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**Workforce Development Supports for Individuals with Disabilities in the State of New  
Jersey: An Overview of Best Practices**

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## EXECUTIVE SUMMARY

In January 2020 Governor Murphy announced his Jobs NJ plan as part of the administration's strategy to foster a stronger and fairer economy for all New Jerseyans. Part of this plan includes a particular focus on populations that face significant barriers to employment, such as individuals with disabilities.<sup>i</sup> The Governor's Office asked a team of graduate students from the Bloustein School of Planning and Public Policy at Rutgers University to prepare a report examining promising practices in workforce development for people with disabilities. This report provides an overview of best practices from around the country and examples of specific programs and initiatives to better inform New Jersey's strategies for improving employment outcomes for people with disabilities in the State.

Individuals with disabilities are underrepresented in the workplace. As of 2018, only 40% of prime working-age adults (25-54) with disabilities were employed in the United States, compared to 79% of all prime-age adults. The consequences of this disparity in employment include dependence on public benefits programs and a higher rate of poverty. In New Jersey, the poverty rate among working-age people with disabilities was 17.20% in 2018, which was nearly double the rate among working-age people with no disabilities (8.7%). People with disabilities bring valuable skills and a unique perspective to the workplace. Given Governor Murphy's goal to build a stronger and fairer economy for all residents of New Jersey, it is important that State policies and programs consider people with disabilities and increase opportunities for their employment as part of the State's workforce development strategy.

The need to focus on improved employment outcomes is even more urgent due to the high levels of unemployment generated by the COVID-19 pandemic. Marginalized groups of workers, such as people with disabilities, are likely to face even greater barriers. During economic downturns, unemployment rates typically increase more sharply for people with disabilities. Many interventions described in this report will be more effective during times of economic expansion, and implementation during a recession may be challenging. Conversely, changes in the workplace brought on by the pandemic such as the transition to telework could create more opportunities for some individuals with disabilities to obtain employment.

This report presents our findings on strategies and policies that show promise in improving employment outcomes for people with disabilities. In reaching these conclusions, the Practicum team reviewed available reports produced by government and advocacy groups and interviewed state government officials and subject matter experts. Our findings are summarized in five main themes:

1. Improving Clarity and Transparency of Services;

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<sup>i</sup> For more information about Governor Murphy's Jobs NJ plan, see: [https://www.njeda.com/pdfs/JobsNJ\\_FullPlan.aspx](https://www.njeda.com/pdfs/JobsNJ_FullPlan.aspx)

2. Putting People First;
3. Enhancing the School to Work Transition;
4. Engaging Employers, and;
5. Making Government a Model Employer of people with disabilities.

Each thematic section begins with a discussion of best practices identified in literature and through expert interviews conducted by the research team, followed by a discussion of New Jersey's status relative to the theme. Each theme then highlights examples of best practice implementation and concludes with actionable steps that can be taken by New Jersey. Examples are included to provide avenues through which the New Jersey Governor's Office can explore policies and programs the State might wish to examine further or emulate.

1. *Improving clarity and transparency of services:* A lack of clarity and transparency in policies and programs makes it difficult for individuals to navigate the employment service system. Much of the literature on the subject falls into three main themes: administrative complexity, funding structure, and outreach and work disincentives.
  - Administrative complexity refers to the many different programs and agencies responsible for providing services, and the eligibility criteria for each. New Jersey can bring together government agency representatives, experts, and stakeholders to improve the coordination and communication within the system.
  - Funding structure encompasses the implementation of the supports and services and the range of funding streams and structures that can complicate the process. New Jersey stakeholders would benefit from the production of a schematic or flowchart of all of the agencies and organizations involved and their relationship with one another, the eligibility criteria for each service, and the accompanying streams that fund those agencies or services.
  - Outreach and work disincentives involve the prevalence and the quality of the information about the services and supports that are available and the concern/confusion of potential beneficiaries that obtaining a job and greater income may jeopardize their eligibility for much-needed programs. New Jersey can conduct more robust outreach to spell out the complexities of the system, particularly to improve the awareness of the benefits counseling and related programs that remain underutilized in the State.
  - More broadly, executive engagement, like Maryland's Cabinet-Level Office Maryland Department of Disabilities, can help improve interagency coordination and minimize service delivery silos. Outcome-based funding, similar to Oklahoma's Milestone Payment system, can ensure goals are clearly defined and incentivized throughout the system, and outcomes are measured reliably.

2. *Putting People First:* Person-centered service provisions are designed to ensure that the most effective strategies are developed to help people with disabilities obtain employment, particularly for individuals who face multiple or more severe barriers to employment. Person-centered approaches include individualized plans and customized employment programs that focus on helping individuals with disabilities find jobs and careers that are best suited to their skill sets, interests, and needs. Examples of People First employment programs include the Progressive Employment program used in Vermont, Maine, Nebraska, and Oregon; the Pathways to Careers program used in Utah, Massachusetts, Virginia, and Michigan; the Supported Employment Enterprise Corporation (SEEC) in Maryland; and the MY BEST program in Pennsylvania.

These state-based programs share some common elements such as assessment of the client's interests and skills, an extended service-delivery timeline that follows the client through the first few months of employment, intensive coordination of services including engagement with employers, provision of training and internships, customization of employment opportunities, and comprehensive support services such as ancillary or wraparound services. Some strategies to make services for people with disabilities more person-centered include:

- Providing extensive training to staff to enable them to provide quality customized employment and person-centered services.
  - Incorporating features of customized employment into the regular VR services to make them more individualized and person-centered and ensure that clients find jobs that are the right fit for their interests, skills, needs, and long-term objectives. Customized employment services can be provided to VR clients with the most or most severe barriers to employment to improve employment outcomes.
  - Evaluating the success of collaborations between DVRS and DDD and DDS and strengthening those relationships as needed to ensure the provision of follow-up and wraparound services for individuals who exit the VR system, with or without employment. CBVI may be able to provide some expertise as they already provide VR and other services under one roof and may have advice about facilitating that transition between services.
  - Using data on employment outcomes collected under WIOA to inform future initiatives to identify areas for improvement in the VR system and make targeted changes.
3. *Enhancing the School-to-Work Transition:* School-to-Work Transition strategies are recommended to ensure early preparation for labor market participation. Strategies include supports to enhance the transition between the completion of education and entrance to the

workforce as well as access to higher education programs to facilitate a transition to higher-level jobs. Examples include the Project SEARCH program and the 4-year inclusive programs under Think College project, which provide personalized job coaching and supports for internships and jobs. In New Jersey, Bergen Community College and Camden Community College offer 2-year college programs for students with disabilities. The following actions can further enhance school-to-work transitions in New Jersey:

- Survey New Jersey institutions of higher education to identify what transition programs are currently being provided. The New Jersey Division of Vocational Rehabilitation could meet with New Jersey higher education institutions as well as their respective University Disability Services offices to discuss how to improve strategies for individuals with disabilities.
- Conduct research to identify any obstacles causing low connection rate for referral and actual attendance rate for individuals with disabilities, particularly I/DD, in pursuing post-secondary education so that they can have improved access to higher education.
- Strengthen outreach to encourage high expectations of students with disabilities' potential to obtain employment or higher education after graduating high school.

4. *Engaging with Employers:* Employers cite many reasons as to why they do not hire people with disabilities, including the cost of accommodations, the lack of people with disabilities with relevant experience, and the effects that hiring people with disabilities may have on the overall work environment. Research has shown that people with disabilities are valuable to the workplace because they bring useful skills and a unique perspective.<sup>1</sup> Additionally, the cost of accommodations are often inexpensive and should be viewed as an investment for a future return. In 2002, Walgreens demonstrated the value of creating an inclusive workplace by prioritizing disability inclusion when they built a new distribution facility. They were able to work closely with local vocational rehabilitation agencies to adopt the best practices for disability inclusion. The State can engage with employers to facilitate more informed outcomes for employers, agencies, and individuals with disabilities by taking the following actions:

- The State can increase communication between agencies and businesses in New Jersey to encourage employers to adopt more progressive practices in disability employment. For example, the Division of Vocational Rehabilitation could convene regular meetings to engage with employers by sector.
- State agencies can assign staff with business expertise to identify businesses willing to hire individuals with disabilities. They can also designate a staff person to be the



point of contact for businesses to assist with skills assessments, training, and navigating the benefits system for individuals with disabilities.

- The State can tailor workforce interventions to the local labor market to better match the needs of employers and the skills they are looking for with candidates.
- The State can utilize its influence to encourage the adoption of best practices in disability employment in the private sector. For example, the State can highlight New Jersey companies that have successfully implemented policies to hire more people with disabilities.

5. *Making Government a Model Employer of people with disabilities:* State governments can play a critical role in improving the lives of people with disabilities not just as policymakers, but as employers. Three characteristics of state government employment make this approach valuable:

1. They employ a large number of people,
2. They are positioned to provide well-paying jobs with various benefits, and
3. They can demonstrate success to the private sector, thus enhancing the perceived employability of people with disabilities.

Examples of state as model employer (SAME) best practices include hiring goals, targeted fast-track hiring mechanisms and recruitment policies, strong retention policies, and accommodations policies, and inclusion policies and practices. California and Massachusetts have implemented a number of these best practices and their approaches and experiences can be looked to for further insight. The State of New Jersey has some affirmative action and equal opportunity policies in place but there are several additional actions available for consideration:

- The representation of people with disabilities in the state workforce is currently not reported on by the New Jersey Civil Service Commission. The Commission can collect and report this information at an aggregated level so that a better understanding of the State's progress toward meeting affirmative action goals can be established.
- The New Jersey Civil Service eligibility lists currently only designate applicant preference based on final average, in-state residency, and veteran status. Expanding preference to applicants with disabilities would be a simple method to boost the hiring of people with disabilities.

- State agencies can create internship programs specifically designated for people with disabilities. This would not only create an entry point to a career in state government but would provide an opportunity for skills building.
- The New Jersey “Task Force on Maximizing Employment for People with Disabilities” can examine opportunities to incorporate the SAME approach into the state plan to maximize employment, such as opportunities to improve recruitment efforts to better reach potential candidates with disabilities. For example, state agencies could attend university recruitment events such as career fairs.
- The State can challenge its state universities to match state efforts. For example, Rutgers University employs approximately 8,700 faculty and 14,900 staff and could be a large employer of people with disabilities.

Individuals with disabilities are a valuable and unique subgroup of the state workforce and represent a largely untapped talent pool for a rapidly evolving labor market. By taking incremental action in the five key areas presented in this report, the State can strengthen its efforts to improve employment outcomes for people with disabilities and improve the lives of people across the state.

## INTRODUCTION

According to the New Jersey Department of Human Services, there are an estimated 1.7 million adults who have either a physical or developmental disability in the State of New Jersey.<sup>2</sup> Statistics show people with disabilities experience lower rates of employment and higher rates of poverty. In New Jersey, there were 417,347 working-age adults (between the ages of 18 and 64) with disabilities in 2018, of which just 37.5% were employed. The employment rate among working-age people with no disabilities in New Jersey in the same year was about 79%. In 2018, the poverty rate among those with disabilities in New Jersey was nearly double the rate among those with no disabilities (17.2% and 8.7%, respectively). From 2017 to 2018, the percentage of working-age people with no disabilities that were employed in New Jersey increased by 1.15% while the percentage of working-age people with disabilities that were employed decreased by 0.56%.<sup>3</sup> To address these troubling statistics, state governments are pursuing policies to improve employment outcomes. As part of Governor Murphy's collective stronger and fairer economic strategy, the administration has taken a number of steps to increase support for individuals with developmental disabilities, including increasing funding for individuals with co-occurring developmental disabilities and mental health needs and increasing wages for professionals who support individuals with developmental disabilities.

Addressing this economic disparity is needed now more than ever as the current COVID-19 pandemic continues to negatively impact the economy at the writing of this report. Studies indicate that periods of economic recession worsen the economic disparities between those with disabilities and those with no disabilities.<sup>4 5</sup> A 2015 Hammill Institute study on the impacts of the Great Recession found that "the decline in employment among people with disabilities was somewhat greater than for people without disabilities" and job-loss was "particularly concentrated among people with disabilities in blue-collar and goods-producing jobs."<sup>6</sup> The COVID-19 pandemic may result in an economic recession even worse than the Great Recession. According to the Bureau of Labor Statistics, in March 2020 alone the national unemployment rate increased by 0.9% to 4.4%, the largest month-over-month increase since 1975.<sup>7</sup> In an April 23<sup>rd</sup> news release, the state Department of Labor reported that an additional 140,139 unemployment claims were made during the week of April 12. More than 876,000 claims have been made since March 1 of this year.<sup>8</sup> The anticipated full socioeconomic repercussions of the pandemic are profound. The Federal Reserve Bank of St. Louis estimates that the national unemployment rate could reach 32% due to the pandemic.<sup>9</sup>

Because of the pandemic, companies have begun to adopt remote work practices and even develop new software, resulting in a significant transitional period for the American workforce, including people with disabilities. When the pandemic ends, some of these new practices and software may be permanent — potentially making more space for individuals with disabilities in the workforce. With increased acceptance of and potential for remote work, individuals will be able to use two-way communication methods, such as video calls, more readily. Individuals can

also use devices such as cell phones to overcome different barriers and make advancements in the workforce, for example by using applications that provide job coaching services such as reminding individuals to stay on task.<sup>10</sup> Recognizing the increasing role of technology in the workplace, Ohio has adopted a Technology First initiative through which the Department of Developmental Disabilities will assist the county boards to make sure technology is a part of all service plans for people with disabilities.<sup>11</sup> New Jersey might consider making similar policy adjustments in response to COVID-19.

Improving workforce outcomes for people with disabilities is a key part of Governor Murphy's plan to create a stronger and fairer economy in New Jersey. Increasing the number of individuals with disabilities in the American workforce has far-reaching benefits. Individuals benefit by becoming more financially independent and governments benefit by disbursing less money through public benefits programs and expanding the tax base.<sup>12</sup> In addition, businesses have access to a broader pool of skilled workers and see increased productivity and lower turnover.<sup>13</sup>

The New Jersey Governor's Office asked our team of graduate students from the Bloustein School of Planning and Public Policy at Rutgers University to prepare a report examining best practices in workforce development for people with disabilities.<sup>ii</sup> This report intends to provide an overview of best practices and examples of specific programs and initiatives that might be implemented as part of these best practices, to better inform New Jersey's strategies for improving employment outcomes<sup>iii</sup> for people with disabilities in the State.

This report is divided into three sections:

- A review and background of New Jersey's current disability services,
- Discussions of five themes (Improving Clarity and Transparency of Services; Putting People First; Enhancing School-to-Work Transition; Engaging Employers, and; Government a Model Employer), and
- Program conclusions and policy considerations for future disability employment plans in the State of New Jersey.

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<sup>ii</sup> For the purposes of this report, we use the New Jersey Law Against Discrimination's definition of "disability." The law defines "disability" as a "physical or sensory disability, infirmity, malformation, or disfigurement which is caused by bodily injury, birth defect, or illness including epilepsy and other seizure disorders, and which shall include, but not be limited to, any degree of paralysis, amputation, lack of physical coordination, blindness or visual impairment, deafness or hearing impairment, muteness or speech impairment, or physical reliance on a service or guide dog, wheelchair, or other remedial appliance or device, or any mental, psychological, or developmental disability, including autism spectrum disorders, resulting from anatomical, psychological, physiological, or neurological conditions which prevents the typical exercise of any bodily or mental functions or is demonstrable, medically or psychologically, by accepted clinical or laboratory diagnostic techniques. Disability shall also mean AIDS or HIV infection."

<sup>iii</sup> For the purposes of this report, we use the term "employment outcomes" to broadly encompass obtaining a job, retaining a job, and increases in earnings.

## METHODOLOGY AND LIMITATIONS

The project began in January and went through May of 2020. Our research consisted of a comprehensive literature review and interviews with government officials and subject matter experts. The literature review included reports and articles from a variety of sources, including state governments and government associations, academic research, nonprofit and advocacy organizations, and program evaluations. We identified interview subjects through recommendations from the Governor's Office, the expertise and contacts of the Heldrich Center, and snowball sampling, a process in which interview subjects recommended further possible interviewees based on their own experience and contact with the subject matter. The interviews were semi-structured, lasted from 20 minutes-1 hour, and took place in late February through early April. The list of interview subjects is available in Appendix IV and the sample interview protocol and main interview topics are available in Appendix V. Also included in the appendix is a glossary of acronyms used throughout the report (Appendix I), a list of agency abbreviations used throughout the report (Appendix II), and a schematic of main components of the disability employment service system (Appendix III).

