

# Employment

---

## 1. Definition

Employment for individuals with intellectual and/or developmental disabilities (I/DD) is described as “Competitive Integrated Employment” where work is performed by a person with a disability working alongside non-disabled workers and compensated at a comparable and market-driven wage to perform the same tasks<sup>1</sup>. More specifically:

- Jobs held by individuals with I/DD in workplaces where the majority of people employed are not people with disabilities;
- Employees with I/DD are paid at minimum wage and are paid directly by the employer who is not the support agency; and
- Employees with I/DD may receive supports by an employment support agency and/or the employer in ways that the employee can learn and perform tasks associated with the job<sup>2</sup>.

The “Sheltered Workshop” model, which is slowly being phased out, is defined as an organization or environment that employs individuals with disabilities as a segregated workforce and typically pays employees less than minimum wage to perform menial and repetitive tasks<sup>3</sup>.

Employment is critical to improving the quality of life, giving an individual a sense of purpose and provides an inclusive economy that benefits society as a whole. Companies have reported that employees with disabilities have superior retention rates, higher productivity, lower absenteeism and increased customer loyalty while contributing to a diverse workforce and positive brand image of the company<sup>4</sup>. Tax credits and deductions further support the benefits of employing an individual with disabilities. (See *Employer Tax Credits under Description of Programs and Services*)

In Maryland, the unemployment rate for individuals with developmental disabilities is 84.5% compared to 4.6%; despite priority government programs implemented to address barriers to employment<sup>5,6</sup>. Additional barriers include ability to secure employment with medical benefits<sup>7</sup>, hiring and workplace discrimination and opportunities for individuals that have more severe disabilities and older adults and seniors.

Individuals with developmental disabilities typically require tailored job skills training, on-the-job one-on-one coaching, supportive career and job search coaching and assistive technology solutions to secure and retain employment. Additionally, since individuals over the age of 18 are most likely receiving Social Security Income (SSI) and/or Social Security Disability Insurance (SSDI), employment services include counseling and coordination of benefits and documentation for the Social Security Administration.

---

<sup>1</sup>“Opening DORS to Employment” brochure. Maryland State Department of Education, Division of Rehabilitation Services.

<sup>2</sup> <https://dda.health.maryland.gov/Documents/2016/Strategic%20Plan.pdf>

<sup>3</sup> <https://nonprofitquarterly.org/2018/03/20/will-subminimum-wages-disabled-finally-end/>

<sup>4</sup> <https://www.findspark.com/benefits-hiring-people-disabilities/>

<sup>5</sup> <https://dda.health.maryland.gov/Documents/2016/Strategic%20Plan.pdf>

<sup>6</sup> Hananel, Sam. “Too many intellectually disabled are still excluded from the world of work, study says,” *The Washington Post*. Feb. 17, 2014.

<sup>7</sup> [https://www.specialolympics.org/Press/2014/Special\\_Olympics\\_Unemployment\\_Survey.aspx](https://www.specialolympics.org/Press/2014/Special_Olympics_Unemployment_Survey.aspx)

## 2. Eligibility

<input type="checkbox"/> Infants and Toddlers	<2 yrs	<input checked="" type="checkbox"/> High School	14–17 yrs
<input type="checkbox"/> Pre-K	3–4 yrs	<input checked="" type="checkbox"/> Young Adults	18–25 yrs
<input type="checkbox"/> K-12	5–18 yrs	<input checked="" type="checkbox"/> Older Adults	25–49 yrs
		<input checked="" type="checkbox"/> Seniors	50+ yrs

Eligibility criteria varies depending on program and service. In general, school age children usually have a disability documented with an Individualized Education Plan (IEP), 504 plan, medical records or a physician’s note and adults are usually receiving Social Security Income (SSI) or Social Security Disability Insurance (SSDI). (See *Description of Program and Services* for specific eligibility criteria.)

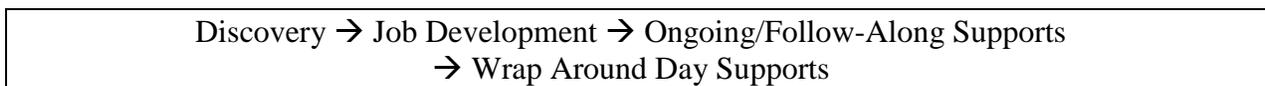
## 3. Description of Programs and Services

### **Developmental Disabilities Administration (DDA)**

Maryland’s Developmental Disabilities Administration (DDA) is undergoing a realigning their of their services under the *Employment First* national movement from the United States Department of Labor launched on the premise that all citizens, including individuals with significant disabilities, are capable of full participation in integrated employment and community life. Services, systems and values are realigning at the State level to support competitive integrated employment and community participation outcomes and will be designed to provide a ‘flow of services.’

