



A Governor Appointed Disability Rights Leadership Organization
Pennsylvania Statewide Independent Living Council
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Pennsylvania Department of Human Services (PA DHS)
Steve Suroviec
Special Advisor to the Secretary
625 Forster Street
Health and Welfare Building
Room 330-C
Harrisburg, PA 17120

Governor Wolf: Employment First Executive Order (2016-03)

Comments from PA SILC (dated July 8, 2016)

Dear Mr. Suroviec:

On behalf of the Pennsylvania Statewide Independent Living Council (PA SILC), we are submitting comments on Governor's Wolf's Employment First Executive Order (2016-03) dated March 10, 2016 and noted in the Pennsylvania Bulletin on April 30, 2016.

Support for recent efforts:

- We think that both this Executive Order and both related bills (SB 1199 and HB 2130, which have bi-partisan support) are welcome efforts in terms of further moving forward in improving Pennsylvania's disability employment picture, particularly in starting to chart a course for PA as an 'Employment First' state.
- The most recent budget passed in FY 2016 and the budget bill (SB 1073) for FY 2017 on the Governor's desk as we speak contains stronger fiscal efforts with bipartisan support to improve disability related employment through adding state dollars to draw down matching funds for L&I OVR and also for DHS ODP.
- We support both transition efforts made during and post high school for people with disabilities. L&I OVR, DHS and PDE should continue as the lead agencies here and PennDOT could be a partner for transportation. Special Kids Network spoke on a recent PA Transportation Alliance call stating that transportation was also a barrier for individuals still in high school for accessing volunteer and employment opportunities.
- While ODP has been more engaged in supporting community employment in recent years, we are pleased that OLTL has become more engaged in these discussions in terms of both budget and further public policy discussions. Recent meetings have provided some encouragement here.
- There is language in the Governor's proposed Community Health Choices (CHC) which includes a role for state government and Managed Care Organizations (MCOs) to support community employment for individuals with physical disabilities.
- The Federal government passed the Workforce Innovation Opportunity & Innovation Act (WIOA) in mid 2014 with bi-partisan support. It provides directives to states on moving individuals with disabilities away from segregated and non-competitive employment toward community employment. We believe that PA is making strides toward compliance.
- We agree that 'Community Employment' should pay at least minimum wage.
- Since the Governor's Executive Order, we understand that PennDOT and Department of General Services (DGS) have been added to the workgroup. This makes sense since transportation is one of, if not the top barrier to disability employment. This is due to lack of accessible transportation options (i.e. vans, taxis, TNCs and Amtrak / other high

speed rail stations) available to cross county lines and inadequate hours of operation (not frequently available in many parts of PA during evenings, weekends and holidays). DGS oversees state properties and other resources which may help to promote disability employment opportunities.

Where we would like to see changes:

- It's often assumed that persons with physical disabilities automatically have knowledge of L&I OVR services. We have found that this is not necessarily the case. Individuals who acquire a disability are initially just looking services to live in the community as they start rehabilitation and are learning to live independently again before seeking to become educated or employed. Citizens who are new to Pennsylvania may not be aware of the available employment supports. More outreach and education are needed for these populations.
- The Office of Administration (OA) needs to be included under the final version of Employment First since many individuals acquire state employment through OA.
- PA DHS OLTL should pursue federal matching funds through CMS as ODP has done. We believe that this would help OLTL further promote employment as goal for individuals now receiving HCBS services and perhaps those with physical disabilities located in nursing homes or other institutions in the future (both present and future OLTL consumers).
- For some reason, while OMHSAS is under the Governor's Executive Order on Employment First, we don't hear much in terms of OMHSAS promoting employment publicly to the same degrees as ODP and now OLTL. We would like to see public engagement there. PA SILC also believes that OMHSAS should seek additional Federal drawdown from CMS or other Federal agencies for matching funds where appropriate like ODP did for employment and as recommended for OLTL.
- While PA DHS OLTL has recently announced a postponement of CHC / MLTSS for SWPA from January 1, 2017 to July 1, 2017, we believe that efforts to ramp for CHC should include clear language for supporting employment for consumers, MCOs, Supports Coordination Entities, Direct Service Providers and other stakeholders.
- The Governor's Executive Order doesn't include a target percentage. HB 2130 includes 7% as a possible starting point. We suggest stronger language with a minimum starting point of 7%, similar what the Obama Administration is pursuing for Federal

Disability Employment efforts. When deciding what percentage it should be, state government should consider that about 15-20% of our general population (estimated at over 12.8M for 2015 by US Census Bureau) has some sort of disability.