The following research questions guided our research:

1. What is the current status of workforce development support for individuals with disabilities in New Jersey?
2. What are the best practices (policies, programs, pilot programs) in other states?
3. Based on our findings, what initiatives could potentially be implemented in New Jersey?

Our findings informed the selection of five key themes, best practices within each theme, and New Jersey's status relative to each theme. Examples of best practice implementation identified by our research as promising are also provided.

Several limitations to our research impacted our findings. First, it is important to note that this research project was proposed before the onset of the COVID-19 pandemic in New Jersey. Therefore, the COVID-19 pandemic raises fiscal questions that were not considered when this project began and when best practices and conclusions were determined. Additional research should be conducted to identify the full effects of the COVID-19 pandemic on this population and services provided. Furthermore, due to time and capacity constraints on the project, beneficiaries of New Jersey workforce development supports and New Jersey employers were not interviewed. Given these constraints and the project's focus on best practices in policy approaches, our research focused on the perspectives of members of government, government organizations, research institutions, and advocacy groups. Consultation with beneficiaries and local employers would be highly valuable in informing any future efforts to improve the state workforce development supports and should be pursued. Finally, we examined policy approaches recommended for people with disabilities in general, as opposed to approaches recommended for those with specific

disabilities. Some approaches may be more beneficial to those with certain disabilities over others, but identifying and addressing these discrepancies was not within the scope of this research.

## NEW JERSEY'S SYSTEM

In New Jersey, workforce development services for individuals with disabilities are provided by the Department of Human Services (DHS) and the Department of Labor and Workforce Development (DOL). Within the Department of Human Services, the Commission for the Blind and Visually Impaired (CBVI) and four Divisions (Deaf and Hard of Hearing, Disability Services [DDS], Developmental Disabilities [DDD], and Mental Health and Addiction Services) provide services. In the Department of Labor and Workforce Development, services are largely provided through the Division of Vocational Rehabilitation Services (DVRS).<sup>iv</sup> This report focuses on DDS, DDD, DVRS, and CBVI as they are the largest providers and coordinators of services in the state. Many individuals are connected to services provided by these and other agencies through the state's one-stop career centers located in every county. Approximately 25,000 individuals are eligible for services through DDD,<sup>14</sup> and DDS receives approximately 15,000 requests for Information & Referral services each year.<sup>15</sup> In addition, in 2018, DVRS provided services to 17,116 people with a wide range of disabilities,<sup>16</sup> and in 2016, CBVI provided vocational rehabilitation (VR) services to approximately 3,000 individuals.<sup>17</sup>

DDS services are primarily focused on helping individuals with disabilities achieve financial stability to enable them to work and earn income to support themselves. Within DDS, individuals with disabilities can access NJ ABLE tax-exempt savings accounts, the NJ WorkAbility program, and Information and Referral (I & R) services. NJ ABLE (Achieving a Better Life Experience) accounts were created in the federal tax code to allow individuals with disabilities to save money in a tax-exempt account.<sup>18</sup> Individuals with disabilities can use savings in their NJ ABLE accounts to pay for medical necessities, education, housing, transportation, personal support services, and other qualified services.<sup>19</sup> DDS administers the NJ WorkAbility program, which allows individuals with disabilities whose income is above the eligibility threshold for Medicaid to remain eligible.<sup>20</sup> DDS collaborates with DDD to provide Information and Referral (I & R) services for some adults registered in DDD, which may include helping them navigate the services available, making referrals, and providing assistance in overcoming barriers to obtaining services.<sup>21</sup>

Through DDD, adults with disabilities can obtain funding for Home and Community-Based Services (HCBS; funded by a Medicaid waiver) through either the Supports Program or the Community Care Program. An individual seeking services through DDD must first go through an intake process, and once they have been deemed eligible for DDD services, they are assigned a Support Coordinator who serves as the primary point of contact and helps connect the individual

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<sup>iv</sup> See Appendix for a flowchart of these agencies.

with services and resources in the community. The two programs provide similar services to support daily life and employment. For example, both provide physical and occupational therapy, community programs, training and supported employment, as well as transportation and vehicle modification.<sup>v</sup> <sup>vi</sup> The Supports Program only funds employment services if services through DVRS cannot be accessed or have been exhausted.<sup>22</sup> Both the Supports Program and the Community Care Program are designed to supplement other state programs or support from family and the community.<sup>23</sup>

Individuals with disabilities who are determined to be able to work are referred to DVRS for services,<sup>vii</sup> either through a self-referral, or a referral from DDD or DDS, their school, or medical or mental health provider. Once they are deemed eligible for services from DVRS, they work with a DVRS counselor to create an Individualized Plan for Employment (IPE), as mandated by the Workforce Innovation and Opportunity Act (WIOA) signed into law in 2014. The IPE helps counselors and clients identify services that are needed for the client to successfully become employed, and establishes an employment goal consistent with the client's skills, abilities, and interests.<sup>24</sup> DVRS services fall into eight categories: career counseling, supported employment, evaluations and restorations, financial assessment and planning, job accommodations/equipment and vehicle modifications, training opportunities, interpretation services, and small business funding.<sup>25</sup> DVRS services are generally time- and funding-limited, however, as mentioned previously, DDD may provide longer-term services such as ongoing job coaching.<sup>viii</sup>

CBVI provides its own set of services, including employment services, for individuals who are blind or visually impaired. CBVI's VR services include many of the same services DVRS provides to the general population of people with disabilities, such as career exploration, training, job placement, supported employment, assistive technology, and job coaching.<sup>ix</sup> CBVI's supported employment program functions similarly to DVRS in providing a VR counselor and job coach who help the client identify and address barriers to work, identify the strengths and support needs of the client, and determine whether a potential employer can make the necessary accommodations.<sup>26</sup>

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<sup>v</sup> For a full list of services provided under the Supports Program and a summary of eligibility requirements, see: [https://www.state.nj.us/humanservices/ddd/programs/supports\\_program.html](https://www.state.nj.us/humanservices/ddd/programs/supports_program.html)

<sup>vi</sup> For a full list of services provided under the Community Care Program and a summary of eligibility requirements, see: <https://www.state.nj.us/humanservices/ddd/services/ccw/index.html>

<sup>vii</sup> This excludes individuals who are blind or visually impaired as they receive employment services through the Commission for the Blind and Visually Impaired

<sup>viii</sup> DDS does not currently provide such services

<sup>ix</sup> For a full list of vocational rehabilitation services provided by CBVI, see: <https://www.state.nj.us/humanservices/cbvi/services/vocation/index.html>

# THEMES

## I. CLARITY AND TRANSPARENCY

### BACKGROUND AND LITERATURE REVIEW

The lack of clarity and transparency in the employment service systems around the country commonly leads to difficulties for job seekers with disabilities to achieve their desired employment outcomes, and New Jersey's system is no different.<sup>27</sup> Much of the literature on the subject falls into three main themes: administrative complexity, funding structure, and outreach and work disincentives. Administrative complexity refers to the many different programs and agencies responsible for providing services and the eligibility criteria for each. Funding structure has to do with the implementation of the supports and services and the range of funding streams that can complicate the process. Outreach and work disincentives have to do with the prevalence and the quality of the information about types of services and supports that are available and the fear among potential beneficiaries that as they gain employment and increase their income, they will lose eligibility for many needed programs.

#### A. ADMINISTRATIVE COMPLEXITY

Individuals with disabilities are often eligible for more than one publicly funded service or support, so it is common to come in contact with various agencies that have different policies and procedures. The literature has indicated that these programs often do not operate as an interconnected "system" unless there are concerted efforts to accomplish this.<sup>28</sup> Literature often describes a "patchwork system" and emphasizes the importance of program alignment to better serve program participants.<sup>29 30 31</sup>

A common goal throughout a significant portion of the literature is to achieve a system with "no wrong door" so that people who interface with the system can access the services they are eligible for and need in an efficient manner and with as few barriers as possible.<sup>32 33 34</sup> Memoranda of Understanding (MOUs) and Interagency Agreements are some of the ways that agencies can arrive at each of their roles and responsibilities and the communication protocols that they will use to implement programs and services.

Capacity building has also been mentioned as a critical component to the delivery of employment services and supports. This can include improved data collection, skilled and well-trained personnel, and leadership and prioritization from state agencies. A joint report between New Jersey's Division of Developmental Disabilities and the Boggs Center presents data collected through focus groups which revealed the extent to which service beneficiaries value competent and well-trained staff with minimal turnover.<sup>35</sup> Interventions are most successful when priorities are clearly defined, funding is sufficient to support those priorities, agency staff have the



credentials and capabilities to meet those priorities, and data is collected to ensure the intended outcomes are reached. This often requires eligibility and outcome definitions to be consistent across agencies, data collection processes to be consistent, and personnel to be well-qualified in all regions of the State to meet the needs of beneficiaries.

## B. FUNDING STRUCTURE

Programs and services under the purview of different agencies can make workforce development interventions complex for individuals with disabilities. There can be complications for a number of reasons, including when there are restrictions regarding the sources of funding and where public dollars can and cannot be spent. A term used in the literature is funding “silos,” which describes a scenario in which funding sources correspond to a particular program and money remains in a dedicated category.<sup>36</sup> Achieving the goal of better integrating funding streams allows for the focus to be on outcomes without facing restrictions often imposed by categorical funding streams. Literature and interviews, including with the Assistant Commissioner and the Director of Supports Program and Employment Services in the Department of Developmental Disabilities, have indicated the potential of adopting an outcome-based funding system, in which there is a financial imperative to meet outcome targets to secure funding.<sup>37</sup> Under such a system, the goal of employment would be defined explicitly, and reimbursement rates established by the State would reward providers that meet the goal.

The concepts of blending and braiding are common in the literature – blending refers to the process of pooling money together from different sources, and braiding refers to a resource allocation strategy in which existing categorical streams of funding are used to support unified initiatives. Braided funds are still distinguishable, whereas blended funds are pooled together and treated as indistinguishable from one another.<sup>38</sup> Integrating funding streams across related programs can encourage better coordination and the development of better functioning systems.<sup>39</sup> Often, agencies providing services receive funding from a variety of different sources. Typically, funding sources come with their own goals, priorities, expectations, and requirements. This leads to a situation in which different agencies operate within their own silos, offering programs and services that may serve common constituents but have incompatible goals and procedures. To better serve those in need of services without cumbersome administrative barriers, a system in which one agency can communicate with another agency to refer clients to the services that best serve their needs is the ideal outcome. This requires the funding streams to align and the accompanying goals and requirements to be compatible to create an interconnected system of services and supports.<sup>40</sup>

## C. OUTREACH AND WORK DISINCENTIVES

Because of how complex the system can be, those in need of services and supports often struggle to find the information about the things they are eligible for and are unsure where to

begin.<sup>41</sup> The system is difficult to navigate, due in part to the number of agencies involved, as well as things like websites that are inaccessible and complicated.<sup>42 43</sup> As a result of many of these concerns, the literature is clear about the importance of outreach, particularly if it is consistent and clearly identifies employment as an expectation regardless of disability.<sup>44</sup> One of the most significant steps to publicize a state’s efforts regarding disability employment is to get public support from the Governor, and use the “bully pulpit” of the executive in the form of an executive order or some other outward endorsement.<sup>45</sup>

A common concern is a perception that the system is set up to disincentivize work – people often fear that if they begin earning an income above a certain level, they will lose their eligibility for other programs.<sup>46</sup> These concerns are justified – literature refers to “the poverty trap,” in which people run the risk of losing public benefits as a result of an attempt to achieve economic self-sufficiency. As people pursue self-sufficiency, they may lose access to some of the very programs that are essential to it. For example, as a beneficiary’s earnings increase, they may approach an “earnings cliff,” beyond which their benefits are sharply reduced, which amounts to high taxes on those earnings. “Beneficiaries who are not capable of [raising their incomes by a substantial amount], however, are trapped. They can raise their income through earnings to some extent, but the program rules create disincentives for them to do so beyond a minimal amount...”<sup>47</sup> The literature has frequently mentioned the importance of career and benefits counseling to help people understand the benefits available and how to increase their income while maintaining supports.<sup>48</sup>

## STATUS OF NEW JERSEY

Related to the literature on administrative complexity, New Jersey has incorporated a few different approaches to encourage interagency coordination and minimize service delivery silos. The State of New Jersey currently has a Memorandum of Understanding (MOU) outlining the roles of DVRS, CBVI, and DDD in “assisting adults with disabilities in finding and maintaining competitive integrated employment.”<sup>x</sup> The State’s Combined WIOA state plan provides details about the State’s employment efforts for individuals with disabilities and helps to delineate the responsibilities of agencies involved, especially DVRS.<sup>xi</sup> In January 2020, the Governor signed a bill into law that will convene a “Task Force on Maximizing Employment for People with Disabilities” to study the problem of unemployment and underemployment, review existing programs, and provide recommendations. The Task Force will include 14 members, including representatives from state agencies as well as 8 members appointed by the Governor from businesses, advocacy groups, and individuals with disabilities (S3468).

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<sup>x</sup> See MOU in Appendix of DDD Supports Program Policies & Procedures Manual  
<https://nj.gov/humanservices/ddd/documents/supports-program-policy-manual.pdf>

<sup>xi</sup> See New Jersey’s 2018 Combined WIOA State Plan  
<https://www.nj.gov/njsetc/planning/unified/documents/NJ%20Combined%20State%20Plan%20for%20WIOA%202018%20Modification.pdf>

Regarding funding structure, New Jersey's DDD has recently transitioned from a contract-based reimbursement model to a Medicaid-based fee-for-service model, similar to the fee-for-service model used in DVRS and CBVI. Generally, fee-for-service is intended to encourage the use of only the services that fit the needs of the recipient, while reducing spending on things that may be excessive or inappropriate. Switching to a Medicaid system can also be beneficial for altering service options, shifting to more community-based services and supports, and bringing in increased federal funds to better serve beneficiaries and reduce wait times.<sup>49</sup> However, given this recent change, the possibility of further significant change in the short term may be less likely.

Literature has consistently referred to the issue of work disincentives and fear of losing benefits when pursuing increased income from employment. It seems like New Jersey is aware of these concerns and has a few different offerings to help address them. New Jersey is one of only nine states to participate in Disability Benefits 101 (DB101) – an online platform funded by DDS that provides users with information about health coverage, benefits, and employment and how work and benefits go together. DB101 includes estimators that ask for various pieces of information including income and gives users an estimate of the impact of work on their benefits. New Jersey also offers a program called New Jersey Work Incentive Network Services, or NJWINS, which helps users “start, continue, or increase work efforts while maintaining benefits for as long as they are needed.”<sup>50</sup> NJWINS encourages people to take advantage of many things that preserve their benefits, including NJ WorkAbility (New Jersey's Medicaid buy-in program for qualified individuals) and ABLE accounts, which allow individuals to save money in a tax-advantaged account and still maintain eligibility for benefits programs.

Additionally, stakeholders and advocates have identified areas where further improvements to New Jersey's system are necessary. They report that “the delivery of support services by New Jersey state agencies to people with disabilities to help them find competitive integrated employment and continue career advancement continues to be in silos, with divergent rules and procedures.”<sup>51</sup> The divergent rules and procedures are likely due in part to fragmented funding streams as well as inadequate interagency coordination. Historically, some have suggested there were “challenges in terms of communication and consistency,” because all disability agencies were located within DHS except for DVRS which is under DOL, and there has been a “lack of understanding of a clear service flow.”<sup>52</sup> As described in an interview with representatives from New Jersey's Department of Disability Services, DDS attempts to address this important issue through their role interacting directly with communities and stakeholder organizations, communicating relatively regularly with related agencies and providers, as well as through their Information and Referral function.<sup>53</sup> Going forward, they would benefit from improved data collection and evaluation to better identify “customer satisfaction” to better serve their constituents. In a report published jointly between the Division of Developmental Disabilities and the Boggs Center on Developmental Disabilities, comments from respondents indicated a need for “communication at many levels, both within the organizational structure and between agency

representatives and those receiving supports and services.”<sup>54</sup> In the short term, New Jersey would benefit from bringing together representatives from government agencies, experts, and stakeholders to improve the coordination and communication within the system. The “Task Force on Maximizing Employment for People with Disabilities”, which was signed into law in January of 2020, could be a good forum for these discussions, in addition to existing structures like the State Employment & Training Commission’s Disability Issues Committee and the State Rehabilitation Council.