Meaningful Day Services will realign to include Employment Services, Community Development Services, Career Exploration, Day Habilitation Services and Medical Day Care, effective July 1, 2019 and are supported through the Community Support Waiver and Community Pathways Waiver.

Customized Employment Typical Flow of Services:



Current providers will need to requalify as provider under the new aligned categories for employment services in order to receive funding from the Community Support Waiver and Community Pathways Waiver.

### **Division of Rehabilitation Services (DORS)**

The Division of Rehabilitation Services (DORS) of the Maryland State Department of Education runs the state’s employment readiness programs for individuals with developmental disabilities. Headquartered in Baltimore, there are DORS offices located in Germantown and Wheaton. In order to be eligible for DORS services:

- Individuals must have a physical or mental disability that seriously affects his or her ability to work and must need employment rehabilitation services in order to secure or keep a job. Individuals that receive Supplemental Security Income (SSI) and/or Social Security Disability Insurance (SSDI) are presumed eligible.
- For youth programs (ages 14-21), students with disabilities must not have exited, graduated or withdrawn from secondary school or are enrolled in post-secondary credit programs or a national/State-recognized accredited training program and have a disability documented with an Individualized Education Plane (IEP), 504 plan, medical records or a physician's note.

Federal law requires that DORS must serve people with the most significant disabilities first. Counselors determine the severity of the disability of individuals who are eligible for services into three categories:

- Category 1: Most Significant Disability – Receive services immediately
- Category 2: Significant Disability – Placed on waiting list
- Category 3: Non-Severe Disability – No expectation of services

*Vocational Rehabilitation (VR) Program* – Participants will work with a DORS counselor to secure competitive integrated employment. They receive career counseling and decision making based on interests, abilities and goals, training to prepare for employment, skills training leading to credentials to meet local labor market demands, job search and job placement services, job coaching and supported employment services and assistive technology needs. Participants may be required to pay a portion of the costs of services, based on income.

*Pre-Employment Transition Services (Pre-ETS) for ages 14-21* – Students receive job exploration training, work-based learning experiences (in-school or after-school opportunities), counseling on opportunities for enrollment in comprehensive transition or post-secondary educational programs, workplace readiness training to develop social and independent living skills and instruction in self-advocacy.

**Montgomery County Public Intern Project (MCPIP) for Ages 18+** - Established in 2007 to create flexible and customized work opportunities in County agencies and departments for individuals with disabilities. All County departments have had the opportunity to work with a customized employment career specialist from the nonprofit provider, TransCen, Inc., to identify tasks and create part-time positions based on the department's need. TransCen recruits and pre-screens potential candidates and works with County Human Resources and medical departments to prepare the candidate to start work if the individual is a good fit. Initial on-site job coaching is provided by TransCen staff and job coach training is offered to employees interested in supporting a candidate. Positions are:

- Temporary and part-time; 2-18 hours/week for 50 weeks not to exceed 900 hours within one year.
- Compensated at \$12.25/hour and can last for a period of no more than 2 years.
- Available based on total hours funded for the program; approximately 13,000 per year.

**Youth with Disabilities (YWD) / Young Adult Opportunity Program (YAOP) for Ages 16-24** – In partnership with WorkSource Montgomery and administered through the WIOA contractor, Grant Associates, the YWD/YAOP program was created in 2008 to bridge the gap from school to work and serve the “gray-zone youth;” those that do not qualify for adult services. This program serves out-of-school youth with disabilities that are:

- Not connected to any school or service
- Is a high school graduate or has a GED
- Between the ages of 16-24 and authorized to work in the US

Eligible youth and young adults work with a Youth Employment Specialist to develop a personalized employment and career path and set goals before beginning employer outreach and negotiate a paid employment opportunity. The Youth Employment Specialist will provide initial on-the-job training, job coaching, coordinate necessary accommodations and introduce additional support staff in needed during the term of employment and for at least one year after case closure to ensure success. Youth also participate in training/certification in the following areas:

- OSHA: Construction of Health Care
- ServSafe: Food Handling
- Nation Retail: Customer Service, Hotel & Hospitality
- Microsoft Office

*DORS / Summer Youth Employment (SYE)* - Since 2010, TransCen has partnered with DORS to assist eligible youth in Maryland gain work experience and explore career opportunities through a six-week paid summer internship and since 2017, has expanded to a year-round program serving in-school youth that qualify for the Pre-employment Transition Services program through DORS. TransCen staff assist the youth with job search and placement services, short-term job coaching services, outreach to employers, and uses customized employment techniques to target employers based on each youth’s interests, skills, and abilities. The youth interns receive on-site, post-placement job supports, and follow-up services.

