job.

An employer cannot require you to take a medical examination before you are offered a job. Following a job offer, an employer can condition the offer on your passing a required medical examination, but only if all entering employees for that job category have to take the examination. However, an employer cannot reject you because of information about your disability revealed by the medical examination, unless the reasons for rejection are job-related and necessary for the conduct of the employer's business. Nor can the employer refuse to hire you because of your disability if you can perform the essential functions of the job with an accommodation.

Once you have been hired and started work, your employer cannot require that you take a medical examination or ask questions about your disability unless they are related to your job and necessary for the conduct of your employer's business. Your employer may conduct voluntary medical examinations that are part of an employee health program, and may provide medical information required by state workers' compensation laws to the agencies that administer such laws. The results of all medical examinations must be kept confidential, and maintained in separate medical files.

Do Individuals Who Use Drugs Illegally Have Rights Under the ADA?

Anyone who is currently using drugs illegally is not protected by the ADA and may be denied employment or fired on the basis of such use. The ADA does not prevent employers from testing applicants or employees for current illegal drug use.

What Does A Person With A Disability Do If They Think They Are Being Discriminated Against?

If you think you have been discriminated against in employment on the basis of disability you should contact the EEOC. A charge of discrimination generally must be filed within 180 days of the alleged discrimination. You may have up to 300 days to file a charge if there is a state or local law that provides relief for discrimination on the basis of disability. However, to protect your rights, it is best to contact EEOC promptly if discrimination is suspected.

You may file a charge of discrimination on the basis of disability by contacting any EEOC field office, located in cities throughout the United States. If you have been discriminated against, you are entitled to a remedy that will place you in the position you would have been in if the discrimination had never occurred. You may be entitled to hiring, promotion, reinstatement, back pay, or reasonable accommodation, including reassignment. You may also be entitled to attorney's fees.

While the EEOC can only process ADA charges based on actions occurring on or after July 26, 1992, you may already be protected by state or local laws or by other current federal laws. EEOC field offices can refer you to the agencies that enforce those laws. To contact the EEOC, look in your telephone directory under U.S. Government. For information and instructions on reaching your local office, call:

Voice: (202) 663-4900; TDD: (800) 800-3302
(In the Washington, D.C. 202 Area Code, call 202-663-4494 (TDD)

Additional Questions and Answers About the ADA

Q. Is an employer required to provide reasonable accommodation when an employer applies for a job?

A. Yes. Applicants, as well as employees, are entitled to reasonable accommodation. For example, an employer may be required to provide a sign language interpreter during a job interview for an applicant who is deaf or hard of hearing unless to do so would impose an undue hardship.

Q. Should a person with a disability tell his/her employer that he/she has a disability?

A. If you think you will need a reasonable accommodation in order to participate in the application process or to perform essential job functions, you should inform the employer that an accommodation will be needed. Employers are required to provide reasonable accommodation only for the physical or mental limitations of a qualified individual with a disability of which they are aware. Generally, it is the responsibility of the employee to inform the employer that an accommodation is needed.

Q. Does a person with a disability have to pay for a needed reasonable accommodation?

A. No. The ADA requires that the employer provide the accommodation unless to do so would impose an undue hardship on the operation of the employer's business. If the cost of providing the needed accommodation would be an undue hardship, the employee must be given the choice of providing the accommodation or paying for the portion of the accommodation that causes the undue hardship.

Q. Can an employer lower a person with a disability's salary or pay an individual less than other employees doing the same job because a person with a disability needs a reasonable accommodation?

A. No. An employer cannot make up the cost of providing a reasonable accommodation by lowering your salary or paying you less than other employees in similar positions.

Q. Does an employer have to make non-work areas used by employees, such as cafeterias, lounges, or employer-provided transportation accessible to people with disabilities?

A. Yes. The requirement to provide reasonable accommodation covers all services, programs, and non-work facilities provided by the employer. If making an existing facility accessible would be an undue hardship, the employer must provide a comparable facility that will enable a person with a disability to enjoy benefits and privileges of employment similar to those enjoyed by other employees, unless to do so would be an undue hardship.

Q. If an employer has several qualified applicants for a job, is the employer required to select a qualified applicant with a disability over other applicants without a disability?

A. No. The ADA does not require that an employer hire an applicant with a disability over other applicants because the person has a disability. The ADA only prohibits discrimination on the basis of disability. It makes it unlawful to refuse to hire a qualified applicant with a disability because of the disability or because a reasonable accommodation is required to make it possible for this person to perform essential job functions.

Q. Can an employer refuse to hire a person with a disability because he believes that it would be unsafe, because of the disability, for the individual to work with certain machinery required to perform the essential functions of the job?

A. The ADA permits an employer to refuse to hire an individual if he/she poses a direct threat to the health or safety of him/herself or others. A direct threat means a significant risk of substantial harm. The determination that there is a direct threat must be based on objective, factual evidence regarding an individual's present ability to perform essential functions of a job. An employer cannot refuse to hire you because of a slightly increased risk or because of fears that there might be a significant risk sometime in the future. The employer must also consider whether a risk can be eliminated or reduced to an acceptable level with a reasonable accommodation.

Q. Can an employer offer a health insurance policy that excludes coverage for pre-existing conditions?

A. Yes. The ADA does not affect pre-existing condition clauses contained in health insurance policies even though such clauses may adversely affect employees with disabilities more than other employees.

Q. If the health insurance offered by a person with a disability's employer does not cover all of the medical expenses related to the disability, does the company have to obtain additional coverage for a person with a disability?

A. No. The ADA only requires that an employer provide employees with disabilities equal access to whatever health insurance coverage is offered to other employees.

Q. An individual thinks they were discriminated against because their spouse is disabled. Can the individual file a charge with the EEOC?

A. Yes. The ADA makes it unlawful to discriminate against an individual, whether he/she has a disability, or not, because of a relationship or association with an individual with a known disability.

Q. Are people with AIDS covered by the ADA?

A. Yes. The legislative history indicates that Congress intended the ADA to protect persons with AIDS and HIV disease from discrimination.

This booklet is available in Braille, large print, audiotape and electronic file on computer disk. To obtain accessible formats call the Office of Equal Employment Opportunity at (202) 663-4395 (voice) or (202) 663-4399 (TDD), or write to this office at 1801 L Street, N.W., Washington, D.C. 20507.

The Americans with Disabilities Act: Employer Responsibilities

Introduction

The Americans with Disabilities Act of 1990 (ADA) makes it unlawful to discriminate in employment against a qualified individual with a disability. The ADA also outlaws discrimination against individuals with disabilities in State and local government services, public accommodations, transportation and telecommunications. This information explains the part of the ADA that prohibits job discrimination, focusing on the role of the employer. This part of the law is enforced by the U.S. Equal Employment Opportunity Commission (EEOC) and state and local civil rights enforcement that work with the Commission.

What Employers are Covered?

Job discrimination against people with disabilities is illegal if practiced by: private employers, state and local governments, employment agencies, labor organizations, and labor-management committees.

The part of the ADA enforced by the EEOC outlaws job discrimination by all employers, including state and local government employers, with 15 or more employees (Massachusetts law extends the ADA to employers with six or more employees).

What Employment Practices are Covered?

The ADA makes it unlawful to discriminate in all employment practices such as:

- ◆ recruitment
- ◆ firing
- ◆ hiring
- ◆ training
- ◆ job assignments
- ◆ promotions
- ◆ pay
- ◆ benefits
- ◆ lay off
- ◆ leave
- ◆ all other employment related activities.

> **U.S. Equal Employment Opportunity Commission
> EEOC-BK-17 (1991)**
> *The full text of this material is available at:
> www.eeoc.gov/facts/ada17.html
> Copies of this material in booklet form are available from:
> Publications Information Center
> P.O. Box 12549
> Cincinnati, OH 45212-0549
> Voice: (800) 669-3362; TTY: (800) 800-3302
> Web site: www.eeoc.gov/eeoinfo.html*

The ADA prohibits an employer from retaliating against an applicant or employee for asserting his/her rights under the ADA. The ADA also makes it unlawful to discriminate against an applicant or employee, whether he/she has a disability or not, because of the individual's family, business, social or other relationship or association with an individual with a disability.

Who Is Protected?

Title I of the ADA protects qualified individuals with disabilities from employment discrimination. Under the ADA, a person has a disability if he/she has a physical or mental impairment that substantially limits a major life activity. The ADA also protects individuals who have a record of a substantially limiting impairment, and people who are regarded as having a substantially limiting impairment.

To be protected under the ADA, an individual must have, have a record of, or be regarded as having a substantial, as opposed to a minor, impairment. A substantial impairment is one that significantly limits or restricts a major life activity such as hearing, seeing, speaking, breathing, performing manual tasks, walking, caring for oneself, learning or working.

An individual with a disability must also be qualified to perform the essential functions of the job with or without reasonable accommodation, in order to be protected by the ADA. This means that the applicant or employee must: satisfy your job requirements for educational background, employment experience, skills, licenses, and any other qualification standards that are job related; and be able to perform those tasks that are essential to the job, with or without reasonable accommodation. The ADA does not interfere with your right to hire the best qualified applicant. Nor does the ADA impose any affirmative action obligations. The ADA simply prohibits an employer from discriminating against a qualified applicant or employee because of his/her disability.

How Are Essential Functions Determined?

Essential functions are the basic job duties that an employee must be able to perform, with or without reasonable accommodation. You should carefully examine each job to determine which functions or tasks are essential to performance. (This is particularly important before taking an employment action such as recruiting, advertising, hiring, promoting or firing).

Factors to consider in determining if a function is essential include: whether the reason the position exists is to perform that function, the number of other employees available to perform the function or among whom the performance of the function can be distributed, and the degree of expertise or skill required to perform the function. Your judgment as to which functions are essential, and a written job description prepared before advertising or interviewing for a job will be considered by EEOC as evidence of essential functions. Other kinds of evidence that EEOC will consider include: actual work experience of present or past employees in the job, time spent performing a function, consequences of not requiring that an employee perform a function, and terms of a collective bargaining agreement.

What Are My Obligations to Provide Reasonable Accommodations?

Reasonable accommodation is any change or adjustment to a job or work environment that permits a qualified applicant or employee with a disability to participate in the job application process, to perform the essential functions of a job, or to enjoy benefits and privileges of employment equal to those enjoyed by employees without disabilities. For example, reasonable accommodation may include acquiring or modifying equipment or devices, job restructuring, part-time or modified work schedules, reassignment to a vacant position, adjusting or modifying examinations, training materials or policies, providing readers and interpreters, and making the workplace readily accessible to and usable by people with disabilities. Reasonable accommodation also must be made to enable an individual with a disability to participate in the application process, and to enjoy benefits and privileges of employment equal to those available to other employees. It is a violation of the ADA to fail to provide reasonable accommodation to the known physical or mental limitations of a qualified individual with a disability, unless to do so would impose an undue hardship on the operation of your business. Undue hardship means that the accommodation would require significant difficulty or expense.

What is the Best Way to Identify a Reasonable Accommodation?

Frequently, when a qualified individual with a disability requests a reasonable accommodation, the appropriate accommodation is obvious. The individual may suggest a reasonable accommodation based upon his/her own life or work experience. However, when the appropriate accommodation is not readily apparent, an employer must make a reasonable effort to identify one. The best way to do this is to consult informally with the applicant or employee about potential accommodations that would enable the individual to participate in the application process or perform the essential functions of the job. If this consultation does not identify an appropriate accommodation, an employer may contact the EEOC, state or local vocational rehabilitation agencies, or state or local organizations representing or providing services to individuals with disabilities. Another resource is the Job Accommodation Network (JAN). JAN is a free consultant service that helps employers make individualized accommodations. The telephone number is 1-800-526-7234.

When Does a Reasonable Accommodation Become An Undue Hardship?

It is not necessary to provide a reasonable accommodation if doing so would cause an undue hardship. Undue hardship means that an accommodation would be unduly costly, extensive, substantial or disruptive, or would fundamentally alter the nature or operation of the business. Among the factors to be considered in determining whether an accommodation is an undue hardship are the cost of the accommodation, the employer's size, financial resources and the nature and structure of its operation.

If a particular accommodation would be an undue hardship, an employer must try to identify another accommodation that will not pose such a hardship. If cost causes the undue hardship, an employer must also consider whether funding for an accommodation is available from an outside source, such as a vocational rehabilitation agency, and if the cost of providing the accommodation can be offset by state or federal tax credits or deductions. You must also give the applicant or employee with a disability the opportunity to provide the accommodation or pay for the portion of the accommodation that constitutes an undue hardship.

Can employers Require Medical Examinations or Ask Questions About an Individual's Disability?

It is unlawful to ask an applicant whether he/she has a disability or about the nature or severity of a disability, or to require the applicant to take a medical examination before making a job offer.

You can ask an applicant questions about ability to perform job-related functions, as long as the questions are not phrased in terms of a disability. You can also ask an applicant to describe or to demonstrate how, with or without reasonable accommodation, the applicant will perform job-related functions.

After a job offer is made and prior to the commencement of employment duties, an employer may require that an applicant take a medical examination if everyone who will be working in the job category must also take the examination. You may condition the job offer on the results of the medical examination. However, if an individual is not hired because a medical examination reveals the existence of a disability, an employer must be able to show that the reasons for exclusion are job related and necessary for conduct of your business. You also must be able to show that there was no reasonable accommodation that would have made it possible for the individual to perform the essential job functions.

Once an employer has hired an applicant, an employer cannot require a medical examination or ask an employee questions about disability unless an employer can show that these requirements are job related and necessary for the conduct of your business. You may conduct voluntary medical examinations that are part of an employee health program.

The results of all medical examinations or information from inquiries about a disability must be kept confidential, and maintained in separate medical files. You may provide medical information required by state workers' compensation laws to the agencies that administer such laws.

Do Individuals Who Use Drugs Illegally Have Rights Under the ADA?

Anyone who is currently using drugs illegally is not protected by the ADA and may be denied employment or fired on the basis of such use. The ADA does not prevent employers from testing applicants or employees for current illegal drug use, or from making employment decisions based on verifiable results. A test for the illegal use of drugs is not considered a medical examination under the ADA; therefore, it is not a prohibited pre-employment medical examination, and an employer will not have to show that the administration of the test to employees is job related and consistent with business necessity. The ADA does not encourage, authorize or prohibit drug tests.

How is the ADA Enforced and What Are the Available Remedies?

The provisions of the ADA which prohibit job discrimination are enforced by the U.S. Equal Employment Opportunity Commission. Individuals who believe they have been discriminated against on the basis of their disability can file a charge with the Commission at any of its offices located throughout the United States. A charge of discrimination must be filed within 180 days of the discrimination, unless there is a state or local law that also provides relief for the discrimination on the basis of disability. In most cases where there is such a law, the complainant has 300 days to file a charge.

The Commission will investigate and initially attempt to resolve the charge through conciliation, following the same procedures used to handle charges of discrimination filed under Title VII of the Civil Rights Act of 1964. The ADA also incorporates the remedies contained in Title VII. These remedies include hiring, promotion, reinstatement, back pay, and attorney's fees. Reasonable accommodation is also available as a remedy under the ADA.

Additional Questions and Answers About the ADA

Q. What is the relationship between the ADA and the Rehabilitation Act of 1973?

A. The Rehabilitation Act of 1973 prohibits discrimination on the basis of disability by the federal government, federal contractors and by recipients of federal financial assistance. If an employer were covered by the Rehabilitation Act prior to the passage of the ADA, the ADA will not affect that coverage. Many of the provisions contained in the ADA are based on Section 504 of the Rehabilitation Act and its implementing regulations. If an employer is receiving federal financial assistance and is in compliance with Section 504, an employer is probably in compliance with the ADA requirements affecting employment except in those areas where the ADA contains additional requirements. Your nondiscrimination requirements as a federal contractor under Section 503 of the Rehabilitation Act will be essentially the same as those under the ADA; however, an employer will continue to have additional affirmative action requirements under Section 503 that do not exist under the ADA.

Q. If employers have several qualified applicants for a job, does the ADA require that employers hire the applicant with a disability?

A. No. You may hire the most qualified applicant. The ADA only makes it unlawful for an employer to discriminate against a qualified individual with a disability on the basis of disability.

Q. An employee has a broken arm that will heal, but he/she is temporarily unable to perform the essential functions of his/her job as a mechanic. Is this employee protected by the ADA?

A. No. Although this employee does have an impairment, it does not substantially limit a major life activity if it is of limited duration and will have no long term effect.

Q. Are employers obligated to provide a reasonable accommodation for an individual if they are unaware of his/her physical or mental impairment?

A. No. An employer's obligation to provide reasonable accommodation applies only to known physical or mental limitations. However, this does not mean that an applicant or employee must always inform an employer of a disability. If a disability is obvious (e.g., the applicant uses a wheelchair), the employer "knows" of the disability even if the applicant never mentions it.

Q. How do employers determine whether a reasonable accommodation is appropriate and the type of accommodation that should be made available?

A. The requirement generally will be triggered by a request from an individual with a disability, who frequently can suggest an appropriate accommodation. Accommodations must be made on a case-by-case basis, because the nature and extent of a disabling condition and the requirements of the job will vary. The principal test in selecting a particular type of accommodation is that of effectiveness (i.e., whether the accommodation will enable the person with a disability to perform the essential functions of the job). It need not be the best accommodation, or the accommodation the individual with a disability would prefer, although primary consideration should be given to the preference of the individual involved. However, an employer has the discretion to choose between effective accommodations, and an employer may select one that is least expensive or easier to provide.

Q. When must employers consider reassigning an employee with a disability to another job as a reasonable accommodation?

A. When an employee with a disability is unable to perform his/her present job even with the provision of a reasonable accommodation, an employer must consider reassigning the employee to an existing position that he/she can perform with or without a reasonable accommodation. The requirement to consider reassignment applies only to employees and not to applicants. An employer is not required to create a position or to bump another employee in order to create a vacancy. Nor is an employer required to promote an employee with a disability to a higher level position.

Q. What if an applicant or employee refuses to accept an accommodation that I offer?

A. The ADA states that an employer cannot require a qualified individual with a disability to accept an accommodation that is neither requested nor needed by the individual. However, if a necessary reasonable accommodation is refused, the individual may be considered not qualified.

Q. If our business has a fitness room for its employees, must it be accessible to employees with disabilities?

A. Yes. Under the ADA, workers with disabilities must have equal access to all benefits and privileges of employment that are available to similarly situated employees without disabilities. The duty to provide reasonable accommodation applies to all non-work facilities provided or maintained by an employer for its employees. This includes cafeterias, lounges, auditoriums, company-provided transportation and counseling services. If making an existing facility accessible would be an undue hardship, an employer must provide a comparable facility that will enable a person with a disability to enjoy benefits and privileges of employment similar to those enjoyed by other employees, unless this would be an undue hardship.

Q. If employers contract for a consulting firm to develop a training course for its employees, and the firm arranges for the course to be held at a hotel that is inaccessible to one of its employees, are employers liable under the ADA?

A. Yes. An employer may not do, through a contractual or other relationship, what it is prohibited from doing directly. An employer would be required to provide a location that is readily accessible to, and usable by, its employees with disabilities unless to do so would create an undue hardship.

Q. What are my responsibilities as an employer for making my facilities accessible?

A. An employer is responsible under Title I of the ADA for making facilities accessible to qualified applicants and employees with disabilities as a reasonable accommodation, unless this would cause undue hardship. Accessibility must be provided to enable a qualified applicant to participate in the application process, to enable a qualified individual to perform essential job functions and to enable an employee with a disability to enjoy benefits and privileges available to other employees. However, if your business is a place of public accommodation (such as a restaurant, retail store or bank) an employer has different obligations to provide accessibility to the general public, under Title III of the ADA. Title III also will require places of public accommodation and commercial facilities (such as office buildings, factories and warehouses) to provide accessibility in new construction or when making alterations to existing structures. Further information on these requirements may be obtained from the U.S. Department of Justice, which enforces Title III.

Q. Under the ADA, can employers refuse to hire an individual or fire a current employee who uses drugs illegally?

A. Yes. Individuals who currently use drugs illegally are specifically excluded from the ADA's protections. However, the ADA does not exclude persons who have successfully completed or are currently in a rehabilitation program and are no longer illegally using drugs, and persons erroneously regarded as engaging in the illegal use of drugs.

Q. Does the ADA cover people with AIDS?

A. Yes. The legislative history indicates that Congress intended the ADA to protect persons with AIDS and HIV disease from discrimination.

Q. Can employers consider health and safety in deciding whether to hire an applicant or retain an employee with a disability?

A. The ADA permits an employer to require that an individual not pose a direct threat to the health and safety of the individual or others in the work-place. A direct threat means a significant

risk of substantial harm. You cannot refuse to hire or fire an individual because of a slightly increased risk of harm to him/herself or others. Nor can an employer do so based on a speculative or remote risk. The determination that an individual poses a direct threat must be based on objective, factual evidence regarding the individual's present ability to perform essential job functions. If an applicant or employee with a disability poses a direct threat to the health or safety of him/herself or others, an employer must consider whether the risk can be eliminated or reduced to an acceptable level with a reasonable accommodation.

Q. Are employers required to provide additional insurance for employees with disabilities?

A. No. The ADA only requires that an employer provide an employee with a disability equal access to whatever health insurance coverage an employer provides to other employees. For example, if an employer's health insurance coverage for certain treatments is limited to a specified number per year, and an employee, because of a disability, needs more than the specified number, the ADA does not require that an employer provide additional coverage to meet that employee's health insurance needs. The ADA also does not require changes in insurance plans that exclude or limit coverage for pre-existing conditions.

Q. Does the ADA require that employers post a notice explaining its requirements?

A. The ADA requires that an employer post a notice in an accessible format to applicants, employees and members of labor organizations, describing the provisions of the Act. EEOC will provide employers with a poster summarizing these and other federal legal requirements for nondiscrimination. EEOC will also provide guidance on making this information available in accessible formats for people with disabilities.

This material is available in Braille, large print, audiotape and electronic file on computer disk. To obtain accessible formats call the Office of Equal Employment Opportunity at (202) 663-4395 (voice) or (202) 663-4399 (TDD), or write to this office at 1801 L Street, N.W., Washington, D.C. 20507.

Discrimination in Employment: What to Do

If a person with a disability feels they have been discriminated against in employment in violation of the ADA, he or she should contact the EEOC. A charge of discrimination generally must be filed within 180 days of the alleged discrimination. An individual may have up to 300 days to file a charge if there is a state or local law that provides relief for discrimination on the basis of disability. However, to ensure that the individual's rights are protected, it is best to contact EEOC promptly if discrimination is suspected.

An individual may file a charge of discrimination on the basis of disability by contacting any EEOC field office, located in cities throughout the United States.

Getting Additional Assistance

In addition to directly contacting the EEOC, an individual can:

- file a complaint with the state anti-discrimination board (if the state has such an entity)
- contact a legal advocacy organization for advice and/or to determine if they would be willing to accept the case. Such organizations include Protection and Advocacy Organizations, Legal Aid Organizations, etc.
- hiring a private attorney to provide representation with the EEOC, or file suit against the business.

Alternative Dispute Resolution

The ADA supports the use of alternative dispute resolution (ADR) as a quick and fair method for settling complaints without going to court. ADR is a non-judicial means of settling ADA disputes outside of the courtroom, avoiding costly and time-consuming litigation after a complaint or dispute arises. The use of ADR mechanisms is intended to supplement, not replace, other enforcement mechanisms available under the ADA. Two of the ADA's provisions, "reasonable accommodation" and "readily achievable," have often been successfully resolved through ADR conflict-resolution strategies. ADR techniques include:

- Arbitration: use of a neutral third party to resolve a dispute after hearing arguments and reviewing evidence from both parties.
- Conciliation: use of a neutral third party to help resolve disputes by improving communications, lowering tensions and identifying issues and potential solutions by shuttling information between the disputing parties.
- An Ombudsman: investigates and expedites complaints, helping either of the parties settle a dispute or proposing changes to make the employer, government agency, business, etc. more responsive to the needs of the complainant.
- Mediation: Mediation is an informal process in which a neutral third party assists the opposing parties to reach a voluntary, negotiated resolution of a charge of discrimination. The decision to mediate is completely voluntary for the charging party and the employer. Mediation gives the parties the opportunity to discuss the issues raised in the charge, clear up misunderstandings, determine the underlying interests or concerns, find areas of agreement and, ultimately, to incorporate those areas of agreements into resolutions. A mediator does not resolve the charge or impose a

decision on the parties. Instead, the mediator helps the parties to agree on a mutually acceptable resolution. The mediation process is strictly confidential. Information disclosed during mediation will not be revealed to anyone, including other EEOC employees.