The Boggs Center published another report detailing the experiences of young adults during their transition from school, including their experiences operating within the system. Their findings indicate that people are often unsure or unaware of what organization or agency is providing what service. Respondents also indicated that they had difficulties navigating websites, they ran into issues due to high levels of staff turnover, and they were either unable to receive a timely response from an agency or there was no clear place to call to ask a question.<sup>55</sup> These perspectives indicate the value of a clear and transparent system in which administrative barriers are minimized and the system is made intuitive for those who are eligible to access the services they need.

Interviews have also indicated a belief that New Jersey’s continued connection to sheltered work and segregated employment settings contributes to a lack of clarity within the system. While those types of work environments may be the best available option for a particular individual, it can be seen as being at odds with New Jersey’s pronouncement as an Employment First State and the language in the MOU between DVRS, DDD, and CBVI which identifies Competitive Integrated Employment as the primary goal of the system. Stakeholders and advocates speak directly to the potential of braiding and blending funds as well as addressing the capacity constraints that they believe impede improved outcomes.<sup>56</sup> As the system currently operates, there is often good enunciated policy, but due to the complicated programmatic and funding structures, the path throughout the system is not smooth. The State would benefit from the creation of a schematic or flowchart that outlines all of the agencies and organizations involved and their relationships with one another, the eligibility criteria for each service, and the accompanying streams that fund each agency or program. This would help to make the service system more clear for individuals with disabilities and their families, as well as caseworkers and service providers. It will also begin to identify where funding streams can be braided or blended to improve service provision going forward.

Additionally, the goals of financial self-sufficiency and full integration into the community and workplace “remain elusive” for many individuals with developmental disabilities in New Jersey.<sup>57</sup> This could be due to a shortage of capacity and a high level of staff turnover among service providers, which many identify as an impediment to smooth service delivery. In a report published jointly between the Division of Developmental Disabilities and the Boggs Center on

Developmental Disabilities, focus groups with people with disabilities, their families, service providers, and other stakeholders have arrived at the following findings: 44% of respondents said that Competent Support was one of the things people with disabilities want in their lives, roughly 60% of respondents said that to help individuals with disabilities get what they want and need in their life, paid supporters needed to be well trained and competent in their work, and 52% of respondents said that provider agencies needed to ensure that staff is well-trained to ensure that people got what they want and need.<sup>58</sup> The “elusiveness” of self-sufficiency and community integration could also be due to the belief that “there is limited and inconsistent awareness of” benefits counseling programs.<sup>59</sup> “Self-sufficiency” likely speaks to some of the same concerns articulated about the fear of losing benefits when pursuing employment. To address these concerns, those in need of these services would be well-served by more robust outreach about benefits counseling and related offerings. On the whole, New Jersey offers a number of services and supports to encourage employment for individuals with disabilities, but the State also has room to improve in many of the same areas that the literature identifies under the Clarity and Transparency banner.

## EXAMPLES OF BEST PRACTICES

### A. EXECUTIVE ENGAGEMENT

The State should reflect the level of prioritization by creating a dedicated, executive-level office to provide leadership from the highest level of state government. Our review of relevant research and personal interviews have indicated that a governor or high-ranking state-government official will champion the issue, generate momentum, and provide coordinated leadership for some time, but the intensity tends to weaken once the “champion” leaves office or the administration changes. Under New Jersey’s current structure, people working within government agencies rely on informal relationships within state government for the interests of those with disabilities to be represented in policy discussions, according to representatives from DDS.<sup>60</sup> While there is often fear that an additional office will create unnecessary bureaucracy and fragmentation, an executive-level office will be critical for maintaining continuity across administrations going forward, in addition to laying the groundwork to address several other common issues including (1) interagency coordination, (2) braiding and blending of funding streams, and (3) expanding capacity.<sup>61</sup>

In 2004, the State of Maryland became the first state to have a cabinet-level department serving individuals with disabilities when it elevated its Office for Individuals with Disabilities to a cabinet-level department, now known as the Maryland Department of Disabilities (MDOD). MDOD requires collaboration with all other agencies that pertain to individuals with disabilities and provides oversight of policy formation and implementation. This helps to ensure thorough collection and reporting of performance data, reduction in service delivery “silos,” and collection and coordination of funding streams.<sup>62</sup> In Fiscal Year 2019, MDOD had 28 full-time staff members

who were responsible for coordinating and improving the delivery of services to individuals with disabilities in the State. MDOD has policy experts dedicated to areas like community living, education, emergency preparedness, employment, health and behavioral health, housing, and transportation. Maryland's approach of requiring interagency collaboration among the Developmental Disabilities Administration (DDA), the Department of Disabilities, and the Developmental Disabilities Council helped to address the need for leadership in service of the Employment First principle.<sup>xii</sup> This leadership also ensures that each of the key partners hear the same message and "present a unified front" when working with the Governor or other stakeholders.<sup>63</sup> Other states have issued executive orders or convened task forces or interagency working groups which can be beneficial for coordinating efforts, but Maryland remains the only state to explicitly represent the issues of individuals with disabilities in the State's cabinet. This has enabled continuity and sustained commitment across various administrations.

## B. OUTCOME-BASED FUNDING

Outcome-based funding may be used to incentivize the specific outcomes that disability employment services are intended to achieve. A funding mechanism predicated on achieving outcomes requires the goals of the system to be clearly defined and for priorities to be communicated transparently. A tiered structure with various benchmarks corresponding with a particular rate of reimbursement has been used among successful states around the country. Benchmarks can include not only employment, but also credential attainment, employment setting, number of hours worked, job tenure, and others. This structure places more emphasis on valued outcomes and increases accountability for the results. Some evidence indicates that this format can streamline service delivery, particularly if providers are given greater bureaucratic flexibility in exchange for greater accountability. Also, it can lead to greater consumer choice and satisfaction because the results-based approach is expected to lead to an increased level of customization. However, there is concern that a system like this would place too much emphasis on getting a job, and not enough emphasis on matching the consumer to the right job and providing sufficient job training and career development for the job that the consumer wants. There is also a fear that those who seem the easiest to place, likely those with the least severe disabilities, will be given preferential treatment.<sup>64</sup> To protect against this, the structure of the benchmarks and corresponding reimbursement rates has been carefully designed with the input of individuals with disabilities and other stakeholders. The New Jersey Division of Developmental Disabilities recently changed its funding structure from a contract-based system to a Medicaid-based fee-for-service system, which may make a change to an outcome-based system in the near future more difficult. Additionally, altering funding structures to incentivize certain goals might be complicated by the fact that \$44 million has been proposed for sheltered workshops in the FY2021 budget, which may be inconsistent with the goals of the Employment First Principle that New Jersey adopted in 2012.

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<sup>xii</sup> See MDOD Organizational Structure: <https://msa.maryland.gov/msa/mdmanual/12dod/pdf/12dod.pdf>

Oklahoma's Milestone Payment System is designed to reimburse providers of Vocational Rehabilitation services according to incentives and outcomes. The vendor is paid when the client completes a pre-defined checkpoint on the way to the goal of full-time community employment at the prevailing wage, which is clearly defined in agency documentation.<sup>65</sup> In total, Oklahoma has 7 milestones including (1) assessment and career placement, (2) an optional vocational preparation milestone depending on the needs of the individual, (3) job placement, (4-6) weeks worked benchmarks for 4 weeks worked, 8 weeks worked, and "job stabilization" at 12 or 17 weeks (depending on the contract), and (7) a successful employment benchmark which is achieved once the individual has completed 90 days after job stabilization during which both the employee and employer are satisfied.<sup>66</sup> This structure allows Oklahoma leeway to customize the services for each individual and provides enough follow-along after the point of hiring to confirm that the services have been successful beyond getting hired, including several months into the job to ensure the employee has been placed in a situation that is the right fit for their needs.

#### ACTIONABLE STEPS

A system of employment services that is clear and transparent and easy to navigate is important for individuals with disabilities to achieve their ideal employment outcomes. New Jersey offers a number of services to those with disabilities who are seeking assistance finding or maintaining employment. However, the State is often unable to meet all of the needs of its constituents because of administrative complexity, complicated funding structures, and work disincentives, and insufficient outreach. Some strategies to improve the clarity and transparency of the system include:

- Bringing together government agency representatives, experts, and stakeholders to improve the coordination and communication within the system. The Task Force on Maximizing Employment for People with Disabilities, and other existing committees, could be a good vehicle for these discussions.
- Formulating a schematic or flowchart (perhaps web-based and interactive) of all of the agencies and organizations involved and their relationship with one another, the eligibility criteria for each service, and the accompanying streams that fund those agencies or services. This could benefit those receiving services, their families, case managers, support coordinators, and service providers. By laying out all of the components of the system and their funding streams, it can lay the groundwork for identifying ways to braid and blend funds, streamline services, and minimize service delivery silos.
- Employing more robust outreach to improve the awareness of the benefits counseling and related programs that remain underutilized in the State. Fear of losing benefits is among the main reasons that individuals with disabilities do not participate in the full array of services that they may be eligible for or may benefit from.

## II. PUTTING PEOPLE FIRST

### BACKGROUND AND LITERATURE REVIEW

The Workforce Innovation and Opportunity Act (WIOA) of 2014 created new requirements for vocational rehabilitation (VR) agencies to create individualized plans for employment (IPE) for their clients. WIOA also shifted the focus toward pursuing competitive employment for people with disabilities. Both of these requirements are in line with person-centered and Employment First principles (both described below), and have begun to be implemented by all states, including New Jersey.

In the “traditional” VR model, VR agencies provide short-term employment services to people with disabilities to help them find a job. Clients are assigned a VR counselor who helps them design an IPE, which includes a determination of the client’s employment goal and an assessment of the services and supports that would help them achieve that goal. The counselor then helps the client obtain those services, such as skills training, job coaching, job search assistance, and other employment-related services, and which may be provided through the VR agency or a contracted rehabilitation provider.<sup>67</sup>

A person-centered approach to employment services is different in key ways compared to the traditional approach to VR services. The traditional approach often focuses on finding available jobs and fitting the client to that job through training and other services. A person-centered approach to VR takes the opposite approach by starting with the client’s aspirations, interests, strengths, and skills, and fitting a job to those criteria. It also aims to create a plan to help the client achieve their career goals, rather than finding any job quickly.<sup>68</sup> It allows for consideration of jobs that are not entry-level when appropriate, for example for individuals who have acquired a disability but have a higher education degree and/or work experience.

Programs that are narrowly tailored are generally more successful than broad programs with regard to employment and earnings outcomes.<sup>69</sup> Narrowly tailored programs include those that are flexible and allow for customization of services based on the individual needs of each person or are targeted to narrow subgroups.<sup>70</sup> In addition, programs that work closely with employers to provide customized solutions and attention for both the employee and the employer also produce better outcomes.<sup>71 72</sup>

Customized employment (CE) services, such as the models described in the examples section below, allow for more application of person-centered principles and may be included as part of an IPE. Customization might include assessing the skills, interests, and needs of an individual and matching them to an appropriate position; providing ongoing job supports to employees; and identifying and providing ancillary services that an employee may need to be successful, such as transportation to work.<sup>73 74 75</sup> It may also include identifying the business needs



of an employer and matching them with an employee who can fill those needs, and working with employers to design appropriate accommodations for employees with disabilities.<sup>76 77</sup> In addition, states may consider designing interventions that address the challenges of a specific labor market, rather than applying a one-size-fits-all strategy to all employers.<sup>78</sup> Finally, the service system should be monitored and evaluated to ensure that the system accommodates individuals' needs and provides supports as long as necessary for the individual to be successfully employed.<sup>79</sup>

Experts have identified the Employment First principle as a best practice. Under the Employment First principle, employment is the preferred option when crafting a plan for an individual with a disability.<sup>80</sup> Each person receives an individual evaluation to determine whether employment is a feasible and appropriate option, and if it is not, the decision regarding whether or not to pursue employment is re-evaluated regularly.<sup>81</sup> The Employment First model incorporates person-centered practices by promoting individualized evaluations and service plans.

Evidence from evaluations of Kessler Foundation grants suggests that the person-centered approach to employment services is often most successful when accompanied by wraparound services that address a wide variety of barriers individuals may face. Wraparound services may include emotional support, funding for uniforms, transportation, financial literacy, benefits counseling, childcare, and housing assistance. These services can be provided on a temporary basis until the client has a stable job and can arrange for more permanent solutions to these barriers.<sup>82</sup>

Some experts and advocates have noted that sheltered work, by definition, is not a person-centered approach – a key commitment in disability services, including Medicaid funding. For example, Dr. Deborah Spitalnik, founding Executive Director of The Boggs Center on Developmental Disabilities, explained that while a person-centered approach recognizes that every person is unique and seeks to provide employment services and other meaningful opportunities for community participation tailored to each individual's aspirations and needs for support, sheltered work is a model in which the work that individuals do is based on the contracts that are received by the sheltered work program, rather than on each individual's preferences. In addition, sheltered work programs generally do not provide a range of experiences that could prepare individuals for a career. Person-centered services typically seek to enable individuals with disabilities to identify employment and other opportunities for participation that can lead to growth based on their individual interests and skills. Dr. Spitalnik also noted that more structured and supervised programs and settings may remain appropriate for individuals as a complement to part-time work in the community, but that the blending of services can only occur on an individually planned and coordinated basis.<sup>83</sup>

## STATUS OF NEW JERSEY

Governor Christie officially adopted the Employment First principle in 2012, however, for many years little money was invested in implementing it. Recently, the New Jersey Division of Vocational Rehabilitation Services (DVRS) has incorporated the principle as part of long-term career pathway development as a result of new requirements in WIOA and a change in leadership.<sup>84</sup> As mandated under WIOA, DVRS collects data on employment metrics such as the number of clients who are employed after receiving services (at intervals of 90 days, two quarters, and four quarters), median earnings, measurable gains in skills, and credential attainment several quarters after clients leave DVRS. Though this data is collected, it is not clear how it is used in evaluating the success of DVRS services and informing changes in how they operate.

The service system in New Jersey has begun to implement some person-centered approaches. For example, DDD uses an “Employment Pathway” model to determine where the client is on the path to employment, develop ideas about potential employment options based on interests, skills, and support needs, and outline steps that can help the client reach their employment goal. This information is included in the Individual Service Plan and included in DDD case records. Nevertheless, while New Jersey complies with WIOA in providing IPEs to clients and considering the individual needs of each client when designing a service plan, this approach does not always enable the level of customization needed to serve individuals with significant barriers to employment. DVRS piloted a customized employment program several years ago, and some contracted providers continue to offer some CE services, however because CE is resource- and staff-intensive, many providers are unable or unwilling to expand their service-offerings to include more CE.

In 2016, the Boggs Center on Developmental Disabilities released a report about the findings of their evaluation of the state of transition from high school to work or higher education for individuals with developmental disabilities in New Jersey.<sup>85</sup> The report combined findings from a literature review, surveys of school districts, focus groups with recent high school graduates and their parents, and interviews with individuals with developmental disabilities and/or their families. The Boggs Center found that participants generally found that services were not individualized enough to address the specific needs of each person. Focus groups participants who were receiving services felt that services did not adequately respond to individual needs and interests, particularly concerning employment.

## EXAMPLES OF BEST PRACTICES

As described below, several states have implemented CE programs to address the needs of individuals with disabilities who are seeking employment. These programs share some common elements such as:

- an extended service-delivery timeline that follows the client through the first few months of employment;
- intensive coordination of services, including engagement with employers;
- exploration of the client’s interests and skills;
- provision of training and internships;
- customization of employment opportunities; and
- comprehensive support services such as ancillary or wraparound services.