### **WorkSource Montgomery (Ages 14+)**

WorkSource Montgomery is the County’s workforce development entity that coordinates public and private-sector policies and programs with three locations: Germantown, Wheaton and Silver Spring. To qualify, an individual must receive or have:

- Supplemental Security Income (SSI)
- Social Security Disability Insurance (SSDI), and/or
- A physical, sensory, mental, cognitive, intellectual or developmental disability requiring at least one of the following to obtain and maintain competitive integrated employment at or above minimum wage:
  - Significant accommodations,
  - Significant supports, and/or
  - Customization of job responsibilities.

*Disability Employment Initiative (DEI)* – Through a \$2.5M federal grant from the US Department of Labor, Office Disability Employment Policy, Anne Arundel and Montgomery counties received funds from the Maryland Department of Labor, Licensing and Regulation to establish the DEI to expand the capacity of the existing American Job Center programs from Oct. 2016 through April 2020<sup>8</sup>. In Montgomery County, WorkSource Montgomery in Wheaton, MD hired a dedicated Disability Resource Coordinator (DRC) to assist, support and coordinate services for qualified jobseekers, train job center staff, case managers and partner organizations on disability employment issues and implement assistive technology upgrades.

The goal of DEI is to support jobseekers with significant disabilities by improving education, training and employment outcomes by leveraging existing job centers infrastructure and staff at no additional cost. Customized supports and services include enhanced case management, job search workshops, benefits counseling and job placement assistance.

### **Project SEARCH Montgomery (Ages 18-28)**

Project SEARCH is a program dedicated to providing education and training to transitioning young adults ages 18-28 with I/DD that have DDA funding. Up to 12 volunteer interns a year participate in up to three 10-week intensive worksite unpaid internships supported by job coaches from the SEEC (Seeking Employment, Equality and Community for People with Developmental Disabilities). Interns work approximately 25 hours per week and attend one hour of classroom instruction daily with an instructor from the Ivymount School. The onsite team provides daily support and infrastructure to interns and supervisors to ensure overall success in placements in County agencies.

### **Nonprofit Service Providers**

Various nonprofit organizations have offices in the County that provide specialized employment services and programs for individuals with disabilities that accept grant or DORS funding or can be utilized on a fee-for-service basis. Select organizations include but are not limited to: Arc Montgomery, CHI Centers, Community Services for Autistic Adults and Children (CSAAC), Community Support Services (CSS), Independence Now, Inc., Jewish Social Services Agency (JSSA), Target Community & Educational Services and TLC's Outcomes Services. Highlighted examples include:

[Highlights selected programs in detail - Jewish Social Service Agency (JSSA), TLC's Outcome Services]

### **Employer Tax Credits**

- Maryland Disability Employment Tax Credit – State tax credit that allows employers to claim credit for employees with disabilities hired on or after December 31, 2014. For each taxable year a credit in an amount equal to 30% of up to the first \$6,000 (\$1,800) of wages paid during the first year and 20% of up to the first \$6,000 (\$1,200) during the second year of

---

<sup>8</sup> <https://worksourcemontgomery.com/news-articles/state-grant-to-help-expand-employment-opportunities-to-those-with-disabilities-in-county/>

employment. Employers can also benefit from a tax credit for work-related childcare or transportation expenses paid by the employer.

- Work Opportunity Tax Credit – Federal tax credit available to employers who hire and retain veterans and individuals from other target groups with significant barriers to employment. The maximum tax credit ranges from \$1,200 to \$9,600, depending on employee hired.
- Disabled Access Credit – Federal tax credit provides a non-refundable credit for small businesses that incur expenditures for the purpose of providing access to persons with disabilities. An eligible small business is one that earned \$1 million or less or had no more than 30 full time employees in the previous year; they may take the credit each year they incur access expenditures.
- Barrier Removal Tax Deduction – Federal tax credit encourages businesses of any size to remove architectural and transportation barriers to the mobility of persons with disabilities and the elderly. Businesses may claim a deduction of up to \$15,000 a year for qualified expenses for items that normally must be capitalized.

