On Jan. 26, 2016, the U.S. Department of Labor (DOL) published a Notice of Proposed Rule Making (NPRM) regarding Section 188 of the Workforce Innovation and Opportunity Act (WIOA). WIOA, signed into law in July 2014, replaced the Workforce Investment Act (WIA) and is the country’s most significant vehicle for providing public funding aimed at promoting job readiness and increasing the participation of youth and adults in the American workforce, including those youth and adults with disabilities.

Section 188 of WIOA protects equal access to the programs provided by WIOA to ensure that all eligible individuals (regardless of race, color, religion, sex, national origin, age, disability or other factors) can benefit from the supports aimed at yielding positive employment outcomes. The updates to the regulation governing Section 188, found in the NPRM, work to better align the nondiscrimination and equal opportunity regulations and articulate those provisions as they
relate to the current workforce development system.

It is imperative that individuals with disabilities are not excluded from the state and federally-funded supports designed to increase opportunities to be included in the American workforce and economic mainstream. DOL solicited public comment concerning the Section 188 NPRM for a 60-day period (ending 3-28-16) and will take those comments into consideration when developing final rules and regulations.

To learn more, read the LEAD Center’s summary on the Section 188 NPRM or visit the Federal Register website for instructions on how to submit comments.

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DOL National Convening Supports Workforce Leadership in Implementing WIOA

The Department of Labor’s Employment & Training Administration, in collaboration with multiple federal offices and national partners, held a national convening of workforce leadership to support state teams in the design of innovative approaches to implement the vision of the Workforce Innovation and Opportunity Act (WIOA) in their states and local areas. The LEAD Center participated in the three-day event held January 26-28 in Washington, D.C. A major theme of the convening was collaboration between multiple state systems and innovative approaches to meeting the vision of WIOA. Although all of the sessions were relevant, sessions of particular interest for LEAD Center’s work included “Collaborating to Strengthen Employment Opportunities for Individuals with Disabilities,” “Serving Individuals with Vocational Rehabilitation,” and “Braiding and Leveraging Resources.”

Since braiding and leveraging resources has been a focus of LEAD Center’s work for the past several year, the presentation by Joseph Ashley, Assistant Commissioner of Virginia’s Department for Aging and Rehabilitative Services, was particularly important. Dr. Ashley highlighted their Disability Employment Initiative, in which they braid and leverage resources that increase the capacity of partners to come together to promote employment outcomes for jobseekers with disabilities and veterans, as well as to create additional resources for workforce programs that serve ALL customers. Within his presentation, Dr. Ashley provided examples of how they use Integrated Resource Teams (IRTs) that enhance cross-program collaborations and service alignment in developing integrated career plans to for people who experience multiple barriers to employment.

Materials from the National Convening have been made available on the Innovation and Opportunity Network website, with supplemental information on the WorkforceGPS website.

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LEAD Releases New Toolkit to Promote Collaboration between Centers for Independent Living and American Job Centers
In collaboration with the U.S. Department of Labor’s Office of Disability Employment Policy (ODEP), the LEAD Center has released Promoting Employment and Economic Advancement: A Toolkit for Centers for Independent Living (CIL) and American Job Centers (AJC). CILs are established in every state and territory across the U.S., and are designed and operated within each local community by individuals with disabilities. CILs maximize the independence of individuals with all types of disabilities through advocacy, independent living skills training, information/referral, and peer counseling. Under WIOA, CILs are also charged with supporting individuals to transition into the community to avoid institutional and nursing home placements, as well as the transition of youth with significant disabilities to adult life after completion of secondary education.

Although CILs and AJCs share a mission to improve the lives of job seekers with disabilities, job seekers with disabilities may not access AJCs as a resources in their job search. In order to learn more about the potential for collaboration between CILs and AJCs and the impact on employment of people with disabilities, the LEAD Center conducted a pilot project involving CILs and AJCs from across the country. The information gleaned from the project resulted in the Toolkit, designed to help CILs and AJCs deepen their understanding of services and structures of both, and their activities that support job seekers with disabilities in achieving employment. The Toolkit includes checklists, guides, and fact sheets that leverage both CILs’ knowledge and skills on disability issues and community resources, and AJCs’ training and employment services to maximize the talents and skills of both partners to create a win-win-win for CILs, AJCs, and job seekers with disabilities.

Visit the LEAD Center website to access the CIL Toolkit. To find a CIL in your local community, please visit http://www.ilru.org/html/publications/directory/index.html.

The toolkit was dedicated to honor the memory of Speed Davis and Jamie Kendall, two strong advocates who were passionate about the independent living movement, employment and economic advancement for people with disabilities. Their work to promote independent living, disability rights and full inclusion is the noble legacy they leave behind and from which future generations will long benefit.

*Preparation of the Toolkit was funded by the U.S. Department of Labor’s Office of Disability Employment Policy, Grant No. OD-23863-12-75-4-11,CFDA # 17.720. This document does not necessarily reflect the views or policies of the Office of Disability Employment Policy, U.S. Department of Labor, nor does the mention of trade names, commercial products, or organizations imply endorsement by the U.S. Government.

