

# The Employment Policy Crisis for People With Disabilities

January 27, 2014

**Employment is crucial for individuals with disabilities to live meaningful, productive, and independent lives within their communities.**

**The employment rate for people with disabilities in all age and education categories across the United States remains stagnant and well below that of the general population. Ignoring this crisis will make it worse.**

- The Federal Bureau of Labor Statistics (BLS) reported that only 32.1 percent of working-age people with disabilities were in the labor force in 2012, compared to 77.7 percent of the general population.<sup>1</sup>
- **By comparison, California's labor force participation rate for people with disabilities was even lower than the national average in 2012, at 20.8 percent,<sup>2</sup> ranking last in the nation as of January 2013.<sup>3</sup>**
- According to the BLS, 50 percent of individuals with a disability who are unemployed report significant barriers to employment such as lack of education, training, and transportation as well as the need for accommodations and access.<sup>4</sup>



***Creating Policy and  
System Change for  
Independent Living***

## GUIDELINES AND RECOMMENDATIONS

### **Prioritize and address inequities and barriers encountered by people with disabilities who want to work.**

Participation in the workforce at such extremely low rates is both a humanitarian and economic crisis. In addition, many people with disabilities are underemployed and underpaid, earning, on average, less than two-thirds of the median wages paid to workers without disabilities.<sup>5</sup> Too often, people with disabilities are paid less than minimum wage, a practice supported by federal and state laws that perpetuates segregation and discrimination.

**Eliminate the Injustice of Unfair Pay and Segregation.** Support policies that require and fund integrated, competitive employment.

- **End subminimum wage employment**, and the federal certificates allowing it, by 2016.
- **Reauthorize and revitalize the Rehabilitation Act by passing S. 1356, the Workforce Investment Act of 2013, and use accountability tools at the state level** such as the California Committee on Employment of People with Disabilities and the newly enacted Employment First Policy (Assembly Bill 1041).
- **Strengthen and increase support for employment and Independent Living programs for people with disabilities.** These programs offer a culturally appropriate, peer-led

environment where people with disabilities develop important skills that prepare them to live independently, achieve employment goals, and lead. In fact, many people with disabilities who get their start at Independent Living programs go on to achieve prominent positions of leadership at state, local, and national levels.

### **Invest in Education and Training.**

Improve effectiveness and monitor outcomes of statewide policies to broaden educational access and strengthen workforce training for people with disabilities. Focus on youth transitioning from secondary school emphasizing the strengths and benefits of higher education and training in achieving their work goals and sharpening other tools necessary for independent living. During workforce training, include employers and co-workers to reinforce collaboration and facilitate two-way learning.

### **Change Conflicting Employment Policies.**

Government assistance programs for people with disabilities have created conflicts for decades. Individuals often are required to provide proof of their inability to work to obtain the supports needed for living independently.<sup>6</sup> This Catch-22 results in widespread confusion on how working impacts arcane, complex benefits systems such as Medi-Cal and Social Security Disability Insurance.

- **Enact program reforms that incentivize, rather than penalize, people with disabilities who want to work**, and provide long-term services and supports that enable them to do so. Improve communication about programs and increase counseling to clearly convey employment and benefits options. **Noteworthy reform proposals for policymakers to address include:**

- The CareerACCESS Program,<sup>7</sup> a pilot proposed by the World Institute on Disability, the National Council on Independent Living, and PolicyWorks.
- “Proposals to Bolster Access to LTSS for Working Americans with Disabilities, Families of People with Disabilities and Current Beneficiaries” by the American Association of People with Disabilities.<sup>8</sup>

### **Create and Increase Accessible Transportation.**

Access to transportation is an integral factor in achieving equitable employment and economic growth. Policies addressing the employment of people with disabilities should include a focus on increasing accessible transportation, eliminating logistical barriers, and

incorporating incentives that reduce inequities.