EEOC Mediation Services

The EEOC provides mediation services to those interested in using this type of ADR technique. An EEOC representative will contact the employee and employer concerning their participation in the program. If both parties agree, a mediation session conducted by a trained and experienced mediator is scheduled. While it is not necessary to have an attorney in order to participate in EEOC's Mediation Program, either party may choose to do so. If mediation is unsuccessful, the charge is investigated like any other charge. Successful mediation avoids a time consuming investigation and achieves a prompt resolution of the charge. The majority of mediations are completed in one session, which usually lasts for one to five hours.

For additional information about the mediation program at EEOC, visit EEOC's web page at: www.eeoc.gov, or by calling the EEOC field office nearest you: Voice - (800) 669-4000; TTY - (800) 669-6820.

Based in part on materials from the President's Committee on Employment of People with Disabilities and EEOC. Used with permission

Dispelling Myths about the Americans with Disabilities Act

The Americans with Disabilities Act (ADA) is a civil rights law that is opening doors to the mainstream of life for the 49 million Americans with disabilities. There are many misconceptions surrounding the ADA. Listed below are the most commonly heard myths and the facts.

MYTH: ADA employment suits are flooding the courts.

FACT: The ADA has resulted in a surprisingly small number of lawsuits on employment issues - only about 1,200 nationwide in the first seven years of the law. The Equal Employment Opportunity Commission (EEOC) has made rulings on approximately additional 83,000 cases. That is tiny compared to the 6 million businesses, 666,000 public and private employers, and 80,000 units of state and local governments that must comply.

MYTH: The ADA's definition of disability is broad and vague and has resulted in "bizarre and arcane" discrimination claims that waste the time of the EEOC and the courts.

FACT: As with any new statute, there is a period during which employers and employees learn about the implications of the law. While individuals have the right to file charges, not all charges are meritorious. The flexibility provided by the ADA definition of "disability" means that there will be individuals who bring claims for conditions that do not satisfy the statutory standards, and those claims will be dismissed. The job of the EEOC investigator is to separate the wheat from the chaff.

MYTH: People with disabilities win most of their cases against employers under the ADA, which has resulted in employers paying out massive awards.

FACT: As of 1996, employers have won approximately 90% of the employment (Title I) cases that have come before the courts and the EEOC. Total awards to people with disabilities to date totaled a relatively small $211 million.

MYTH: The ADA forces business and government to spend lots of money hiring unqualified people with disabilities.

FACT: To be protected by the ADA an individual must be qualified. No unqualified job applicant or employee with a disability can claim employment discrimination under the ADA. Employees or job applicants must meet all the necessary requirements of the job and perform the essential functions of the job with or without reasonable accommodation. No accommodation must be provided if it would result in an undue hardship on the employer.

MYTH: The ADA, along with other laws such as the FMLA and Workers' Compensation, are squeezing out small businesses that cannot afford to hire human resource specialists to advise them regarding the complexities of these laws.

FACT: Truly small businesses, those with fewer than 15 employees, are not covered by the ADA. (The FMLA only applies to employers with 50 or more employees.) For employers who are covered, the ADA provides an undue hardship defense against reasonable accommodations that are unduly costly or burdensome. Smaller employers can more easily establish undue hardship because they have fewer resources.

MYTH: The ADA is being misused by people alleging mental and neurological impairments.

FACT: The ADA covers individuals with psychiatric and neurological impairments that substantially limit major life activities because individuals with such impairments have traditionally been subjected to pervasive employment discrimination, not because they

are unable to successfully perform job duties, but because of myths, fears, and stereotypes associated with such impairments. (Neurological impairments are conditions or diseases involving the nervous system, including the brain, spinal cord, ganglia, nerves, and nerve centers. Psychiatric impairments involve biological, social, or psychological dysfunction.) However, just as the ADA excludes people with temporary physical problems, so does it exclude people with mild or short-term mental health problems.

MYTH: The ADA is rigid and requires businesses to spend lots of money to make their existing facilities accessible.

FACT: The ADA is based on common sense. The law recognizes that altering existing structures is more costly than making new construction accessible. The law only requires that public accommodations (e.g., stores, banks, hotels, and restaurants) remove architectural barriers in existing facilities when it is "readily achievable" (i.e., it can be done "without much difficulty or expense"). Inexpensive, easy steps that can be taken include ramping one step, installing a bathroom grab bar, lowering a paper towel dispenser, rearranging furniture, installing offset hinges to widen a doorway, or painting new lines to create an accessible parking space.

MYTH: ADA requires that sign language interpreters be used in all situations involving persons who are deaf.

FACT: The ADA only requires that effective communication not exclude people with disabilities, which in many situations means providing written materials or exchanging notes. The law does not require any measure that would cause an undue financial or administrative hardship.

MYTH: The ADA requires extensive renovations of all state and local government buildings to make them accessible.

FACT: The ADA requires all government programs, not all government buildings, to be accessible. "Program accessibility" is a very flexible requirement and does not require a local government to do anything that would result in an undue financial or administrative burden. Local governments have been subject to this requirement for many years under Title 5 of the Rehabilitation Act of 1973. Not every building, nor each part of every building needs to be accessible. Structural modifications are required only when there is no alternative available for providing program access. Let's say a town library has an inaccessible second floor. No elevator is needed if it provides "program accessibility" for persons using wheelchairs by having staff retrieve books.

MYTH: Everyone claims to be covered under the ADA.

FACT: To be protected under the law, a person must have an impairment that substantially limits a major life activity, must have a record of such an impairment, or must be regarded as having such an impairment. While people have the right to file charges, not all charges are meritorious. EEOC investigators are instructed to analyze whether a charging party has an ADA-protected disability. If an individual does not have a substantially limiting impairment (and does not allege "record of" or "regarded as" discrimination), the complaint is dismissed.

> *The information in this fact sheet came from the following sources:*
>
> *The U.S. Equal Employment Opportunity Commission and the U.S. Justice Department. - July, 1996*
>
> *The President's Committee on Employment of People with Disabilities*
>
> *Used with permission*

What Does Business Really Think About the ADA?

Despite statements in the media and elsewhere that business does not support the Americans with Disabilities Act (ADA), several recent surveys challenge that perception. In fact, based on these surveys, there is a great deal of support for ADA in critical American industries.

Global Strategy Group, Inc., Survey - October 1995

Survey conducted for President's Committee on Employment of People with Disabilities

The study examined a nationwide random sample of 300 CEOs and human resource managers in Fortune 5000 companies related to manufacturing, technology and communications.

Key general findings:

- 73% of the top industries across the United States are hiring people with disabilities.
- 87% of companies with more than 200 employees are hiring people with disabilities.
- 75% of companies employing 51-200 people are hiring people with disabilities.
- 58% of companies employing fewer than 50 people are hiring people with disabilities.
- 54% of the people who make hiring decisions for these companies say that the ADA has had a positive impact on their corporations.

Key findings by industry:

Technology:
- 66% of executives in the technology industry believe the ADA has had a positive impact on their corporations.
- 76% of technology-based industries are hiring people with disabilities.

Communications:
- 52% of executives in the communications industry believe the ADA has had a positive impact on their corporations.
- 69% of companies in the communications industry are hiring people with disabilities.

Manufacturing:
- 46% of human resource managers in manufacturing companies think the ADA has made a positive impact on companies across the United States.
- 74% of the companies in the manufacturing industry are hiring people with disabilities.

Mason-Dixon Poll - January 1995

Survey funded by the Florida Chamber of Commerce Foundation's Disability Awareness Project

Researchers polled 309 randomly selected Florida Chamber of Commerce members (owners, CEOs, or top managers) with at least 15 full-time employees.

- 94% of executives said their businesses were very or somewhat familiar with the ADA.
- 38% of the businesses reported hiring at least one person with a disability over the last three years. Of them,
    - 72% said that the employment of people with disabilities has had a favorable effect on their business.
    - 87% said that, in view of their experience, they would encourage other employers to hire persons with disabilities.

Louis Harris and Associates, Inc. Survey - July 1995

Survey conducted for the National Organization on Disability

The survey assessed the attitudes of 404 senior corporate executives nationwide regarding the acceptance of the ADA by America's corporate employers.

- 70% of the executives surveyed support the ADA and do not favor weakening the law in any way.
- 8% said that the ADA should be strengthened.
- 64% of the companies surveyed are hiring people with disabilities.
- 89% of the employers and their employees supported policies to increase the number of people with disabilities in their companies.
- 75% of managers said they are likely to make greater efforts to hire people with disabilities in the next three years.

University of Michigan - Dearborn Study - 1994

Study conducted by University of Michigan-Dearborn, School of Management and School of Education

A nationwide survey of 408 human resource management professionals and general managers in companies ranging in size from 15 to 300,000+ employees, with a median number of 843 employees.

- 45% of the human resource managers said hiring people with disabilities results in productivity gains for their companies.
- 63% of those companies rejected the idea that the costs of the ADA will adversely affect the ability of their companies to compete.
- 63% of the resource managers said their companies rejected the idea that the ADA will result in higher costs with few benefits to the firm.

Adapted from President's Committee on Employment of People with Disabilities. Used with permission

Resources on the Americans with Disabilities Act

REGIONAL RESOURCES

National Association of Protection and Advocacy Systems, Inc.
900 Second Street, NE, Suite 211
Washington, DC 20002
Voice: (202) 408-9514
Fax: (202)408-9520
Web site: www.protectionandadvocacy.com

This is the national association for the Protection and Advocacy (P & A) Systems, which are federally mandated to protect the rights of persons with disabilities through legally-based advocacy. There is a P & A in every state and territory. The location of the P & A in your local area can be found by contacting NAPAS; a listing is also available on the web site. P & A's can be helpful resources when questions arise concerning the ADA and other disability-related legal issues.

Disability and Business Technical Assistance Centers (DBTACs)
Web site: www.adata.org/index-dbtac.html
Voice/TTY: (800) 949-4232 (will connect with your regional DBTAC)

Ten federally-funded regional centers that provide information, training, and technical assistance to employers, people with disabilities, and other entities concerning the ADA. The purpose of the centers is to act as a central, comprehensive resource on ADA issues in employment, public services, public accommodations, and communications. DBTACs can be a helpful resource for ensuring accessibility in One-Stop service delivery, as well as in the development of accommodations for employment.

NATIONAL RESOURCES

General ADA Information

ADA Technical Assistance Program.
Voice: (800) 949-4232
Web site: www.adata.org

A federally funded network of grantees that provide information, training, and technical assistance to businesses and agencies with duties and responsibilities under the ADA and to people with disabilities with rights under the ADA.

Disability Rights Education & Defense Fund, Inc.
2212 Sixth Street
Berkeley, CA 94710
Voice/TTY: (510) 644-2555
Fax: (510) 841-8645 fax
ADA Hotline (Voice/TTY): 1-800-466-4232
E-mail: dredf@dredf.org
Web site: www.dredf.org

General information and resources on the ADA and legal rights of people with disabilities.

Job Accommodation Network (JAN)
West Virginia University
P.O. Box 6080
Morgantown, West Virginia 26506-6080
Accommodation Information (Voice /
TTY): (800) 526-7234
ADA Information (Voice / TTY): (800)
232-9675
Fax: (304) 293-5407
E-mail: jan@.icdi.wvu.edu
Web site: http://janweb.icdi.wvu.edu
ADA documents available at: http://
janweb.icdi.wvu.edu/Kinder/

Information and assistance on questions
related to the ADA and accommodations.

Office of Disability Employment Policy
U.S. Department of Labor
1331 F Street, N.W.; Suite 300
Washington, DC 20004
Tel: (202) 376-6200
TTY: (202) 376-6205
Fax: (202) 376-6219
E-mail: info@pcepd.gov
Web site: www.pcepd.gov

Federal department whose mission is to
promote employment of people with
disabilities. Has wide variety of
publications and resources on the ADA.

U.S. Department of Justice ADA Hotline
Voice: (800) 514-0301
TTY: (800) 514-0383
Web site: www.usdoj.gov/crt/ada/
adahom1.htm

Call to obtain answers to general and
technical questions about the ADA and to
order technical assistance materials. Web
site contains extensive materials and
resources.

Information on ADA requirements affecting employment:

Equal Employment Opportunity Commission (EEOC)
1801 L. Street
Washington, DC 20507
Voice: (800) 669-4000
TTY: (800) 669-6820
Fax: (513) 791-2954
Web site: www.eeoc.gov

ADA information and information on how
to file complaints.

EEOC Publications
Publications Information Center
P.O. Box 12549
Cincinnati, OH 45212-0549
Voice: (800) 669-3362
TTY: (800) 800-3302
Web site for publications: www.eeoc.gov/
eeoinfo.html

Free booklets on regulations and guidelines
for the ADA

*Additional resources are listed in the resource
section at the end of this manual under
"Americans with Disabilities Act and Other Legal
Information"*

9
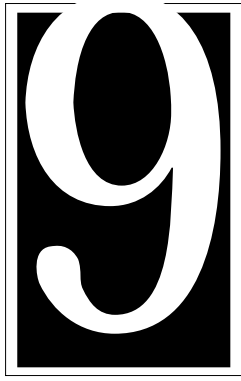
Social Security Disability Benefits: The Impact of Employment

Section Purpose

Provide information on social security disability benefits, so that One-Stop staff have an understanding of how these benefits are utilized by people with disabilities, and the impact employment has on these benefits. The goal is for One-Stop staff to be able to assist customers with disabilities in understanding the impact of employment on benefits, and allaying their concerns over loss of benefits when they go to work.

Section Contents

A) **One-Stop Centers and Social Security Disability Benefits:** Comprehensive information on various aspects of social security disability benefits

B) **TWWIIA - Questions and Answers - SSA Fact Sheet:** A fact sheet from the Social Security Administration on the new Ticket-to-Work and Work Incentives Improvement Act, which is designed to assist people with disabilities in going to work, while addressing concerns over benefit loss

C) **Social Security Administration Fact Sheet - Ticket to Work and Work Incentives Improvement Act of 1999:** A fact sheet specifically on the Ticket-to-Work aspects of TWWIIA, which will allow people receiving social security disability benefits to obtain assistance in finding employment at a vendor of their choice

D) **Social Security Resources:** A listing of resources for assistance on social security disability issues

One-Stop Centers and Social Security Disability Benefits

By David Hoff, Institute for Community Inclusion

What You Should Know

- Many people with disabilities that use One-Stop system services receive some type of Social Security disability benefits. Nationwide, over 8 million people with disabilities receive some form of these benefits.

- When people with disabilities decide to seek employment, one of their key concerns is how employment will impact their social security benefits. Benefit regulations can be complex. One-Stop staff don't need to be experts; however, it is a good idea to have some understanding of the Social Security disability benefit programs in order to help recipients find employment.

- People with disabilities often perceive employment-related regulations for Social Security benefits as insurmountable barriers to employment. However, in many cases, there is misunderstanding concerning the impact that employment will have on an individual's benefits. By providing information on basic Social Security Administration requirements, and assisting customers to obtain expertise in benefits management, One-Stop staff can help people with disabilities become more willing and confident in seeking employment.

- Areas that One-Stop staff should be familiar with:

    ♦ The difference between the two Social Security disability programs: SSI and SSDI

    ♦ How employment and earned income impact SSI and SSDI

    ♦ Basic information about Social Security Work Incentives: PASS, IRWE, Blind Work Expense, Student Earned Income Exclusion

    ♦ Upcoming changes in the Social Security disability program under the Ticket to Work and Work Incentives Improvement Act of 1999

    ♦ Resources available for additional assistance

> Note: At this writing (5/2001), as a result of the Ticket-to-Work and Work Incentives Improvement Act (TWWIIA), and other regulatory changes, the social security disability benefits system is undergoing extensive changes, to enhance the ability of people with disabilities to return to work. The information in this section reflects the most up-to-date changes. It is recommended that One-Stop Centers contact the Social Security Administration to stay updated on these changes (contact information is in the resource listing at the end of this section).

The Basics of Social Security Disability Benefits

Two Social Security Disability Programs:
- SSI - Supplementary Security Income
- SSDI - Social Security Disability Insurance - also referred to by Social Security simply as Social Security benefits

    Note: Some people receive benefits from both programs

	SSI	SSDI
Requirements to Qualify *Note: The SGA amounts are for 2001, and are adjusted annually for inflation.*	• Disabled • Liquid assets of no more than $2,000 ($3,000 for a married couple) • Earnings below the substantial gainful activity level of $740 per month (individuals who are blind do not have to meet this requirement) • Once individuals qualify for SSI, they can earn more than SGA, and still receive a portion of their cash benefits	• Disabled • Must meet one of the following criteria: 1. Previous worked & paid Social Security taxes 2. Unmarried with a parent who receives Social Security benefits 3. Unmarried with a deceased parent who worked & paid Social Security taxes • Earnings below the substantial gainful activity level of $740 per month ($1,240 for individuals who are blind)
Medical Coverage	Usually Medicaid	Usually Medicare
Affect of Income on Cash Benefits	**Gradual Reduction** • Monthly checks gradually reduced in relation to income • After the first $85.00 of earned income, SSI check is reduced by $1.00 for every $2.00 earned	**All or Nothing** Receive full monthly benefit until going over earnings limit of $740/mo. ($1,240 for individuals who are blind). After exceeding earning limit for 12 months, check is completely stopped.
Affect of Income on Medical Benefits	Even if cash benefit ends, individual keeps Medicaid coverage until going over the "threshold limit", an annual income limit that varies from state to state (from $12,000 to over $25,000) *Note: The impact of employment on Medicaid benefits may be significantly reduced as a result of TWWIIA. Check with your local Medicaid or Social Security office for the most current information.*	When cash benefits end, Medicare coverage stays in affect for 7 1/2 years (this includes an expansion of 4 1/2 years under the new TWWIIA legislation, as of 10/1/2000)

Calculating the Impact of Earnings from Employment

- Income is counted according to the date the pay was issued, not earned (e.g.: a paycheck issued on May 5 for the week ending April 28 would count for May.)

- Social Security uses gross income figures (i.e.: before taxes) to calculate the affect of income on benefits.

- Remember, SSI checks are gradually reduced in relation to income. SSDI checks, however, are "all or nothing" (either you get the full amount or nothing).

- With very limited exceptions, individuals receiving social security disability benefits (SSI or SSDI) are always going to be financially better off by working, at least on a part-time basis.

How Income Affects SSI Benefits

- Cash benefits are reduced in relation to income.

- The first $85 are not counted. This is called the Earned Income Exclusion.

If the person is working:

Step 1: (Gross Monthly Earnings from Job - $85) divided by 2 = Countable Income

Step 2: Benefit Rate (Standard SSI payment) – Countable Income

= SSI Monthly Payment While Working

If the person receives SSI and SSDI:

Step 1: SSDI Monthly Payment – $20 = Countable Income

Step 2: Benefit Rate (Standard SSI payment) – Countable Income

= SSI Monthly Payment While on SSDI

- Medicaid Coverage: Even if cash benefits are eliminated, Medicaid coverage remains in affect until annual earnings reach the "threshold amount" under 1619b (this figure varies by state, from $11,000 to over $29,000). To maintain Medicaid coverage, the insurance must be used at least once every 12 months.

- If a person's income exceeds this level, they may be able to lower countable income and still qualify for Medicaid through the use of IRWE's, PASS's, etc. See page 246 for "Methods for Preserving Benefits".

- After an individual's income exceeds the threshold level, if income drops back below that level within the next twelve months, the individual again becomes eligible for Medicaid and SSI cash payments (if applicable) without having to reapply.
- Under the new TWWIIA legislation, states will have the option of significantly expanding Medicaid coverage and reducing the impact of employment on Medicaid. Contact your local Medicaid or Social Security office to obtain the most current information on this issue.

How Income Impacts SSDI Benefits

Basic Guidelines
- Earnings less than substantial gainful activity level (SGA) - $740/month ($1,240 for individuals who are legally blind) - no effect on benefits.

    Note: These are the 2001 SGA amounts, which are adjusted annually for inflation.

- First 9 months of working: no limit on earnings, and no effect on benefits.

How the System Works
- Months in which an individual earns above $530/month (2001 figure - adjusted annual for inflation) count as **trial work months**.
- After accumulating **9 trial work months** over a 60-month period, individual enters **extended period of eligibility.**
- Individual remains in extended period of eligibility for a minimum of 36 months.
- If earnings remain below the **Substantial Gainful Activity level** (SGA), benefits continue indefinitely. (Note: a Social Security Work Incentive known as an "IRWE" can be used to stay below the SGA; information on IRWE's is contained later in this section.)
- If earnings remain above the **Substantial Gainful Activity** level, SSDI cash benefits continue for 3 more months, then stop.
- If earnings drop below the **Substantial Gainful Activity** level during any of the 36 months of extended eligibility, individual will receive a SSDI check for that month.
- SSDI cash benefits can be started again during this 36 month period of extended eligibility without a new application.
- Under the new TWWIIA legislation, once benefits end, they can be reinstated at any point within the next 5 years without a new application
- Medicare Coverage: Coverage continues free of charge for at least 93 months after end of trial work period, and for as long as individual remains below the substantial gainful activity level of earnings. If free Medicare ends, individual can purchase Medicare coverage for approximately $300/month. States are required to pay the Medicare hospital premiums for individuals below certain income levels.

Methods for Preserving Benefits

Social Security has several programs, called "Work Incentives", that reduce the impact of working on disability benefits. Below is information on some of the major work incentives. For further information on any of these work incentives, contact your local Social Security office, or check the Social Security web site (www.ssa.gov/work/ResourcesToolkit/workincentives.html).

Impairment-Related Work Expenses (IRWE)

- IRWEs are expenses for items and services a disabled person needs in order to work.
- Examples of items that may qualify as an IRWE include: attendant care services, transportation costs, job coaching, medical devices, adaptive equipment, medication, psychological evaluations, and therapy.
- The local Social Security office determines whether a particular expense is deductible as an IRWE.
- The expense must be paid for by the individual, and not reimbursed from another source.
- The cost of the expense is deducted from the amount of earnings reported to Social Security. For instance, if a person earns $450 but spends $50 on job coaching, Social Security would only "count" $400 of earnings.

Plan For Achieving Self-Support (PASS)

PASS's allow an individual to qualify, maintain or increase their monthly SSI benefits by "setting aside" income (including SSDI) for expenses to achieve a vocational goal.

- Income set aside is excluded from the monthly income determination for SSI purposes, and also does not count towards the $2,000 limit on assets ($3,000 for couples). This means that using a PASS may allow an individual to qualify for SSI.
  - An individual on SSDI can use a PASS to set aside their SSDI "income", thus qualifying them for SSI
- The types of things that a PASS plan can cover include education and training classes, job coaching, transportation, initial costs for purchase of a vehicle, clothing for a job, items to start a business, equipment to do a job, etc.
- A PASS plan is time limited, although there is no specific time limits. Typically PASS's are approved in 18 month increments.
- Financially, a PASS is better than an IRWE, but IRWE's are not time-limited and cover a wider range of expenses.
- If a One-Stop has a structure where individuals can pay for intensive or training services, a PASS could potentially pay for these services.
- There is a ten page application form for PASS's (forms are available from the Social Security web site and offices). PASS plans are sent to the local office, which passes them on to the central office for review.
  - Teams of specialists, called "PASS Cadres", are available to help prepare applications (a listing of which can be obtained by contacting the Social Security Administration or looking on the SSA web site).

Student Earned Income Exclusion

If an individual on SSI is a student under the age of 22, he/she can exclude up to $1,290 in earnings in a month. The maximum annual exclusion is $5,200 (2001 figures). These amounts are adjusted annually for inflation.