- We understand that State Civil Service Commission (SCSC) was not one of the stage agencies included under the Governor's Executive Order or added since then. It is noted in HB 2130, but more substance is needed. PA's SCSC system policies to access employment have been a challenge for individuals with disabilities. It is our understanding that not all local SCSC offices are accessible. Advocates have commented on public accommodations not being provided to individuals who seek to take tests for state employment. We have been told that SCSC determines up front whether an individual is deemed 'eligible' to take a test. This and other alleged discriminatory practices make it more difficult for individuals who may meet job requirements but ultimately aren't provided the same opportunities to seek employment. Improved collaboration between regional SCSC offices and L&I agencies (OVR, BBVS, ODHH, Career Links) to support necessary accommodations would help to address this problem through an MOU between these state agencies and agency practices.

- Not all PA Career Links are located in physically accessible locations for persons using wheelchairs or scooters. While we understand PA L&I OVR has agreed to address these issues in its' WIOA plan submitted to the Federal Government for 2016, it is nevertheless an employment barrier.

- All PA State Agency websites should be accessible, particularly those that are under the Governor's Employment First Executive Order and future related efforts.

- Other state agencies that PA SILC would like to see added as part of the group tasked under the Employment First Executive Order in addition to SCSC: PA Human Relations Commission (PHRC, since they address employment and transportation discrimination complaints), Department of Military and Veterans Affairs (DMVA-Veterans with Disabilities) and housing agencies (PHFA and DCED). Having affordable, accessible and integrated housing opportunities closer to employers would help to improve employment opportunities by bringing workers closer to jobs. DCED also oversees minority business contracts, something that should be considered as a part of Employment First public policy.

- The three largest industries and /or employer groups (outside of Walmart /retail) in Pennsylvania are tourism, agriculture and healthcare, yet little seems to be done or at least publicly showcased when discussing disability employment. Manufacturing is another area that Pennsylvania has seen come back from years of decline and where

more outreach could be done. Finally, while recent trends indicate that the energy industry has seen economic challenges, more could be done in terms of cleaner and more environmentally friendly industries (gas, electrical, wind /solar, coal, etc.).

- Regarding healthcare employment opportunities, we understand that UPMC is providing employment opportunities for people with disabilities in healthcare. The Commonwealth also partners with other healthcare entities: Geisinger Health Plan / Health System, various Highmark / Blue Cross / Blue Shield, Allegheny Health System, Thomas Jefferson Health System, Commonwealth Medical College, Susquehanna Health System, their affiliates and others. These entities could be making similar efforts to employ people with disabilities if approached by the State through partnerships and contract agreements as part of greater diversity efforts. These organizations receive Medicaid and other state funding for health related programs. Part of this could be done through minority business contracting practices as PA DCED does currently.

- One other underutilized resource in Pennsylvania that we have an abundance of is educational institutions. While we tend hear about strong efforts by Penn State University, University of Pittsburgh, Edinboro University and a few others on disability employment and related degrees (main campuses), most other schools aren't noted as partners with L&I and others in promoting disability employment. If they are, not much is known. Most colleges and universities have student advisories for individuals with disabilities. Nearly all schools receive some state funding through appropriations or subsidized student loan payments. More engagement and perhaps greater communication on current efforts would help here. PA SILC also believes that community colleges and trade schools are underutilized resources in supporting disability employment for job opportunities although some members of the disability community receive education there.

- Increased partnerships with local and statewide business organizations should be pursued through greater collaborations with Chambers of Commerce, National Federation of Independent Business (NFIB) and other business membership organizations.

- Greater efforts need to be made to engage Workforce Investment Boards (WIBs). All WIBs in PA should have at least one person with a disability or disability organization currently active in community employment that employs people with disabilities. WIBs should be charged to be part of participating in facilitating efforts to help PA reach the 7% employment goal or a greater percentage decided for Employment First.

- Increased efforts need to be made to reach individuals with disabilities in more rural areas with limited internet access (including the Amish) and areas with growing diversity (particularly increasing Hispanic and Asian populations in Central and Eastern PA).

Thank you for your time.

Sincerely,

Matthew Seeley

Matthew Seeley, Esquire

Executive Director, PA SILC

Cc: Senator Bob Mensch

Senator Tartaglione

Senator Lisa Baker

Representative Bryan Cutler

Representative Mauree Gingrich

Representative John Galloway