### **Noncompetitive Appointment of Persons with Severe Disabilities to County Merit Positions**

The County passed a charter amendment that allows for the non-competitive appointment of persons with severe disabilities to County merit positions. If an individual has a permanent, severe physical, psychiatric or mental impairment that substantially limits one or more major life activity and are certified by DORS, meets the minimum requirements for the position and can perform essential functions and passes a background check and physical examination, the individual may register in the non-competitive hiring database to be entered into a pool of applicants who can be considered for openings as they occur, without the County department needing to advertise the position to the general public.

## **4. Data and Trends**

- [Data request made to Judy Pattik/DDA on County residents getting employment services through DDA and update on DORS waiting list for Category 1, 2 and 3.]
- DORS currently has more than 2,679 people on its waiting list and individuals can expect to be on the waiting list for as long as 32 months<sup>9</sup>.
- TransCen: Montgomery County Public Intern Project (MCPIP) – 120 positions in County agencies have been created since 2007.
- TransCen: DORS / Summer Youth Employment (SYE) – goal is to serve 40 youth in 2017, 60 youth in 2018 and 75 youth in 2019.
- WorkSource Montgomery Disability Employment Initiative (DEI) desired outcomes include 150 individuals served from 2017 to 2020; 60% to enter occupational training in a career

---

<sup>9</sup> <http://dors.maryland.gov/consumers/Pages/waiting.aspx>

pathways program; 75 completing training in a career pathways program; 74 individuals receiving an industry recognized certification; 85 entering unsubsidized employment with a 65% retention rate.

- JSSA: In FY2018, JSSA served 412 unduplicated clients and placed 89 people in 29 full-time positions with 43 placements outside of grocery, custodial and base retail.

## 5. Gaps

- Insufficient State funding means families cannot wait for DDA funding or DORS services and need to private pay for services instead.
- An identified concern is that providers are uncertain about the impact of the DDA transformation plan on both their ability to sustain their organizations financially and to serve clients appropriately. A decrease in services could negatively impact the client's ability to stay successfully employed. The proposed billing structure means that some people who are employed but need some minimal supports or problem solving that can be done by phone will not be reimbursable services.
- Gap in data and analysis on who is not being served with the current programs. For example, are there people who need the level of extra supports that could be provided in a sheltered workshop setting who now have difficulty finding and keeping employment?
- DDA's priority is to serve people that are placed in the highest need category, Category 1, while those in Category 2 and 3 have a disability that is determined to be less severe, and thus, could be more employable.
- Trend of older people with I/DD seeking employment services. Both JSSA and TLC Outcomes report that they are seeing more people in the ages of 50+, 60+ and even 70+ seeking employment services as they must continue to work to afford housing and other costs of daily living.
- The increase in minimum wage may mean that an employer reduces work house, a potential impact that is not unique to people with I/DD. However, in some instances, employers are looking to increase productivity by looking for an employee who can complete multiple tasks. A person with I/DD might do an excellent job at one or two tasks but might not be able to take on the additional responsibility that are required for the position.

## 6. Innovations

- JSSA launched its first paid supported summer jobs program for individuals with I/DD in 2017 and became the largest paid summer jobs program with a private employer in Montgomery County. JSSA served 32 individuals aged 16-21 years old in paid summer jobs working between 12 and 21 hours and 15 unpaid internships for eight weeks. The program expects to serve 50-60 people in summer 2019.

## 7. Recommendations

- Undertake a gaps analysis in the County for employment, underemployment and unemployment of people with I/DD with focus on demographics of age range, location and workplace environment.
- Invest County dollars in programs that can serve people who will likely not be served even if they are on the DDA or DORS waitlist. Develop solicitations for proposals that can be evaluated based on both the number of clients that can be served and the outcome in terms of placements and continued successful employment.
- Advocate with the Governor and General Assembly for a rate structure and billing system that will keep provider organizations financially stable and will allow organizations to continue to serve clients without a requirement that every interaction be face-to-face and supports drop-in visits.
- Look at the impact of earned income on public benefits and advocate at State and Federal level for appropriate adjustments. Working too many hours can impact the payment of benefits. However, given the cost of living, people need to earn additional income.