Blind Work Expenses

If a person receives SSI and is blind, expenses needed to earn income (not necessarily related to the disability) can be excluded from the income determination for SSI purposes. Examples of these expenses: transportation to and from work; federal and state income taxes; Social Security taxes; union dues; translation of materials into Braille; guide dog expenses; etc.

IRWE's & PASS's: What's the difference?

IRWE and PASS Calculations for people on SSI
- IRWE: A person using an IRWE will have their SSI check increased by half the amount of the expense (up to the maximum SSI benefit)
- PASS: A person using a PASS will have their SSI check increased by the full amount of the monthly expense (up to the maximum SSI benefit)

Why the difference?
- IRWE amounts are subtracted from countable income. This amount is in turn divided by two, since SSI checks are reduced $1 for every $2 earned (after the first $85, which isn't counted at all).
- The amount of a PASS is simply added on to the person's SSI check.

So why use an IRWE?
- IRWE's apply to both SSI and SSDI. PASS's can be used only for SSI. For people on SSDI, the financial benefits of an IRWE can be substantial (see example below).
- IRWE's are not time-limited.
- IRWE's are easier to get approved (IRWE's are approved by the local Social Security office; PASS's go to a national office).
- IRWE's will pay for items which PASS's won't.
- IRWE's are much simpler to administer.
- **Most importantly: IRWE's can considerably increase the income of people on SSDI whose income exceeds the SGA limit of $740** ($1,240 for individuals who are legally blind). *[SGA amounts are 2001 figures and are adjusted annually for inflation.]*

  > *Example: A person receives an SSDI check of $400 per month. They begin to work at a job that pays $800 a month. Since their earnings surpass the SGA limit, they will lose their SSDI check after 12 months of employment, and their new income will be just the $800 salary. However, if the person has an IRWE of transportation expenses of $70 per month, Social Security would "count" only $730 of the salary. Their new monthly income would be as follows:*

Income from job:	$800.00
IRWE (transportation):	- 70.00
Countable Income:	= $730.00
SSDI	+ 400.00
Income with IRWE	= $1130.00
Income without IRWE	= $800.00

  Therefore, by using an IRWE, the person has increased their income by $330 per month.

Tips for One-Stop Staff to Assist Customers in Managing Social Security Disability Benefits

- Management of benefits is an issue that public VR programs constantly deal with. The expertise and resources of VR on this issue can be of great assistance to the entire One-Stop system. As a One-Stop partner, VR can provide resources and expertise, building the capacity of the One-Stop system to assist all customers in managing benefits.

- Contact the Social Security Administration and obtain copies of publications that might be helpful to staff and customers. Place copies of these publications on display, and provide them to customers who have questions about social security disability benefits. (Popular brochures are contained in the resource listing at the end of this chapter.)

- Find out whom One-Stop customers and staff can contact at the local Social Security office for assistance with benefit questions, and help customers connect with them.

- Find out what additional resources are available locally to assist customers with management of benefits. The Social Security Administration is currently in the process of funding a network of Benefits Planning Assistance and Outreach (BPA & O) specialists throughout the country. At a minimum, find out the contact information for the BPA & O project(s) in your state (information is available at: www.ssa.gov/work). As noted, the state VR program may also have or be aware of additional resources to assist with benefits management.

- If you are going to help a customer determine the impact of employment on their benefits you need to know:
  - Which program are they on? (SSI, SSDI, or both)
  - How much is the monthly benefit?
    - ◊ If the customer is unsure, you can request this information in writing from Social Security, with a signed release from the customer and payee if applicable (a payee receives checks in the customer's name). A sample letter to request information is at the end of this section.
  - √ Inform the customer about Work Incentives (IRWE's, PASS's, etc.), and make suggestions on how they could be utilized
  - √ Remind the customer that income and job status (employment starts and stops, new job, job loss) must be reported to Social Security on a timely basis
  - √ If the customer is on SSI, and will remain on it when they start working, remind them that their assets must stay below the $2,000 limit ($3,000 for a married couple). Otherwise the individual can lose both SSI and possibly Medicaid (asset limits for keeping Medicaid are higher in some states).

  Note: An additional $1,740 can be put into a burial account which does not count towards the limit.

- The Social Security Administration has staff available to provide training on benefit issues. Consider having Social Security offer periodic information and training sessions to customers and staff as part of the activities at the One-Stop Center.

- Training on Social Security benefits may also be available from other sources such as: state VR, disability providers, Independent Living Centers, disability service providers and advocacy organizations

- Consider obtaining software that can help customers determine the impact of employment on their Social Security benefits. The Employment Support Institute has developed one such software package, WorkWORLD, designed to assist individuals with disabilities in calculating the impact of employment on Social Security and other benefits. One-Stops may wish to obtain a copy of this software to assist individuals in managing their benefits. Information is in the resource listing at the end of this section.

Dealing With Social Security

Tips for One-Stop Customers and Staff

- Develop a good relationship with your local Social Security office.
- Arm yourself with information:
    - Learn about the various programs, and develop an understanding of the impact of employment on benefits.
    - Use the Social Security publications as resources. Do not rely exclusively on what the Social Security representatives tell you verbally. Some Social Security representatives deal mainly with retiree benefits, and only sporadically with disability benefits, and therefore their knowledge may be limited.
- Do not assume that the information that Social Security has is correct. The income information they have for individuals can be inaccurate, particularly for individuals whose income is inconsistent from month to month. Miscalculations can often occur if an individual gets paid every other week, and Social Security calculates monthly income from a month when the person received three paychecks (i.e., the first, third and fifth weeks).
- Discuss the best method for reporting earnings with the local Social Security office. This is particularly important if a recipient's earnings vary from month to month. SSI & SSDI beneficiaries should keep good records concerning work history, wages (pay stubs), and benefits received.
- Make and keep copies of everything sent to the Social Security Administration. Send important letters (e.g., appeals) certified letter, return receipt requested.
- Keep a written record of all phone calls to the Social Security Administration - who you spoke to, date and time, information given and received. Always follow up any substantive phone conversations in writing.
- Respond quickly to all letters from the Social Security Administration
- If an individual goes into the hospital, and will be in for at least a month, the Social Security Administration should be notified immediately to help preserve benefits.
- An individual has the right to appeal any decision that the Social Security Administration makes.
- Up to 60 days are allowed to file an appeal
    - If you appeal within 10 days of receiving notice, the SSI/SSDI check will not be affected.

*   *Sample form letter to obtain benefit information from social security. It is suggested that this be mailed to the local office along with a self-addressed stamped envelope.*

Date: _____

Dear Social Security Representative:

The Any County or Town One-Stop Career Center is providing employment services for the individual listed below. We are requesting that you provide us with the following information concerning the benefits for this individual. Attached is an authorization for release of the information from the individual and payee.

Please complete and return in the enclosed addressed and stamped envelope. Thank you for your cooperation.

Carlos Smith
Employment Counselor – Any County or Town One-Stop Career Center
(617) 555-1234

Beneficiary's Name:

Address:

Social Security #:

Under which program is this beneficiary currently receiving benefits?

_____ Social Security Disability Insurance (SSDI) ---- Monthly Benefit Amt. $ _____

_____ Supplemental Security Insurance (SSI) --------- Monthly Benefit Amt. $ _____

Form Completed By: _____ **Date:** _____

Title: _____ **Office:** _____

_____
AUTHORIZATION FOR RELEASE OF INFORMATION

I give permission for the Social Security Administration to disclose to **Any County or Town One-Stop Career Center** the information listed above.

Beneficiary's Name: **SS#:**

**Beneficiary's
Signature:**   _____ **Date:** _____
- -
Payee's Name:

**Payee's
Signature:** _____ **Date:** _____

TWWIIA - Questions and Answers

On December 17, 1999, President Clinton signed the Ticket to Work and Work Incentives Improvement Act of 1999 (TWWIIA). This law includes several important new opportunities for people who receive Social Security disability benefits who want to go to work.

I. The Ticket to Work Program

What is the Ticket to Work Program?

The Ticket Program is something new in the Social Security Administration (SSA). The program offers SSA disability beneficiaries greater choice in obtaining the services they need to help them go to work.

When does the Ticket Program begin?

Some beneficiaries begin to receive Tickets in 2001.

Is the Ticket Program starting everywhere at the same time?

No. During the first year of operation, 2001, the program is available only in certain States. The first states participating in the program are: Arizona, Colorado, Delaware, Florida, Illinois, Iowa, Massachusetts, New York, Oklahoma, Oregon, South Carolina, Vermont, Wisconsin. In the next couple of years, SSA will expand the program to other parts of the country. The program will be operating in the entire country by January 1, 2004. So, people will receive their Tickets at different times.

How will I know where the Ticket Program is available?

SSA is announcing our plans in many different places where people who receive Social Security disability benefits get information about SSA, including Social Security's Internet web site, www.ssa.gov/work

What does a Ticket look like?

The Ticket is a paper document that has some personal information and some general information about the Ticket Program.

How does a person with a disability get a Ticket?

SSA is working with an organization the law calls a Program Manager. The Program Manager, Maximus, Inc. of McLean, VA is helping SSA to manage the Ticket program. Maximus will help SSA send the Ticket in the mail with a letter explaining the program.

The responsibilities of Maximus include:
- recruitment of employment networks.
- facilitation of access by beneficiaries to employment networks.
- ensuring availability of adequate employment services.
- ensuring reasonable access to services for people with disabilities.
- operating a toll-free telephone number to answer questions about the Ticket Program.
- overall administration and oversight for ongoing Ticket Program operations.

Where does a person with a disability take his/her Ticket to get services?

You take your Ticket to what the law calls an Employment Network. The Employment Networks are private organizations or public agencies that have agreed to work with Social Security to provide services under this program. One-Stop Centers are among the entities that can accept the "ticket" if they are an approved vendor. (Additional information is contained in section 11, "Disability Services.")

How does a person with a disability find out about the Employment Networks?

The Program Manager, Maximus, will send people with disabilities a list of the approved Employment Networks in their local area when SSA sends you your Ticket. Employment Networks may also directly contact people with disabilities to offer their services. This information also will be available on the SSA web site and in other places.

How will people with disabilities choose an Employment Network?

People with disabilities can contact any Employment Network in their local area to see if it is the right one for them. Both the individual with a disability and the Employment Network have to agree to work together.

Can people with disabilities change Employment Networks?

Yes. People with disabilities have the right to stop working with one Employment Network and begin working with another one. Before the individual makes this decision, however, the person with a disability should make sure he/she fully understands how the Employment Network plans to help you to work.

How can I get more information about the Ticket program?

You can contact the Program Manager:
Maximus Corporation
Voice: 1-866-YOURTICKET (1-866-968-7842)
TDD: 1-866-TTD2WORK (1-866-833-2967)
Web site: www.maximus.com/ttw/index.htm

You can contact the Social Security Administration:
Voice: 1-800-772-1213; TTY: 1-800-325-0778
E-mail: ttwwiia@ssa.gov
Web site: www.ssa.gov/work

SSA will have pamphlets and other written material available at local Social Security offices. Information about the Ticket program is also available from many other private and government organizations that help people with disabilities.

If people with disabilities get a Ticket, do they have to use it?

No. The Ticket Program is voluntary.

II. Expanded Availability of Health Care Services

Does the new law include changes in health care coverage?

Yes. Starting October 1, 2000, the law extends Medicare Part A (Hospital) premium-free coverage for four and one-half years beyond the current limit for disability beneficiaries who work.

What about Medicaid?

The law includes several important changes to Medicaid. For example, it gives states the option of providing Medicaid coverage to more people ages 16-64 with disabilities who work.

III. Removal of Work Disincentives

If people with disabilities go back to work, do they automatically lose their disability benefits?

No, the new law has not changed SSA's work incentives rules. For more information about Social Security's work incentives you should: call our toll-free number at Voice: 1-800-772-1213; TTY: 1-800-325-0778 contact your local Social Security office; or visit our special web site at www.ssa.gov/work

If disability benefits stop because a person with a disability goes back to work, will he/she have to file a new application if they can't work anymore?

Starting January 1, 2001, if benefits have ended because of work, a person with a disability can request that SSA start your benefits again without having to file a new application. There are some important conditions:

- The individual has to be unable to work because of his/her medical condition.
- The medical condition must be the same as or related to the condition the person with a disability had when SSA first decided that he/should should receive disability benefits.
- The request to start benefits again must occur within 60 months of the date the individual was last entitled to benefits.

Will the individual with a disability have to wait for SSA to make a new medical decision before receiving benefits?

No. SSA will make a new medical decision, but while SSA is making the decision, the individual can receive up to six months of temporary benefits

If SSA decides that they are unable to start benefits again, will the individual have to pay back the temporary benefits?

No.

This information as based on fact sheets and other material provided by the Social Security Administration and from Maximus, Inc.

Will SSA still review my medical condition?

Starting January 1, 2001, SSA will not review the medical condition of a person receiving disability benefits if that person is using a Ticket. Starting January 1, 2002, under certain conditions, SSA will not review the medical condition of beneficiaries who have received Social Security Disability Insurance benefits for at least 24 months. SSA will provide more information about medical reviews in the future.

TICKET TO WORK AND WORK INCENTIVES IMPROVEMENT ACT OF 1999

Social Security Administration Fact Sheet

President Clinton signed the Ticket to Work and Work Incentives Improvement Act of 1999 on December 17, 1999. This law:

- increases beneficiary choice in obtaining rehabilitation and vocational services;
- removes barriers that require people with disabilities to choose between health care coverage and work; and
- assures that more Americans with disabilities have the opportunity to participate in the workforce and lessen their dependence on public benefits.

The provisions of the law become effective at various times, generally beginning one year after enactment. They are described below.

Establishment of the Ticket to Work and Self-Sufficiency Program

- The program is being phased in nationally over a three-year period beginning January 1, 2001, with the first Tickets issued in 2001 in the following states: Arizona, Colorado, Delaware, Florida, Illinois, Iowa, Massachusetts, New York, Oklahoma, Oregon, South Carolina, Vermont, Wisconsin.

- Social Security and Supplemental Security Income (SSI) disability beneficiaries will receive a "Ticket" they may use to obtain vocational rehabilitation (VR), employment or other support services from an approved provider of their choice.

- The Ticket program is voluntary.

  [Editor's note: One-Stop Centers are among the entities that can accept the "ticket" if they are an approved vendor. Additional information is contained in section 11, "Disability Services"]

Expanded Availability of Health Care Services

- The law includes several enhancements to Medicaid and Medicare effective October 1, 2000.

- States will have the option to provide Medicaid coverage to more people ages 16-64 with disabilities who work.

- States will have the option to permit working individuals with incomes above 250 percent of the federal poverty level to buy in to Medicaid

- The law creates a new Medicaid buy-in demonstration project to provide medical assistance to workers with impairments who are not yet too disabled to work.

- The law also extends Medicare coverage for people with disabilities who return to work. It extends Part A premium-free coverage for 4 1/2 years beyond the current limit for Social Security disability beneficiaries who return to work.

Expedited Reinstatement of Benefits

- Effective January 1, 2001, people whose Social Security or Supplemental Security Income disability benefits end because of earnings from work, can request reinstatement of benefits if they subsequently become unemployed.

- Beneficiaries must be unable to work because of their medical condition.

- They must file the request for reinstatement with Social Security within 60 months from the month of their termination.
- While Social Security is making a new determination, beneficiaries may receive up to six months of provisional benefits, including Medicare and Medicaid, as appropriate.
- If Social Security decides that the medical condition no longer prevents the individual from working, the provisional benefits paid would not be considered an overpayment.

Continuing Disability Reviews
- Effective January 1, 2001, Social Security cannot initiate a continuing disability medical review while a Social Security or SSI disability beneficiary is using a Ticket. Cash benefits may be subject to termination if earnings are substantial.
- Effective January 1, 2002, work activity by a Social Security disability beneficiary who has received Social Security disability benefits for at least 24 months cannot be used as a basis for conducting a disability review. However, the individual is still subject to regularly scheduled medical reviews. Again, cash benefits may be subject to termination if earnings are substantial.

Work Incentives Advisory Panel
The law established a Work Incentives Advisory Panel within Social Security composed of 12 members appointed by the President and Congress. The Panel advises the Commissioner and reports to Congress on implementation of the Ticket program. At least one-half of the Panel members are required to be individuals with disabilities, or representatives of individuals of disabilities, with consideration given to current or former Social Security disability beneficiaries.

Work Incentives Outreach Program
- The law directs Social Security to establish a community-based work incentives planning and assistance program for the purpose of disseminating accurate information related to work incentives. Social Security is establishing a program of grants, cooperative agreements or contracts to provide benefits planning and assistance, including the availability of protection and advocacy services, and outreach.
- The law also directs Social Security to establish a corps of work incentives specialists within Social Security.

Protection and Advocacy
The law authorizes Social Security to make payments to protection and advocacy systems established in each state to provide information, advice, advocacy and other services to disability beneficiaries.

Demonstration Projects and Studies
- The law extends Social Security Disability Insurance demonstration authority for 5 years. Under the law, Social Security is required to conduct a demonstration project to test reducing Social Security Disability Insurance benefits by $1 for each $2 that a beneficiary earns over a certain amount or amounts.
- The implementation dates and locations for this demonstration will be announced.

Social Security Administration - December 1999

Social Security Resources

Social Security National Toll-Free Number:
Voice: 1-800-772-1213
TTY: 1-800-325-0778
Call between 7:00 AM to 7:00 PM any business day

National Office Mailing Address
Social Security Administration - Office of Public Inquiries
6401 Security Blvd.
Room 4-C-5 Annex
Baltimore, MD 21235

Regional and Local Offices
Regional offices for the Social Security Administration are located in:
- Atlanta,
- Boston
- Chicago
- Dallas
- Denver
- Kansas City
- New York
- Philadelphia
- San Francisco
- Seattle

Social Security has local offices throughout the United States. Addresses for regional and local offices are located in the "Blue Pages" or under U.S. Government, in the phone book. Regional and local offices can also be found through the Social Security Administration web site.

Web Site
The Social Security Administration has a very comprehensive and user-friendly web site, with extensive information, publications and forms available. In addition to the main web site, specific sections are dedicated to disability issues.

- Social Security Online: www.ssa.gov

- Employment Support Programs: www.ssa.gov/work

- The Office of Disability Home Page: www.ssa.gov/disability

Each of the regional offices also has a web site, which can be accessed through www.ssa.gov

Social Security Publications
The Social Security Administration has an extensive number of publications on issues related to disability benefits. Some of the publications available include:

- Understanding Social Security (Publication No. 05-10024)
- Social Security Disability Benefits
- SSI (Publication No. 05-11000)

- What You Need To Know When You Get Disability Benefits
- Working While Disabled (Publication No. 05-10095)
- Working While Disabled... How We Can Help
- Red Books on Work Incentives for People with Disabilities
- A Guide to Plans for Achieving Self-Support (PASS)
- Graduating To Independence (for ages 14-22)
- How Social Security Can Help With Vocational Rehabilitation
- Medicare (Publication No. 05-10043)

All publications are available free of charge through the web site, the local Social Security office, or by calling the toll-free number.

Benefits Planning Projects

SSA is in the process of funding a national network for Benefits Planning Assistance and Outreach (BPA & O). As of January, 2001, sixteen states have received awards, and SSA is in the process of funding BPA & O Projects in additional states. A listing of the currently funded projects (as of 1/01) is available at: www.ssa.gov/work/ServiceProviders/statebystate.html

Ticket to Work Program Manager

Maximus Corporation
Voice: 1-866-YOURTICKET (1-866-968-7842)
TDD: 1-866-TTD2WORK (1-866-833-2967)
Web site: www.maximus.com/ttw/index.htm

Benefits Management Software

The Employment Support Institute has developed WorkWORLD, software to assist individuals with disabilities in calculating the impact of employment on Social Security and other benefits. One-Stops may wish to obtain a copy of this software to assist individuals in managing their benefits.

Employment Support Institute
Attention: WorkWORLD Support
Virginia Commonwealth University School of Business
1015 Floyd Avenue; P.O. Box 844000
Richmond, VA 23284-4000
Voice: (804) 828-2665
E-mail: WorkWORLD@vcu.edu
Web site: www.workworld.org

MicroMax is a software program which can determine individual eligibility for 45 public benefit programs, including SSI, SSDI, Food Stamps, TANF, and others. MicroMax is a project of Community Catalyst, a national non-profit organization. Additional information is available from:

MicroMax
30 Winter Street
Boston, MA 02108
Voice: (617) 338-6035
E-mail: micromax@earthlink.net
Web site: www.micromax.org/federal.html

10

Transition and Youth Services

Section Purpose

Provide information on the legal and practical aspects of transition of students with disabilities to adult life, and how the One-Stop system can assist with this process.

Section Contents

A) One-Stop Systems and Transition From School to Adult Life: An overview of the role of One-Stop systems and their role in successful transitions of students with disabilities into community employment.

B) Transition Services - The Basics: A summary of the legal requirements and responsibilities in transition services.

C) Youth Services and Individuals with Disabilities: A summary of youth services under WIA and how young people with disabilities meet the qualifications for these services.

D) One-Stops: Getting Involved in Transition: A variety of ideas and strategies for involvement of One-Stop systems in meeting the needs of youth with disabilities

E) Definition of Transition - Under IDEA (1997): The legal definition and requirements for transition from the Individual with Disabilities Education Act

F) Resources on Transition & WIA Youth Services: Resources for local One-Stop systems pertaining to serving young people with disabilities

One-Stop Systems and Transition from School-to-Adult Life

By David Hoff, Institute for Community Inclusion

In the disability world, the term "transition", refers to the activities and processes that occur to prepare a young person with a disability to move from school to adult life. Employment is a major emphasis during transition and there are a variety of ways that One-Stop systems can participate.

Why One-Stop Systems Should Be Involved in Transition Services

- **WIA Clearly Calls For It** - The Workforce Investment Act regulations clearly state that One-Stop systems are to play a significant role in the delivery of services to youth, including youth with disabilities. Each state's workforce plan must specifically address how the state will address the needs of youth with disabilities in its workforce investment system.

- **Transition and One-Stops - A Perfect Match** - A major emphasis during transition is identification of resources in the community, and collaboration among various organizations such as funders of adult services, service providers, families and the school, to help the student develop and pursue his or her goals. A major role of One-Stop systems is being a mechanism for access to information and resources for individual's employment and training needs. Given these complimentary objectives, the One-Stop system can be of great assistance in assisting students to achieve their vocational goals.

- **An Investment in the Future** - By assisting in the proper preparation of youth with disabilities for adulthood, One-Stop systems can play a role in assisting young people with disabilities to begin their adult lives with the training and work experience needed for long-term career success.

How One-Stops Can Help Any Young Person

- **Be a Resource on WIA Youth Services** - The relationship between One-Stop systems and WIA youth services (overseen by the Local Workforce Board and Youth Council) varies by local area. However, youth programs are a One-Stop partner, and One-Stop systems and Centers at a minimum can serve as information and referral mechanisms for those services. Young people can visit One-Stop Centers to gather information on WIA youth services (services for individuals ages 14-21) offered in the local workforce investment area. Find out if they may be eligible, and how to access these programs. Youth services under WIA include programs such as formula-funded Youth Activities, Youth Opportunity Grants, and the Youth Opportunity Movement. It may also be helpful for One-Stop Centers to have available information on other community-sponsored youth programs.

- **Provide Access to One-Stop Services** - Services offered by the One-Stop system can benefit not only adults seeking employment and career advancement, but also youth just entering the job market, and even those young people who are not currently looking for a job but need to learn the basics of a successful job search.

  - Unlike WIA youth services, which are largely restricted to certain populations (including some youth with disabilities), any individual age 18 or older can access adult core services, and also be considered for intensive and training services.

- WIA regulations state that individuals age 18 to 21 who are receiving youth services may also simultaneously access adult services.
- There is also no prohibition against any youth under 18 using One-Stop services as long as the funding for such services is not restricted to adults.

WIA encourages youth to be introduced to One-Stop services early in their career development, and stresses the use of the One-Stop system as an entry point for obtaining education, training, and job search services.