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**LEAD Center Reviews Unified WIOA State Plans: What We Learned**

LEAD Center staff reviewed state plans from California, Iowa, and North Carolina utilizing a guide we developed that identifies key areas for plan design and implementation to advance effective
and meaningful participation of youth and adults with disabilities in the workforce development system. LEAD Center staff analyzed both Title I and Title IV requirements with particular attention to new roles and responsibilities based on changes in the Workforce Innovation and Opportunity Act (WIOA).

Across all three state plans, there is an expressed commitment to (a) serve people across the spectrum of disabilities, including individuals with significant disabilities; (b) cross-system collaboration, in which customers of the system are served by staff organized by function rather than program or funding source; (c) program and physical accessibility with the new requirement of monitoring and review of American Job Centers (AJCs) annually based upon agreed state criteria defined by Section 188 of WIOA, which promotes universal access and equal opportunity; and (d) Employment First and expanded Vocational Rehabilitation (VR) partnerships with students with disabilities while they are still in high school with pre-employment transition services, a new WIOA requirement. LEAD will continue to review WIOA state plans, and will disseminate results later this year.

Read the state plan reviews for California, Iowa, and North Carolina.

ODEP and LEAD Center Release Fourth Employment First Technical Brief

In February, ODEP and LEAD Center released an Employment First technical brief, the fourth in a four-part series, titled Federal Resources Available to Support State Employment First Efforts. The brief provides state governments and external stakeholders with information about Federal funding and technical resources available to support state Employment First systems change efforts. The brief describes funding vehicles such as competitive grants, direct programmatic funding, demonstration projects, and Federal matching funds that help to incentivize changes to state plans that promote competitive integrated employment.

The Employment First Technical Briefs are intended for anyone working to implement Employment First in their state, region, or agency. The other three Employment First technical briefs, released in late 2015, are: Connecting the Dots: Using Federal Policy to Promote Employment First Systems-Change Efforts; Federal Legal Framework that Supports Competitive, Integrated Employment Outcomes of Youth and Adults with Significant Disabilities; and Criteria for Performance Excellence in Employment First State Systems Change & Provider Transformation.

AbilityOne Releases Statement on Subminimum Wage

On March 18, 2016, the U.S. AbilityOne Commission, which oversees the AbilityOne Program, released a statement that called for action to support opportunities for employees who are blind or have significant disabilities to be compensated fairly for their work.
The statement included a call to action for “all qualified nonprofit agencies participating in the AbilityOne Program to commit to, and begin (if not maintain), paying at least the Federal minimum wage, or state minimum wage if higher, to all employees who are blind or have significant disabilities working on AbilityOne contracts.”

To research AbilityOne programs in your state, please visit the LEAD Center Employment First website and look for AbilityOne under State Data.

LEAD Center Promotes Disability Policy at Multiple National and State Conferences

2nd Annual Independence through Employment Conference (Florida)

On Feb. 26, Elizabeth Jennings, the LEAD Center’s Assistant Project Director, provided a keynote speech at the 2nd Annual Independence through Employment Conference in Boca Raton, Florida. The event brought together national and state leaders to focus on innovations and emerging best practices in support of the successful transition of young people with disabilities from high school to work, education or training, and from college to careers. Aleisa McKinlay, Director of the Florida Division of Vocational Rehabilitation and Beth Romans-Corsi, Florida Developmental Disabilities Council Employment Task Force, shared the stage with Jennings to provide highlights of national and state policy changes that are aligning the vision of employment for all with the disability and workforce system’s policies and practices. Youth with disabilities and disability service providers in attendance gained knowledge and resources to take advantage of the new opportunities made available through Employment First, the CMS Home and Community-Based Final Rule, the Workforce innovation and Opportunity Act, and the ABLE Act.

NAWB Annual Forum (Washington, D.C.)

Promoting Equal Opportunity: Creating Truly Inclusive AJCs

The National Associations of Workforce Boards (NAWB’s) annual conference (The Forum), March 12-15 in the nation’s capital, held special promise as Workforce Boards, Centers and professionals came together from all across the country to, as NAWB noted, “redefine the workforce system as a cornerstone of economic prosperity and global competitiveness.” The theme of this year’s conference was Technology, Community, Transformation.

The LEAD Center provided two workshops to support the workforce system, one on the integration of financial education and other financial capability strategies within workforce services and the other on promoting equal opportunity to create truly inclusive American Job Centers (AJCs).

Tina Lentz, Executive Administrator, Louisville (Kentucky) Metro Community Services Advocacy and Empowerment Division, and Melanie Magill, Senior Quality Assurance Analyst with
CareerSource Broward (Ft. Lauderdale, Florida), joined Elizabeth Jennings, LEAD Center Assistant Project Director to share *Strategies to Enhance Employment Outcomes, Financial Literacy and WIOA Compliance*. Tina Lentz shared LEAD Center-funded efforts in Louisville, KY to improve the capacity of workforce professionals to provide and integrate financial capability strategies, including financial education, financial coaching, and credit/debt management to workforce center customers and job seekers supported by community-based organizations.