Though custom approaches are generally more resource-intensive and therefore may be less feasible to implement on a large scale, some states have chosen to employ customized approaches for subsets of clientele that face especially high barriers to employment and who are least likely to be successful in the traditional VR pathway. This strategic approach appears promising as a way to improve outcomes for those who face the most challenging barriers in states that operate under limited resources. New Jersey already provides some individualization of services through the IPEs and could pilot a CE model, such as those described below, for a subset of VR clients, to test its effectiveness in New Jersey. It should be noted that CE models require properly trained staff to be successful. Without sufficient resources for staff training and intensive one-on-one work between staff and clients, CE is less likely to achieve the outcomes seen in the examples described below.<sup>86</sup> CE is also easiest to implement when employers are seeking workers and are willing to work with the service provider to customize the job to the client’s interests, skills, and needs.<sup>87</sup> This is more likely to occur in a period of economic expansion and low unemployment when the labor market is tight and employers can benefit from CE by filling specific needs.<sup>88</sup>

Although the CE examples described below may require resources that are not currently available in New Jersey, they can inspire the types of strategies that can be used by the State to increase the level of customization in its existing VR services. Person-centered approaches, including the use of IPEs and some combination of strategies used in CE programs, can help individuals find jobs they are best suited for, fully understand the requirements of the job, ensure that they have the necessary skills and requirements for the job, and identify and facilitate the provision of accommodations. Not all VR clients need the level of customization that CE programs offer. Providing clients with individualized attention to ensure that they find a job that is the right fit for them can ensure successful employment outcomes for many VR clients, and for those who need additional support, CE can bridge the gap and provide an opportunity for individuals with more barriers to fulfill their potential.

#### A. PROGRESSIVE EMPLOYMENT<sup>89</sup>

As of 2018, three state VR agencies, including those in Vermont, Maine, and Nebraska, as well as Oregon’s Commission for the Blind, have implemented a Progressive Employment (PE)

model for their clients who have the most barriers to employment – those most likely to exit VR without obtaining a job. PE takes the opposite approach of a rapid employment model by using a more flexible and gradual service model, and by treating both the VR client and the employer as customers. In addition, it includes “work-based learning experiences with employers, payments to VR customers to offset training costs,” and “regular coordination between VR counselors and stakeholders.”

Mathematica, a policy research organization, evaluated Vermont’s PE program in 2018 and found that recipients of PE services had a higher probability than those enrolled in non-PE VR services of leaving VR with employment, having earnings two quarters after leaving VR, having earnings greater than \$2,600, and having earnings more than \$5,200 four quarters after leaving VR. The study also found a slight increase in use of Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI), however, the results of that analysis were less reliable than the analysis of earnings due to limitations in the data.

#### B. PATHWAYS TO CAREERS PROGRAM<sup>90</sup>

Four states (Utah, Massachusetts, Virginia, and Michigan) have begun using the Pathways to Careers Program (hereafter referred to as Pathways), as an alternative to the traditional VR model. The Pathways service model has six primary components:

- Discovery and career plan development, during which staff assesses the strengths, skills, and interests of the participant to create a career plan;
- employer engagement and customized internship or job development, during which staff identifies job opportunities for the participant;
- expanded Discovery and paid internships, for participants who prefer to gain experience and explore different career and job options;
- employment supports and a career support plan;
- employer payroll tax adjustment (EPTA);
- and post-employment career support.

The Pathways program also provides funding for the salary and fringe benefits of participants during their internships, training, job coaching, and other supports, and at some locations the EPTA.

A Mathematica evaluation of the Utah program found that employment rates for VR and Pathways services were similar, however, Pathways participants worked more hours per week, had higher average weekly wages, and were more likely to earn more than the substantial gainful activity (SGA)-level earnings determined by the Social Security Administration (set at \$1,180 per month in 2018 for people who are not blind).

#### C. SUPPORTED EMPLOYMENT ENTERPRISE CORPORATION<sup>91</sup>

The Supported Employment Enterprise Corporation (SEEC), a nonprofit organization that provides community supports to individuals with intellectual and developmental disabilities (I/DD) in Maryland, received a grant from the Kessler Foundation to address core barriers to employment for people with disabilities by implementing customized employment. Similarly, to the Pathways to Careers program described previously, the SEEC project's approach includes a discovery stage during which staff works with the client to explore their goals, interests, and skills. This is followed by job development, which involves staff identifying potential employers and crafting job opportunities based on the findings of the discovery stage and the business needs of the employer. Finally, staff provides support services to the client to enable them to learn their job responsibilities. The SEEC project also includes customized benefits planning to provide comprehensive support.

In 2017, the John J. Heldrich Center for Workforce Development conducted an evaluation of the SEEC project and found benefits of the person-centered approach for participants in the program. They showed increased confidence, an ability to express likes and dislikes, and more control over their schedules. The program also encouraged them to choose a job they felt passionate about, rather than settling for any job. Kessler highlighted one participant who had not found employment during nine years of receiving services but found a position after receiving person-centered services through the SEEC project.

#### D. MY BEST PROGRAM<sup>92</sup>

AHEDD, located in Pennsylvania, received a grant from the Kessler Foundation for their MY BEST program which seeks to educate people with disabilities about employment as an option. The MY BEST program was structured similarly to the Pathways to Careers and SEEC programs described previously. It also included specific efforts to explain the benefits of employment and address any concerns or fears clients may have regarding becoming employed. In addition, employment coordinators worked with clients to develop Work Incentive Plans and Benefits Summary Analyses tailored to the client's particular circumstances and based on different employment and earnings scenarios. The Heldrich Center evaluated the MY BEST program and found that 69% of the 128 participants who were placed into jobs remained employed after six months, likely in part due to job coaching services.

## ACTIONABLE STEPS

Person-centered employment services help individuals with disabilities find jobs and careers that are best suited to their skill sets, interests and needs. These types of services are recommended above one size fits all services because they are associated with higher employment rates, higher wages for people who become employed, and higher retention in jobs. Some strategies to make services for people with disabilities more person-centered include:

- Providing extensive training to staff to enable them to provide quality customized employment and person-centered services. The State can expand upon existing training programs such as those provided through the Boggs Center and the Arc of New Jersey to include training for a wider range of staff members and principles of customized employment.
- Incorporating features of customized employment (such as an extensive discovery period, direct communication with employers regarding accommodations, and long-term follow-along services) into the regular VR services to make them more individualized and person-centered, and ensure that clients find jobs that are the right fit for their interests, skills, needs, and long-term objectives.
- Expanding access to customized employment programs (such as the programs described in the examples section) for the VR clients with the most or most severe barriers to employment.
- Evaluating the success of collaborations between DVRS and DDD and DDS, and strengthening those relationships as needed to ensure the provision of follow-up and wraparound services for individuals who exit the VR system, with or without employment. CBVI may be able to provide some expertise as they already provide VR and other services under one roof and may have advice about facilitating that transition between services.
- Using data on employment outcomes collected under WIOA to inform future initiatives to identify areas for improvement in the VR system and make targeted changes.

## III. ENHANCING THE SCHOOL-TO-WORK TRANSITION

### BACKGROUND AND LITERATURE REVIEW

The School-to-Work transition for people with disabilities, also referred to as early intervention, includes a variety of strategies intended to level the playing field between individuals with disabilities and those without disabilities. These strategies seek to ensure that people with all types of disabilities have access to the large system of services progressing toward long-term employment. People with disabilities should be afforded the opportunity to develop job skills and explore job opportunities that are aligned with their interests. While many states facilitate skills

development and job exploration opportunities in the last two years of high school, there are additional venues for this to take place.

Post-secondary education plays a major role in workforce development for individuals with disabilities. According to findings from the American Community Survey (ACS), higher educational attainment is associated with higher employment rates for students with any disability, including but not limited to cognitive disabilities.<sup>93</sup> The National Longitudinal Transition Study-2 also finds a positive relationship between post-secondary education and employment rate.<sup>94</sup> According to the Brookings Institution, higher levels of education and training lead to higher rates of employment for those with disabilities.<sup>95</sup>

Exposure to work experiences in high school and college can also facilitate a smooth transition from the school setting to a work setting and can allow individuals to pursue a plan that is consistent with their goals and interests. Early intervention is repeatedly emphasized as integral to the success of people with disabilities in the workforce. Young people with disabilities face many challenges ranging from health problems to social isolation and service needs. These challenges can complicate the planning of careers and futures and often lead to poor employment outcomes that result in a life of poverty.<sup>96</sup> By intervening in an individual's education early and developing a plan for their future career, the likelihood of success later on can be improved.

Early intervention can do the following;

- help to foster individualized exploration;
- increase access to career assessments;
- increase exposure to secondary education and career opportunities; and
- increase access to training and participation in on-the-job activities.

Early intervention should also be prioritized because younger people with disabilities have many years of potential work ahead. This specific population has not yet been “completely entrenched in dependence” so they may be more open to employment as a viable path.<sup>97</sup> Younger individuals may be more motivated to take on employment. In addition, young adults without disabilities are also transitioning into the workforce or furthering their education at this stage, and those with disabilities may see a social benefit from planning for their careers at the same time as others in their age range.

Experts state that intervening in someone's education as early as possible prevents further delays in life and in employment.<sup>98</sup> This premise illustrates the value of individualized educational plans. Early intervention not only keeps students on the path forward in their education, but also keeps individuals with disabilities moving forward toward a career. Successful school-to-work transitions in individual states are marked by connections that are built in the classroom. The most

successful programs and practices in the United States (1) connect classroom learning to career possibilities and (2) expose students to hands-on work experience.<sup>99</sup> Classrooms that emphasize learning plans for each student and encourage preparation for careers have seen the most success. Success in this context is defined as having students with disabilities successfully shift from the classroom environment into a career. Individuals with disabilities are more likely to have success when they have an understanding of what they want to accomplish and a detailed plan toward a career.

Although many cite the need for post-secondary education for individuals with disabilities, most of the policy interventions for people with disabilities are concentrated on income support rather than education or training. These interventions usually deter these individuals from working. It is estimated that only about 1% of federal and state spending for working-age people with disabilities is used for education, training, and employment-related support, whereas 54% is used for healthcare and 41% for income maintenance.<sup>100</sup> American Community Survey data shows that the rate of transition-age youth with disabilities, including cognitive disabilities, who access post-secondary education is lower than their peers without disabilities. For example, 42% of those without disability, 27% of those with any disability, and 23% of those with a cognitive disability are enrolled in a university in the United States. Given that 65% of job openings in the United States through 2020 will require at least some college or an associate's degree, it is increasingly important for anyone, whether or not they have a disability, to pursue post-secondary education in some manner.<sup>101</sup> This absence of support for higher education indicates that the issue of access to post-secondary education needs more attention from policymakers so that people with disabilities can acquire the necessary knowledge and skills for employment.

#### STATUS OF NEW JERSEY

The phrase "Employment First" is used to indicate that competitive employment is the preferred means of employment for everyone. In 2012, Governor Christie stated that "Everyone should have the opportunity to be productive, earn a living, and feel a sense of personal fulfillment from employment. ...That's why we're working cooperatively with the private sector to ensure that people with disabilities are a seamless part of New Jersey's workforce, with the independence and sense of community that comes from relationships developed inside and outside of the workplace."<sup>102</sup> With this statement, Christie set forth the precedent that New Jersey would make competitive employment a top priority.

The purpose of WIOA of 2014 was to increase exposure to career opportunities with the hope that they would lead to better adult employment outcomes.<sup>103</sup> The bill also "mandated that state vocational rehabilitation (VR) agencies make pre-employment transition services available statewide to students with disabilities in their respective states."<sup>104</sup> Under WIOA, 15% of each State's public Vocational Rehabilitation funds must go to transition services, specifically pre-employment transition services. This includes job exploration counseling, work-based learning



experiences, counseling on post-secondary opportunities, workplace readiness training, and training on self-advocacy. VR agencies must work with schools and the local workforce development system to coordinate pre-employment transition services.<sup>105</sup>

According to a report by the Boggs Center, many school districts in New Jersey refer and connect students to supports and social services available in the community. Approximately 77% of schools and/or districts report that they are engaged in referring families to post-secondary education, however, the percentage of families connected to such education services is only 14%. This connection rate is fairly low compared to that of other services that families are referred to, such as governmental programs including Division of Vocational Rehabilitation Services (87% referred; 70% connected), Division of Developmental Disabilities (82.6% referred; 57.5% connected), and Division of Children and Families (77.8% referred; 56.0% connected). Results from regional focus groups with recent graduates and their families showed that few students with disabilities who graduated from high school were attending post-secondary education programs. The special education performance data, which uses a broad definition of disability, indicates that 49% were enrolled in higher education between July 2013 and June 2014.<sup>106</sup> Though this percentage may seem high, it is important to note that this data does not delineate between types of disabilities. It includes those with speech and language impairments, specific learning disabilities, or orthopedic impairment.

Despite the low connection rate for referral and actual attendance rate, New Jersey does have several post-secondary programs available for individuals with disabilities. Examples include programs offered at Bergen Community College and Camden County College. Under the Garden State Pathways to Independence for Students with Intellectual Disabilities Project (TPSID), also known as the Turning Point Program, Bergen Community College offers a non-degree, post-secondary college program for students with I/DD. The program was funded by grants awarded by the US Department of Education, with the original TPSID grant in 2010 and TPSID2 in 2015. Camden County College also offers a similar program under the Garden State Pathways Program, a post-secondary, transitional program designed for students with I/DD. It is also a non-degree program and students receive a certificate of Post-Secondary Studies from the college. As large community colleges located in different regions of the State of New Jersey, the programs aim to provide academic, social skills, and vocational training options leading to employment. They also work to build on relationships with local education agencies and corporate partners to provide appropriate support to students.<sup>107</sup> For students' transition into the labor market, both programs actively encourage students to participate in internships. Regarding outcomes, the Bergen Community College program shows that since 2016, 88% of graduates are employed in paid integrated employment and 74% are employed for 16 or more hours per week.<sup>108</sup> In addition to these programs, several other higher education institutions in New Jersey, including The College of New Jersey (Career and Community Studies), Mercer County Community College (DREAM Program), Rowan College at Gloucester County (Adult Center for Transition), and Brookdale

Community College (Keep Achieving) also offer inclusive post-secondary education programs for students with disabilities.<sup>109</sup>

Most of these programs in New Jersey are based on 2-year community college programs. Although they are helpful in providing knowledge and skills needed for employment, more opportunities could be provided in New Jersey including programs at 4-year university programs and graduate programs. This could be particularly important because many employment opportunities available to individuals with disabilities are entry-level positions. One misconception is that people with disabilities, particularly I/DD, can only do entry-level jobs when they have the ability for higher levels of work.<sup>110</sup> Therefore, expanding long-term expectations is important. A firm understanding of existing supports at higher-education institutions in the State of New Jersey would be a helpful first step toward making sure each college is well-equipped with a program to benefit students with disabilities.

One example of a higher education program that is already in place in New Jersey is at Rutgers, the State University of New Jersey. The University has a Center for Adult Services located at the New Brunswick campus. Rutgers staff believed there was a lack of services supporting adults with autism, so the University decided to address the issue through the creation of the Center. The University believed it could act as a model for other universities and demonstrate how higher education institutions could be part of the solution for providing supports for adults with autism. The Center for Adult Services focused its overall work on two programs. The first program is a workday program providing participants with prevocational, vocational, and recreational opportunities.<sup>111</sup> The other program is a pilot residential program through which participants live alongside Rutgers graduate students while working on campus.<sup>112</sup> The Center is also working to provide customized solutions as a method for supporting adults with autism.

Lastly, efforts to inform family members of individuals with disabilities about the potential of paid employment would also be highly beneficial.<sup>113</sup> Improving the expectations of individuals with disabilities and their families goes a long way toward achieving self-sufficiency. Parental expectations and involvement is an important indicator of post-school success for students with disabilities.<sup>114</sup> Dr. Erik Carter, a Professor of Special Education at Vanderbilt University, illustrated in his research that high parent expectations for paid employment is one of the biggest factors contributing to a student's likelihood of working after high school.<sup>115</sup> Therefore, additional efforts should be taken to encourage the family of those with disabilities to demonstrate expectations and confidence in the individual's ability to work or pursue higher education. To help facilitate this, New Jersey is providing some support services such as the Employment and Transition to 21 Unit in DDD which offers presentations and guidance on the transition process to school personnel, students, and families. Through these, DDD provides information related to postsecondary education and employment, and how to prepare students for those outcomes after they have exited the school system. As families learn that various opportunities exist through these

services, they can build greater expectations towards their family members with disabilities and help them achieve better outcomes after secondary education. Strengthening and diversifying service offerings could lead to further improvements in parental expectations and ensure these services have the intended results.