### **Support Access and Accommodations.**

Continue to push for strong enforcement of the Americans with Disabilities Act, including physical accessibility inside and outside of places of employment. Develop policies to provide for workplace education on the essentials of assistive technology and other reasonable accommodations for employees with disabilities.

**Eliminate Negative Attitudes and Discrimination**, barriers, which often are more difficult to measure and overcome than physical obstacles.

- **Employ policies and strategies that maximize incentives for inclusion** and emphasize the positive effects of hiring individuals with disabilities such as “improved creativity, enhanced innovation, and elevated customer service.”<sup>9</sup>
- **Document and publicize successful outcomes.** Real work experience broadens expectations and surmounts historical barriers. Businesses that continue to have success hiring diverse and productive workers with disabilities must share their experiences to positively impact attitudes and practices.

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**Markedly improving employment outcomes of people with disabilities requires collaborative leadership, marketing strategies that increase awareness, strong support for workplace diversity, and proactive solutions to regulatory barriers while creating a sustained focus on accountability.**

- <sup>1</sup> Senator Tom Harkin. "Unfinished Business: Making Employment of People with Disabilities a National Priority." July 2012. <http://www.harkin.senate.gov/documents/pdf/500469b49b364.pdf>
- <sup>2</sup> Employment Development Department. California Labor Market Trends, "Disabled Persons in California's Labor Force," Volume 1, Issue 2, September 2012. <http://www.calmis.ca.gov/file/LFHIST/CA-Disability-Labor-Force.pdf>
- <sup>3</sup> Stephen Kaye, Ph.D., Director, UC San Francisco Center for Personal Assistance Services. Data from Income and Poverty Estimates from the American Community Survey (ACS) and the Annual Social and Economic Supplement to the Current Population Survey (CPS), presented in January 2013 to the California Committee on Employment of Persons with Disabilities.
- <sup>4</sup> Bureau of Labor Statistics. "Persons With A Disability: Barriers to Employment, Types of Assistance, and other Labor-Related Issues Technical Note." May 2012. <http://www.bls.gov/news.release/dissup.tn.htm>
- <sup>5</sup> Disability Statistics & Demographics Rehabilitation Research & Training Center. "2011 Annual Disability Statistics Compendium." <http://disabilitycompendium.org/docs/default-source/previous-compendium-releases/2011-compendium-release.pdf?sfvrsn=0>
- <sup>6</sup> Senator Tom Harkin. "Unfinished Business: Making Employment of People with Disabilities a National Priority." July 2012. <http://www.harkin.senate.gov/documents/pdf/500469b49b364.pdf>
- <sup>7</sup> World Institute on Disability, National Council on Independent Living, and PolicyWorks. "The CareerACCESS Program – Legislative Summary." 2013. <http://wid.org/publications/downloads/The%20CareerACCESS%20Program%20-%20Legislative%20Summary%20-%20September%2025%2C%202013.pdf>
- <sup>8</sup> Henry Claypool. "Proposals to Bolster Access to LTSS for Working Americans with Disabilities, Families of People with Disabilities and Current Beneficiaries." American Association of People with Disabilities. 2013. <http://www.aapd.com/resources/press-room/ltss-alternative-report-1.pdf>
- <sup>9</sup> National Organization on Disability. "Employment Best Practices." 2013. [http://www.nod.org/for\\_business\\_leaders/employment\\_best\\_practices/](http://www.nod.org/for_business_leaders/employment_best_practices/)

## State Independent Living Council

**VOICE:** (866) 866-SILC • (866) 866-7452 • (916) 445-0142

**TTY:** (866) SILC-TTY • (866) 745-2889 **FAX:** (916) 445-5973

1600 K Street, Suite 100, Sacramento, CA 95814

[www.calsilc.org](http://www.calsilc.org)

The California State Independent Living Council (SILC) is an independent state agency which, in cooperation with the California State Department of Rehabilitation, prepares and monitors the State Plan for Independent Living.