Melanie Magill highlighted strategies CareerSource Broward has employed to improve the financial stability of their customers, with and without disabilities. CareerSource Broward is the number one Employment Network in the country, using part of their Ticket to Work revenue to provide information, workshops, and coaching on personal finances to ensure job seekers are not derailed by a financial crisis.

Rebecca Salon, LEAD Center Project Director; Christopher Button, Supervisor, Workforce Systems Policy at the U.S. Department of Labor’s Office of Disability Employment Policy (DOL/ODEP); and Lisa Stern, LEAD Center Employment Policy Advisor, presented on “Promoting Equal Opportunity: Creating Truly Inclusive AJCs.” The session focused on LEAD Center’s work with a statewide Equal Opportunity (EO) practice network in Missouri that has been using DOL’s Section 188 guide as a blueprint for providing universal access to their workforce development system and American Job Centers. The guide includes strategies proven to be successful for people with disabilities as universal strategies for all customers, so that the workforce system is better positioned to improve outcomes for more job seekers and to comply with WIOA physical and programmatic accessibility requirements.

The session also highlighted universal design approaches to enhance employment outcomes, including alternative vocational assessments (i.e., Guided Group Discovery and Self-Guided Discovery), and resources available to assist stakeholders in reviewing their state’s Unified or Combined State Plan from a disability perspective. Information from the session is posted on www.leadcenter.org.

**State Policy Summit: Innovations in Adult Programming (Pennsylvania)**

LEAD Center Project Director, Rebecca Salon, presented at a two-day State Policy Summit: Innovations in Adult Programming in Philadelphia, Pennsylvania, held on March 22-23, which focused on services and support for adults on the autism spectrum and/or with intellectual disabilities, developmental disabilities and mental health disabilities. As part of a panel on Employment that also included John Butterworth and Jean Winsor from the Institute for Community Inclusion, Salon presented on “Achieving Employment Outcomes: Opportunities to Leverage the Resources of the Workforce System and Other Partnerships” to Pennsylvania state government leaders. Her presentation focused on the opportunities created by the Workforce Innovation and Opportunity Act (WIOA) to support employment and economic advancement outcomes for people with disabilities, ways that partners can become involved with WIOA implementation, partnership and collaboration opportunities, and opportunities available to
promote employment in Pennsylvania through its participation in ODEP’s Employment First State Leadership Mentoring Program (EFSLMP).

Bob Williams is the Deputy Commissioner for the Administration on Disabilities, U.S. Department of Health and Human Services (HHS), Administration for Community Living (ACL), and Director of the Independent Living Administration (ILA). Prior to joining ACL, Williams acted as Senior Advisor to the Deputy Commissioner for Retirement and Disability Policy at the Social Security Administration (SSA). Earlier roles include advising the Kaiser Foundation, the Commonwealth Fund, and other organizations on policy issues affecting the health, independence and economic well-being of people of all ages with disabilities. In addition, he served as the Commissioner on Developmental Disabilities and then as the Deputy Assistant Secretary for Disability, Aging and Long-term Care Policy at HHS. Williams also helped gain the passage of the Americans with Disabilities Act (ADA), and to create community living services and supports to children and adults once consigned to Forest Haven, the District of Columbia’s institution for people with intellectual and developmental disabilities. Williams graduated from George Washington University in 1983. He lives and works in Washington, D.C. with his wife, Helen Rader.

The Independent Living Administration (ILA) is a part of the Administration on Disabilities (AoD) within the Administration for Community Living (ACL). AoD works to increase the independence, productivity and community integration of individuals with disabilities. Established by the Rehabilitation Act, the ILA works to establish and strengthen state and community networks of service providers in order to maximize the leadership, empowerment, independence, and productivity of people with disabilities. The ILA oversees the Independent Living Services (ILS) and Centers for Independent Living (CIL), which both promote an independent living philosophy for individuals with disabilities. Additionally, the ILA manages programs that provide information and referral services to help those with paralysis and limb loss continue to live in their own homes and participate in their
communities.
For more information on the ILA, visit the Administration for Community Living website.

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Important New Resources

· Section 188 of the Workforce Innovation and Opportunity Act: Notice of Proposed Rulemaking Summary from a Disability Perspective
· Policy Update – Employment, Health Care and Disability: February 2016
· Employment First Brief: Perspective of Employers on Customized Employment
· Policy Update – Employment, Health Care and Disability: January 2016
· Employment First Technical Brief #4: Federal Resources Available to Support State Employment First Efforts
· Reviewing WIOA State Plans from a Disability Perspective
· EARN Policy Brief Summarizing NRPM on Affirmative Action for Workers with Disabilities in the Federal Government
· Living with HIV: ADA Rights of HIV-Positive Employees
· Meeting the Needs of Employees During and After Pregnancy

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