



Issue 18

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## In This Issue

- [Section 188 Training Emphasizes Best Practices That Promote Equal Access for Individuals with Disabilities](#)
- [LEAD Center's Continuing Work on Inclusive Career Pathways](#)
- [LEAD Center Prepares Release of Policy Brief Discussing ABLE Act and Employment Outcomes](#)
- [LEAD Center Presents at EFSLMP Conference](#)
- [LEAD Center Webinar on What Disability Advocates Need to Know about New WIOA Equal Opportunity Provisions](#)
- [LEAD PARTNER: Federal Deposit Insurance Corporation \(FDIC\)](#)
- [LEAD PEOPLE: Janet R. Gordon, Associate Director, Division of Depositor and Consumer Protection Federal Deposit Insurance Corporation](#)
- [Important New Resources](#)

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## **Section 188 Training Emphasizes Best Practices That Promote Equal Access for Individuals with Disabilities**

In 2017, local Equal Opportunity Officers (EOOs) with Missouri's Division of Workforce Development were charged with collecting results from a new workforce staff assessment on the impact of statewide Section 188 training. The virtual training series focused on disability under Section 188's nondiscrimination and equal opportunity provisions in the Workforce Innovation and Opportunity Act (WIOA). Section 188 prohibits discrimination against individuals who apply to, participate in, work for, or come into contact with programs and activities that receive financial assistance from the U.S. Department of Labor (DOL), including partners of the American Job Centers (AJC) system. The training emphasized best practices that promote equal access for individuals with disabilities from the U.S. DOL's [Promising Practices in Achieving Universal Access and Equal Opportunity: A Section 188 Disability Reference Guide](#). The Guide was developed jointly by DOL's Office of Disability Employment Policy's (ODEP), Employment and Training Administration (ETA), Civil Rights Center (CRC), and LEAD Center.

In order to apply learnings from the Section 188 training, workforce professionals and partners were tasked with a series of 'Action Items' to help build their capacity in serving individuals with disabilities. Local EOOs across Missouri's workforce regions collected the results of the 'Action Items,' which included outreach to disability organizations to identify cross collaboration opportunities; the effectiveness of the AJC's reasonable accommodation procedures; and information about key local, state, and national resources in disability that can be applied within the workforce system. The combination of Section 188 training with hands-on activities generated widespread interest and incentives for MO workforce staff to become more proactive with disability partners and resources while implementing universal access approaches. The overall key findings listed below are currently helping state level EOO and Vocational Rehabilitation staff to better determine more targeted technical assistance and support needs in the MO workforce system around disability.

- **Strengthened New & Existing Partnerships:** The Action Items not only motivated workforce centers to connect with new and existing community partners in the region, but incited new important discussions. Most workforce centers reported that they either visited partner sites or invited partners into the job center for more in-depth discussions around services, processes for obtaining services, and how they can work together to better serve the community.
- **Increased Cross-Partner Training:** As a result of increased outreach to new and diverse partners, staff reported a greater awareness and understanding of different types of disabilities and resources that exist. For example, workforce centers ventured into new partnerships with organizations that serve individuals with autism, connected with National Alliance on Mental Illness (NAMI) Chapters that focuses on mental health, and collaborated with regional Business Leadership Networks.
- **Increased Training on Reasonable Accommodations:** Many workforce regions reported that they provide accommodations. However, most only listed adaptive equipment as the accommodations provided. A broader understanding of reasonable accommodations is likely needed, especially for people with non-visible disabilities. This might include providing more time to complete assessments, offering private space to discuss disability, or assisting a customer with an application or another job center task.

[Back to Top](#)

## **LEAD Center's Continuing Work on Inclusive Career Pathways**

In October 2016, LEAD Center hosted a three-week [National Dialogue on Promoting Inclusive Career Pathways](#), which is one of LEAD Center's areas of interest. Inclusive career pathways are programs and approaches designed to support people whose career options have been limited because they lack the academic and/or technical skills necessary to complete the credentialing requirements of many key high-demand and high-growth career opportunities. The Dialogue was

conducted in collaboration with the Department of Labor’s Office of Disability Employment Policy (ODEP) and ePolicyWorks. The 296 participants in the National Dialogue, with registrants from all 50 states and the District of Columbia, were prompted to respond to questions such as, “What ideas do you have to increase access to career pathways for people with disabilities?” Additional prompts were provided to focus the discussion on Successful Strategies, Barriers and Challenges, and Suggestions for Training and Technical Assistance. Nearly two-thirds of all ideas and comments focused on Successful Strategies.