Quality Services for All Students = Quality Services for Students with Disabilities

Students with disabilities are no different from other youth: they need help deciding what career areas to explore, accessing further education and training, and gaining work experience. Youth with disabilities are best served, by offering quality services to meet the needs of all young people. Individuals with disabilities can then be assisted and supported as needed to fully benefit from these services. Here are some fairly simple ways that One-Stop systems can help all young people.

- **Be welcoming:** When students come into the One-Stop Center, make them feel welcome!

- **Help with job-seeking skills development:** One-Stop Centers can help students develop the job search skills that they'll needed throughout their careers, including resume development, contacting potential employers, development of interview skills, etc.

- **Assist with job searches:** Like any other customer, One-Stop Centers can assist young people with finding employment, through job listings, employer contacts and other One-Stop services

- **Provide information on training and education options:** One-Stop Centers can assist young people in identifying appropriate training and education opportunities that are available for entering and advancing in careers

- **Provide information on youth and general services:** Put together a clear, simple listing of the types of services available for students from the One-Stop Center and the local workforce investment system. This information should include available WIA youth services and how to access them. Be sure to also include adult services for individuals 18 and over. Distribute these to students and educators.

- **Provide access to experiential education:** Many students, with and without disabilities, gain early work experiences through internships, apprenticeships, mentor programs, cooperative education programs, summer work programs, etc. Help students and schools connect with local businesses for career days, internships, and jobs.

- **Provide workshops targeted to youth:** One-Stop staff are experts on how to find a job. Staff can share this expertise by conducting classes specifically for young people, in school settings and/ or at the One-Stop Center. These could possibly be done in collaboration with school staff.

- **Outreach:** Invite students and educators to tour the One-Stop Center. Through outreach to schools and young people, One-Stop systems can teach students about the resources available via the One-Stop system, how to access those services, and how to make best use of them throughout their professional lives.

- **Staff knowledge about youth services:** Make sure One-Stop staff understand what WIA youth services are, and how to assist an individual in accessing youth services.

Transition Services - The Basics

What law covers transition services for students with disabilities?

Requirements for transition services are governed by the federal Individual with Disabilities Education Act (IDEA) of 1997. In addition to IDEA, state and local laws and regulations may have additional requirements. See the last page of this section for excerpts from the text of IDEA.

Why is there such an emphasis on transition services?

Students with disabilities are entitled to receive educational, vocational, and other services until graduation or until they turn 22, whichever comes first. (Some students with disabilities graduate with their class at 17 or 18. However, other students, particularly those with more significant disabilities, continue to receive services from the education system until age 22.) Once this entitlement to services from the education system ends, students with disabilities who need assistance may be served by the adult service system. However, adult services are not an entitlement, and are provided only as funding and resources are available.

> *"Individuals who have left school become solely responsible for identifying where to obtain the services they need and for demonstrating their eligibility to receive the services. Therefore, for many students with disabilities, identifying relevant adult service providers, establishing eligibility to receive adult services, and having interagency responsibilities and linkages stated in the IEP, all while still in school, is essential to ensure a smooth transition from school to adult life." (NICHCY, 1993, p. 5)*

Transition under IDEA mobilizes all interested parties and service providers to help students with disabilities develop dreams and goals, and the services needed to achieve them.

What is an IEP?

An IEP (Individual Education Plan) is required for every student with a disability receiving special education services. The IEP is updated annually at an IEP meeting, which develops the student's education program for the following year. Participants typically include the student's teachers, a school representative, and the parents. At any IEP meeting where transition will be discussed, it is required that the student be invited. Representatives of any agency that is likely to provide transition services are also invited, which could include a local One-Stop system. Additional participants can include transition specialists (experts in transition services and identifying adult resources) as well as other interested individuals.

What are the specific requirements for transition under IDEA?

- A "statement of transition needs" is required beginning at age 14 (or younger) as part of the IEP process. This is updated annually and provides a vision for transition outcomes for the student, including desired outcomes in adult living, post-secondary education, and employment.

- No later than age 16 (and possibly earlier), transition services must begin as part of the students educational activities. These services, designed to achieve the desired transition outcomes for the student, are outlined in the "statement of transition services" in the IEP. This statement is updated annually, with additional information and modifications based on the

student's preferences and experiences. Among the areas addressed within this statement are interagency responsibilities and linkages. If a One-Stop has a significant role in transition, its role would be addressed in this part of the IEP.

- IDEA requires that transition activities be based upon individual students needs, taking into account the student preferences and interests. These activities must include:

  1. Instruction
  2. Community experiences
  3. Development of employment and other post-school adult living objectives
  4. If appropriate, acquisition of daily living skills and functional vocational evaluations.

Do all activities related to transition occur within the classroom setting?

Not necessarily. A wide variety of activities may occur outside the classroom, including job exploration, work activities, and other community activities.

Who pays for transition services?

IDEA makes it clear that the financial responsibility for transition services is shared. While school districts pay for many of the costs related to transition services, "the local education agency should not bear the costs of transition services which, according to the IEP would have been borne by another participating agency (IDEA, 1997)." Schools would not have to reimburse One-Stop systems for the use of universally-accessible core services. Schools would only have to pay One-Stop systems for those services to which the student is not otherwise entitled and for which no other funding mechanism can be identified. As stated earlier, many youth with disabilities meet the eligibility criteria for WIA youth services, and therefore this could be a funding mechanism for transition services.

References:

Helping Students with Cognitive Disabilities Find and Keep a Job. NICHCY Technical Assistance Guide, Vol. 3, No. 1, April 1999. National Information Center for Children and Youth with Disabilities, Washington, DC. Available at: www.nichcy.org/pubs/stuguide/ta3book.htm

Transition Services in the IEP. NICHCY Transition Summary, Vol. 3, No. 1, March 1993; National Information Center for Children and Youth with Disabilities, Washington, D.C. Available at www.nichcy.org/pubs/transum/ts8txt.htm

Youth Services and Individuals with Disabilities

The Workforce Investment Act (WIA) establishes a coordinated system to help low-income young people between the ages of 14 and 21 define their educational and career goals. Low-income youth are eligible to receive employment and training services through funds allotted to states on a formula basis. Services are provided throughout the year, under the direction of Youth Councils, which WIA requires be established in each local workforce area. WIA provides a comprehensive service strategy for youth, with year-round services for eligible youth.

What are the types of youth activities that are available under WIA?

WIA states that the following services must be made available to participants in youth programs*:

1. Tutoring, study skills training, and instruction leading to secondary school completion, including dropout prevention strategies
2. Alternative secondary school offerings
3. Summer employment opportunities directly linked to academic and occupational learning
4. Paid and unpaid work experiences, including internships and job shadowing
5. Occupational skill training
6. Leadership development opportunities, including such activities as positive social behavior and soft skills, decision making, team work, and other activities
7. Supportive services
8. Adult mentoring for a duration of at least twelve (12) months, that may occur both during and after program participation
9. Follow-up services
10. Comprehensive guidance and counseling, including drug and alcohol abuse counseling, as well as referrals to counseling, as appropriate to the needs of the individual youth.

Local programs have the discretion to determine what specific program services will be provided to a youth participant, based on each participant's objective assessment and individual service strategy.

In what ways are youth with disabilities considered eligible for WIA youth services?

While young people with disabilities can qualify for youth services under the same criteria as any other individual, WIA includes provisions to ensure that youth with disabilities have additional opportunities to participate.

- When determining income criteria for eligibility, for youth with disabilities WIA considers only the personal income of the teenager, not the income of his/her family.

- Up to five percent of participants in youth programs do not have to meet income criteria, as long as they are from specific populations, one of which is youth with disabilities.

- Low-income youth with disabilities who need additional assistance to complete an educational program or to secure and hold employment are specifically designated as eligible for youth services.

- Any youth who meets the income eligibility criteria for receiving cash payments from any Federal, state, or local public assistance program (such as SSI benefits from Social Security), is automatically eligible for youth services.

The bottom line: given these criteria, many if not most young people with disabilities ages 14-21 are eligible for youth services under WIA.

One-Stops: Getting Involved in Transition

By David Hoff, Institute for Community Inclusion

One-Stop systems can assist with the transition process by:

- providing quality, universally accessible services for all young people
- by considering the needs of young people with disabilities in the design and delivery of such services
- by providing support and assistance as needed by young people with disabilities as they use One-Stop services.

Additionally, One-Stop systems can be involved in the transition process by:

- Helpfully responding to requests - One-Stop Centers can be involved in transition simply by giving helpful responses to requests for assistance by individuals involved in transition planning. As part of the transition to adult life, One-Stop Centers should expect that educators, students with disabilities, and parents will make contact with the Center to discuss the availability of local employment and training services. Be prepared with information and ideas for these youth.

- Actively seeking involvement - One-Stop systems may wish to participate in transition activities beyond responding to requests for assistance, through actively seeking involvement. There is even the possibility that One-Stops could access additional funding for more active involvement in the transition process. The following are some ideas on ways to learn about opportunities for more active involvement by One-Stop systems in transition services.

  1) School contact: Contact your local school or school district's department of special education; ask to talk to the person in charge of the transition of students with disabilities in the school or district. (This individual could be the Special Education Director, vocational staff, rehabilitation staff, etc.) Discuss how One-Stops might be involved in transition activities.

  2) Find out if services are subcontracted: Find out if the local school or district is subcontracting vocational assessment and job placement services, and the possibilities for the One-Stop system to be involved in providing such services.

  3) Contact transition teams: Some communities have developed community-level transition teams. These groups are known by such names as "community transition team," "interagency community council," and "local transition advisory group." If such a team exists, meet with this team, to discuss possible roles for the One-Stop system in the transition .

  4) Contact parent groups: Get in touch with parent groups, which can be a good vehicle for involvement in transition. Many communities have parent groups and organizations focused on the needs of their children with disabilities. Each state has a Parent Teaching and Information Center (PTI) which may be a source of contacts. If you don't know how to get in touch with your state's PTI, contact the National Information Center for Children and Youth with Disabilities - NICHCY (contact information is in the resource listing at the end of this section).

5) Examine existing interagency agreements: IDEA is clear on the need for interagency linkages at higher levels, beyond individual agency-to-school staff contacts. "Each State Plan for special education sets forth policies and procedures for developing and implementing interagency agreements between the State Education Agency (SEA) and all other State and local agencies that provide or pay for services with children with disabilities (NICHCY, 1999)." A state or local interagency agreement may already exist between the public Vocational Rehabilitation (VR) system (a One-Stop partner), the public education agency, and/or the workforce investment system, and the state or district-level education agency. If such agreements exist, find out what mechanisms, parameters, and requirements exist for One-Stops to be involved in transition services via these linkages.

6) Involvement via LWIB or Youth Council: Explore One-Stop system involvement in transition activities via the Local Workforce Investment Board or Youth Council, which must include education officials. These connections are particularly useful when School to Work Opportunities Act (STWOA) program representatives are involved.

7) Additional contacts: Get in touch with the National Transition Alliance, and other organizations listed in the resource section, to find out more about transition, and contacts for your local area.

References:

Helping Students with Cognitive Disabilities Find and Keep a Job. NICHCY Technical Assistance Guide, Vol. 3, No. 1, April 1999. National Information Center for Children and Youth with Disabilities, Washington, DC; available at www.nichcy.org/pubs/stuguide/ta3book.htm

Transition Services in the IEP. NICHCY Transition Summary, Vol. 3, No. 1, March 1993. National Information Center for Children and Youth with Disabilities, Washington, D.C. Available at www.nichcy.org/pubs/transum/ts8txt.htm

An Example of an Innovative Approach of One-Stop Collaboration with the Education System

Imagine a mini-WorkForce (One-Stop) Center in each high school. That's the dream of Darryl Larson, coordinator of the High School Youth Ambassador Project, Minnesota WorkForce Center-Downtown St. Paul.

Using a grant, Larson has connected with school-to-work coordinators at five St. Paul high schools and hired five students. In the fall, those students spent 50 hours learning about the services available at WorkForce Centers. The students learned about techniques such as "creative job searching", skills identification, resumes and cover letters, interviews, networking, and computer resources.

Larson expects the WorkForce Center ambassadors to take their newfound knowledge back with them to their schools and teach other students how to take advantage of these services. "I'd like to see a mini-WorkForce Center in every high school," Larson said. "It's important that students learn about and prepare for the world of work ."

Adapted from the Interstate Conference of Employment Security Agencies web site: www.icesa.org/articles/template.cfm?results_art_filename=mnworkhs.htm

Definition of Transition - Under IDEA (1997)

Transition services means a coordinated set of activities for a student with a disability that:

- is designed within an outcome-oriented process that promotes movement from school to post-school activities, including post-secondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation;

- is based on the individual student's needs, taking into account the student's preferences and interests; and

- includes

  1. Instruction;
  2. Related services;
  3. Community experiences;
  4. The development of employment and other post-school adult living objectives; and
  5. If appropriate, acquistion of daily living skills and functional vocational evaluation.

IDEA (1997) - Statement of Needed Transition Services

Transition planning begins not later than age 14 as part of the IEP, is updated annually, and requires that school district:

- invite student and family to team meetings

- consider student's needs, preferences and choices

- identify & implement all transition services at age 16

- include future-oriented outcomes, goals & objectives: education/instruction, community living skills, employment (functional vocational evaluation as needed) related services & post-secondary education

- invite liaisons from the appropriate human service agencies

- describe interagency responsibilities or needed linkages

- notify of transfer of parental rights at age 17

Resources on Transition and WIA Youth Services

Youth Activities (Formula-Funded)

A coordinated system established under WIA to help low-income young people and other youth with significant needs, between the ages of 14 and 21, to define their educational and career goals. At least 30% of formula funds must help out-of-school youth in local communities.
www.doleta.gov/youth_services

Youth Opportunity Grants

Grants awarded to organizations in improverished areas to establish broad partnerships and Youth Community Centers through which young people between the ages of 14 and 21 can gain access to a wide range of employment, training, educational, and supportive services.
www.yomovement.org

Youth Opportunity Movement

A broad-based national initiative to engage businesses, foundations, celebrities, and other community partners to support youth living in high-poverty areas in identifying and achieving their employment and educational objectives.
www.yomovement.org

Additional information, as well as state and local contacts for youth services can be found at: www.doleta.gov/youth_services

National School-To-Work Learning & Information Center
400 Virginia Ave., SW
Washington, DC 20024
Voice: (800) 251-7236
Fax: (202) 488-7395
E-mail: stw-lc@ed.gov
Web site: www.stw.ed.gov

This is the national resource center for School-to-Work programs. Extensive information is available on School-to-Work programs, including some information specific to students with disabilities.

National Information Center for Children and Youth with Disabilities
P.O. Box 1492
Washington, DC 20013
Voice/TTY: (202) 884-8200; (800) 695-0285
Fax: (202) 884-8441
E-mail: nichcy@aed.org
Web site: www.nichcy.org

Provides information & referral regarding children and youth with disabilities (birth to age 22) for families, educators, and other professionals. Has an extensive number of free publications on transition and other topics . Maintains listings of disability-related organizations, parent groups, and professional associations at the state and local level.

National Transition Alliance for Youth with Disabilities
Transition Research Institute
University of Illinois
117 Children's Research Center
51 Gerty Drive
Champaign, IL 61820
Voice: (217) 333-2325
E-mail: nta@aed.org
Web site: www.dssc.org/nta/

NTA has a variety of information and resources, including information on model transition services and connections between transition and School-to-Work

National Transition Network
430 Wulling Hall
86 Pleasant Street SW
Minneapolis, MN 55455
Voice: (612) 626-8200
E-mail: ntn@icimail.coled.umn.edu
Web site: http://ici2.coled.umn.edu/ntn/

NTN provides consultation and advice on transition, publishes a variety of resources, and maintains a list of state contacts.

PACER Center
8161 Normandale Boulevard
Bloomington, MN 55437-1044
Voice: (800) 537-2237 or (952) 838-9000
Fax: (952) 838-0199
TTY: (952) 838-0190
E-mail: pacer@pacer.org
Web site: www.pacer.org

PACER has a variety of activities focused on improving quality of life for children and young adults with all disabilities. PACER has a wide array of information and publications available on transition.

Job Search Curriculum for Students
A helpful resource for assisting students to use their personal networks and connections is *Building Community Connections for Transition Age Youth*, a detailed curriculum for training students on job seeking. Copies can be obtained by contacting:

Institute for Community Inclusion (ICI)
300 Longwood Avenue
Boston, MA 02115
Voice: (617) 355-6506
Fax: (617) 355-7940
TTY: (617) 355-6956
E-mail: ici@tch.harvard.edu
Web site: www.childrenshospital.org/ici

11

Disability Services:
Structure and Funding

Section Purpose

Provide One-Stop staff a basic understanding of the disability service structure, and various disability funding agencies, to assist them in their efforts to meet the needs of people with disabilities by utilizing the full range of services that are available

Section Contents

A) **The Disability Service System - A Basic Overview:** A summary of the various agencies and service structures serving people with disabilities

B) **The Supported Employment Model:** A summary of supported employment, which has proven to be a successful model for assisting individuals with more significant disabilities to become employed, through the availability of ongoing supports

C) **Funding Sources for Disability Services:** A summary of the various funding sources that can be utilized to fund services for people with disabilities

D) **The Ticket to Work Program and One-Stop Systems:** A summary of the new Ticket-to-Work Program, which One-Stop Systems could potentially utilize as a funding source for serving people with disabilities

The Disability Service System: A Basic Overview

The disability service system can seem confusing; however, it can be divided into two basic categories: public and private agencies.

Public Agencies

In most states, public disability agencies involved in employment include:

- public Vocational Rehabilitation (a mandated One-Stop system partner)
- Agency for Blind and Visually Impaired - (part of the public Vocational Rehabilitation [VR] system - may be housed within VR agency or function as a separate, co-equal department, and is a One-Stop system partner)
- a Department of Mental Health
- a Department of Developmental Disabilities/Mental Retardation

States and local areas may have other public disability agencies as well. While the structure varies significantly from state to state, in general these public agencies operate in two ways:

1. They provide services directly to individuals who qualify for their services
2. They fund community organizations (typically private, non-profit agencies) and private contractors to provide services to individuals.

Public agencies have various funding streams, programs, and contracting mechanisms. One-Stop Centers may find it useful to become familiar not only with the public agencies in their local area, but the various mechanisms they use to fund services.

Additionally,

- the Social Security Administration funds employment services for people with disabilities through a number of mechanisms (and is expanding its role in this area).
- the Veteran's Administration provides services for veterans with disabilities.

Private Agencies

A variety of private agencies provide employment-related services to individuals with disabilities. The major funding source for these agencies is typically one or more of the public disability agencies. (Other sources are the federal government, private foundations, charitable contributions, and user fees). These organizations vary considerably in size, type of services, quality of services, and population served. For example, some agencies focus exclusively on employment, while others offer a wide variety of services, such as non-employment daytime activities, housing and family support. Some agencies focus on one population group (such as individuals with developmental disabilities), while others serve people with a variety of disabilities. These community based organizations go by many different names, but some of the more typical ones are:

- Community Rehabilitation Providers (CRPs)
- Supported Employment Programs
- Employment Service Providers
- Psychosocial Rehabilitation Services (for individuals with mental health issues)
- Club Houses (a program for people with mental health issues)

In addition to private agencies which provide employment services, there are a number of other private entities which provide a wide range of support services for people with disabilities, such as Independent Living Centers.

Administrative Structure

States administer disability services in a wide variety of ways, and different agencies within a state may use different administrative structures. In some cases, agencies have a central office, with a network of local offices throughout the state. Services may also be administered at a county level, possibly through a county mental health or public health department. Case management and service coordination is also handled in a variety of ways. This may be done by a public agency, or it may be handled by a private agency under contract with the state or county. Local One-Stop systems are advised to become familiar with the administrative structure of services within their local areas.

Community Employment vs. Facility-Based Programming

Over the past fifteen to twenty years, there has been an increasing emphasis on community employment as the preferred outcome for disability services. At one time, agencies that provided adult services for people with disabilities were almost exclusively focused on facility-based programming, where people with disabilities stayed together in a building as a group, and did sub-contract work for companies (typically assembly work done at a piece rate), work related activities (such as vocational assessments), and non-work activities. While facility-based programs such as sheltered workshops, day activity centers, adult training centers, and similar entities still exist, many of these programs have been either totally or partially been shifting their resources towards assisting individuals to find employment in the community. The disability service system has consistently shown that people who were considered "unemployable" outside of a facility-based program, can work successfully in the community, and the number of people with disabilities working in the community continues to steadily increase. The One-Stop system can support and be part of this movement away from facility-based programming, and towards employment in the community as the preferred outcome for people with disabilities.

THE DISABILITY SERVICE SYSTEM - EMPLOYMENT

STATE AGENCIES
(Provide services & contract for services)

State Developmental Disability Agency

State Vocational Rehabilitation Agency

State Mental Health Agency

State Commission for the Blind & Visually Impaired
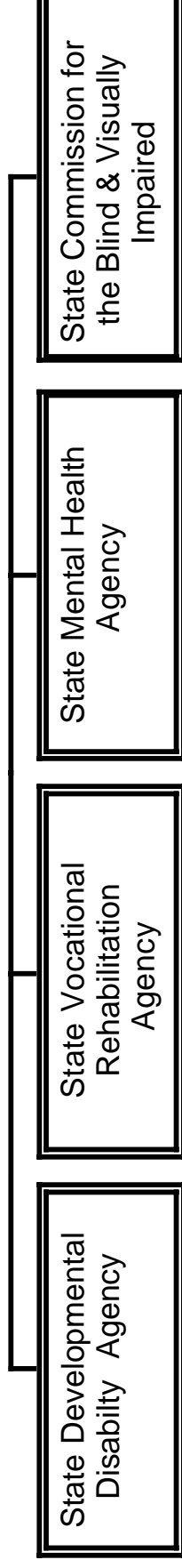
Private providers are mainly funded by contracts with state agencies.

PRIVATE PROVIDERS
- Employment Programs (Supported Employment, Supported Work, Competitive Employment)
- Day Programs
- Sheltered Employment
- Day Activity Centers
- Psycho-Social Rehab. Programs
- Clubhouses
- Adult Training Centers
- Day Habilitation

Social Security Administration
Provides some funding to VR. & private providers

People w/disabilities may also use Social Security Work Incentives (PASS & IRWE) to pay for services

Veterans Administration
Operates services for veterans with disabilities

SCHOOL DISTRICTS: provide funding & services for individuals moving from school to adult life (14-22)

The Supported Employment Model

What is Supported Employment?

Supported Employment is competitive employment for individuals with disabilities in integrated work settings with ongoing training and ongoing support provided on and/or off the job site as needed and requested by the worker with a disability or the employer. Much of the progress in employment of people with significant disabilities has resulted from techniques learned in Supported Employment.

How is Supported Employment different from other vocational programs for individuals with disabilities?

Traditional day programs (such as sheltered workshops) emphasize getting individuals "ready" for employment before placement on a job. Supported Employment presumes that individuals are "ready", even if they need additional support.

- Positions are matched to an individual's specific interests and needs.
- The individual learns the necessary skills on the job site, and is able to meet an employer's specific needs. The transferability of skills from facility-based work training programs for people with significant disabilities has often been limited.
- A customized support system is developed to enable the individual to succeed long-term on the job.
- Employers have a resource available to them to assist with any issues that may arise

Why would someone use these services?

Supported Employment enables a person with more significant support needs to work at a regular job in the community alongside people who don't have disabilities.

Who provides Supported Employment services?

Supported employment services are provided by private human service agencies (often known as community rehabilitation providers) and public agencies. Private agencies are usually funded by state agencies; mechanisms vary from state-to-state. Individuals can also use Social Security Work Incentives to pay for services (see section 9, "Social Security") or pay out of their own funds.

How is support provided?

Once the person with a disability has been hired for a position, a rehabilitation agency staff member called an Employment Specialist (also called a Job Coach or Employment Consultant) works in partnership with the business on methods for training and supporting the individual. (Much of the groundwork for this is done prior to the individual's start date). Emphasis is placed both on learning the tasks of the job, and integrating the person into the social fabric of the workplace culture. Training methods that the Job Coach or Employment Specialist can use with the employer and individual, can include:

- Demonstrating or modeling of tasks and behavior
- Using verbal or physical prompts
- Breaking down tasks into individual components
- Redesigning tasks and techniques
- Teaching various self-management techniques

- Developing accommodations
- Assigning a mentor to the employee with a disability.
- For individuals with longer learning curves, performance of some tasks by the Employment Specialist in the early stages of employment, to ensure that the worker is performing tasks properly and at a sufficient rate to meet the position requirements.