## EXAMPLES OF BEST PRACTICES

### A. EXAMPLES IN HIGHER EDUCATION

Several colleges and universities provide relevant programs for students with disabilities. Think College<sup>xiii</sup> is a national organization dedicated to developing, expanding, and improving inclusive higher education options for people with intellectual disabilities. It supports evidence-based and student-centered research and practice by generating and sharing knowledge, guiding institutional change, informing public policy, and engaging with students, professionals, and families.

One project under Think College is administered at Portland State University (PSU). The project created Career & Community Studies (CCS), the first four-year inclusive college and employment program for students with I/DD in 2018.<sup>116</sup> The program aims to establish a fully inclusive college experience for students with I/DD, which will support inclusive academic and career experiences that lead to meaningful, integrated employment and self-determination. In this program, students with I/DD can build their skills to prepare for the labor market in academic and employment aspects, with person-centered planning and self-directed goal setting. In academic courses, every student is supported by academic coaches who are graduate students in education. The PSU Disability Resource Center faculty and staff assist students in completing academic courses with other PSU students. In terms of employment, students receive individualized job development and job coaching and work alongside other PSU students in on-campus jobs. Some also work for off-campus employers such as Target, Smith Tea, and Northwest Disability Support. During their third and fourth years, students focus on achieving employment prior to graduation in a career-focused job that matches their interests.<sup>117</sup> In addition, students living independently learn to manage their own schedule and use the support they have while also participating in various campus life activities. Studies indicate that graduates of these inclusive college and employment certificate programs are achieving gainful integrated employment and higher wages.<sup>118</sup>

Texas A&M University's Aggie ACHIEVE (Academic Courses in Higher Inclusive Education and Vocational Experiences) program, which launched in 2019, is a certificate-based, four-year inclusive higher education program for young adults with I/DD. It aims to help students with I/DD to expand their interests and prepare for inclusive employment in the community. The

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<sup>xiii</sup> For more information, see <https://thinkcollege.net/>

first cohort includes four students from across the state who live on campus during their study. In the first two years of the program, students are introduced to college life through multiple seminars focused on independent living, career awareness, and self-determination. During these years, students are also required to audit credit courses. In their third and fourth years, students focus on career development and field specialization. They participate in on- and off-campus internships in their field of interest. Similar to the CCS program at PSU, Aggie ACHIEVE also pursues “person-centered planning,” whereby students and their families design their individualized goals each year of the program with support of faculty and staff.<sup>119</sup> Though it is too early to evaluate outcomes, parents of these students claim they have observed positive outcomes for their children during their participation in the CCS program at PSU, and say it is not an experiment but a genuine college experience.<sup>120</sup>

At the University of Delaware in 2018, students with autism were enrolled in programming to support them as regularly matriculated students at the university. JPMorgan Chase funds the program, titled Spectrum Scholars, which aims to support undergraduates with autism who choose to major in computer science and engineering. The University of Delaware’s Center for Disabilities Studies administers the program and works with students to build fruitful communication and self-advocacy skills.<sup>121</sup> The Center identifies communication and self-advocacy as necessary skills in today’s competitive job market. The University claims that Spectrum Scholars will not only benefit students, but the companies that will also be able to reap the benefits by having access to a whole new set of employees. The program has allowed companies to tap into a new candidate pool.

## B. INTEGRATED PROGRAMS

Approaches are also available to ease the transition from the educational setting to the workforce prior to post-secondary education. All of these approaches are centered around exposing students with disabilities to work opportunities as they complete high school. One example is Project SEARCH which has produced successful results and operates in 47 states.<sup>122</sup> Competitive integrated employment options are at the forefront of this plan, such as including students with disabilities in the general education classroom. The individuals with disabilities who are placed in these programs are provided any support deemed necessary to ensure their success in the classroom. Employers host high school students and adults with intellectual and developmental disabilities by providing a series of unpaid internships. Participants receive crucial feedback on performance while learning about the industry they are placed in. This allows the individuals participating a firsthand look on what working in that particular industry is like. Just like in the classroom, individuals are given the support to make sure they are successful. When the program is completed, many of the individuals enrolled in the program are employed by the sites where they were originally placed. While New Jersey does have nine Project SEARCH sites, and is hoping to expand, many other states enrolled in the program have far more. Currently, DVRS is

working on a new payment structure to replace the current contract structure, which may result in more providers wanting to become Project SEARCH providers in the future.

Reflective of national trends, Wisconsin's competitive integrated employment rate for youth and young adults with I/DD was among the lowest of all disability subgroups. To address this, Wisconsin implemented the "Let's Get to Work (LGTW) project" in the spring of 2012. The program was designed to elevate expectations along with employment outcomes, specifically for youth with intellectual developmental disabilities. The project involved four years of collaboration between pilot school sites and state agency personnel to implement practice and policy changes. Over the course of the project, 73% of students who received interventions through school coaching had one or more paid work experiences, a known predictor of employment in adulthood.<sup>123</sup> The more work experiences an individual has as an adolescent, the higher the chances of finding employment in adulthood. Stories like the following are common examples of the potential of the LGTW program:

"David was a junior in high school gaining work experience by helping bake and sell cookies during lunch and washing windows around the school building. He took a business tour of a hotel with teachers and other students, and expressed an interest in the housekeeping work. He had this work experience supported by vocational rehabilitation that led to a job. He has been competitively employed for several years now at that same hotel. He also manages the basketball team at the state college campus in his city."

David's success can be replicated in other states by following a similar protocol to the one that was used by the LGTW project in Wisconsin. The projects followed a four multi-level component approach, which included conducting quarterly meetings with stakeholders, ensuring sufficient funding to implement these strategies at other high school sites, using findings from the pilot to develop new strategies going forward, and convening a policy team to facilitate the development of plans moving forward. Gathering all the stakeholders into one room ensures that no one is out of the conversation regarding disability employment. Overall, Wisconsin focused on creating a plan that would be sustainable and create both qualitative and quantitative outcomes. This is a promising framework that can be replicated and implemented in other states. Transitional strategies have been implemented in many other states and the Wisconsin LGTW is a leading strategy.

In Massachusetts', the department of Elementary and Secondary Education is sponsoring an initiative in the state to support all students in becoming better prepared for college and career readiness.<sup>124</sup> This initiative has been titled Connecting Activities (CA) and is working to establish public-private partnerships in the local workforce investment boards and connecting schools and businesses. With this connection, schools can provide structured learning experiences for all of

their students, whether that have a disability or not. Creating connections between businesses and schools allows educators to create opportunities for their students that will lead to employment.

#### ACTIONABLE STEPS

The school-to-work transition must start early for individuals with disabilities to prepare for participation in the labor market or post-secondary education. The following steps can be taken to strengthen school-to-work transition supports in New Jersey:

- Survey New Jersey institutions of higher education to identify what transition programs are currently being provided. The New Jersey Division of Vocational Rehabilitation in coordination with the Office of the Secretary of Higher Education could meet with New Jersey higher education institutions as well as their respective University Disability Service offices to identify pilot programs with 4-year institutions.
- Conduct research to identify any obstacles causing low connection rate for referral and actual attendance rate for individuals with disabilities, particularly I/DD, in pursuing post-secondary education so that they can have improved access to higher education.
- Strengthen and diversify interventions such as the services provided by the Employment and Transition to 21 Unit in DDD, to encourage high expectations of students with disabilities' potential to obtain employment or higher education after graduating high school. Evaluate the success of these interventions to ensure that they achieve targeted outcomes, including higher parental expectations.

#### IV. ENGAGING EMPLOYERS

##### BACKGROUND AND LITERATURE REVIEW

Individuals with disabilities are confronted with many challenges when entering the workforce. The preconceived notions of potential employers are one such hurdle. Employers often cite several reasons as to why they do not hire people with disabilities. For example, they fear that there are not enough qualified people with disabilities to fill necessary roles. Many employers claim they “rarely see” workers with disabilities in their applicant pools, even though 10 to 16% of working-age Americans report having a disability.<sup>125</sup> Many applicants with disabilities have “invisible” disabilities, meaning that their disability has no visible manifestation. Additionally, many disabilities are episodic – people experience fluctuations in symptom severity. This presents an additional barrier when seeking employment. Secondly, even when people with disabilities make it into the applicant pool, hiring managers assume that they do not want challenging careers or assignment.<sup>126</sup> This incorrect notion influences all stages of the employment cycle. It is also incorrectly assumed that people with disabilities do not want to work at all. This notion has been

disproved by research which has found that 80% of working-age people with disabilities would rather be working than not, a ratio similar to working-age people without disabilities. People with disabilities are just as motivated to join the workforce as people without disabilities.<sup>127</sup>

Furthermore, many employers are concerned about the cost of accommodating people with disabilities in the workplace. Many managers question the value of accommodating workers with disabilities. It is believed that the productivity benefits do not justify the costs to the business. One respondent to a study conducted by Wilson-Kovacs et al. summarized this sentiment by stating, “disabled people come with a price tag.”<sup>128</sup> Although these apprehensions are often overstated, it represents another barrier to employment that people with disabilities must overcome before gaining employment. The costs of accommodating a worker with a disability is around \$500 or less.<sup>129</sup> Additionally, some accommodations, such as providing employees access to a closer parking lot, do not cost any money. Researchers also note that workers without disabilities frequently ask for accommodations as well.<sup>130</sup> The cost to accommodate workers with and without disabilities is equivalent.

Managers are also concerned with the ability of people with disabilities to integrate into the social environment of the workplace. A study found that managers were concerned with the attitudes of coworkers without disabilities towards their colleagues with disabilities.<sup>131</sup> These managers also worried that workers with disabilities would be disruptive to team functioning and that coworkers will see the accommodations as unjust. It is important to note that these notions arise from the idea that workers with disabilities will have noticeably lower performance and ability in comparison to workers without disabilities. However, making accommodations improved interactions between employees with disabilities and their coworkers. Furthermore, accommodations increased company morale overall.<sup>132</sup>

Educating employers about the skills and benefits of hiring people with disabilities is crucial to dispelling these incorrect stereotypes and assumptions. State agencies must increase their engagement with potential employers to understand their concerns and dismantle these notions. Employers hold significant power – they are the ones who will hire and manage employees with disabilities. It is important that State agencies understand why employers do not hire people with disabilities to address this issue.<sup>133</sup> The literature shows that increased engagement with employers helped improve employment outcomes for people with disabilities.

#### A. WHAT EMPLOYERS CAN GAIN

Hiring people with disabilities can be viewed as corporate social responsibility.<sup>134</sup> Employers often do not understand the significant role that people with disabilities can play in the workforce.<sup>135</sup> Studies have found that the public responds positively to companies that hire people with disabilities.<sup>136</sup> To consumers, it shows that companies care about their workers and as a result also care about their customers. Many people have experience working with people with

disabilities and respond favorably to companies that hire them.<sup>137</sup> There can be a mutually beneficial relationship that can form from employers hiring people with disabilities. The State should make the business case to employers about why it is beneficial to them to hire people with disabilities. They can make significant strides towards filling the company's needs.<sup>138</sup> In 2018, Accenture, a professional services company, conducted a study of 140 companies in the United States. They focused the study on two measures of financial performance among respondents: profitability and value creation. Companies that were considered "champions" in disability inclusion achieved 28% higher revenue, double the net income, and 30% higher economic profit margins over a four-year period in comparison to companies that did not prioritize disability inclusion.<sup>139</sup> Lastly, employers can also gain more practical benefits such as tax incentives for hiring people with disabilities, special assistance for businesses owned by people with disabilities, political incentives for private employers to hire and recruit people with disabilities.<sup>140</sup>

## B. UNDERSTANDING MANAGERIAL STYLES

Understanding the characteristics of the managers who already hire people with disabilities can provide significant insight. Employers who hire people with disabilities have certain characteristics that lead to a more inclusive work environment. They tend to have more flexible managerial styles which allows them to better respond to the unique challenges that may arise. They are open and willing to obtain input from people with disabilities on their ability to perform job duties. Furthermore, they focus on the essentials of the job, particularly the end outcomes, rather than marginal job functions. This is significant because tasks may sometimes be modified for a specific employee without compromising the overall outcome. Lastly, employers who view the community rehabilitation program or other state agencies as a partner and on-going employment support resources tend to provide more inclusive and welcoming work environments.<sup>141</sup> By understanding these characteristics, state agencies can better identify potential employers who would make ideal partners.

## STATUS OF NEW JERSEY

In New Jersey, employers are prevented from discriminating against people with disabilities under the New Jersey Law Against Discrimination (LAD). Additionally, employers are required to reasonably accommodate an employee's disability to the "extent necessary to allow the disabled employee to perform the essential functions of the job unless such accommodations would impose an undue hardship on the operation of the employer's business."<sup>142</sup> Current laws are necessary in ending the discrimination of people with disabilities in the workforce. However, the state utilizes additional methods to ensure that individuals with disabilities are able to enter the workforce.

The State of New Jersey incentivizes employers to hire workers "who traditionally face significant barriers to employment" through the Work Opportunity Tax Credit program (WOTC).



These workers include veteran, individuals referred by vocational rehabilitation centers (individuals with disabilities), and ex-felons.<sup>143</sup> In 2019, a total of 521 WOTC certifications were issued to employers for hiring individuals with disabilities.<sup>144</sup> It is clear that employers are taking advantage of this program, however, more can be done to increase the number of people who can benefit from the WOTC program.

DVRS educates perspective employers on how to best fit the needs of employees with disabilities. DVRS has a Business Outreach team that works collaboratively with business partners and labor and workforce associates to provide the best solutions for disability employment.<sup>145</sup> The agency offers a number of supports including disability awareness training, customized training information and planning and job analyses. Furthermore, DVRS advises employers on how to adapt the worksite's physical environment or add equipment that will allow an individual to do work tasks more independently, effectively, and safely.<sup>146</sup> DVRS works closely with employers to educate them on the benefits of hiring employees with disabilities. This close collaboration is beneficial for disability employment.

#### EXAMPLES OF BEST PRACTICES

Many companies have successfully hired and retained employees with disabilities. The following section details Walgreens and IBM, which have both been successful at creating programs that better engage employees with disabilities. Both companies recognize that employees with disabilities bring a unique and welcomed perspective in the workplace. Also, they have adopted recruitment and training practices that encourage workers with disabilities to join their workforces.

##### A. WALGREENS

Walgreens is among the companies that have been successful in implementing programs that benefit employees with disabilities. In 2002, Walgreens challenged themselves to better address the underemployment of people with "significant" disabilities. This initiative was supported by the company's investments in new technology to make distribution more efficient. More notably, the company strived to challenge the idea that people with disabilities could not perform at the same level as people without disabilities. It was important that they held all their workers at the same level. The company also took notable steps to support this initiative. First, they designed the new building to accommodate a wide array of workers. This ensured that workers could perform various tasks that met their individual skill sets. Secondly, they hired a consultant on business and disability issues who advised on the most constructive ways to recruit more employees with disabilities. The company worked with external partners such as local agencies in the workforce, vocational rehabilitation, and disability services system. These partners aided in the outreach, recruitment, training, and support of employees with disabilities. Walgreens invested in training potential employees with disabilities by partnering with a local university. Notably, they

were able to learn more about how people with a wide array of disabilities learned information. This enabled them to provide their partner agencies with more specific information about the job. Subsequently, Walgreens quickly learned that individuals with cognitive disabilities could perform a wide range of tasks making them suitable for any job.<sup>147</sup>

This rounded approach was indicative of their commitment to creating a more inclusive workplace. The company made an important effort to work more directly with the local workforce, vocational rehabilitation, and disability services system. Walgreens was able to learn and adapt to new methods as they went along the process. Workers with disabilities were valued and accommodated at every step of the process. Additionally, the training process provided fundamental knowledge on how to better cater to all potential employees with disabilities. Walgreens was able to make relevant changes that benefited both the company and potential employees. In recent years, Walgreens continues to be a champion for disability employment. They have implemented programs such as the *Transitional Work Group Program* and the *Retail Employees with Disabilities Initiative*. Both programs work with local vocational and rehabilitation agencies to train employees with disabilities to perform necessary work functions. Currently, more than 10% of Walgreens' workforce across the Supply Chain and Logistics division has disclosed a disability.<sup>148</sup> Additionally, since the *Retail Employees with Disabilities Initiative* launched in 2012, more than 1,300 people with disabilities have completed REDI skills training in Walgreens stores across the nation.<sup>149</sup> Creating more inclusive work environments is a learning process that requires input from people that are willing and open to making adaptable and clear changes.