The top five ideas, based on votes and comments, focused on: (1) the need to raise parental expectations that their children, as adults, will work in inclusive settings in jobs that capitalize on their strengths and interests; (2) issues related to the lack of reliable transportation, which can result in people with marketable skills missing out on opportunities for employment; (3) the need to integrate and support people with disabilities into credentialing programs for high-demand high-growth industries; (4) the importance of career assessments for youth that align with the “discovery” process, in that they are interactive, experiential, and ongoing to capture skills, interests, and conditions of employment so that youth are most likely to be successful; and (5) the importance of business/school partnerships, so that youth can gain hands-on experiences, have business-based mentors, have opportunities for practice skills that will be needed to get and keep a job, etc.

The results of this dialogue will support LEAD Center’s and ODEP’s work on career and economic advancement for people with disabilities. LEAD Center will continue to develop and disseminate information on approaches, resources and strategies to promote careers for people whose options may be otherwise limited. The 62 ideas, and more than 200 comments provided by participants in this National Dialogue, have been a springboard that LEAD Center will continue to use to collect additional ideas and develop materials for the field that promote inclusive career pathways initiatives and full workplace inclusion.

[Back to Top](#)

## **LEAD Center Prepares Release of Policy Brief Discussing ABLE Act and Employment Outcomes**

The LEAD Center will soon release a brief titled, “The ABLE Act and Employment: Strategies for Maximizing the Effectiveness of the Achieving a Better Life Experience (ABLE) Act as a Tool for Financial Stability and Employment Outcomes of People with Disabilities.”

The ABLE Act, signed into law December 19,, 2014, allows states to offer tax-advantaged savings/investment accounts to certain individuals with disabilities in an effort to help them and their families save for short- and long-term disability-related expenses, including those related to employment. Additionally, funds in an ABLE account are not taken into consideration when determining eligibility for most federally-funded means-tested benefits, such as Supplemental Security Income (SSI) or Medicaid.

The purpose of the brief is to demonstrate how provisions in the ABLE Act can be combined with federal benefit services and other federal programs and initiatives to further competitive integrated employment for people with disabilities. The brief contains a list of the provisions of the ABLE Act, their impact on the financial self-sufficiency and employment opportunities of persons with disabilities, and recommendations on how to best utilize the ABLE Act to maximize these outcomes. Some examples included in the brief of how an ABLE account can be combined with other supports, in order to increase financial self-sufficiency and/or employment opportunities, include:

Utilizing the SSI PASS (Plan for Achieving Self-Support) program in conjunction with ABLE account savings to maintain supported employment services.

Using the ABLE accounts to pay for Medicaid Buy-In Program premiums, rather than limiting their earned income to stay below Medicaid's income limits. That way, people continue to be eligible for their Medicaid-funded supported employment services while steadily improving their financial status.

Having state VR programs consider providing assistance in linking people to support for setting up ABLE accounts, as something offered to VR participants.

With 18 states in the country having already launched ABLE programs, the majority of which are enrolling qualified individuals nationwide, it is vital that people with disabilities and their families understand the benefits of being an ABLE account owner and learn how to think creatively in order to truly maximize the benefits of this newly implemented law. These states now include: Alabama, Alaska, Florida, Illinois, Iowa, Kansas, Kentucky, Nebraska, Nevada, North Carolina, Michigan, Minnesota, Ohio, Oregon, Rhode Island, Tennessee, Vermont and Virginia. Additionally, at least five more states are expected to open ABLE programs in the next few months.

The ABLE brief is expected to be released within the next month and will be posted on the [LEAD website](#).

[Back to Top](#)

## **LEAD Center Presents at EFSLMP Conference**

On March 2, 2017, LEAD Center Public Policy Co-Chair, Michael Morris, presented and moderated a panel on "Scaling Up for Lasting Change" at the Office of Disability Employment Policy's [Employment First State Leadership Mentoring Program](#) Conference in Washington, D.C. at the Bureau of Labor Statistics (BLS). During the presentation, Mr. Morris and his co-presenters, David Jones, Workforce Analyst for US DOL's Employment and Training Administration, and Carol Beatty, Secretary of the Maryland Department of Disabilities, discussed the current state of WIOA State plan implementation. They also discussed strategies for achieving cross-agency collaboration to better ensure that implementation of service delivery across systems results in competitive, integrated employment outcomes for youth and adults with disabilities. The

presenters discussed strategies in Maryland that are moving WIOA state planning to implementation of approaches that improve cross-system collaboration to support employment goals of job seekers with disabilities.