The Employment Specialist may initially spend significant time at the job site. However, the intent is that the Employment Specialist will spend just enough time (and no more) to be a resource of necessary supports for the employer and individual. Excessive presence of the Employment Specialist at the job site can be an intrusion to the natural employer-employee relationship, and create a sense of dependency.

The role of the Employment Specialist depends on the specific needs of the business and the worker. The goal is for the employer to do as much of the training and support as possible, to assure integration into the work place. However, if an individual has significant challenges and needs an extended training period which is beyond the resources of the employer, the Employment Specialist may do much of the one-on-one training. Nonetheless, emphasis is placed on fostering "natural supports" and typical employer/employee relationships, to enable the business to support the individual. Self-management techniques are developed that enable the individual to perform tasks with minimal support.

Follow-Up Support

- As an individual becomes assimilated and independent on a job, the presence of agency staff on the job site gradually decreases. To assure continued success, periodic follow-up support usually continues.

- The supported employment agency is typically available for consultation on an on-going basis as requested by the employer or the individual. This consultation may include assistance with additional training or retraining.

- The level and duration of follow-up support can vary significantly, depending on the funding source and needs of the individual. In some cases, support is on-going for an extended period of time. In some instances, a low level of support consisting of periodic check-ins by the rehabilitation agency staff, is virtually permanent, in an effort to be pro-active in ensuring an ongoing, successful employment experience.

How can One-Stops use Supported Employment as a resource?

When a local One-Stop system is assisting an individual who will need long-term support, a Supported Employment provider (who has the necessary expertise) can step in. Here are some ideas on funding and finding providers of such services.

- Examine funding availability (such as ITAs) for funding short- and long-term job supports for people with disabilities. Experience and research have consistently proven that support to an individual after they have found a job is key to employment success. Determine if the One-Stop system either currently has the capacity or could identify resources to provide at least some short-term support to individuals with disabilities on the job.

- Find out who funds and provides Supported Employment and job coaching services in your area. A good place to start is the state Vocational Rehabilitation agency (a One-Stop system partner), which typically funds supported employment and job coaching services. Other options include your state or county developmental disability or mental health agency.

- Collaborate with and utilize the expertise of supported employment providers in assisting job seekers with disabilities to succeed in employment.

Further information on supported employment can be obtained from:

The Association for Persons in Supported Employment (APSE)
1627 Monument Avenue, Richmond, VA 23220
Voice: (804) 278-9187
 Fax: (804) 278-9377
E-mail: apse@apse.org
Web site: www.apse.org

Funding Sources for Disability Services

Employment services for people with disabilities are funded through a variety of sources. In examining options for funding of services for people with disabilities, there are a couple of considerations that One-Stop systems should bear in mind:

- VR does not serve everyone: As a One-Stop partner, public Vocational Rehabilitation is the disability-focused agency that One-Stop staff are probably most familiar with. However, many people with disabilities are not served by this system. Individuals are often served by other public disability agencies (such as Departments of Mental Health or Developmental Disabilities/Mental Retardation) or are not connected with the disability service system at all.

- Disability agencies are not the only option: Services for people with disabilities do not necessarily have to be funded by agencies that only serve people with disabilities. People with disabilities are entitled to use services funded and operated by the same full range of agencies and organizations available through the One-Stop system as anyone else.

While it is important that One-Stop staff not automatically or only consider disability-specific funding and service options for customers with disabilities, there are a range of options available for people with disabilities with which One-Stop staff should be familiar. Familiarity with these funding sources is important for a number of reasons:

- Possible sources of funding of intensive and training services from the One-Stop system.
- Use of these sources for expertise on disability issues.
- Utilization of non-partner funding sources for help in providing services to One-Stop customers .

The specifics of how these agencies operate varies significantly from state to state, as does collaboration between agencies. In some states, a number of different agencies may collaborate to fund services for one person; in other states, a person may typically receive funding from only one agency. Also, additional resources may be available in local areas.

Vocational Rehabilitation

Each state has a Vocational Rehabilitation (VR) system, which is a mandated One-Stop partner. The VR system is funded mainly through federal funds from the Rehabilitation Services Administration, which is part of the Office of Special Education and Rehabilitative Services in the U.S. Department of Education (federal funding is supplemented by state funding). To be eligible for VR services, a person must:

- have a physical or mental impairment that is a substantial impediment to employment;
- be able to benefit from VR services in terms of employment; and
- require VR services to prepare for, enter, engage in, or retain employment.

Priority is given to people with the most significant disabilities. VR services are typically oriented towards a specific employment goal and are thus seen as time-limited in nature. An individual's case is typically closed, and funding of services is discontinued, once an individual is stable on a job for 90 days. If an individual is going to need funding for job support beyond 90 days (such as job coaching services), then another source of funding must be found for these services. A listing of state VR agencies and links is located at: www.nchrtm.okstate.edu/pages/state_VR.html

Agency for Blind and Visually Impaired

Each state has an agency that serves individuals who are blind or visually impaired. These agencies are part of the VR system, but are considered to be separate from basic VR services. They may be housed within state VR agencies or function as a separate, co-equal department. Like general VR services, the Blind/Visually Impaired Agency is a One-Stop partner and is funded by the federal Rehabilitation Services Administration. A listing of State Blind/Visually Impaired Agencies and links is located at: www.nchrtm.okstate.edu/pages/state_VR.html

Developmental Disability/Mental Retardation (DD/MR)

Each state has an agency or department that is responsible for services for people with developmental disabilities and mental retardation. The name varies from state to state - Division or Office of Developmental Disabilities, and Department or Office of Mental Retardation are typical names. In some states, it is a separate state agency or department, and in others it is a department or division within the state human service or mental health agency. Such agencies or departments fund and/or provide case management, employment and day services, residential services, and other services to assist individuals with developmental disabilities and their families. The scope of services provided and individuals served varies from state to state. DD/MR agencies are typically funded through state funds, although a substantial amount of funding for these agencies comes from Medicaid. DD/MR agencies typically provide long-term funding for individuals. A listing of state DD/MR agencies is located at: www.caccb.org/orgs/caccb/ddrc/states.htm

Mental Health Agencies

Every state has a public mental health department or agency that meets the needs of individuals with psychiatric disabilities. In some states, it is a separate state agency or department, and in others it is a department or division within a state human service agency. Mental health agencies fund and/or provide employment and day services, residential services, case management, mental health treatment (group and individual), medication management, and other support services. Mental health agencies are typically funded by a combination of state and federal funds. Services are both short-term and long-term in nature. A listing of state mental health agencies is available at: www.nasmhpd.org/members.htm

Social Security Administration

In addition to providing cash benefits to individuals with disabilities, the Social Security Administration (SSA) funds employment services.

- The Social Security system Ticket to Work program begins in January 2001, with a complete roll-out across the country by 2004. Under this new program, individuals receiving Social Security disability benefits will receive a "Ticket to Work", to obtain services for finding employment. Details of the system are still being determined, and it will not be fully phased in across the country until 2004. However, One-Stop Centers should stay up-to-date on this new system, as One-Stops are among the organizations that can be reimbursed for services under the Ticket program. Additional information on the Ticket to Work Program is contained elsewhere in this section.

- Through the PASS (Plans for Achieving Self-Support) program, individuals can pay for employment and training services by putting aside income that would normally result in a reduction of their cash benefits. This may be an option for people with disabilities who use One-Stop Centers that have mechanisms for individuals to directly pay for services (see additional information in section 9, "Social Security Disability Benefits: The Impact of Employment").

In addition, SSA directly reimburses public VR for service delivery.

Information on Social Security employment services is available from the Social Security Administration web site at: www.ssa.gov/work

Department of Veteran's Affairs

The Department of Veteran's Affairs (VA) Vocational Rehabilitation and Employment (VR & E) program helps veterans with service-related disabilities by providing assistance to prepare for, obtain, and maintain suitable employment. One-Stop systems may find it worthwhile to pursue collaborative relationships with the VA to help meet the needs of veterans with disabilities. Note: The Department of Veteran's Affairs is separate from the U.S. Department of Labor Veteran's Employment and Training Program, which is a One-Stop partner. Additional information is available on the Department of Veteran's Affairs web site at: www.vba.va.gov/bln/vre/vbsvre.htm

School System Funding

Individuals with disabilities who receive special education services and have an Individual Education Plan (IEP) are entitled to funding of employment services by their school system until they turn 22 or until they graduate, whichever comes first. One-Stop systems can potentially receive funding from school systems for providing intensive and training services to students with disabilities, as long as these services are listed in the student's IEP (see additional information in section 10, "Transition and Youth Services").

The Ticket to Work Program and One-Stop Systems

The Ticket to Work and Work Incentives Improvement Act (TWWIIA) is currently in the process of being phased in. This law includes several important new opportunities for people who receive Social Security disability benefits who want to work. Among the changes is the establishment by the Social Security Administration of a new "Ticket to Work" program. This program starts in 2001 in Arizona, Colorado, Delaware, Florida, Illinois, Iowa, Massachusetts, New York, Oklahoma, Oregon, South Carolina, Vermont, Wisconsin. Full implementation nationwide will be completed by 2004. Under this program, people who receive Social Security disability benefits have the opportunity to use a "ticket" to obtain services to assist them to find employment, with Social Security providing payment to the vendors that provide these services. The details of how the system will operate are still being determined as of March 2001, but One-Stop Centers are among the entities that are specifically mentioned in the legislation as they types of entities that may accept this "Ticket" for provision of services to people with disabilities. The general outlines of the Ticket to Work program are as follows:

- An individual receiving Social Security disability benefits (SSI or SSDI) will receive a "ticket" which they can then use to obtain employment services from an approved "Employment Network".

- The individual has the choice of receiving services from any approved Employment Network. Similarly, Employment Networks can decide on a case-by-case basis, whether to serve an individual under the Ticket program.

- Employment Networks consist of a wide range of entities. They can include public and private agencies and systems. They can also consist of a single entity (such as an individual One-Stop Center), or combination of entities (such as several One-Stop Centers, or a local One-Stop system working with a community rehabilitation provider or public agency).

- Under the current proposed regulations for the Ticket program, the Employment Networks receive most or all of their payments from SSA only when an individual is employed in a position where earnings are enough to reduce the individual's cash benefits to zero. Since there are two social security disability benefit programs, the amount where cash benefits are reduced to zero, will differ depending on what social security program the individual is on. Individuals on Social Security Disability Insurance (SSDI) will need to have gross earnings of at least $740 per month (2001 figure); individuals on Supplementary Security Income (SSI) could need gross earnings up to approximately $1,150/month. (For more information on these benefits and calculations, see Section 9, "Social Security".)

- Under the current proposed regulations, the Employment Network will receive a payment from Social Security every month that the individual does not receive cash benefits for up to 60 months (the 60 months do not have to be consecutive). Monthly payments are expected to be approximately $170 to $270 a month. (Please note that these are strictly estimates based on current information. The specifics of the payment system are still being finalized.)

- Proposed regulations for the Ticket Program were issued in December 2000. It is expected that final regulations will be issued sometime in mid-2001. When these final regulations are issued, specifics of the reimbursement mechanisms will be clearer. It is also expected that the reimbursement mechanisms may be modified as the program is being phased in, depending on the initial results of the Ticket Program.

How Does a One-Stop Delivery System Become an Employment Network?

- RFPs to become Employment Networks are available as of April, 2001 (remember though that the Ticket Program will not be fully phased nationally until 2004). The RFP will be published in the Commerce Business Daily, and will is also available for downloading at the Federal Government procurement web site: www.eps.gov

- You can request to be on the mailing list for the Employment Network via the web site of the Ticket Program Manager, Maximus, Inc. at: www.maximus.com/ttw/index.htm, or by calling Maximus at:
  Voice: 1-866-YourTicket (1-866-968-7842); TDD: 1-866-TTD2WORK (1-866-833-2967).

- It is expected that the RFP process will be ongoing and open. One-Stop systems interested in becoming Employment Networks should not be concerned with having to submit applications by a specific deadline.

Considerations for One-Stop Systems Interested in the Ticket Program

- Stay up to date on when the Ticket Program is being implemented in your state.

- When the Ticket Program is implemented or about to be implemented in your state, the One-Stop system should determine whether they wish to participate.

- One-Stops should examine the reimbursement structure for the Ticket Program and determine if it makes fiscal sense. As currently designed, the Ticket Program will work well fiscally if an Employment Network is able to quickly assist an individual to obtain employment at an earnings level which reduces the individual's SSI/SSDI cash benefits to zero, and the individual maintains employment at that earnings level.

- One-Stop systems should determine if they wish to be Employment Networks on their own as individual centers or local systems, or whether they wish to combine with other entities to form an Employment Network.

- Key to success under the Ticket Program will be the ability of Employment Networks to assist individuals with disabilities to maintain employment. This could involve everything from a low-level of phone follow-up with the individual, quick re-placement of the individual upon job loss, to support on the job site. One-Stop systems will have to decide whether they wish to be the source of this ongoing support, or whether they wish to become an Employment Network with another entity which will provide post-placement support.

- One-Stop Centers which become Employment Networks should develop some kind of process for identifying individuals on SSI and SSDI as part of their intake process, so that the One-Stop can discuss possible participation in the Ticket Program with the individual.

- Given that Employment Networks decide on a case-by-case basis whether they wish to serve an individual under the Ticket Program, it makes sense for a One-Stop system to at least respond to the RFP for the Ticket Program. In that way, the One-Stop system is a qualified Employment Network, and has the option of serving people under the Ticket Program.

- One-Stop systems are advised to keep in contact with the Social Security Administration, to learn more about the Ticket Program. Additional information and updates are available online at: www.ssa.gov/work or by e-mail at: ttwwiia@ssa.gov

Fact Sheet - Ticket to Work Program

What is the Ticket to Work Program?

The Ticket Program is something new in the Social Security Administration (SSA). The program offers SSA disability beneficiaries greater choice in obtaining the services they need to help them go to work.

When does the Ticket Program begin?

Some beneficiaries begin to receive Tickets in 2001.

Is the Ticket Program starting everywhere at the same time?

No. During the first year of operation, 2001, the program is available only in certain States. The first states participating in the program are: Arizona, Colorado, Delaware, Florida, Illinois, Iowa, Massachusetts, New York, Oklahoma, Oregon, South Carolina, Vermont, Wisconsin. In the next couple of years, SSA will expand the program to other parts of the country. The program will be operating in the entire country by January 1, 2004. So, people will receive their Tickets at different times.

How will I know where the Ticket Program is available?

SSA is announcing our plans in many different places where people who receive Social Security disability benefits get information about SSA, including Social Security's Internet web site, www.ssa.gov/work

What does a Ticket look like?

The Ticket is a paper document that has some personal information and some general information about the Ticket Program.

How does a person with a disability get a Ticket?

SSA is working with an organization the law calls a Program Manager. The Program Manager, Maximus, Inc. of McLean, VA is helping SSA to manage the Ticket program. Maximus will help SSA send the Ticket in the mail with a letter explaining the program.

The responsibilities of Maximus include:

- recruitment of employment networks
- facilitation of access by beneficiaries to employment networks
- ensuring availability of adequate employment services
- ensuring reasonable access to services for people with disabilities
- operating a toll-free telephone number to answer questions about the Ticket Program
- overall administration and oversight for ongoing Ticket Program operations.

Where does a person with a disability take his/her Ticket to get services?

You take your Ticket to what the law calls an Employment Network. The Employment Networks are private organizations or public agencies that have agreed to work with Social Security to provide services under this program. One-Stop Centers are among the entities that can accept the "ticket" if they are an approved vendor.

How does a person with a disability find out about the Employment Networks?

The Program Manager, Maximus, will send people with disabilities a list of the approved Employment Networks in their local area when SSA sends you your Ticket. Employment Networks may also directly contact people with disabilities to offer their services. This information also will be available on the SSA web site and in other places.

How will people with disabilities choose an Employment Network?

People with disabilities can contact any Employment Network in their local area to see if it is the right one for them. Both the individual with a disability and the Employment Network have to agree to work together.

Can people with disabilities change Employment Networks?

Yes. People with disabilities have the right to stop working with one Employment Network and begin working with another one. Before the individual makes this decision, however, the person with a disability should make sure he/she fully understands how the Employment Network plans to help you to work.

How can I get more information about the Ticket program?

You can contact the Program Manager:

Maximus Corporation
Voice: 1-866-YOURTICKET (1-866-968-7842)
TDD: 1-866-TTD2WORK (1-866-833-2967)
Web site: www.maximus.com/ttw/index.htm

You can contact the Social Security Administration:

Voice: 1-800-772-1213
TTY: 1-800-325-0778
E-mail: ttwwiia@ssa.gov
Web site: www.ssa.gov/work

SSA will have pamphlets and other written material available at local Social Security offices.

Information about the Ticket program is also available from many other private and government organizations that help people with disabilities.

If people with disabilities get a Ticket, do they have to use it?

No. The Ticket Program is voluntary.

This information as based on a fact sheet and other information provided by the Social Security Administration and from Maximus, Inc.

12 Developing Transportation Options for People with Disabilities

Section Purpose

Provide information on development of transportation options for people with disabilities who do not have access to a private automobile. The ability to access transportation resources is essential in assisting people with disabilities to obtain employment.

Section Contents

A) **Transportation for People with Disabilities:** An overview of issues related to transportation for people with disabilities, along with a list of suggestions for One-Stops in dealing with this issue, and a list of resources

B) **Finding Transportation Solutions - Questions to Consider:** A step-by-step list of questions to assist individuals in identifying transportation options

C) **Using Social Security Work Incentives to Pay for Transportation:** A summary of how individuals receiving social security disability benefits can utilize the social security work incentives to pay for transportation

Transportation for People with Disabilities

Lack of transportation is often identified as one of the most significant barriers to employment for people with disabilities who don't drive. There is no one "magic" solution to the transportation problem. However, there are lots of possible solutions, and as with any problem, it is a matter of developing lots of ideas and investigating to see which works. Start by investigating options that are typically used by the general population (mass transit, car pooling, etc.). Additionally, many communities maintain specialized transportation services for people with disabilities, such as partatransit (under the Americans with Disabilities Act, public transit providers must provide equivalent service to individuals who cannot utilize the public transit system). However, given the limited resources and flexibility of specialized transportation, it is recommended that other alternatives be initially considered.

- If One-Stop staff are unaware of local disability-specific transportation resources, contact Vocational Rehabilitation (a One-Stop partner), the local independent living center, and other local disability agencies. For information on Independent Living Centers, see the Resource section at the end of the manual.

- It is also recommended that you contact your local and state transportation departments and authorities. Local One-Stop systems may wish to consider formally partnering with transportation agencies to provide a more comprehensive approach to meeting the transportation needs of One-Stop customers.

- Transportation to work is an issue not only for people with disabilities, but also for many low-income individuals, such as those participating in Welfare-to-Work programs (a One-Stop partner). One-Stop staff may wish to find out what transportation resources are being utilized to meet the needs of low-income individuals, and determine if these might be used by job seekers with disabilities.

- Since transportation is an issue for many non-disabled job seekers as well, the One-Stop system may find it helpful to maintain a comprehensive listing of local transportation resources and/or work with local transportation officials on an easily accessible transportation data base which can assist individuals with route planning.

Finding Transportation Solutions: Questions to Consider

When assisting a job seeker with a disability to find transportation, the following questions can help identify possible solutions.

Own Vehicle

Do you have a driver's license?

- If not, could you obtain a driver's license?
- Do you have a vehicle or have access to a vehicle?
- Could you buy a vehicle (possibly using a PASS Social Security Work Incentive to cover the cost)?

Mass Transit

Is there mass transit that can take you to your job?

- Could you learn how to take mass transit?

Note: some agencies, such as Independent Living Centers, Community Rehabilitation Providers, and others, teach people with disabilities to use mass transit via "travel training". Orientation and Mobility (O & M) classes can help people who have visual impairments. The state blind and visually impaired agency should have information on O & M services.

Cab

Could you take a cab to work?

Walking & Biking

Is the job within walking distance? Biking distance? Moped distance?

Car Pooling & Employer Resources

- How do your co-workers get to work? Could you car pool with them?
- Does your employer have any ideas or resources for transportation?
- Are there other employers nearby whose employees take a similar route? Might a car pool or shuttle bus be arranged?

Someone who could drive you

Who might be available to drive you to and from work?

- People you live with?
- Family?
- Residential program staff?
- Neighbors?
- Others?

If you can identify a driver but no vehicle, could a vehicle be purchased (possibly using a PASS-Plan for Achieving Self-Support, to cover the down payment) for someone else to drive you? [See information elsewhere in this section on using PASS's for transportation.]

Finding a driver

If you don't know anyone who could drive you, could you find a driver?

- Where would you advertise?

    Newspaper? Local colleges? Stores? Senior centers? Civic groups? Church bulletins?

Transportation services

- Is there paratransit (special transportation services for people with disabilities) available?
- Are there other transportation services available?

Brainstorming other ideas

Who could help you come up with ideas for transportation?

- People you live with?
- Friends?
- Family members?
- Neighbors?
- Counselors?
- Other professionals?
- Other community members?
- Members of groups you are part of?

Paying for transportation

- Are you eligible for reduced fare programs?
- If you're on Social Security, have you investigated using the PASS or IRWE Work Incentives to help cover the costs?

Using Social Security Work Incentives To Pay for Transportation

PASS (PLAN FOR ACHIEVING SELF-SUPPORT) & IRWE (IMPAIRMENT RELATED WORK EXPENSE)

These Social Security Work Incentives can be used to help offset the costs of transportation.

Who Can Use Them

- PASS's can only be used by people who receive Supplemental Security Income (SSI). However, PASS's can sometimes be used to qualify individuals for SSI by reducing the income that Social Security "counts".

- IRWE's can be used by people who receive either SSI or Social Security Disability Insurance (SSDI).

  For details on the SSI and SSDI programs, see Section 9, "Social Security Disability Benefits".

Time Limits

- PASS's are time-limited. Although there is no specific time limit on PASS's, they are typically approved in 18 month increments, and subject to regular review.

- IRWE's have no time limit.

Reimbursement Rate

- PASS's reimburse the individual for the entire expense.

- For people on SSI, an IRWE will cover only half the cost of an expense. The rest of the expense will have to be paid by the individual. However, for individuals on SSDI, transportation expenses may reduce an individual's income below the substantial gainful activity limit of $740 [2001 figure] (this level is higher for individuals who are blind) and allowing them to maintain their SSDI check.

BLIND WORK EXPENSES (BWE)

A person who is blind can deduct the full cost of expenses related to work, including transportation. In essence, they will receive full reimbursement for transportation expenses.

Transportation expenses for which a PASS can be used:

- Hire of private or commercial carriers
- Lease, rental, or purchase of a private vehicle plus registration fees and cost of insurance premiums
- Public transportation and common carriers (private transportation companies which run regularly scheduled service available to the general public)

Transportation expenses for which an IRWE can be used:

- The cost of structural or operational modifications to a vehicle which the person needs in order to drive to work, even if the vehicle is also used for non-work purposes.
- The cost of driver assistance or taxicabs where such special transportation is not generally required by unimpaired individuals in the community.
- Mileage expenses for an approved vehicle at a rate determined by the Social Security Administration. Only travel related to employment can be reimbursed.

Transportation expenses for which an IRWE cannot be used

- The cost of a vehicle, whether modified or not.
- The cost of a modification to a vehicle that is not directly related to the impairment or critical to the operation of the vehicle (e.g. paint or decor preferences).
- The cost of travel necessary to obtain medical items or services.

  Note: This information is directly from documents provided by Social Security. These are just examples and guidelines. Ideas on how PASS's and IRWE's can be used for transportation expenses should not be limited to the examples given here.

For additional information on PASS, IRWE, or BWE, see Section 9, "One-Stop Centers and Social Security Disability Benefits" or contact your local Social Security office.