## B. IBM

IBM is regarded as a leader in disability employment. The company's initial efforts were spurred by the 1998 amendments to Section 508 of the Rehabilitation Act, which required federal agencies to purchase electronic and information technology that is accessible to people with disabilities.<sup>150</sup> IBM became a leader in disability inclusion due to new federal regulations. The company is dedicated to recruiting and hiring people with disabilities. The company has three specific programs dedicated to hiring people with disabilities. These programs include *Entry Point*, *Project Able*, and *Project View*.<sup>151</sup>

- *Entry Point* is an IBM internship program that provides an opportunity for students with disabilities to get practical experience in their majors and learn about the careers IBM offers.
- *Project Able* is an IBM diversity recruitment program that offers people with disabilities the chance to explore IBM careers nationwide.
- *Project View* is a recruiting program that aims to reach potential college students from diverse backgrounds, including people with disabilities.<sup>152</sup>

Furthermore, IBM provides employees with disabilities with a wide range of accommodations. These accommodations can also benefit all employees, which can lead to higher employment outcomes overall. These accommodations include:

- Constructing ramps, power doors, parking facilities
- Captioning video and providing sign language interpreters and note-takers for classes and meetings for employees who are deaf or hard of hearing
- Recording company publications on audiocassettes for employees and retirees who are visually impaired
- Providing adaptive services or modifications to enable people with disabilities to use work-related equipment, including screen readers and display-screen magnifiers; keyboard guards and special switches; real-time captioning of meetings and webcasts; telecommunications devices and telephone amplifiers
- Providing travel assistance for employees with mobility impairments.<sup>153</sup>

It is important to note that many of these accommodations are simple modifications or provisions that make it possible for people with disabilities to join the workforce.

IBM also committed to sponsoring education and employment programs for people with disabilities. These programs include preparing youths who are disabled for work in the corporate marketplace and providing career counseling to students who are disabled. Additionally, IBM has a number of programs to support educational opportunities. They include the *MentorPlace program*, a key component of the company's commitment to education. The program provides students with online academic assistance and career counseling with IBM employees.

Additionally, the company aims to be a world leader in setting accessibility standards. They believe that standardized accessibility will allow technology companies to devote more time to research and development of products. In this way, more people with disabilities will be able to thrive in various technology companies around the world. IBM formed the Human Ability and Accessibility Center (HA&AC) to merge existing accessibility groups. The HA&AC fosters product accessibility works toward the harmonization of worldwide standards and applies research technologies to solve problems experienced by people with disabilities. Furthermore, the HA&AC adheres to ideas that emerge from IBM research and works with advocacy groups and their clients to pilot new technologies.<sup>154</sup>

IBM is a key example of a company that has streamlined accessibility for all employees especially for employees with disabilities. Their top-down approach to employment support for

employees with disabilities leads to more successful outcomes. The company is also leading in standardizing accessibility support around the world.

### C. NEW JERSEY COMPANIES

In New Jersey, several companies lead in disability inclusion. They include Merck in Kenilworth, TD Bank in Cherry Hill, and Unilever in Englewood Cliffs. These companies have scored a 100% on the Disability Equality Index, which is considered the “most comprehensive benchmarking tool for disability inclusion”.<sup>155</sup> These companies have excelled in providing a culture that expresses a commitment to diversity and inclusion, employment practices that encourage employees with disabilities to confidentially self-identify, and senior executive who is internally known for their commitment to disability inclusion.

Merck’s commitment to disability inclusion was championed by Vice President Don Watson. He has made this a companywide initiative by recruiting employees who are “eager and excited” to welcome employees with disabilities. Additionally, he has instituted facility-accessibility standards by giving managers a blueprint for how to create inclusive environments. As a result, managers are able to implement signs, lights, cafeterias, receptions areas, parking lots, and other accommodations that help employees do their best work.<sup>156</sup> Merck has worked to ensure that these initiatives are integrated into the culture of the company.

Since 2017 TD Bank has been a host employer for *Project SEARCH*, a national program that helps adult students with intellectual and developmental disabilities transition to the workplace. They also participate in the Disability: IN NextGen Mentorship Exchange Program which provides career mentoring opportunities for college students and recent graduates with disabilities. Human resource recruiters also partner with the Diversity & Inclusion Center to form partnerships with disability talent sourcing organizations.<sup>157</sup> TD Bank has committed to diversity inclusion by committing recruitment and hiring practices that encourage potential employees with disabilities.

Unilever embodies a top down approach to building a diverse and inclusive workplace. They created a Global Diversity Board that “provides overarching vision, governance, and target setting for diversity and inclusion” across their business.<sup>158</sup> In 2018, they committed to becoming the number one employer of choice for people with disabilities and increasing the number of employees with disabilities to 5% of the total workforce by 2025. They plan on doing so by ensuring that all of their workplaces, systems and processes do not present barriers to employees with disabilities and by building a culture that eliminates the stigma in disclosing information about a disability. Furthermore, in 2018, they introduced the *Disabilities Inclusion Programme*, which is built on a comprehensive analysis of the physical accessibility of their sites, technology, and recruitment processes.<sup>159</sup> Unilever has demonstrated a commitment to continued improvement in disability inclusion.

## ACTIONABLE STEPS

Engaging with employers requires a multifaceted approach. The State can play an important role by understanding the needs of both employers and people with disabilities (as potential employees). Employers often do not understand the recruitment practices or accommodations necessary to hire and employ people with disabilities.<sup>160</sup> The State has significant power in engaging with employers to address these notions and help employers create more accommodating environments. Government policies and investments are a pervasive, important, and often positive influence on the business environment.<sup>161</sup>

- The State can convene regular meetings to engage with employers. The Governor’s Office can meet annually with heads of businesses to communicate best practices, such as the programs employed by IBM and other leading companies. The Governor’s Office can also meet regularly with human resource staff to identify best practices for recruiting and retaining employees with disabilities.
- State agencies can assign staff with business expertise to identify businesses willing to hire individuals with disabilities.<sup>162</sup> They can also designate a staff person to be the point of contact for businesses to assist with skills assessments, training, and navigating the benefits system for individuals with disabilities.<sup>163</sup> Furthermore, engagement with employers can utilize an employer-centric approach, emphasize specific strategies that have worked in other businesses, and emphasize operational and revenue benefits.<sup>164</sup>
- The State can leverage utilize its influence to encourage the adoption of best practices in disability employment in the private sector. For example, the State can highlight New Jersey companies that have successfully implemented policies to hire more people with disabilities.

## V. GOVERNMENT AS A MODEL EMPLOYER

### BACKGROUND AND LITERATURE REVIEW

Experts have identified the state government leading by example as best practice to maximize the employment of people with disabilities in the state. This approach is referred to as “states as model employers” of people with disabilities, or “SAME” policy.<sup>165</sup> The rationale cited behind this approach is straight forward: as a major employer across the US, state governments have the potential to be major employers of people with disabilities.<sup>166</sup> The U.S. Census Bureau estimates that 3,801,951 people are employed full-time by state governments across the U.S. In New Jersey, 126,450 people are employed full-time by the state government.<sup>167</sup> Additionally, government employers are well-positioned to provide jobs with benefits, including medical, disability, and life insurance, and retirement plans, and can demonstrate to the private sector that

people with disabilities are valuable employees.<sup>168 169 170</sup> This section reviews the SAME approaches regarded as best practice and identifies the states implementing them.

#### A. TOP-DOWN LEADERSHIP

Leadership from senior executive branch officials is frequently identified as one of the most critical factors to the overall success of state initiatives to improve disability employment. In particular, this top-down leadership is identified as critical to the transformation of state governments into model employers of people with disabilities.<sup>171 172 173</sup> The National Conference of State Legislatures and the Council of State Governments recommend that states use formal mechanisms such as legislation to bind states to their model employer goals.<sup>174</sup>

Cementing administration goals in executive orders, legislation, and other proclamations are recommended because they demonstrate and solidify a commitment to the issue.<sup>175</sup> Governors may ensure a greater chance of success in their initiatives by holding explicit public officials and offices accountable to detailed goals.<sup>176</sup> States such as Colorado, Illinois, Maine, and Minnesota have mandated SAME initiatives legislatively.<sup>177 178</sup> Governors in states such as Delaware, New Mexico, New York, and Vermont have issued executive orders to support SAME initiatives and goals.<sup>179</sup> California, Washington, and Maine have utilized both legislation and executive orders to mandate SAME initiatives.<sup>180 181</sup>

These actions are identified as being the most impactful in prescribing specific goals, actions, and responsibilities to specific public officials and offices.<sup>182</sup> The Council of State Governments and the National Conference of State Legislatures recommend that SAME policies require a state-wide plan and regular reporting from a responsible body to a leadership office.<sup>183</sup> States issuing SAME legislation and executive orders can also include in them the creation of specific task-forces, advisory groups, or programs.<sup>184 185</sup> Alaska, California, Massachusetts, Utah, Vermont, and Washington have language requiring the establishment of task forces, advisory groups, or commissions.<sup>186</sup>

#### B. TARGETED RECRUITMENT & HIRING

Just as private-employers do, government employers must inventory their human capital and management and hiring strategies.<sup>187</sup> The challenge of an aging workforce also represents an opportunity for state governments to address labor concerns through the hiring of people with disabilities.<sup>188</sup> The below approaches are commonly recommended to increase the employment of people with disabilities in state government.

Fast-track hiring mechanisms allow the state to recruit and hire qualified people with disabilities in a more targeted way than the traditional hiring process. Strategies recommended include creating alternative application processes, requiring mandatory interviews, and creating

special opportunities lists and trial work periods for applicants with disabilities.<sup>189 190</sup> Alaska, California, Delaware, Illinois, Maine, Maryland, New York, Oklahoma, Utah, and Vermont have implemented fast-track policies, of which all but Maine and Vermont established their policies legislatively.<sup>191 192</sup> Alaska and Delaware have implemented trial work periods for applicants with disabilities.<sup>193</sup> California offers an alternative civil service examination process comprising of an alternative job-readiness examination and a trial work period.<sup>194</sup> Illinois also offers an alternative examination process.<sup>195</sup> New York Civil Service Law allows for the reservation of competitive civil service positions for qualified people with disabilities who have been certified by the New York Department of Civil Service.<sup>196</sup>

Hiring preferences are also recommended to further the representation of people with disabilities in state government.<sup>197 198</sup> Arizona statute and Montana administrative rules establish hiring preferences for applicants with disabilities when applying for state positions. Kansas Governor Sam Brownback established a hiring preference for people with disabilities by executive order.<sup>199</sup>

Internship programs can be an additional pathway for people with disabilities to enter permanent positions in state government.<sup>200 201 202</sup> Studies find that work-based learning, such as in an internship experience, is associated with an increased likelihood that the individual will pursue post-secondary education and live independently.<sup>203</sup> States can create more targeted internship programs for students with disabilities and partner with local universities to recruit students with disabilities for internship experiences in state government. These experiences are recommended not only because they open an entry point for people with disabilities into government employment, but for the skills and resume building they provide.<sup>204 205 206</sup> California and Maryland have created internship programs for people with disabilities.<sup>207</sup> States can also do targeted outreach to advertise these opportunities, such as participating in university job fairs.<sup>208</sup>

#### C. STRENGTHENED RETENTION POLICIES

Retention policies can be strengthened to decrease the likelihood that state employees who acquire a disability lose their employment status. Retention policies mentioned as especially effective at doing so include the opportunity for temporary leave and reassignment to another government job.<sup>209 210 211 212</sup> For example, Illinois's Alternative Employment Program allows state employees who are on temporary leave due to a disability to be reassigned to another position for a six-month probationary period.<sup>213</sup>

#### D. LEVERAGE OF UNIVERSITIES

One promising option recommended to state governments is to encourage state colleges and universities to implement their own model employer policies. The Employer Assistance Resource Network recommends that states challenge university Boards of Governors and Boards

of Trustees to match state workforce development efforts and implement their own initiatives to facilitate increased employment of people with disabilities.<sup>214</sup> Initiatives might include fast-track hiring mechanisms to accelerate the hiring of people with disabilities as university faculty and staff.<sup>215</sup>

#### E. EXPANSION OF ACCESSIBILITY & INCLUSIVITY

Stakeholders across the board recommend that government agencies take action to improve the accessibility of state employment opportunities to people with disabilities. The National Conference of State Legislatures and the Council of State Governments recommend that state agencies expand affirmative action and other diversity policies to include people with disabilities.<sup>216</sup> Further efforts to improve diversity might include ensuring state websites and online applications are available for use with text-readers, dictation software, and other software and information for disabled persons can be found easily on hiring websites.<sup>217 218 219</sup>

State workplaces can be made more welcoming and inclusive to employees with disabilities. These efforts benefit not only newly hired people with disabilities but currently employed people with disabilities as well.<sup>220</sup> Strategies include public awareness campaigns and training for managers and the general workforce on best practices and etiquette.<sup>221</sup> Agencies can develop self-identification policies and collect data from employees with disabilities to identify barriers in the workplace.<sup>222</sup> Centralized Accommodation Funds, a consolidated funding system, are also recommended to reduce agency administrative and financial barriers to accommodations requests.<sup>223</sup>

To drive forward these initiatives, states have created executive branch disability offices exclusively dedicated to the removal of barriers, nondiscrimination, technical assistance and resources for all state employees.<sup>224</sup> In New Hampshire, all state agencies utilize the same access standards for their websites and job applications. Oklahoma requires that all new information telecommunication technology meet accessibility standards. Massachusetts and Minnesota each currently have a centralized accommodations fund in place to facilitate accommodations requests for employees with disabilities across state agencies.<sup>225</sup>

#### STATUS OF NEW JERSEY

The bulk of New Jersey's policies regarding the employment of people with disabilities in state government address issues of discrimination and equal opportunity. The State currently does not have any fast-track or targeted hiring mechanisms in place nor has the State declared itself a model employer. However, recent activity hints that there is a strong interest in the development of more rigorous SAME efforts.

#### A. DISCRIMINATION POLICIES



## THE NEW JERSEY LAW AGAINST DISCRIMINATION

The Americans with Disabilities Act (ADA) defines a person with a disability as someone who has a mental or physical impairment that substantially limits one or more major life activities.<sup>226</sup> The New Jersey Law Against Discrimination (LAD) strengthened anti-discrimination efforts in New Jersey beyond that of the ADA by utilizing a broader definition of a disability than the ADA.<sup>227</sup> Under the LAD, a “disability” is defined as follows:

“Disability means physical or sensory disability, infirmity, malformation, or disfigurement which is caused by bodily injury, birth defect, or illness including epilepsy and other seizure disorders, and which shall include, but not be limited to, any degree of paralysis, amputation, lack of physical coordination, blindness or visual impairment, deafness or hearing impairment, muteness or speech impairment, or physical reliance on a service or guide dog, wheelchair, or other remedial appliance or device, or any mental, psychological, or developmental disability, including autism spectrum disorders, resulting from anatomical, psychological, physiological, or neurological conditions which prevents the typical exercise of any bodily or mental functions or is demonstrable, medically or psychologically, by accepted clinical or laboratory diagnostic techniques. Disability shall also mean AIDS or HIV infection.”