The LEAD Center is preparing to present at a number of conferences in 2017. We invite you to visit us at the following conferences:

- [National Association of Workforce Boards \(NAWB\) Annual Forum](#) (March 25-28; Washington, DC)
- [National Association of Workforce Development Professionals \(NAWDP\) Annual Conference](#) (May 21-24, 2017; New Orleans, LA)
- [The 2017 Association of People Supporting Employment First \(APSE\) Conference](#) (June 19-21, 2017; Portland, OR)
- [The 2017 Annual Conference on Independent Living](#) (July 24-27, 2017; Washington, DC)
- [National Home and Community Based Services \(HCBS\) Conference](#) (August 27-31, 2017; Baltimore, MD)

[Back to Top](#)

## **LEAD Center Webinar on What Disability Advocates Need to Know about New WIOA Equal Opportunity Provisions**

On February 28, 2017, the LEAD Center hosted a webinar on [What Disability Advocates Need to Know about New WIOA Equal Opportunity Provisions](#). Participants heard directly from the Department of Labor’s Civil Rights Center and Office of Disability Employment Policy, and the State Equal Opportunity Officer for the Missouri Division of Workforce Development, as well as LEAD Center staff. Disability advocates and workforce staff gained knowledge on how to promote equal opportunity and inclusion of people with disabilities in workforce services.

This webinar provided comprehensive information on the recently issued Equal Opportunity (Section 188) Provisions, the relationship between Section 188 and other WIOA disability-related provisions, promising practices within the [Promising Practice in Achieving Universal Access and Equal Opportunity: A Section 188 Disability Reference Guide](#), and state and local perspectives on improving access and equal opportunity for job seekers. The webinar and related materials are [archived on the LEAD Center website](#).

[Back to Top](#)

## **LEAD PARTNER: Federal Deposit Insurance Corporation (FDIC)**

The Federal Deposit Insurance Corporation (FDIC) is an independent agency of the United States government that protects the funds depositors place in banks and savings associations. FDIC insurance is backed by the full faith and credit of the United States government. Since the FDIC was established in 1933, no depositor has lost a penny of FDIC-insured funds. The standard

insurance amount is \$250,000 per depositor, per insured bank, for each account ownership category.

The FDIC supports initiatives to encourage economic inclusion because public confidence in the mainstream financial system is stronger when a broad range of people have a relationship with a bank. The FDIC conducts research to better understand financial services use by unbanked and underbanked consumers, including people with disabilities. The agency also leads financial education and outreach activities to encourage banks and community leaders to collaborate to promote improved access to safe and affordable financial services. FDIC offers a suite of free financial education curricula, Money Smart, for all ages and offers financial education resources and training to organizations serving youth under the Workforce Innovation and Opportunity Act (WIOA). To learn more about FDIC's educational resources, visit [www.fdic.gov/education/](http://www.fdic.gov/education/).

[Back to Top](#)

## **LEAD PEOPLE: Janet R. Gordon, Associate Director, Division of Depositor and Consumer Protection Federal Deposit Insurance Corporation**



Janet R. Gordon is Associate Director for Community Affairs for the Federal Deposit Insurance Corporation (FDIC) in the Division of Depositor and Consumer Protection (DCP) at the Headquarters Office. She provides oversight for the regional Community Affairs Program and works with other regulators, federal partners, state, local and national organizations to encourage economic inclusion and community development partnerships between banks and government, nonprofit and other private organizations. The Community Affairs team also manages the development and distribution of the Money Smart educational curricula for young people, adults, older adults and small business owners. Janet also has served as a Senior Policy Analyst in DCP's Supervisory Policy Section and previously worked as the compliance

manager for two large banking companies, as a manager for a major consulting firm and as Associate Director of the Community Development Corporation and Investment Program at the Office of the Comptroller of the Currency. She graduated from The University of Michigan and holds an MBA in finance from George Washington University.

[Back to Top](#)

## **Important New Resources**

- [Employment, Health Care and Disability Policy Update: February 2017](#)

- [UPS Delivers the "Secret Sauce" for Disability Inclusion](#)
- [Guidance to Community Rehabilitation Program Executive Directors for the Coming Employment 1st Decade](#)
- [Section 188 of the Workforce Innovation and Opportunity Act \(Nondiscrimination and Equal Opportunity\): Summary Review of the DOL Final Rule, from a Disability Perspective](#)

[Back to Top](#)

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