Transportation Resources

Community Transportation Association
> 1341 G St., NW
> Suite 600
> Washington, DC 20005
> Voice: (202) 628.1480
> Fax: (202) 737.9197
> Web site: www.ctaa.org

> This national advocacy organization focuses on transportation for individuals who do not have access to mass transit or private automobiles

Federal Transit Administration
> TCR-1, Room 7412
> Office of Civil Rights
> 400 7th Street, SW
> Washington, DC 20590
> Voice: (202) 366-366-0153 or
> (888) 446-4511
> TTY/FIRS: (800) 877-8339
> Web site: www.fta.dot.gov

> A good source for determining the rights of people with disabilities concerning public transportation, including the regulations concerning paratransit systems.
> Note: FTA has information on grants for assisting people with low incomes (including people with disabilities) with transportation. This information is available at: www.fta.dot.gov/wtw/uoft.html

Project Action
> 700 Thirteenth Street, N.W., Suite 200
> Washington, DC 20005
> Voice: (800) 659-6428
> Fax: (202) 347-3066
> Web site: www.projectaction.org
> e-mail: nsmith@easter-sealsdc.org

> This is a national program that fosters accessible transportation services for people with disabilities. It is administered by the National Easter Seal Society and funded by the Federal Transit Administration

U.S. Department of Transportation
> 400 Seventh Street SW
> Washington, DC 20590
> Voice: (202) 366-4011
> TTY: (202) 366-2979
> Fax: (202) 366-7951
> Web site: www.dot.gov/accessibility

> A variety of information on regulations and resources concerning transportation for people with disabilities.

13

Disability Definitions and Acronyms

Section Purpose

To help guide One-Stop staff in understanding the various terms, jargon, and abbreviations often used in discussions and materials related to services for customers with disabilities.

Section Contents

A) **Disability and Employment Related Acronyms:** An explanation of various acronyms used in disability and employment services

B) **Glossary of Disability and Employment Terms:** Definitions of various terms used in disability and employment services

Disability and Employment Related Acronyms

ACT - Assertive Community Treatment
ACT programs offer comprehensive community adjustment services for people with mental illness through a coordinated team approach

ADA - Americans with Disabilities Act
The ADA protects people with disabilities from discrimination in employment, government services, and public accommodations.

ADD - Attention Deficit Disorder
A disorder that is characterized by symptoms of inattention and hyperactivity/impulsivity.

ADL - Activities of Daily Living
Basic living skills including personal care and hygiene, cooking and money management.

CRP - Community Rehabilitation Provider
A community-based, typically private non-profit agency that provides employment services to adults with disabilities.

DBTACs - Disability and Business Technical Assistance Centers
Federally-funded centers that provide information and technical assistance to businesses, people with disabilities, and other entities concerning the ADA.

DD - Developmental Disability
A disability whose onset occurs before age 22 and whose effects are expected to be lifelong, such as cerebral palsy, mental retardation, and epilepsy.

FLSA - Fair Labor Standards Act
The FLSA sets minimum wage, overtime pay, equal pay, record keeping, and child labor standards for American workplaces.

IDEA - Individuals with Disabilities Education Act
The federal law that mandates a "free appropriate public education" to all "eligible" children with disabilities (including mental, physical, and emotional disabilities) who, because of their disability, require special instruction in order to learn.

IEP - Individualized Education Program (school)
A plan, mandated by IDEA, that states the goals and services for a student for a period of up to, but for no longer than, one year (it is rewritten each year to reflect changes in the educational program).

ILC - Independent Living Centers
ILCs are community based, not-for-profit, non-residential organizations that provide advocacy, peer counseling, independent living skills training, and information & referral to persons of any age with any type of disability.

IRWE - Impairment-Related Work Expense

> A Social Security Work Incentive that can be used to help reduce the impact of earnings on Social Security disability benefits (SSI and SSDI). IRWEs include the reasonable cost of items and services (i.e., attendant care, medical or prosthetic devices, drugs and medical services, residential modifications and special transportation) that, because of an impairment, a person needs and uses in order to work. The cost of these items and services is deducted from the earnings that Social Security uses to figure out Substantial Gainful Activity.

ISP - Individual Support Plan (adult service provider)

> A formal plan that assesses an individual's needs for supports; identifies and chooses the natural, generic, and specialized supports that will meet those needs; and plans for the outcome that will enhance the individual's quality of life.

ITP - Individual Transition Plan

> A planning document, required for students with disabilities starting at age 14 and revised on an annual basis, that outlines their transition from school to adult life.

MH - Mental Health

> Typically refers to people with mental illness and psychiatric disabilities

MR - Mental Retardation

> A developmental disability characterized by slower learning and more concrete thought processes

NIDRR - National Institute on Disability Rehabilitation and Research

> A federal funding agency that provides leadership and support for a comprehensive program of research related to the rehabilitation of individuals with disabilities. NIDRR is a division of OSERS.

O & M - Orientation and Mobility

> The training process that prepares individuals who are blind or visually impaired to travel safely and independently.

OSEP - Office of Special Education Programs

> The federal agency that oversees special education services for children and youth with disabilities from birth through age 21. OSEP is a division of OSERS.

OSERS - United States Office of Special Education and Rehabilitation Services

> A federal agency that supports programs that assist in educating children with special needs; provides for the rehabilitation of youth and adults with disabilities; and supports research to improve the lives of individuals with disabilities. OSERS consists of three program-related components: OSEP, RSA, and NIDRR.

PASS - Plans for Achieving Self Support

> A Social Security Work Incentive that can be used to help reduce the impact of earned income on SSI benefits. A PASS allows a person with a disability to set aside income and/or resources towards a work goal for a specified period of time (i.e., a person could set aside money for education, vocational training, or business start-up expenses).

P & A - Protection & Advocacy

Federally-funded organizations, located in every state, that protect the legal rights of people with disabilities

PCA - Personal Care Assistant

PCAs assist people with disabilities to be as independent as possible by providing support and assistance with ADLs and organizing social, cultural, and other activities upon request.

RRTC - Rehabilitation Research and Training Center

Federally-funded entities whose primary activities are to conduct research targeted toward the production of new knowledge which will improve rehabilitation methodology and service delivery, alleviate or stabilize disabling conditions, and promote maximum social and economic independence.

RSA - Rehabilitation Services Administration

A federal agency that oversees programs that help individuals with physical or mental disabilities to obtain employment through the provision of such supports as counseling, medical and psychological services, and job training. RSA is the main funding agency for state Vocational Rehabilitation programs. RSA is a division of OSERS.

SE - Supported Employment

The provision of ongoing supports from an external source (e.g., a community rehabilitation provider or state agency) to an individual in a paid, community-based setting, where the majority of the workers do not have disabilities, directed at teaching the tasks of that specific job as they occur, and identifying supports for the individual within the workplace.

SGA - Substantial Gainful Activity

A level of earnings used by the Social Security Administration to indicate the performance of significant and productive physical or mental work for pay or profit. For 2001, SGA is $740 ($1240 for individuals who are blind). SGA is adjusted on an annual basis for inflation.

Sped, SpEd - Special Education

Education services for children and youth with disabilities.

SSA - Social Security Administration

SSA provides monthly cash benefits to approximately 10 million individuals in the United States with disabilities.

SSDI - Supplemental Security Disability Insurance

A monthly insurance benefit paid to people who either: a) have previous work experience themselves, and have paid Social Security taxes (FICA) for enough years to be covered under Social Security; or b) have a retired or deceased parent who has paid into the system. Individuals on SSDI typically are also eligible for Medicare.

SSI - Supplemental Security Income
> A monthly cash benefit that is available from the Social Security Administration to people who have a disability, low income, and few resources; people who receive SSI also automatically become eligible to receive Medicaid medical insurance in most states.

TANF - Temporary Assistance for Needy Families
> The replacement for AFDC under welfare reform. What is typically referred to when "welfare benefits" are discussed.

TDD or TTY - Telecommunication Device for the Deaf, Teletypewriter
> Electronic device that allows people who are deaf to communicate over telephone systems.

TWWIIA - Ticket to Work and Work Incentives Improvement Act
> A piece of legislation which began to go into affect in the year 2000. TWWIIA is designed to create greater incentives for people with disabilities on social security disability benefits to return to work.

UAP - University Affiliated Program
> A federally-funded program whose mission is to serve as a liaison between academic expertise and institutions of higher learning and service delivery systems so as to positively affect the lives of individuals with developmental disabilities and their families by increasing their independence, productivity, and integration into communities. Each state has at least one UAP.

VR - Vocational Rehabilitation
> The process of assisting individuals with disabilities to obtain and maintain employment through diverse services tailored to meet the needs of each individual. Each state has a public VR agency.

WOTC - Work Opportunity Tax Credit
> A federal income tax credit that encourages employers to hire eight targeted groups of job seekers, including people with disabilities and people who receive TANF benefits.

WIA - Workforce Investment Act
> Workforce legislation passed by the U.S. Congress in 1998 that must be implemented by all states by July 1, 2000. WIA replaces the Job Training Partnership Act (WIA) and is the legislation which, among other things, establishes the One-Stop system.

USDOL - United States Department of Labor
> The national agency which oversees federal employment and training programs, including the implementation of the Workforce Investment Act.

Glossary of Disability & Employment Terms

Assertive Community Treatment (ACT)

ACT programs offer comprehensive community adjustment services for people with mental illness through a coordinated team approach

Assistive Technology

Technology that assists individuals to participate in activities as independently as possible. This can include "low-tech" items (i.e., timers, organizational tools, calculators) as well as more advanced technology (i.e., wheelchairs, computers, talkers).

Clubhouse Program

A psycho-social rehabilitation program for individuals who have psychiatric disabilities, with an emphasis on participant control, working in conjunction with paid staff. Clubhouses often provide assistance with employment.

Community Rehabilitation Provider (CRP)

A community-based agency, typically private and non-profit, that provides employment services to adults with disabilities. The majority of funding for most CRPs comes from government agencies and funding sources.

Consumer/Client

Terms typically used when referring to individuals who receive services from human service providers and agencies.

Employment Specialist

A staff member from a community agency who helps people with disabilities obtain employment. This term is sometimes used interchangeably with the term "job coach".

Enclaves

A group of individuals with disabilities who work in a community business with ongoing support and possibly supervision provided by rehabilitation agency staff.

Fairweather Lodges

Residential/vocational settings where groups of individuals with psychiatric disabilities live together and jointly operate small business ventures.

Functional Vocational Assessment

Identifies an individual's vocational interests and skills through the performance of job tasks in a variety of actual work environments in the community. Also known as a situational assessment.

Individualized Education Plan

A plan, mandated by law, that states the goals and services for a student for a period of up to but for no longer than one year (it is rewritten each year to reflect changes in the educational program). The school system is required to provide all services that are written into the IEP.

Natural Supports

Natural, supportive relationships that are fostered and developed among individuals with disabilities and non-disabled co-workers, classmates, activity participants, neighbors, etc. An emphasis in recent years in the disability field has been on using these relationships to support an individual with a disability, rather than relying on paid staff for assistance and support.

Person-Centered Planning

A planning process that focuses on the individual and his/her interests, strengths, and needs. Emphasis is placed on the planning process being controlled by the individual with a disability, with involvement by individuals of their choice from their personal network. There are numerous models of this type of planning available.

Provider Agency or Vendor

A private agency that offers residential, vocational, and/or support services that are purchased by state human service agencies.

Reasonable Accommodation

Change in an environment to meet the access needs of an individual in accordance with the Americans with Disabilities Act.

Situational Assessment

See *functional vocational assessment.*

Supported Employment

The provision of ongoing support from an external source (e.g., a community rehabilitation provider or state agency) to an individual in a paid, community-based employment setting, where the majority of the workers do not have disabilities. Supported employment typically uses a job coach (also known as an employment specialist or consultant) to provide assistance on the job.

Transition

In the special education and rehabilitation fields, the process of a student's movement from school-based, school-sponsored activities and services to community-based and/or adult services.

14 Disability Related Resources

Section Purpose

A broad array of resources and contacts, listed by subject headings, that One-Stop systems can use for guidance, questions, and identification of additional resources for meeting the needs of customers with disabilities.

Resource Section

To be able to comprehensively assist people with disabilities in meeting their employment and training needs, it is helpful for One-Stop staff to become familiar not only with the resources readily available within the One-Stop system, but to also find out what other resources are available in the local area, regionally, and nationally. There is an amazing amount of information and assistance available on disability related topics, much of it publicly funded and provided at little or no cost.

The purpose of this section is to provide a comprehensive listing of resources on a wide variety of disability related topics, so that One-Stop systems can have access to resources, information, and assistance beyond what is easily and readily available within the One-Stop system, and contained in this manual. By having this information, One-Stop staff can:

- get assistance and answers to questions concerning how to meet the needs of people with disabilities
- become aware of resources outside the One-Stop system that customers with disabilities can be linked with, and that One-Stop systems can collaborate with to provide comprehensive, quality service to customers with disabilities.

The topics are arranged by subject area. Most listings are of national resources and organizations. In some cases, information is provided on how to find state and local contacts for national organizations and agencies. Also, through contact with any of these national organizations, they may be able to assist with information on resources in your local area. This list does not pretend to be absolutely comprehensive, and significant resources have undoubtedly been excluded, but it is at least a strong starting point.

Source for state resources:
The National Information Center for Children and Youth with Disabilities maintains a listing on their web site of disability resources by state. These resources are for both adults and youth. This listing can be accessed at: www.nichcy.org/states.htm

NICHCY can also be contacted by phone at: (800) 695-0285, and by e-mail at: nichcy@aed.org

Disability Information on the Web

There is a tremendous amount of information on disability related issues on the internet. Given the volume of information on the web, the biggest challenge can often be quickly finding what you are looking for. To assist with this challenge, this manual attempts to provide links on virtually every topic covered, both in the resource section and within the text on various topics. We recognize that there many other sources of quality information on the web besides those we've included. The following five web sites contain comprehensive listings of links for disability information on the web. When looking for additional information, these are good places to start.

- Cornucopia of Disability Information: www.codi.buffalo.edu
- The Disability Link Barn: www.accessunlimited.com/link1.html
- Disability Resources on the Internet: www.disabilityresources.org
- Untangling the Web: www.icdi.wvu.edu/others.htm#g13
- WebABLE:www.webable.com

AMERICANS WITH DISABILITIES ACT & OTHER LEGAL INFORMATION

Regional Resources

National Association of Protection and Advocacy Systems, Inc.
900 Second Street, NE, Suite 211
Washington, DC 20002
Voice: (202) 408-9514
Fax: (202) 408-9520
Web site: www.protectionandadvocacy.com

This is the national association for the Protection and Advocacy (P & A) Systems, which are federally mandated to protect the rights of persons with disabilities through legally-based advocacy. There is a P & A in every state and territory. The location of the P & A in your local area can be found by contacting NAPAS; a listing is also available on the web site. P & A's can be helpful resources when questions arise concerning the ADA and other disability-related legal issues.

Disability and Business Technical Assistance Centers (DBTACs)
Web site: www.adata.org/index-dbtac.html
Voice/TTY: (800) 949-4232 (will connect with your regional DBTAC)

Ten federally-funded regional centers that provide information, training, and technical assistance to employers, people with disabilities, and other entities concerning the ADA. The purpose of the centers is to act as a central, comprehensive resource on ADA issues in employment, public services, public accommodations, and communications. DBTACs can be a helpful resource for ensuring accessibility in One-Stop service delivery, as well as in the development of accommodations for employment.

Region 1 (CT, ME, MA, NH, RI, VT)
New England DBTAC
Adaptive Environments Center, Inc.
374 Congress Street, Suite 301
Boston, MA 02210

Voice/TTY: (617) 695-0085
Fax: (617) 482-8099
E-mail: adaptive@adaptenv.org
Web site: www.adaptenv.org

Region 2 (NJ, NY, PR, VI)
Northeast DBTAC
United Cerebral Palsy Associations of New Jersey
354 South Broad Street
Trenton, NJ 08608
Voice: (609) 392-4004
TTY: (609) 392-7044
Fax: (609) 392-3505
E-mail: dbtac@ucpanj.org
Web site: www.disabilityact.com

Region 3 (DE, DC, MD, PA, VA, WV)
Mid-Atlantic DBTAC
TransCen, Inc.
451 Hungerford Drive, Suite 607
Rockville, MD 20850
Voice/TTY: (301) 217-0124
Fax: (301) 217-0754
E-mail: adainfo@transcen.org
Web site: www.adainfo.org

Region 4 (AL, FL, GA, KY, NC, SC, MS, TN)
Southeast DBTAC
United Cerebral Palsy Association, Inc.
Center for Rehabilitation Technology at Georgia Tech
490 Tenth Street
Atlanta, GA 30318
Voice/TTY: (404) 385-0636 (V/TTY)
Fax: (404) 385-0641 (Fax)
E-mail: se-dbtac@mindspring.com
Web site: www.sedbtac.org

Region 5 (IL, IN, MI, MN, OH, WI)
Great Lakes DBTAC
University of Illinois/Chicago
Department on Disability & Human
Development
1640 West Roosevelt Road
Chicago, IL 60608
Voice/TTY: (312) 413-1407
Fax: (312) 413-1856
E-mail: gldbtac@uic.edu
Web site: www.adagreatlakes.org

Region 6 (AR, LA, NM, OK, TX)
Southwest DBTAC
Independent Living Research Utilization
2323 South Shepherd Boulevard, Suite 1000
Houston, TX 77019
Voice/TTY: (713) 520-0232
Fax: (713) 520-5785
E-mail: ilru@ilru.org
Web site: www.ilru.org/dbtac

Region 7 (IA, KS, MO, NE)
Great Plains DBTAC
ADA Project
100 Corporate Lake Drive
Columbia, MO 65203
Voice/TTY: (573) 882-3600 (V/TTY)
Fax: (573) 884-4925 (Fax)
E-mail: adalh@showme.missouri.edu
Web site: www.adaproject.org

Region 8 (CO, MT, ND, SD, UT, WY)
Rocky Mountain DBTAC
Meeting the Challenge, Inc.
3630 Sinton Road, Suite 103
Colorado Springs, CO 80907
Voice/TTY: (719) 444-0268
Fax: (719) 444-0269
E-mail: ada-infonet@mtc-inc.com
Web site: www.ada-infonet.org

Region 9 (AZ, CA, HI, NV, Pacific Basin)
Pacific DBTAC
California Public Health Institute
2168 Shattuck Avenue, Suite 301
Berkeley, CA 94704-1307

Voice: (510) 848-2980
TTY: (510) 848-1840
Fax: (510) 848-1981
E-mail: adatech@pdbtac.com
Web site: www.pacdbtac.org

Region 10 (AK, ID, OR, WA).
Northwest DBTAC
Washington State Governor's Committee
   on Disability Issues & Employment
P.O. Box 9046, MS 6000
Olympia, WA 98507-9046
Voice/TTY: (360) 438-4116
Fax: (360) 438-3208
E-mail: dcolley@esd.wa.gov
Web site: www.wata.org/NWD

NATIONAL RESOURCES

General ADA Information

ADA Technical Assistance Program.
   Voice: (800) 949-4232
   Web site: www.adata.org

   A federally funded network of grantees that
   provide information, training, and technical
   assistance to businesses and agencies with duties
   and responsibilities under the ADA and to
   people with disabilities with rights under the
   ADA.

Disability Rights Education & Defense Fund, Inc.
   2212 Sixth Street
   Berkeley, CA 94710
   Voice/TTY: (510) 644-2555
   Fax: (510) 841-8645 fax
   ADA Hotline (Voice/TTY): 1-800-466-4232
   E-mail: dredf@dredf.org
   Web site: www.dredf.org

   General information and resources on the ADA
   and legal rights of people with disabilities.

Job Accommodation Network (JAN)
West Virginia University
P.O. Box 6080
Morgantown, West Virginia 26506-6080
Accommodation Information (Voice / TTY):
(800) 526-7234
ADA Information (Voice / TTY):
(800) 232-9675
Fax: (304) 293-5407
E-mail: jan@.icdi.wvu.edu
Web site: http://janweb.icdi.wvu.edu

ADA documents available at:
http://janweb.icdi.wvu.edu/Kinder/
Information and assistance on questions related to the ADA and accommodations. Web site also has extensive links to other sources of disability information.

Office of Disability Employment Policy
United States Department of Labor
1331 F Street, N.W., Suite 300
Washington, DC 20004
Tel: (202) 376-6200
TTY: (202) 376-6205
Fax: (202) 376-6219
E-mail: info@pcepd.gov
Web site: www.pcepd.gov

Federal department whose mission is to promote employment of people with disabilities. Has wide variety of publications and resources on the ADA.

U.S. Department of Justice ADA Hotline
Voice: (800) 514-0301
TTY: (800) 514-0383
Web site: www.usdoj.gov/crt/ada/adahom1.htm

Call to obtain answers to general and technical questions about the ADA and to order technical assistance materials. Web site contains extensive materials and resources.

Information on ADA requirements affecting employment:

Equal Employment Opportunity Commission (EEOC)
1801 L Street
Washington, DC 20507
Voice: (800) 669-4000
TTY: (800) 669-6820
Fax: (513) 791-2954
Web site: www.eeoc.gov

ADA information and information on how to file complaints.

EEOC Publications
Publications Information Center
P.O. Box 12549
Cincinnati, OH 45212-0549
Voice: (800) 669-3362
TTY: (800) 800-3302
Free booklets on regulations and guidelines for the ADA.
Web site for publications: www.eeoc.gov/eeoinfo.html

Information about ADA requirements affecting transportation:

Department of Transportation
400 Seventh Street SW
Washington, DC 20590
Voice: (202) 366-4011; TTY: (202) 366-2979
Fax: (202) 366-7951
Web site: www.dot.gov
A variety of information on regulations and resources concerning transportation for people with disabilities.

Federal Transit Administration
TCR-1, Room 7412
Office of Civil Rights
400 7th Street, SW
Washington, DC 20590

ADA Assistance Line for information, questions and complaints about transportation
Voice: (202) 366-366-0153 or (888) 446-4511
TTY/Federal Information Retrieval Service:
(800) 877-8339
Web site: www.fta.dot.gov/office/civ.htm

A good source for determining the rights of people with disabilities concerning public transportation, including the regulations concerning paratransit systems.

Note: FTA has information on grants for assisting people with low incomes (including people with disabilities) with transportation. This information is available at: www.fta.dot.gov/wtw/uoft.html

Information about ADA requirements for accessible design in new construction and alterations:

U.S. Architectural and Transportation Barriers Compliance Board
1331 F Street NW, Suite 1000
Washington, DC 20004-1111
Voice: (800) USA-ABLE (872-2253)
TTY: (800) 993-2822
Voice/TTY: (202) 272-5434
Fax: (202) 272-5447
Web site: www.access-board.gov
E-mail:
- General information: info@access-board.gov
- Technical assistance questions: ta@access-board.gov
- Information on enforcement of the Architectural Barriers Act, or to file a complaint under that Act: enforce@access-board.gov
- To order publications: pubs@access-board.gov
- For information on Board training activities: training@access-board.gov

Information about ADA requirements affecting telecommunications:

Federal Communications Commission
1919 M Street NW
Washington, DC 20554

Documents and Questions
Voice: (202) 418-0190
TTY: (202) 418-2555

Legal Questions
Voice: (202) 418-2357
TTY: (202) 418-0484

Complaints and Enforcement
Voice: (202) 632-7553
TTY: (202) 418-0485
Web site: www.fcc.gov

ACCOMMODATIONS & ASSISTIVE TECHNOLOGY

Local and Regional Resources

State Assistive Technology Projects

Each state has a federally funded assistive technology program. These programs vary in their available information and services; however, they can all help identify local assistive technology ideas and resources. Contact information for each state is available at the following web site:
www.resna.org/taproject/at/statecontacts.html
or by calling RESNA:
Voice: (703) 524-6686
TTY: (703) 524-6639
E-mail: resnaTA@resna.org

Disability and Business Technical Assistance Centers (DBTACs)
Web site: www.adata.org/index-dbtac.html
Voice/TTY: (800) 949-4232 (will connect with your regional DBTAC)

There are 10 federally funded regional DBTACs which provide information to businesses, people with disabilities, and others on accommodation and accessibility issues, as well as other ADA information. A full listing of DBTACs is contained in the resource section under "Americans with Disabilities Act and Other Legal Information".