The LAD makes it unlawful to discriminate or harass anyone based on disability and several other factors including race, sex, national origin, sexual orientation, gender identity or expression, marital status. The law states that all persons shall have the opportunity to obtain employment without discrimination because of a disability unless the “nature and extent of the disability reasonably precludes the performance of the particular employment.” The LAD also prohibits retaliation against those who file a complaint of workplace discrimination or harassment and establishes rights and privileges relative to service and guide dogs in a work environment.<sup>228</sup>

## THE EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION PROGRAM

The New Jersey Division of Equal Employment Opportunity / Affirmative Action (EEO/AA) within the New Jersey Civil Service Commission develops and administers the State’s Equal Employment Opportunity and Affirmative Action Program for all state employees, which:

1. “ensures that minorities, women, and persons with disabilities are among the pool of applicants for available positions;
2. identifies and eliminates artificial barriers in employment; and
3. ensures that each executive agency complies with all laws and regulations relating to EEO/AA through the efforts of an Equal Employment Opportunity Officer.”<sup>229</sup>

On January 13, 2020, A5631 was signed into law and requires the Director of the Division to “ensure that the affirmative action and equal employment goals of each State agency for

minorities, women, and persons with disabilities shall be reasonably related to their population in the relevant surrounding labor market areas.”<sup>230</sup> This key requirement is a very encouraging step toward increasing the employment of people with disabilities by the State of New Jersey.

The EEO/AA Complaint form, available online, allows state employees, applicants to state jobs, and contractors and vendors who do business with the state to report an instance of discrimination. Employees may file complaints with the New Jersey Division on Civil Rights or the New Jersey Department of Law & Public Safety within 180 days or with the United States Equal Employment Opportunity Commission (EEOC) within 300 days.<sup>231</sup>

The EEO/AA also provides an online form titled “State Employee Survey on Disabilities” to collect confidential information on current state disability employment. The survey is used to inform the EEO/AA’s affirmative action goals for the employment of persons with disabilities.<sup>232</sup>

#### B. CURRENT HIRING PRACTICES AND RETENTION POLICIES

The State currently has no fast-track or targeted hiring mechanisms in place to facilitate the hiring of people with disabilities. The New Jersey Civil Service Commission maintains “eligibility lists” for open competitive positions that rank applicants based on three criteria: residency, veteran’s status, and final average (residents and veterans are ranked higher than non-residents and non-veterans). Thus, no special preference is currently designated based on a candidate’s disability status. Because these lists are used by both state and local governments to fill vacancies,<sup>233</sup> the inclusion of disability status as a fourth criterion may significantly contribute to the hiring of people with disabilities in the state. The Commission also reports workforce profile data in an annual and publicly available report but does not report on the number of people with disabilities employed by the state.<sup>234</sup> Collecting and reporting this information is key to providing a baseline understanding of the State’s progress toward meeting affirmative action goals.

The State offers Temporary Disability Insurance to state employees who become injured, sick, or otherwise disabled outside of the office and therefore are unable to work for a period of time. Between January 1<sup>st</sup> and June 30<sup>th</sup>, 2020, employees who become disabled can receive two-thirds of their average weekly wage, up to \$677 per week. On July 1, the benefits increase to 85% of the employee’s average weekly wage, up to \$881 per week.<sup>235</sup>

#### C. PROMISING EFFORTS

Bill A1017 was introduced by Assemblywoman Downey, Assemblyman Houghtaling, and Assemblywoman Murphy in January and is currently in the Assembly Human Services Committee.<sup>236</sup> The bill, introduced in the previous session as A4874,<sup>237</sup> would establish a breadth of SAME policies for the State. The bill acknowledges that “New Jersey has policies regarding the employment of people with disabilities and should develop and implement programs to increase

the number of employees with disabilities working in state agencies.” If signed into law, the bill would require the EEO/AA to develop and implement a “Model Employer for People with Disabilities” Program. The program would comprise of “policies and procedures to increase the number of employees with disabilities working in State agencies” which would include a “review of State agency hiring procedures, placement and advancement opportunities for people with disabilities, and programs to increase outreach activities about job openings to people with disabilities.” The bill would also require the EEO/AA to prepare a report biannually which must include statewide goals and a study of patterns in government employment of people with disabilities.<sup>238</sup> Additionally, Bill A1597 was introduced by Assemblyman Mejia, Assemblywoman Timberlake, and Assemblywoman Vainieri Huttie in January and would establish a “Task Force to Promote the Employment by State Agencies of People with Disabilities.” The bill is currently in the Assembly Labor Committee.<sup>239</sup>

## EXAMPLES OF BEST PRACTICES

Though the State of New Jersey has some model employer policies in place, predominantly in support of affirmative action and equal opportunity, other measures can be taken that reflect best practices. The SAME initiatives in two states – California and Massachusetts – are described below to provide examples of actions that other states have taken to become model employers.

### A. CALIFORNIA’S SAME APPROACH

Efforts to make California a model employer of people with disabilities began in the late 1990s and persisted for decades through multiple administrations. The State created a comprehensive statewide strategy and an oversight committee, placed Disability Advisory Committees (DACs) in each state agency, and implemented an alternative hiring process. California’s efforts are founded in strong top-down leadership: the State has mandated SAME initiatives legislatively and through executive order.

#### CALIFORNIA WORKFORCE INCLUSION ACT<sup>240</sup>

State action began with the California Workforce Inclusion Act (WIA), enacted in 2002 in Governor Davis’s administration. WIA amended existing state law to comprehensively improve state efforts to increase opportunities for Californians with disabilities. WIA required the California Health and Human Services Agency (HHSA) and Labor and Workforce Development Agency (LWDA) to lead other state agencies in this effort and draft a sustainable and comprehensive strategy to increase the employment of persons with disabilities in the state. The strategy was to use existing resources to accomplish various goals, including to “ensure that the state government is a model employer of individuals with disabilities.”

WIA also required the Governor to reconstruct a previously existing committee as the new California Governor’s Committee on Employment of People with Disabilities. The new

committee, consisting of state department heads, business representatives, Workforce Investment Board representatives, and people with disabilities, was placed in the State Labor and Workforce Development Agency. WIA tasked the new committee with grantmaking to California counties and local workforce investment boards to enhance local initiatives and fund local and regional outreach. Subsequent legislation has since altered the committee's name and role, but it remains a key piece to the state's efforts. Now titled as the California Committee on Employment of People with Disabilities (CCEPD), the committee is housed in the State Department of Rehabilitation (DOR). The CCEPD's primary function is to make policy recommendations to the Secretary of the Health and Human Services Agency and Labor and the Secretary of the Workforce Development Agency on all matters relating to the inclusion of people with disabilities in the state workforce.<sup>241</sup>

#### EXECUTIVE ORDER S-4-05<sup>242</sup>

Shortly after, Governor Schwarzenegger issued Executive Order S-4-05 stating that the state government “has an opportunity and a responsibility to lead by example, ensuring individuals with disabilities have an open door to the many opportunities in public service... this administration is strongly committed to ensuring fairness and nondiscrimination in state employment practices and recognizes that equal employment opportunity for all segments of society is not fully realized without vigilance and conscious effort.”

The demands that EO S-4-05 made of agencies surpassed mere compliance with existing law. The executive order commanded all state agencies, departments, boards, and commissions to employ “best efforts with respect to recruitment, hiring, advancement, and other terms, conditions, and privileges of employment” and issue clear written directives prohibiting discrimination to all managers and supervisors. Each agency was also ordered to annually review its hiring practices to “identify any barriers to employment of individuals with disabilities, and, in consultation with their disability advisory committee, take appropriate action to eliminate any non-job-related barriers to the integration of individuals with disabilities into the workforce.” Governor Schwarzenegger tasked the State Personnel Board (SPB) and DOR with providing statewide leadership “to coordinate and provide technical guidance to fulfill the intent of this executive order.”

#### THE LEARNING EXAMINATION AND APPOINTMENT PROGRAM

Executive order S-4-05 also directed all state agencies, departments, boards, and commissions to utilize a targeted recruitment and hiring mechanism when seeking qualified candidates to fill vacancies: the Limited Examination and Appointment Program (LEAP).<sup>243</sup> LEAP allows individuals with disabilities to demonstrate their qualifications for state government employment in ways alternative to the traditional state civil service exam process. The Department of Rehabilitation determines LEAP eligibility and awards LEAP certification to qualified applicants. Certified applicants may take LEAP examinations or the traditional examinations

offered by Civil Service. LEAP examinations consist of two parts: a readiness evaluation and a job examination period. In the readiness evaluation, candidate education, experience, and personal qualifications are examined to determine employment readiness. Hiring is based on part one outcomes. Once hired, the individual completes part two by serving a two- to four-month on-the-job performance evaluation period in which written reviews are provided every month. If the individual meets performance standards, they pass the LEAP examination and receive regular civil service classification.<sup>244</sup> Following the issuance of EO S-4-05, the SPB issued a memorandum to all state agencies, employee organizations, and members of the Governor’s Cabinet reiterating the new recruitment and hiring requirements and announcing the Board’s efforts to improve the LEAP program by offering online exams. In addition, the SPB announced a newly created Disability Resources web page under the Office of Civil Rights section of the SPB website to provide resources on the employment and retention of persons with disabilities to state departments. The SPB also created a roster of all DAC chairpersons to improve agency utilization of this mandated resource.<sup>245</sup>

#### SENATE BILL 644<sup>246</sup>

California’s efforts to employ persons with disabilities in state government were further improved in 2015 with the passage of Senate Bill 644. The law, a significant policy change, amended LEAP to allow applicants with developmental disabilities to complete an internship as an alternative to the program’s readiness evaluation. The internship program is created by each agency in consultation with the State Department of Developmental Services and DOR. The candidate must complete the internship within the state agency after a minimum of 512 hours to pass the examination.

#### EXECUTIVE ORDER S-11-10<sup>247</sup>

California leadership has also strengthened efforts to prevent discrimination and improve the inclusion of and accommodations for employees with disabilities. In 2010, Schwarzenegger issued Executive Order S-11-10 requiring all agencies to review written reasonable accommodation guidelines and consult with their Equal Employment Opportunity (EEO) Officer to ensure that the guidelines are sufficient and up to date.

The SPB coordinated with DOR and all EEO Officers to facilitate training for state supervisors and managers on their duties regarding accommodations for employees with disabilities.<sup>248</sup> The State’s current Model Employer Training Initiative consists of three modules: “Hiring People with Disabilities - Good Business Sense,” “Outreach and Recruitment of People with Disabilities for State Employment,” and “Supporting a Robust and Inclusive Work Environment.” Training covers state resources such as the Statewide Disability Advisory Council, the SPB, and state entities and programs serving people with disabilities as well as external resources available to agencies. Training also covers inclusivity topics such as ergonomic

practices, assistive technology, and the State's Upward Mobility Program promoting upward mobility for employees in low paying occupational groups.<sup>249</sup>

#### B. MASSACHUSETTS'S SAME APPROACH

The State of Massachusetts's efforts to be a model employer have also persisted through multiple administrations. Governor Mitt Romney created the Office of Diversity and Equal Opportunity in 2003 and succeeding Governor Deval Patrick took steps to increase the accountability of the office to the State's model employer goals. The State is also one of few operating a central accommodation fund to improve state workplaces more expediently and effectively for employees with disabilities.

#### EXECUTIVE ORDER 478<sup>250</sup>

On January 30, 2007, Massachusetts Governor Deval Patrick issued Executive Order 478 requiring that all state agencies take "immediate, affirmative steps to ensure compliance" with the state's non-discrimination, diversity, and equal opportunity policies. To this end, the order directed each state agency to create affirmative action and diversity plans to "identify and eliminate discriminatory barriers in the workplace; remedy the effects of past discriminatory practices; identify, recruit, hire, develop, promote, and retain employees who are members of under-represented groups; and ensure diversity and equal opportunity in all facets, terms, and conditions of state employment." Agency plans were required to include specific goals with associated timelines and were to be updated every two years.

EO 478 also conferred the responsibility of ensuring full compliance with the order with the existing State Office of Diversity and Equal Opportunity (ODEO), previously established by Executive Order by former Governor Mitt Romney in 2003.<sup>251</sup> The order increased the accountability of the office and its powers by creating a Director of ODEO, to be appointed by and serving at the pleasure of the governor, who would submit periodic reports to the Governor. The Director was also granted broad authority, including to:

- "Establish guidelines for agency affirmative action and diversity plans ("plans");
- Review all such plans and either approve, return for amendment, or reject them;
- Establish periodic reporting requirements for agencies concerning the implementation of their plans and all actions taken to ensure compliance with this Executive Order and applicable state and federal laws;
- Provide assistance to agencies in achieving compliance with their plans and with applicable federal and state laws;

- Monitor and assess the status of agency compliance and investigate instances of noncompliance; and
- Where appropriate, determine and impose remedial courses of action, including the potential imposition of a freeze on all personnel requisitions and appointment forms submitted by any non-compliant agency to the Chief Human Resources Officer.”

The order also required the appointment of a Diversity Director in each Secretariat and a Diversity Officer in each agency to further comply with the goals of the executive order. Diversity Directors and Officers were to report on their respective agency’s implementation of their affirmative action and diversity plan to the Director of ODEO.

EO 478 also conferred some responsibilities specific to policies involving persons with disabilities to the Massachusetts Office on Disability (MOD). It required that MOD provide “information, training, and technical assistance and promulgate guidelines reflecting best practices, policies, and procedures concerning persons with disabilities.” Each agency was also required to appoint an ADA/504 Coordinator to “work with MOD concerning issues involving persons with disabilities.”

EO 478 sought to improve the state work environment by mandating diversity training for all employees and upper management, existing and future hires and required the creation of a complaint resolution process to address any allegations of non-compliance.

Lastly, the Executive Order established the Governor's Non-discrimination, Diversity and Equal Opportunity Advisory Council to “advise the Governor concerning policies, practices, and specific actions that the Commonwealth should implement to ensure that the objectives of this Executive Order are accomplished.” Upon the commencement of his second term in office, Governor Patrick reaffirmed the commitments made by this executive order in Executive Order 526.<sup>252</sup>

#### EXECUTIVE ORDER 559<sup>253</sup>

In 2015 Governor Charlie Baker signed Executive Order 559, establishing the Massachusetts Office of Access and Opportunity (OAO) to “foster within state government non-discrimination and equal opportunity” for targeted populations including those with disabilities. The office was placed within the Office of the Governor to “ensure the Governor’s ready access to status of and advice on the work conducted by the OAO.” A Deputy Chief of the OAO was created to advise the Governor and Cabinet and report directly to the Governor’s chief of staff.

EO 559 also created a Steering Committee on Access and Opportunity which brought together the various State offices related to and working on this issue, including the Chief Human

Resources Officer, Human Resources Division; Assistant Secretary, Operational Services Division; Secretary of Labor and Workforce Development; Secretary of the Department of Veterans' Services; Executive Director of the Massachusetts Supplier Diversity Office; Director of Office of Diversity and Equal Opportunity; Director of Massachusetts Office on Disability; Commissioner, Division of Capital Asset Management and Maintenance; Director, Compliance Unit, Division of Capital Asset Management and Maintenance; the Chief Operating Officer, Massachusetts Department of Transportation; and the Deputy Director, Office on Diversity and Civil Rights, Massachusetts Department of Transportation.

The Deputy Chief was specifically tasked with increasing the number of individuals with disabilities who are state employees and developing, in consultation with the Steering Committee, “an integrated body of policies and actions that reflect best practices and remove barriers to advance non-discrimination and equity in access to and opportunity in employment, procurement and the provision of services within state government.”

#### REASONABLE ACCOMMODATION CAPITAL RESERVE ACCOUNT<sup>254</sup>

Massachusetts's Reasonable Accommodation Capital Reserve Account (RACRA) was established in 2009 by executive order and provides supplementary funds to state agencies for workplace accommodations for state employees with disabilities. Agencies may request funding from the Massachusetts Office of Disability and Office of Access and Opportunity until the account is exhausted or the fiscal year and funds are distributed on a first come first serve basis. The Office for Access and Opportunity and Massachusetts Office on Disability produce an annual report on RACRA. The Process for requesting RACRA assistance is as follows:

- “(a) Once an eligible reasonable accommodation has been requested and approved, the agency shall calculate the financial cost and determine whether the cost presents a financial hardship to the agency.
- (b) To qualify as financial hardship and be eligible to receive money from the Reasonable Accommodation Capital Reserve Account, the agency must either (1) establish that the specific reasonable accommodation exceeds \$2,500 OR (2) identify that the agency has already spent more than 0.5% of its annual budget on reasonable accommodations for the fiscal year.
- (c) If the reasonable accommodation does not qualify as a financial hardship according to paragraph (b), the Executive Office for Administration and Finance acting through the Office of Access and Opportunity will, on a case by case basis, determine whether the agency will be eligible for funding from the Reasonable Accommodation Capital Reserve Account.



(d) If the cost of the reasonable accommodation does present a financial hardship, as described, then the agency may fill out Reasonable Accommodation Funding Eligibility Form and apply to access the Reasonable Accommodation Capital Reserve Account to cover the financial costs of the reasonable accommodation.”

## ACTIONABLE STEPS

State governments can play a critical role in improving the lives of people with disabilities not just as policymakers, but as employers. The State of New Jersey has some affirmative action and equal opportunity policies in place but there are additional steps that may be taken to further improve the State of New Jersey as a model employer. Possible steps are as follows:

- The representation of people with disabilities in the state workforce is currently not reported on by the New Jersey Civil Service Commission.<sup>255</sup> The Commission can collect and report this information so that a better understanding of the State’s progress toward meeting affirmative action goals can be established.
- The New Jersey Civil Service eligibility lists currently only designate applicant preference based on final average, in-state residency, and veteran status.<sup>256</sup> Expanding preference to applicants with disabilities would be a simple way to boost the hiring of people with disabilities.
- State agencies can create internship programs specifically designated for people with disabilities. In addition to opening an additional entry point to a career in state government, an internship program would provide a valuable opportunity for skills building.
- In January 2020, S3468 was signed into law establishing the New Jersey “Task Force on Maximizing Employment for People with Disabilities” tasked with identifying measures that the State can take to increase the employment of people with disabilities.<sup>257</sup> The task force can convene a working group to examine opportunities to incorporate SAME initiatives into the state plan to maximize employment, such as opportunities to improve recruitment efforts to better reach candidates with disabilities. For example, State agencies can attend university recruitment events such as career fairs.
- The State can challenge its state universities to match state efforts. For example, Rutgers University employs approximately 8,700 faculty and 14,900 staff<sup>258</sup> and could be a major employer of people with disabilities.

## CONCLUSION

Governor Murphy’s Jobs NJ plan seeks to foster a stronger and fairer economy for all New Jerseyans with a particular focus on populations that face significant barriers to employment, such

as individuals with disabilities. The importance of addressing this economic disparity is timelier than ever as the COVID-19 pandemic continues to negatively impact the economy and studies indicate that periods of economic recession worsen the economic disparities between those with disabilities and those with no disabilities.<sup>259 260</sup> To help inform New Jersey's strategies for improving employment outcomes for people with disabilities in the State, this report provides an overview of best practices from around the country and examples of specific programs and initiatives that might be implemented as part of these best practices. Based on the discussions of each theme, we make the following conclusions, many of which suggest optimization of existing resources, rather than a significant increase in funding:

1. *Clarity and Transparency*: To improve the clarity and transparency of New Jersey's system, the State could benefit from the following strategies:
  - Bring together government agency representatives, experts, and stakeholders to improve the coordination and communication within the system.
  - Produce a schematic or flowchart of all of the agencies and organizations involved and their relationship with one another, the eligibility criteria for each service, and the accompanying streams that fund those agencies or services.
  - Conduct more robust outreach to spell out the complexities of the system, particularly to improve the awareness of the benefits counseling and related programs that remain underutilized in the State.
2. *Putting People First*: Some strategies to make services for people with disabilities more person-centered include:
  - Providing extensive training to staff to enable them to provide quality customized employment and person-centered services.
  - Incorporating features of customized employment into the regular VR services to make them more individualized and person-centered and ensure that clients find jobs that are the right fit for their interests, skills, needs, and long-term objectives.
  - Piloting a customized employment program (such as the programs described in the examples section) for the VR clients with the most or most severe barriers to employment.
  - Evaluating the success of collaborations between DVRS and DDD and DDS and strengthening those relationships as needed to ensure the provision of follow-up and wraparound services for individuals who exit the VR system, with or without employment.

- Using data on employment outcomes collected under WIOA to inform future initiatives to identify areas for improvement in the VR system and make targeted changes.
3. *Enhancing the School-to-Work Transition:* Some strategies to enhance the transition from school to work for individuals with disabilities include:
- Survey New Jersey institutions of higher education to identify what transition programs are currently being provided. The New Jersey Division of Vocational Rehabilitation in coordination with the Office of the Secretary of Higher Education could meet with New Jersey higher education institutions as well as their respective University Disability Services offices to discuss pilot programs with four-year institutions.
  - Conduct research to identify any obstacles causing low connection rate for referral and actual attendance rate for individuals with disabilities, particularly I/DD, in pursuing post-secondary education so that they can have improved access to higher education.
  - Strengthen interventions such as an outreach program to encourage high expectations of students with disabilities' potential to obtain employment or higher education after graduating high school.
4. *Engaging with Employers:* The following steps can increase state engagement with employers:
- The State can increase communication between agencies and businesses in New Jersey to encourage employers to adopt more progressive practices in disability employment. For example, the Division of Vocational Rehabilitation could convene regular meetings to engage with employers by sector.
  - Workforce interventions can be tailored to the local labor market to better match the needs of employers and the skills they are looking for with candidates.
  - The State can encourage the adoption of best practices in disability employment in the private sector. For example, the State can highlight New Jersey companies that have successfully implemented policies to hire more people with disabilities.
5. *Government as a Model Employer:* The State of New Jersey has some affirmative action and equal opportunity policies in place but there are several additional actions available for consideration:

- The representation of people with disabilities in the state workforce is currently not reported on by the New Jersey Civil Service Commission.<sup>261</sup> The Commission can collect and report on this information at an aggregated level so a better understanding of the State’s progress toward meeting affirmative action goals can be established.
- The New Jersey Civil Service eligibility lists currently only designate applicant preference based on final average, in-state residency, and veteran status.<sup>262</sup> Expanding preference to applicants with disabilities would be a simple way to boost the hiring of people with disabilities.
- State agencies can create internship programs specifically designated for people with disabilities. In addition to opening an additional entry point to a career in state government, an internship program would provide a valuable opportunity for skills building.
- In January 2020, S3468 was signed into law establishing the New Jersey “Task Force on Maximizing Employment for People with Disabilities” tasked with identifying measures that the State can take to increase the employment of people with disabilities.<sup>263</sup> The Taskforce could convene a working group to examine opportunities to incorporate SAME initiatives into the state plan to maximize employment, such as opportunities to improve recruitment efforts to better reach candidates with disabilities. For example, state agencies could attend university recruitment events such as career fairs.
- The State can challenge its state universities to match state efforts. For example, Rutgers University employs approximately 8,700 faculty and 14,900 staff<sup>264</sup> and could be a major employer of people with disabilities.

We commend New Jersey’s current interest in this issue and feel now is the time to expand upon State efforts. The themes and strategies outlined in this report can serve as a starting point for a more in-depth analysis of New Jersey’s workforce development system for people with disabilities and provide ideas for ways in which the State can improve employment outcomes for this segment of the population.

## APPENDIX

### I. GLOSSARY

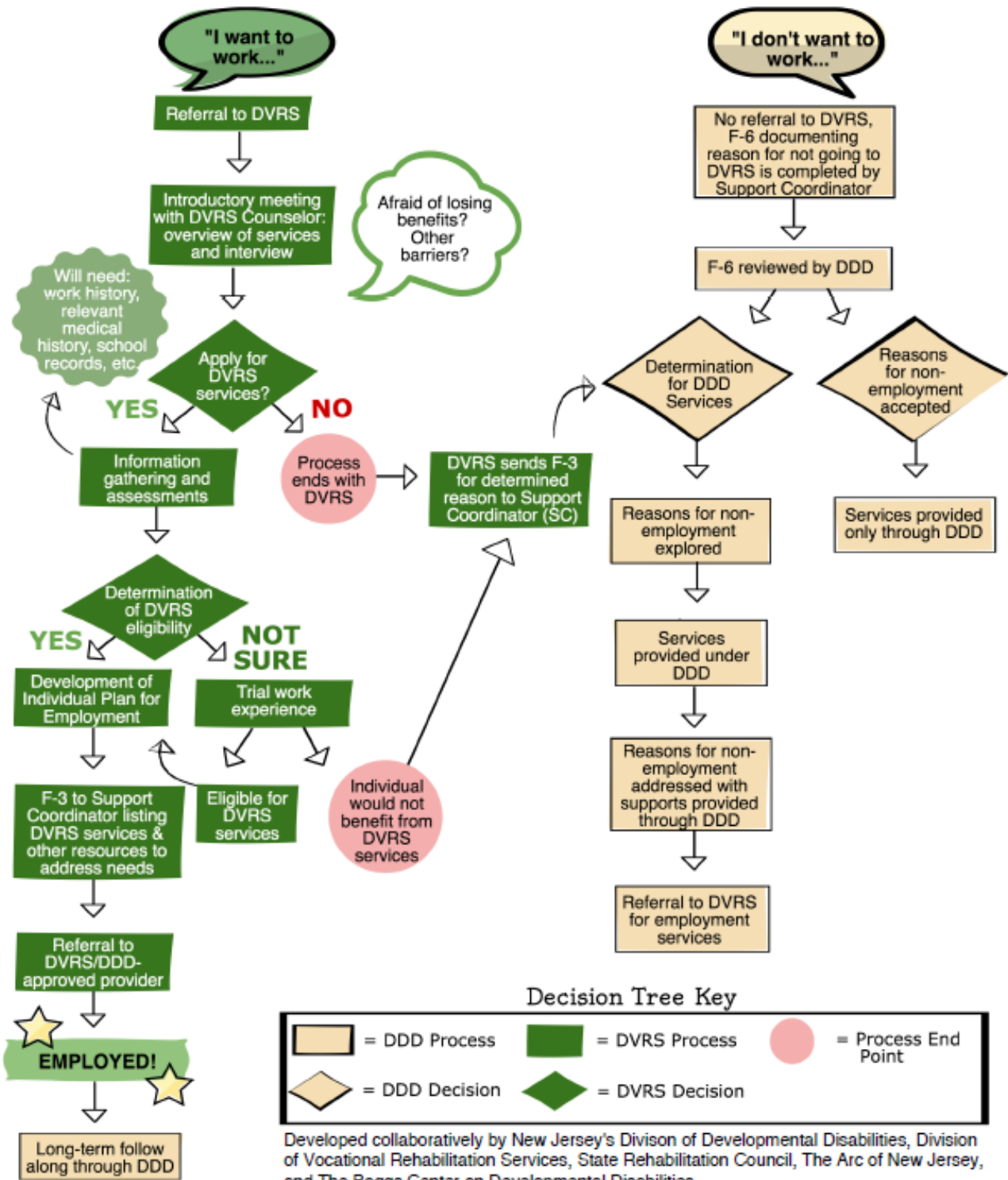
ABLE	Achieving a Better Life Experience
ACS	American Community Survey
ADA	Americans with Disabilities Act
Aggie ACHIEVE	Aggie Academic Courses in Higher Inclusive Education and Vocational Experiences (at Texas A&M University)
CCS	Career & Community Studies (at Portland State University)
CE	Customized Employment
DB101	Disability Benefits 101
EEO	Equal Employment Opportunity
EEO/AA	Equal Employment Opportunity / Affirmative Action
EPTA	Employer Payroll Tax Adjustment
HA&AC	Human Ability and Accessibility Center
HCBS	Home and Community-Based Services
I/DD	Intellectual and Developmental Disabilities
IPE	Individualized Plan for Employment
LGTW	Let's Get to Work (in Wisconsin)
MOU	Memorandum of Understanding
LAD	Law Against Discrimination
LEAP	Limited Examination and Appointment Program
NJWINS	New Jersey Work Incentive Network Services
PE	Progressive Employment
PSU	Portland State University
RSA-911	Rehabilitation Services Administration Case Service Report
SAME	States as Model Employers
SEEC	Supported Employment Enterprise Corporation
SSDI	Social Security Disability Insurance
SSI	Supplemental Security Income
TPSID	Transition and Postsecondary Programs for Students with Intellectual Disabilities
VR	Vocational Rehabilitation
WIA	Workforce Inclusion Act (in California)
WIOA	Workforce Innovation and Opportunity Act
WOTC	Work Opportunity Tax Credit program

## II. AGENCY ABBREVIATIONS

CBVI	Commission for the Blind and Visually Impaired
CCEPD	California Committee on Employment of People with Disabilities
DAC	Disability Advisory Committee
DDA	Developmental Disabilities Administration (in Maryland)
DDD	Division of Developmental Disabilities
DDS	Division of Disability Services
DHS	Department of Human Services
DOL	Department of Labor and Workforce Development
DOR	Department of Rehabilitation (in California)
DVRS	Division of Vocational Rehabilitation Services
EEOC	Equal Employment Opportunity Commission
HHSA	Health and Human Services Agency (in California)
LWDA	Labor and Workforce Development Agency (in California)
MDOD	Maryland Department of Disabilities
MOD	Massachusetts Office on Disability
OAO	Office of Access and Opportunity (in Massachusetts)
ODEO	Office of Diversity and Equal Opportunity (in Massachusetts)
RACRA	Reasonable Accommodation Capital Reserve Account (in Massachusetts)
SPB	State Personnel Board (in California)

### III. AGENCY FLOWCHART (DVRS AND DDD)<sup>265</sup>

This decision tree displays the path to employment services for individuals that are eligible for DDD. If determined eligible for DDD services, supports can be provided by DDD throughout the employment decision process.



#### IV. LIST OF INTERVIEW PARTICIPANTS

NAME	POSITION	ORGANIZATION
Katia Albanese	Project Director	State Exchange on Employment & Disability, Office of Disability Employment Policy, U.S. Department of Labor
Susanne Bruyere	Director	K. Lisa Yang and Hock E. Tan Institute on Employment and Disability, Cornell University
Karen Carroll	State Director	Division of Vocational Rehabilitation Services, New Jersey Department of Labor & Workforce Development
Laurie Harrington	Senior Researcher	John J. Heldrich Center for Workforce Development
David Hoff	Program Director	Institute for Community Inclusion, UMass Boston
Jennifer Joyce	Director (Supports Program and Employment Services)	Division of Developmental Disabilities, New Jersey Department of Human Services
Elaine Katz	Senior Vice President	Kessler Foundation
Dina Klimkina	Program Manager	Center of Innovation, The Council of State Governments
Kathy Krepcio	Executive Director	John J. Heldrich Center for Workforce Development
Douglas Kruse	Distinguished Professor	Rutgers School of Management and Labor Relations
David Mank	Professor Emeritus	Indiana University
	Vice Chair	GoWise
Dianna Maurone	Administrator (Information and Referral Services, PASP)	Division of Disability Services, New Jersey Department of Human Services
Rachel McGreevy	State Outreach Advisor	Concepts
Nadia Mossburg	Senior Policy Advisor	U.S. Department of Labor, Office of Disability Employment Policy
Peri Nearon	Executive Director	Division of Disability Services, New Jersey Department of Human Services
Philip Pauli	Policy and Practices Director	RespectAbilityUSA



Jonathan Seifried	Assistant Commissioner	Division of Developmental Disabilities, New Jersey Department of Human Services
Bobby Silverstein	Principal	Powers Pyles Sutter & Verville PC
Deborah M. Spitalnik	Executive Director	Boggs Center on Developmental Disabilities
Jeanne Chestnut (contacted, did not interview)	Regulatory Officer	New Jersey Department of Labor and Workforce Development

## V. SAMPLE INTERVIEW PROTOCOL

### **New Jersey:**

1. What gaps or shortcomings exist in New Jersey's services? In your opinion, why do they exist?
2. How does your department communicate and collaborate with other state agencies and other stakeholders in the day-to-day operation of services and in the formulation of new services?
3. Which employers that have worked with the State to increase the employment of individuals with intellectual and developmental disabilities stand out to you as especially successful? What, in your opinion, has facilitated their success? Which employers have been most proactive in seeking assistance from the State to employ individuals with intellectual and developmental disabilities?
4. How do you determine the success of your programs? What metrics do you use to evaluate the success of your programs?

### **Promising Practices:**

5. Which, if any, states do you identify as leading in this policy area?
6. Are any of the programs you offer modeled after another state's approach? What were the most appealing aspects of their program?

### **Potential for Improvement**

7. What policies/initiatives are currently in development for New Jersey?
8. Where do you think New Jersey is headed? Do any developments in particular lead you to believe this?
9. What other agencies/organizations/individuals would you recommend that we speak to?

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