National Resources

ABLEDATA: The National Database of Assistive Technology Information
8401 Colesville Road, Suite 200
Silver Spring, MD 20910-3319
Voice/TTY: (800) 227-0216; (301) 608-8998
Web site: www.abledata.com

A federally-funded project whose primary mission is to provide information on assistive technology and rehabilitation equipment. This project's web site contains a database of 25, 000 products and devices. ABLEDATA information specialists will also provide in-depth help over the telephone.

Alliance for Technology Access
2175 East Francisco Boulevard, Suite L
San Rafael, CA 94901
Voice: (800) 455-7970 or (415) 455-4575
TTY: (415) 455-0491
E-mail: atainfo@ataccess.org
Web site: www.ataccess.org

ATA is dedicated to increasing the use of standard, assistive, and information technologies for people with disabilities. Has a variety of resources, including a library, to help identify appropriate technology. Publisher of Computer and Web Resources for People with Disabilities, a comprehensive guide.

Apple Computer Inc., Worldwide Disability Solutions Group (WDSG)
Apple Technologies
1 Infinite Loop
Cupertino, CA 95014
Voice: (800) 776-2333
Web site: www.apple.com/education/k12/disability

The Worldwide Disability Solutions Group works to identify the computer-related needs of individuals with disabilities and ensure that Apple computers have built-in accessibility features. The web site contains information on making Apple computers fully accessible for people with disabilities, including shareware and freeware that can be downloaded.

assitivetech.net

Center for Rehabilitation Technology
College of Architecture
Georgia Institute of Technology
490 10th Street, NW
Atlanta, GA 30332-0156
Voice/TTY: (404) 894-4960
Web site: www.assistivetech.net

An online information resource providing up-to-date information on assistive technologies, adaptive environments and community resources. Has a comprehensive listing of assistive technology, and also information specialists available to assist with questions about assistive technology.

Computer/Electronic Accommodations Program (CAP)

Department of Defense
5111 Leesburg Pike, Suite 810
Falls Church, VA 22041
Voice: 703-693-5160
TTY: 703-693-6189
Fax: 703-681-9075
E-mail: cap@tma.osd.mil
Web site: www.tricare.osd.mil/cap

The CAP program is considered to be a model program for accommodating employees with disabilities. This program is focused on accommodating employees with disabilities in the Department of Defense and other Federal agencies, but also has information and resources that are also useful to any individual or employer. The program has a technology evaluation center with several accessible electronic work stations. This center is open to visitors.

IBM Accessibility Center

IBM Corporation
1133 Westchester Avenue
White Plains, NY 10604
Voice: (800) 426-4832
TDD: (800) 426-4833
E-mail: snsinfo@us.ibm.com
Web site: www-3.ibm.com/able

The Center responds to requests for information on how IBM products can help people with a wide range of disabilities use personal computers. While the Center cannot diagnose or prescribe an assistive device or software, it provides free information on possible solutions and organizations to contact for more details. The web site includes product information, a screen magnifier program, and a screen reader program.

Job Accommodation Network (JAN)

West Virginia University
P.O. Box 6080
Morgantown, West Virginia 26506-6080
Accommodation Information (Voice / TTY): (800) 526-7234
ADA Information (Voice / TTY): (800) 232-9675
Fax: (304) 293-5407
E-mail: jan@icdi.wvu.edu
Web site: http://janweb.icdi.wvu.edu

Federally-funded free information and consultation service on job accommodations and related information. JAN's web site has a searchable online database (SOAR) which can be used to research accommodation options. JAN also has consultants available by phone, who can assist in identifying possible accommodations.

National Business & Disability Council

201 I.U. Willets Rd
Albertson, NY 11507
Voice: (516) 465-1515
Information hot line: (516) 465-1519
Fax: (516) 465-3730
Web site: www.business-disability.com

The National Business & Disability Council (NBDC) is a resource for businesses on integration of individuals with disabilities into the workforce. Among the services of NBDC is an information hotline to answer questions on accessibility issues.

Prentke Romich Company
1022 Heyl Road
Wooster, OH 44691
Voice: (800) 262-1984
Fax: (330) 263-4829
Web site: www.prentrom.com

A manufacturer of augmentative communication devices for people with disabilities, Prentke Romich has a guide for funding assistive technology available at its web site.

RESNA (Rehabilitation Engineering and Assistive Technology Society of North America)
1700 N. Moore Street, Suite 1540
Arlington, VA 22209-1903
Voice: (703) 524-6686
TTY: (703) 524-6639
E-mail: natloffice@resna.org
Web site: www.resna.org

A membership organization of people who are interested in how technology can help people with disabilities achieve their goals. RESNA has a variety of publications and resources. Web site includes a list of assistive technology professionals by state.

TechConnections
490 Tenth St. NW
Atlanta, GA 30318
Voice/TTY: (877) TEK-SEEK (877-835-7335)
E-mail: techconnections@crt.gatech.edu
Web site: www.techconnections.org

Tech Connections is a national dissemination project designed to increase the utilization of existing and emerging assistive technology, with a particular focus on employment. Web site has a variety of information and resources. Information and referral specialists are available to answer questions at no charge. Also has a monthly newsletter.

Technology Access Program (TAP)
Department of Communication Arts
Gallaudet University
800 Florida Avenue, NE

Washington, DC 20002-3695
Voice/TTY: (202) 651-5257
Fax: (202) 651-5476
Web site: http://tap.gallaudet.edu

Research group focusing on technologies and services that eliminate communication barriers traditionally faced by deaf and hard of hearing people. Web site contains a variety of information on telecommunications for people who are deaf and hard of hearing. Software can be download from web site which assists with eliminating communication barriers.

Trace Research & Development Center
S-151 Waisman Center, 1500 Highland Avenue
University of Wisconsin-Madison
Madison, WI 53705-2280
Voice: (608) 262-6966
TTY: (608) 262-5408
E-mail: info@trace.wisc.edu
Web site: http://trace.wisc.edu

Engineers technological access solutions, and has a variety of information and resources on assistive technology.

Virtual Assistive Technology Center
Web site: www.at-center.com

The purpose of the VATC is to put computers within reach of individuals with disabilities. The web site contains a variety of freeware and shareware that can be downloaded to help people with disabilities use computers. The web site also contains information, publications, a message board, and links to related web sites. VATC also publishes a newsletter on assistive technology.

ADVOCACY

Self Advocates Becoming Empowered
> P.O. Box 105CI
> New Fairfield, CT 06812
> Web site: www.sabeusa.org

> National self-advocacy organization. Self-advocacy is the name commonly given to the movement of people with mental retardation and other developmental disabilities who speak up for themselves and make their own decisions. Terms often connected with this evolving initiative are increased "control", "empowerment", and "self-determination". Many trainings, support groups, and other opportunities are available.

> A self-advocacy bibliography is available at: http://thearc.org/misc/sabib.html

TASH (formerly the Association for Persons with Severe Handicaps)
> 29 W. Susquehanna Ave., Suite 210
> Baltimore, MD 21204
> Voice: (410) 828-8274
> TTY: (410) 828-1306
> E-mail: info@tash.org
> Web site: www.tash.org

> National disability advocacy organization

AUTISM

Autism National Committee
> 635 Ardmore Avenue
> Ardmore, PA 19003
> Web site: www.autcom.org

> A national think tank advancing research, understanding, and positive relationship and communication-based approaches to assisting children and adults with autism.

Autism Society of America
> 7910 Woodmont Avenue, Suite 300
> Bethesda, MD 20814
> Voice: (301) 657-0881; (800) 328-8476 x150
> Fax: (301) 657-0869
> Web site: www.autism-society.org

> Provides basic information and referral, as well as updates on autism research and advocacy efforts.

Indiana Institute on Disability and Community
Indiana Resource Center for Autism
> Indiana University
> 2853 East 10th Street
> Bloomington, IN 47408-2601
> Voice: (812) 855-6508
> TTY: (812) 855-9396
> Fax: (812) 855-9630
> E-mail: prattc@indiana.edu
> Web site: www.isdd.indiana.edu/~irca

> Provides training, technical assistance, and information on meeting the needs of individuals with autism.

BLIND & VISUALLY IMPAIRED

State Agencies for the Blind and Visually Impaired

Each state has a public agency to meet the needs of the blind and visually impaired. This agency is a component of the public Vocational Rehabilitation system.
A listing of the agencies for the blind and visually impaired for all states and territories is available at the following web site:
www.nchrtm.okstate.edu/pages/state_VR.html

American Council of the Blind
1155 15th Street N.W., Suite 720
Washington, DC 20005
Voice: (800) 424-8666; (202) 467-5081
E-mail: info@acb.org
Web site: www.acb.org

State affiliates listed at:
www.acb.org/Affiliates/index.html

National membership organization of blind and visually impaired people. Services include toll-free information and referral on all aspects of blindness, and consultation with industry regarding employment of blind and visually impaired individuals.

American Foundation for the Blind (AFB)
11 Penn Plaza, Suite 300
New York, NY 10001
Voice: (800) 232-5463
Fax: (212) 502-7777
TTY: (212) 502-7662
E-mail: afbinfo@afb.net
Web site: www.afb.org

National resource for people who are blind or visually impaired, the organizations that serve them, and the general public. Among services are production and distribution of Talking Books and other audio materials.

The Lighthouse Information & Resource Service
111 East 59th Street
New York, NY 10022
Voice: (800) 829-0500
Fax: (212) 821-9707
TTY: (212) 821-9713
E-mail: info@lighthouse.org
Web site: www.lighthouse.org

Information and resources for people who are blind and visually impaired. Publications include a catalog of products to assist individuals.

National Braille Press
88 St. Stephen Street
Boston, MA 02115
Voice: (617) 266-6160; (800) 548-7323
Fax: (617) 437-0456
E-mail: orders@nbp.org
Web site: www.nbp.org

Can transcribe material into alternate formats for people with visual disabilities. Maintains extensive library of Braille publications.

National Federation of the Blind
1800 Johnson Street
Baltimore, MD 21230
Voice: (410) 659-9314
E-mail: epc@roudley.com
Web site: www.nfb.org
State chapters listed at: www.nfb.org/chapsite.htm
Professional divisions listed at:
www.nfb.org/nfbdvlst.htm

A consumer and advocacy membership organization, offering extensive information regarding the blindness field including the latest technology & devices. Services include:
- "Jobline" (national employment listings via phone)
- "Newsline" (free talking newspaper service).

One-Stop Centers may find it useful to contact their state chapter to learn about services for the blind in their local area

National Library Services for the Blind & Physically Handicapped

The Library of Congress
1291 Taylor Street N.W.
Washington, DC 20542
Voice: (800) 424-8567; (202) 707-5100
TTY: (202) 707-0744
E-mail: nls@loc.gov
Web site: www.loc.gov/nls

NLS administers a free library program of Braille and recorded materials circulated to eligible borrowers through a network of cooperating libraries.

Recording for the Blind and Dyslexic

The Anne T. MacDonald Center
20 Roszel Road
Princeton, NJ 08540
Voice: (800) 221-4792; (609) 452-0606
E-mail: custserv@rfbd.org
Web site: www.rfbd.org

This organization maintains an over 77,000-title library of taped textbooks, reference and professional materials for people who cannot read standard print because of a disability. Materials are inexpensive.

Sensory Access Foundation

1142 West Evelyn Avenue
Sunnyvale, CA 94086
Voice: (408) 245-7330
Fax: (408) 245-3762
TTY: (408) 245-1001
Web site: www.sensoryaccess.com

Information and resources for assisting people who are blind or visually impaired to succeed in employment. Includes assistance on identifying appropriate assistive technology.

CEREBRAL PALSY

United Cerebral Palsy Associations, Inc.

1660 L Street N.W.; Suite 700
Washington, DC 20036
Voice/TTY: (800) 872-5827
Voice: (202) 776-0406
TTY: (202) 973-7197
Fax: (202) 776-0414
E-mail: ucpnatl@ucpa.org
Web site: www.ucpa.org

Information and referral services on cerebral palsy and other disabilities. Has extensive information on a wide variety of topics specific to cerebral palsy, as well as general disability information. UCP has many state chapters and affiliates. In determining what services are available locally for individuals with cerebral palsy, One-Stop Centers may wish to contact their local UCP affiliate.

CYSTIC FIBROSIS

Cystic Fibrosis Foundation

6931 Arlington Road
Bethesda, Maryland 20814
Voice: (301) 951-4422 or
(800) FIGHT CF (344-4823)
Fax: (301) 951-6378
E-mail: info@cff.org
Web site: www.cff.org

Resources, information and referral on cystic fibrosis

DEAF & HARD OF HEARING

Alexander Graham Bell Association for the Deaf
    3417 Volta Place N.W.
    Washington, DC 20007
    Voice/TTY: (202) 337-5220
    E-mail: info@agbell.org
    Web site: www.agbell.org

    National membership organization. Provides
    information and referral for people who are
    deaf and hard of hearing.

National Association of the Deaf
    814 Thayer Avenue
    Silver Spring, MD 20910-4500
    Voice: (301) 587-1788 Voice
    TTY: (301) 587-1789 TTY
    Fax:(301) 587-1791 FAX
    E-mail: NADinfo@nad.org
    Web site: www.nad.org

    Information and referral source for people who
    are deaf and hard of hearing. Services and
    information are available on a variety of topics
    including closed-captioning, interpreter
    services, deafness-related information and
    publications, and legal assistance.

National Deaf Education Network and Clearinghouse
    Laurent Clerc National Deaf Education Center
    Gallaudet University
    800 Florida Avenue, N.E.
    Washington, DC 20002-3695
    TTY/Voice: (202) 651-5340
    E-mail: Clearinghouse.Infotogo@gallaudet.edu
    Web site: http://clerccenter.gallaudet.edu/
    clearinghouse/index.html

    Information and referral source for people who
    are deaf and hard of hearing. Has numerous
    publications and resources available on a wide
    variety of topics.

National Technical Institute for the Deaf
    Rochester Institute of Technology
    Lyndon Baines Johnson Building
    Center on Employment
    52 Lomb Memorial Drive
    Rochester, NY 14623-5604
    Voice/TTY: (716) 475-6219
    Fax: (716) 475-7570
    E-mail: ntidcoe@rit.edu
    Web site: www.rit.edu/~435www/

    Has variety of information and materials on
    employment of individuals who are deaf and
    hard of hearing, including information for
    employers

Registry of Interpreters for the Deaf
    8630 Fenton Street, Suite 324
    Silver Spring, MD 20910
    Voice/TTY: (301) 608-0050
    Fax: (301) 608-0508
    E-mail: admin@rid.org
    Web site: www.rid.org

    Maintains nationwide registry of where to find
    sign language interpreters

DEVELOPMENTAL DISABILITIES

State Development Disability Agencies

    Each state and territory has a public agency that
    funds and provides services to individuals with
    developmental disabilities and mental
    retardation. A listing of these agencies can be
    found at the following web site:
    www.ddrcco.com/states.htm

American Association of University Affiliated Programs (AAUAP)
    8630 Fenton St., Suite 410
    Silver Spring, MD 20910
    Voice: (301) 588-8252
    Fax: (301) 588-2842
    Web site: www.aauap.org

University Affiliated Programs are federally-funded organizations that provide a wide variety of training, technical assistance, and other services, all focused on the inclusion of people with developmental disabilities into the community. UAPs can be good resources for information and referral on services for people with developmental disabilities. Many UAPs have projects focused on employment. At least one UAP is located in every state and territory; a list is available from AAUAP.

National Association of Developmental Disabilities Councils (NADDC)

1234 Massachusetts Ave, NW, Suite 103
Washington, DC 20005
Voice: (202) 347-1234
FAX: (202)347-4023
Web site: www.igc.org/NADDC

Developmental Disabilities (DD) Councils are federally-funded organizations that provide a voice within state government to speak for valued roles and positive social change for people with developmental disabilities. DD Councils undertake a wide variety of projects and activities, including many pertaining to employment. They can also provide resources, information, and referral on services for people with developmental disabilities. There is a DD Council in every state and territory; a list is available from NADDC.

EMPLOYMENT

The Association for Persons in Supported Employment (APSE)

1627 Monument Avenue
 Richmond, VA 23220
Voice: (804) 278-9187
Fax: (804) 278-9377
E-mail: apse@apse.org
Web: www.apse.org

Provides information, updates, and resources to promote and expand supported, integrated employment opportunities for people with disabilities. Web site has a bulletin board for tips and techniques on supported employment.

National Business & Disability Council

201 I.U. Willets Rd
Albertson, NY 11507
Voice: (516) 465-1515
Information hot line: (516) 465-1519
Fax: (516) 465-3730
Web site: www.business-disability.com

The National Business & Disability Council (NBDC) is a resource for corporations on employing and integrating individuals with disabilities into the workforce. NBDC has a variety of resource materials, an information hot line to answer questions on employment and accessibility issues, and a resume database for individuals with disabilities seeking employment

Office of Disability Employment Policy

United States Department of Labor
1331 F Street, N.W.; Suite 300
Washington, DC 20004
Voice: (202) 376-6200
TTY: (202) 376-6205
Fax: (202) 376-6219
E-mail: info@pcepd.gov
Web site: www.pcepd.gov

Federal department whose mission is to promote employment of people with disabilities. Provides information, training, and technical assistance to America's business leaders, organized labor, rehabilitation and service providers, advocacy organizations, families and individuals with disabilities. Extensive resource library.

EPILEPSY

Epilepsy Foundation of America (EFA)
    4351 Garden City Drive; Suite 406
    Landover, MD 20785
    Voice: (301) 459-3700; (800) 332-1000
    Publications: (301) 577-0100
    Fax: (301) 577-4941
    E-mail: info@efa.org
    Web site: www.efa.org

    Provides information about epilepsy including
    programs, services, research, and advocacy
    efforts. Web site features a teen chat room.

GENERAL DISABILITY INFORMATION

Clearinghouse on Disability Information
    Office of Special Education and Rehabilitative
    Services
    Room 3132, Switzer Building
    330 C Street S.W.
    Washington, DC 20202-2524
    Voice/TTY: (202) 205-8241
    Web Site: www.ed.gov/offices/OSERS

    Provides information to people with disabilities,
    or anyone requesting information, by doing
    research and providing documents in response
    to inquiries. The information provided includes
    areas of federal funding for disability-related
    programs. Clearinghouse staff are trained to
    serve as experts in referring requests to other
    sources of information when necessary.

Easter Seals—National Office
    230 West Monroe Street, Suite 1800
    Chicago, IL 60606
    Voice: (312) 726-6200;(800) 221-6827
    TTY: (312) 726-4258
    Fax: (312) 726-1494
    E-mail: info@easter-seals.org
    Web site: www.easter-seals.org

    Provides information and assistance pertaining
    to all disability groups

Independent Living Research Utilization Project (ILRU)
    The Institute for Rehabilitation and Research
    2323 South Shephard, Suite 1000
    Houston, TX 77019
    Voice: (713) 520-0232
    TTY: (713) 520-5136
    Fax: (713) 520-5785
    E-mail: ilru@ilru.org
    Web: www.ilru.org

    A national center for information, training,
    research, and technical assistance on
    independent living issues. Topical areas include
    personal assistance services and disability &
    managed care. Maintains a list of state and local
    Independent Living Centers.

Institute for Community Inclusion (ICI)
    300 Longwood Avenue
    Boston, MA 02115
    Voice: (617) 355-6506
    TTY: (617) 355-6956
    Fax: (617) 355-7940
    E-mail: ici@tch.harvard.edu
    Web site: www.childrenshospital.org/ici

    Information and referral resource. ICI is a
    direct service, training, and research
    organization that advocates for the right of all
    people with disabilities to be full participants in
    mainstream society. ICI services that may be of
    interest to One-Stop Centers include:
    training and technical assistance on
    employment issues, information on disability
    resources, and a variety of publications on
    employment and disability.   ICI is doing
    extensive work on how One-Stop Centers can
    serve people with disabilities.

National Council on Disability (NCD)
    1331 F St., NW, Suite 1050
    Washington, DC 20004-1107
    Phone: (202) 272-2004
    FAX: (202) 272-2022
    TTY: (202) 272-2074
    E-mail: mquigley@ncd.gov
    Web site: www.ncd.gov

    Information and referral. NCD's overall
    purpose is to promote policies, programs,
    practices, and procedures that guarantee equal
    opportunity for all individuals with disabilities,
    regardless of the nature or severity of the
    disability; and to empower individuals with
    disabilities to achieve economic self-sufficiency,
    independent living, and inclusion and
    integration into all aspects of society.

National Information Center for Children and Youth with
Disabilities
    P.O. Box 1492
    Washington, DC 20013
    Voice/TTY: (202) 884-8200; (800) 695-0285
    Fax: (202) 884-8441
    E-mail: nichcy@aed.org
    Web: www.nichcy.org

    Provides information & referral regarding
    children and youth with disabilities (birth-age
    22) to families, educators, and other
    professionals. While the main focus of NICHCY
    is on children and youth, extensive information
    is available on disability related issues for all
    agencies. Maintains state and local listings of
    disability-related organizations, parent groups,
    and professional associations.

National Rehabilitation Information Center (NARIC)
    8455 Colesville Road, Suite 935
    Silver Spring, MD 20910-3319
    Voice: (800) 346-2742; (301) 588-9284
    TTY: (301) 495-5626
    Web site: www.naric.com

    A federally-funded agency that archives and
    disseminates a wide variety of disability-related
    publications and information

HEAD INJURY/BRAIN INJURY

Brain Injury Association
    (formerly the National Head Injury
    Foundation)
    105 North Alfred Street
    Alexandria, VA 22314
    Voice: (800) 444-6443; (703) 236-6000
    Fax: (703) 236-6001
    E-mail: FamilyHelpline@biausa.org
    Web site: www.biausa.org

    State offices and affiliates available at:
    www.biausa.org/States.htm

    National organization which does research,
    education and advocacy concerning brain
    injuries. Has extensive resource listings, and
    information and referral services.

INDEPENDENT LIVING CENTERS (ILCs)

Independent Living Centers (ILCs) are private, non-profit, consumer-controlled, community-based organizations that provide services and advocacy by and for persons with all types of disabilities. Core services at all centers include: information and referral; independent living skills training; peer counseling (including cross-disability peer counseling); and individual and systems advocacy. Other services vary but can include: counseling; services related to securing housing or shelter; rehabilitation technology; mobility training; life skills training and interpreter and reader services for individuals with significant cognitive disabilities; personal assistance services; consumer information programs; supported living; transportation; physical rehabilitation; therapeutic treatment; recreation services; self-awareness and self-esteem training for youth with disabilities; services to children; and community awareness programs to enhance the understanding and integration into society of individuals with disabilities. One-Stop Centers may wish to contact the ILCs in their local area to find out what kind of services the ILC offers, and how the One-Stop and ILC could work collaboratively to meet the needs of people with disabilities.
A basic overview of Independent Living Centers is available at:
www.crinet.org/moreinfo/ilru.htm

National Council on Independent Living (NCIL)
1916 Wilson Boulevard, Suite 209
Arlington, VA 22201
Voice: (703) 525-3406
TTY: (703) 525-4153
Fax: (703) 525-3409
E-mail: ncil@ncil.org
Web Site: www.ncil.org

National membership association of Centers for Independent Living.

A list of state and local Independent Living Centers is available from:

Independent Living Research Utilization Project (ILRU)
The Institute for Rehabilitation and Research
2323 South Shephard, Suite 1000
Houston, TX 77019
Voice: (713) 520-0232
TTY: (713) 520-5136
Fax: (713) 520-5785
E-mail: ilru@ilru.org
Web: www.ilru.org

National center for information, training, research, and technical assistance in independent living. Has variety of resources and information.

LEARNING DISABILITIES

C.H.A.D.D. (Children and Adults with Attention Deficit Disorders)
8181 Professional Place; Suite 201
Landover, MD 20785
Voice: (301) 306-7070; (800) 233-4050
Fax: (301) 306-7090
E-mail: national@chadd.org
Web: www.chadd.org

Provides resources involving support, education, and advocacy for persons with Attention Deficit / Hyperactivity Disorder.

Council for Learning Disabilities (CLD)
P.O. Box 40303
Overland Park, KS 66204
Voice: (913) 492-8755
Fax: (913) 492-2546
E-mail: webmaster@cldinternational.org
Web: www.cldinternational.org

International organization of interdisciplinary professionals, that focuses on promoting innovative strategies for research and practice on behalf of individuals with learning disabilities.

Division for Learning Disabilities
Council for Exceptional Children
1920 Association Drive
Reston, VA 20191-1589
Voice: (888) 232-7733; (703) 620-3660
TTY: (703) 264-9446
Fax: (703) 264-9494
E-mail: sevice@cec.sped.org
Web site: www.cec.sped.org

International professional organization dedicated to improving educational outcomes. The DLD promotes improved services, research, and legislation for individuals with learning disabilities.

International Dyslexia Association
International Office
8600 LaSalle Road
Chester Building, Suite 382
Baltimore, MD 21286-2044
Voice: (800) 222-3123; (410) 296-0232
Fax: (410) 321-5069
E-mail: info@interdys.org
Web site: www.interdys.org

Scientific and educational organization providing general information on dyslexia as well as services, research, technology, policy, training, and other resources. Web site includes an active bulletin board.

Learning Disabilities Association of America
4156 Library Road
Pittsburgh, PA 15234-1349
Voice: (412) 341-1515
Fax: (412) 344-0224
E-mail: ldanatl@usaor.net
Web site: www.ldanatl.org

A listing of state affiliates is available at: www.ldanatl.org/StatePages.shtml

Membership organization that provides information, resources, event updates, and advocacy efforts pertaining to the enhancement of quality of life for individuals with learning disabilities and their families.

National Attention Deficit Disorder Association (ADDA)
1788 Second Street, Suite 200
Highland Park, IL 60035
Voice: (847) 432-ADDA
Fax: (847) 432-5874
E-mail: mail@add.org
Web site: www.add.org

National membership organization which provides information and referral on Attention Deficit Disorder.

National Center for Learning Disabilities
381 Park Avenue South, Suite 1401
New York, NY 10016
Voice: (212) 545-7510; (888) 575-7373
Fax: (212) 545-9665
Web: www.ncld.org

Provides national information & referral, educational programs, public outreach, legislative advocacy, publications and resources in support of persons with learning disabilities.

Recording for the Blind and Dyslexic
The Anne T. MacDonald Center
20 Roszel Road
Princeton, NJ 08540
Voice: (800) 221-4792; (609) 452-0606
E-mail: custserv@rfbd.org
Web site: www.rfbd.org

This organization maintains an over 77,000-title library of taped textbooks, reference and professional materials for people who cannot read standard print because of a disability. Materials are inexpensive.

MENTAL ILLNESS

State Mental Health Agencies

Each state and territory has a public agency which provides and funds services for individuals with psychiatric disabilities. A listing of these agencies is available at the following web site: www.nasmhpd.org/members.htm

Bazelon Center for Mental Health Law
1101 15th St. NW, Suite 1212
Washington D.C. 20005
Phone: 202-467-5730
Fax: 202-223-0409
TDD: 202-467-4232
email: webmaster@bazelon.org
Web site: www.bazelon.org

Information and referral on legal rights of people with mental disabilities

The Center for Psychiatric Rehabilitation
Boston University
940 Commonwealth Avenue West
Boston, MA 02215
Voice: (617) 353-3549
Fax: (617) 353-7700
TTY: (617) 353-7701
Web site: www.bu.edu/sarpsych

A research, training, and service organization dedicated to improving the lives of persons who have psychiatric disabilities by improving the effectiveness of people, programs, and service systems. Information resource.

National Alliance for the Mentally Ill (NAMI)
200 North Glebe Road; Suite 1015
Arlington, VA 22203-3754
Voice: (703) 524-7600; (800) 950-6264
TTY: (703) 516-7227
Fax: (703) 524-9094
E-mail: napsec@aol.com
Web: www.nami.org

State affiliates available at:
www.apollonian.com/namilocals/default.asp

National membership organization which provides a comprehensive collection of information and resources spanning the field of mental illness including areas such as medical, legal and family issues. Focus on consumer-based advocacy.

National Depressive & Manic-Depressive Association
730 North Franklin Street; Suite 501
Chicago, IL 60610-3526
Voice: (800) 826-3632
Fax: (312) 642-7243
E-mail: myrtis@aol.com
Web: www.ndmda.org

Provides practical and helpful information from education to advocacy to support resources concerning depressive and manic-depressive illness.

International Association of Psychosocial Rehabilitation Services (IAPSRS)
10025 Governor Warfield Parkway #301
Columbia, MD 21044-3357
Voice: (410) 730-7190
TTY: (410) 730-1723
Fax: (410) 730-5965
E-mail: general@iapsrs.org
Web site: www.iapsrs.org

Provides the latest information on community-oriented rehabilitation services and resources for persons with psychiatric disabilities, including publications, public policy, and a registry of practitioners.

National Institute of Mental Health
NIMH Public Inquiries
6001 Executive Boulevard, Rm. 8184, MSC 9663
Bethesda, MD 20892-9663
Voice: (301) 443-4513
Fax: (301) 443-4279
E-mail: nimhinfo@nih.gov
Web site: www.nimh.nih.gov

National research organization which conducts research to diminish the burden of mental illneess. Has a variety of information resources and publications available.

National Mental Health Association

1021 Prince Street
Alexandria, VA 22314-2971
Voice: (800) 969-6642; (703) 684-7722
TTY: (800) 433-5959
E-mail: nmhainfo@aol.com
Web site: www.nmha.org

Listing of state affiliates available at: www.nmha.org/affiliates/directory/index.cfm Provides information and referral concerning mental illness. Has a variety of publications and fact sheets available.

Obsessive-Compulsive Foundation, Inc.

P.O. Box 70
Milford, CT 06460-0070
Voice: (203) 878-5669
E-mail: info@ocfoundation.org
Web site: www.ocfoundation.org

State and local affiliates available at: www.ocfoundation.org/ocf1200a.htm

National membership organization with a variety of information and resources on obsessive-compulsive disorders.

MENTAL RETARDATION

State Mental Retardation Agencies

Each state and territory has a public agency which funds and provides services to individuals with developmental disabilities and mental retardation. A listing of these agencies can be found at the following web site: www.ddrcco.com/states.htm

American Association on Mental Retardation (AAMR)

444 N. Capitol Street N.W.; Suite 846
Washington, DC 20001-1512
Voice: (202) 387-1968; (800) 424-3688
Fax: (202) 387-2193
Web site: www.aamr.org

Membership organization that provides general information along with books, resources, and periodical abstracts on mental retardation. Web site includes a message board, chat room, and listserv. Numerous state and local chapters.

The Arc of the United States (formerly the Association for Retarded Citizens)

1010 Wayne Avenue, Suite 650
Silver Spring, MD 20910
500 East Border Street; Suite 300
Arlington, TX 76010
Voice: (301) 565-3842
Fax: (301) 565-5342
E-mail: info@thearc.org
Web site: www.thearc.org

Provides information, advocacy, resources, services, and policy updates in the area of mental retardation. Many local and state chapters. Web site has an active message board.

National Down Syndrome Congress

7000 Peachtree-Dunwoody Road, N.E.
Lake Ridge 400 Office Park
Building #5, Suite 100
Atlanta, GA 30328
Voice: (770) 604-9500; (800) 232-6372
Fax: (770) 604-9898
E-mail: NDSCcenter@aol.com
Web site: www.ndsccenter.org

A national advocacy organization focused on support and empowerment of people with Down syndrome and their families.

National Down Syndrome Society
   666 Broadway, 8th Floor
   New York, NY 10012
   Voice: (212) 460-9330; (800) 221-4602
   Fax: (212) 979-2873
   E-mail: info@ndss.org
   Web site: www.ndss.org

   Provides education, clinical research, advocacy, and information & referral pertaining to individuals with Down syndrome.

Recording for the Blind and Dyslexic
   The Anne T. Macdonald Center
   20 Roszel Road
   Princeton, NJ 08540
   Voice: (800) 221-4792; (609) 452-0606
   E-mail: custserv@rfbd.org
   Web site: www.rfbd.org

   This organization maintains an over 77,000-title library of taped textbooks, reference and professional materials for people who cannot read standard print because of a disability. Materials are inexpensive.

Self Advocates Becoming Empowered
   P.O. Box 105CI
   New Fairfield, CT 06812
   Web site: www.sabeusa.org

   National self-advocacy organization. Self-advocacy is the name commonly given to the movement of people with mental retardation and other developmental disabilities who speak up for themselves and make their own decisions. Terms often connected with this evolving initiative are increased "control", "empowerment", and "self-determination". Many trainings, support groups, and other opportunities are available.
   A self-advocacy bibliography is available at: http://thearc.org/misc/sabib.html

MULTIPLE SCLEROSIS

National Multiple Sclerosis Society
   733 Third Avenue
   New York, NY 10017
   Voice: (800) 344-4867; (212) 986-3240
   E-mail: info@nmss.org
   Web site: www.nmss.org

   Has variety of information, publications and resources concerning multiple sclerosis. Many state and local chapters.

PHYSICAL DISABILITIES

National Institute of Neurological Disorders and Stroke (NINDS)
   Office of Communications and Public Liaison
   Bethesda, MD 20892
   Voice: (301) 496-5751; (800) 352-9424
   Fax: (301) 402-2186
   Web site: www.ninds.nih.gov

   A component of the National Institutes of Health, this organization is the leading supporter of biomedical research on disorders of the brain and nervous system.

National Spinal Cord Injury Association
   6701 Democracy Blvd.
   Suite 300, #300-9
   Silver Spring, MD 20910
   Voice: (800) 962-9629; (301) 588-6959
   Fax: (301) 588-9414
   E-mail: resource@spinalcord.org
   Web site: www.spinalcord.org

   Has a variety of information, publications, and resources on spinal cord injuries. Chapters and support groups throughout the United States.

SOCIAL SECURITY

Social Security Administration

Social Security Administration
Office of Public Inquiries
6401 Security Blvd.
Room 4-C-5 Annex
Baltimore, MD 21235
Voice: 1-800-772-1213
TTY: 1-800-325-0778

Web Sites:
- Social Security Online: www.ssa.gov
- Employment Support Programs:
  www.ssa.gov/work
- The Office of Disability Home Page:
  www.ssa.gov/disability

The Social Security Administration manages cash benefit program for people with disabilities (Social Security Disability Insurance - SSDI, and Supplemental Security Income - SSI), and also funds services to assist people with disabilities to find and maintain employment. Call between 7:00 AM to 7:00 PM any business day

Regional and Local Offices
Regional offices for the Social Security Administration are located in Atlanta, Boston, Chicago, Dallas, Denver, Kansas City, New York, Philadelphia, San Francisco, and Seattle.

There are local offices of Social Security throughout the United States. Addresses for regional and local offices are located in the "Blue Pages" or under U.S. Government in the phone book.
Each of the regional offices also has a web site, which can be accessed through the main Social Security site.

Employment Support Institute

Attention: WorkWORLD Support
Virginia Commonwealth University School of Business
1015 Floyd Avenue
P.O. Box 844000
Richmond, VA 23284-4000
Voice: (804) 828-2665
E-mail: WorkWORLD@vcu.edu
Web site: www.workworld.org

The Employment Support Institute has developed WorkWORLD, software to assist individuals with disabilities in calculating the impact of employment on Social Security and other benefits. One-Stops may wish to obtain a copy of this software to assist individuals in managing their benefits.

SPEECH & HEARING

American Speech-Language-Hearing Association (ASHA)

10801 Rockville Pike
Rockville, MD 20852
Voice/TTY: (800) 638-8255; (301) 897-5700
E-mail: actioncenter@asha.org
Web site: www.asha.org

Organization which focuses on a variety of communication-related disabilities. Has a variety of resources and information on speech and hearing disabilities, and a listing of self-help groups.

Stuttering Foundation of America

3100 Walnut Grove Road #603
P.O. Box 11749
Memphis, TN 38111
Voice: (800) 992-9392; (901) 452-7343
Fax: (901) 452-3931
E-mail: stuttersfa@aol.com
Web site: www.stuttersfa.org

Association focused on prevention and improved treatment of stuttering. Has a variety of information, resources, and publications.

SPINA BIFIDA

Spina Bifida Association of America
    4590 MacArthur Boulevard, N.W., Suite 250
    Washington, DC 20007-4226
    Voice: (800) 621-3141; (202) 944-3285
    E-mail: sbaa@sbaa.org
    Web site: www.sbaa.org

    Provides a variety of information, resources and
    publications on Spina Bifida. Has numerous
    state and local chapters.

TOURETTE SYNDROME

Tourette Syndrome Association
    42-40 Bell Boulevard
    Bayside, NY 11361
    Voice: (800) 237-0717; (718) 224-2999
    E-mail: tourette@ix.netcom.com
    Web site: www.tsa-usa.org

    Publications, resources, and information and
    referral concerning Tourette Syndrome. Many
    state and local chapters.

TRANSITION FROM SCHOOL TO ADULT LIFE

National Information Center for Children and Youth with Disabilities
    P.O. Box 1492
    Washington, DC 20013
    Voice/TTY: (800) 695-0285; (202) 884-8200
    Fax: (202) 884-8441
    E-mail: nichcy@aed.org
    Web site: www.nichcy.org

    Provides information & referral regarding
    children and youth with disabilities (birth to age
    22) for families, educators, and other
    professionals; also has extensive information
    pertaining to adults with disabilities. Has an
    extensive number of free publications on
    transition and other topics. Maintains listings
    of disability-related organizations, parent
    groups, and professional associations at the state
    and local level.

National School-To-Work Learning & Information Center
    400 Virginia Ave., SW
    Washington, DC 20024
    Voice: (800) 251-7236
    Fax: (202) 488-7395
    E-mail: stw-lc@ed.gov
    Web site: www.stw.ed.gov

    This is the national resource center for School-
    to-Work programs. Extensive information is
    available on School-to-Work programs,
    including some information specific to students
    with disabilities.

National Transition Alliance for Youth with Disabilities
    Transition Research Institute
    University of Illinois
    117 Children's Research Center
    51 Gerty Drive
    Champaign, IL 61820
    Voice: (217) 333-2325
    E-mail: nta@aed.org
    Web site: www.dssc.org/nta/

NTA has a variety of information and resources, including information on model transition services and connections between transition and School-to-Work

National Transition Network
    430 Wulling Hall
    86 Pleasant Street SW
    Minneapolis, MN 55455
    Voice: (612) 626-8200
    E-mail: ntn@icimail.coled.umn.edu
    Web site: http://ici2.coled.umn.edu/ntn/

NTN provides consultation and advice on transition, publishes a variety of resources, and maintains a list of state contacts.

PACER Center
    8161 Normandale Boulevard
    Bloomington, MN 55437-1044
    Voice: (800) 537-2237 or (952) 838-9000
    Fax: (952) 838-0199
    TTY: (952) 838-0190
    E-mail: pacer@pacer.org
    Web site: www.pacer.org

PACER has a variety of activities focused on improving quality of life for children and young adults with all disabilities. PACER has a wide array of information and publications available on transition.

TRANSPORTATION

Community Transportation Association
    1341 G St., NW
    Suite 600
    Washington, DC 20005
    Voice: (202) 628-1480
    Fax: (202) 737-9197
    Information and referral hotline: (800) 527-8279
    Web site: www.ctaa.org

This national advocacy organization focuses on transportation for individuals who do not have access to mass transit or private automobiles.

Has variety of information available which may be helpful to accessing transportation for people with disabilities.

Federal Transit Administration
    TCR-1, Room 7412
    Office of Civil Rights
    400 7th Street, SW
    Washington, DC 20590
    Voice: (202) 366-366-0153 or (888) 446-4511
    TTY/FIRS: (800) 877-8339
    Web site: www.fta.dot.gov

A good source for determining the rights of people with disabilities concerning public transportation, including the regulations concerning paratransit systems.
Note: FTA has information on grants for assisting people with low incomes (including people with disabilities) with transportation. This information is available at: www.fta.dot.gov/wtw/uoft.html

Project Action
    700 Thirteenth Street, N.W., Suite 200
    Washington, DC 20005
    Voice: (800) 659-6428
    Fax: (202) 347-3066
    Web site: www.projectaction.org
    E-mail: nsmith@easter-sealsdc.org

This is a national program that fosters accessible transportation services for people with disabilities. It is administered by the National Easter Seal Society and funded by the Federal Transit Administration

U.S. Department of Transportation
    400 Seventh Street SW
    Washington, DC 20590
    Voice: (202) 366-4011
    TTY: (202) 366-2979
    Fax: (202) 366-7951
    Web site: www.dot.gov/accessibility

A variety of information on regulations and resources concerning transportation for people with disabilities.

US DEPARTMENT OF LABOR

Employment & Training Administration WIA & One-Stop Disability Contacts

disAbility Employment and Initiatives Unit
Room N-4641
Department of Labor/Employment and
Training Administration
200 Constitution Ave., N.W.
Washington, DC 20210
ETA Disability Online Web site:
http://wdsc.doleta.gov/disability

Office of National Programs
Director
Voice: (202) 219-5500, ext. 122

Alexandra Kielty
Division Chief, disAbility Initiatives Unit
Voice: (202) 693-3730
Fax: (202) 693-3818

One-Stop/Disability Coordinators

Region I - Boston
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JFK Federal Building, Room E-350
Boston, MA 02203
Voice: (617) 565-2246
Fax: (617) 565-2229

Region I - New York
Ellyn Spratt-Soualah
USDOL/ETA
201 Varick St., Rm 755
New York, NY 10014
Voice: (212) 620-6816
 Fax: (212) 337-2144
E-mail: espratt-soualah@doleta.gov

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Philadelphia, PA 19104
Voice: (215) 861-5217
Fax: (215) 861-5261
E-mail: sduckett@doleta.gov

Region III - Atlanta Region
Tom Nelson
USDOL/ETA, Atlanta Federal Center
Room 6M12, 60 Forsyth St., S.W.
Atlanta, GA 31313
Voice: (404) 562-2119
Fax: (404) 562-2153
E-mail: tnelson@doleta.gov

Region IV - Hub Dallas Region
James Howard
USDOL/ETA
Federal Building, Rm 317, 525 Griffin St.
Dallas, TX 75203
Voice: (214) 767-2154
Fax: (214) 767-4952
E-mail: jhoward@doleta.gov

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1999 Broadway St., Ste. 1780
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Voice: (303) 844-1654
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E-mail: lkinzer@doleta.gov

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Tom Dilisio
USDOL/ETA
230 S. Dearborn St., Rm 628
Chicago, IL 60604
Voice: (312) 353-4218
Fax: (312) 353-4474
E-mail: tdilisio@doleta.gov

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         Fax: (816) 426-2729
         E-mail: pbouallegue@doleta.gov
   Fred Homan
         Voice: (816) 426-3796, ext. 247
         Fax: (816) 426-2729
         E-mail: fhoman@doleta.gov
   USDOL/ETA
   City Center Square
   1100 Main St., Suite 1050
   Kansas City, MO 64105

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   briscoe@doleta.gov
   USDOL/ETA
   71 Stevenson St., Rm 830, P.O. Box 193767
   San Francisco, CA 94119-3767
   Voice: (415) 975-4668
   Fax: (415) 975-4612

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   Mary Edgar - E-mail: medgar@doleta.gov
   Rosemary Kafara-Cowen - E-mail:
   rkarafa@doleta.gov
   USDOL/ETA
   1111 Third Avenue; Suite 900
   Seattle, WA 98101-3212
   Voice: (206) 553-4386 ext. 8002
   Fax: (206) 553-0098, ext. 8018

Current as of 5/2001 - updated listing
available at http://wdsc.doleta.gov/
disability/htmldocs/onestop_coord.html

VOCATIONAL REHABILITATION

State Public Vocational Rehabilitation Agencies
   A listing of the public vocational rehabilitation
   agencies for all states and territories is available
   at the following web site:
   www.nchrtm.okstate.edu/pages/state_VR.html

Rehabilitation Services Administration (RSA)
   Office of Special Education and Rehabilitative
   Services
   United States Department of Education
   Web site: www.ed.gov/offices/OSERS/

   The Rehabilitation Services Administration
   (RSA) is the federal agency that funds the
   public vocational rehabilitation system

RSA Regional Commissioners

Regions I and II (Boston and New York)
Mr. John J. Szufnarowski
Department of Education
J.W. McCormack POCH Building, Room 232
Boston, MA 02109
Voice: (617) 223-4090
Fax: (617) 223-4573
TTY: (617) 223-4097
E-mail: john_szufnarowski@ed.gov

Region I: Connecticut, Maine, Massachusetts,
New Hampshire, Rhode Island, Vermont
Region II: New Jersey, New York, Puerto Rico,
Virgin Islands

Regions III and IV (Philadelphia and Atlanta)
Dr. Ralph N. Pacinelli
Department of Education
The Wannamaker Building, Suite 512
100 Penn Square East
Philadelphia, PA 19107
Voice: (215) 656-8531
Fax: (215) 656-6188
TTY: (215) 656-6186
E-mail: ralph_pacinelli@ed.gov

Region III: Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia
Region IV: Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee

Regions V and VII (Chicago and Kansas City)
Dr. Douglas Burleigh
Department of Education
10220 N. Executive Hills Blvd.
Kansas City, MO 64153-1367
Voice: (816) 880-4107
Fax: (816) 891-0807
TTY: (816) 891-0985
E-mail: douglas_burleigh@ed.gov

Region V: Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin
Region VII: Iowa, Kansas, Missouri, Nebraska

Regions VI and VIII (Dallas and Denver)
Mr. Loerance Deaver
Department of Education
Harwood Center
1999 Bryan Street, Suite 2740
Dallas, TX 75201
Voice: (214) 880-4927
Fax: (214) 880-4931
TTY: (214) 767-8125
E-mail: loerance_deaver@ed.gov

Region VI: Arkansas, Louisiana, New Mexico, Oklahoma, Texas
Region VIII: Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming

Regions IX and X (San Francisco and Seattle)
Mr. Gilbert Williams
Department of Education
Federal Office Bldg., Room 215
50 United Nations Plaza
San Francisco, CA 94102
Voice: (415) 556-4070
Fax: (415) 437-7848
TTY: (415) 437-7845
E-mail: gilbert_williams@ed.gov

Region IX: American Samoa, Arizona, California, Guam, Hawaii, Nevada, Northern Marianas
Region X: Alaska, Idaho, Oregon, Washington

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J.W. McCormack PO and Courthouse, Rm 232
Boston, MA 02109
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Fax: (617) 223-4573

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Anthony Spinelli
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E-mail: Anthony_Renzi@ed.gov

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> Chicago, Illinois 60606
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> Fax: (312) 886-8623
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Region VII: Iowa, Kansas, Missouri, Nebraska

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> Kansas City, MO 64153-1367
> Voice: (816) 880-4102
> Fax: (816) 891-0807
> E-mail: Geraldine_Harris@ed.gov

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> 1244 Speer Boulevard
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> Voice: (303) 844-2135
> Fax: (303) 844-6269
> E-mail: Marian_Fuller@ed.gov

Region IX: American Samoa, Arizona, California, Guam, Hawaii, Nevada, Northern Marianas

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> E-mail: Joe_Pepin@ed.gov
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> Federal Office Building, Room 215
> 50 United Nations Plaza
> San Francisco, CA 94102
> Fax: (415) 437-7848

Region X: Alaska, Idaho, Oregon, Washington

> Diana Koreski
> Department of ED/OSERS
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> Seattle, WA 98174-1099
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> *Current as of 5/2001 - updated listing available at http://wdsc.doleta.gov/ disability/htmldocs/rsa_regional_coord.html*

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- National Information Center for Children and Youth with Disabilities
- National Institute for Literacy Heath Resource Center
- Office of Disability Employment Policy, USDOL (formerly the President's Committee on Employment of People with Disabilities)
- United Cerebral Palsy's Access AmeriCorps
- U.S. Department of Labor Employment and Training Administration
- U.S. Equal Opportunity Commission

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