This is the second article in a series dealing with possible changes in services and supports to individuals with an intellectual or developmental disability.

**A Long History of Sheltered Employment**

Sheltered workshops have been around for a long time. They were first established in France in the 16th century and during the 18th century their presence progressively expanded across Europe and in other parts of the world. Initially they were developed by charities or religious organizations and designed to be an adjunct to residential facilities for persons with mental and physical disabilities.

In the United States the decades after World War II were characterized by the highest increase of sheltered workshops and the expansion of services for adults with intellectual and developmental disabilities in our history. Between 1948 and 1976, the number of sheltered workshops in the U.S. increased from 85 to almost 3,000. In 2007, an estimated 136,000 adults with disabilities attended sheltered workshops in 42 states. Over 40 years ago the grassroots efforts of parents and guardians brought the idea and reality of sheltered workshops to Missouri mainly through the 1969 SB 40 legislation that enabled counties to pass a tax levy to support sheltered workshops and residential services. Today, 92 workshops employ about 7,500 persons across the state.

Missouri’s sheltered workshops depend heavily on contracted work and the revenue from that work to maintain operations. On average, a workshop’s contract revenue accounts for 70-80 percent of workshop revenue, with government assistance from counties and the state at 10-24 percent and the rest from additional grants. Jackson County’s workshops receive almost 28% of their revenue on average from eitas, while also receiving funds through the Department of Education Special Education to supplement their contract work.

**Recent Controversy over Sheltered Workshops**

In recent years a debate has developed around whether sheltered workshops should be replaced by employment in the community. With the successful movement of people from institutions to the community, (data shows they improve and thrive in a non-segregated environment), people began questioning the need for segregated employment. Some states and funding agencies have fully
Recent Controversy over Sheltered Workshops continued:

embraced this movement. In 2007 the state of Vermont discontinued providing sheltered workshop services replacing them with integrated employment services where possible. Early in the 2000’s the state of Washington established an “Employment First” policy that requires persons with developmental disabilities to first try employment in typical jobs in the community before considering sheltered employment. In the last couple of years, the United States Department of Justice has begun pursuing legal cases against states that offer no employment alternatives to persons with disabilities other than sheltered workshops, citing discrimination under the ADA and Olmstead ruling for being segregated, paying sub-minimum wages and not allowing individuals choice in their employment. The DOJ recently reached a settlement with the state of Rhode Island to close the front door to workshops and forced the state to fund alternative types of employment. This was heralded as a landmark case that will spill over into other states that have sheltered employment. It is only a matter of time until they start looking at Missouri’s system.

Why have workshops been seen as successful?

Many parents, guardians, and employees themselves say that the advantages of sheltered workshops include that they are safer alternatives to outside employment, they are less demanding for people with disabilities in terms of work and social skills, they provide greater opportunities for fostering friendships, they ensure structure during the weekdays, and they ensure assistance for life without affecting disability benefits. Safety has also been cited as a positive for workshops as many parents and guardians are concerned about the vulnerability of their loved ones in an integrated setting in the community.

Another reason reported in favor of sheltered workshops is that they offer consistent assistance throughout the week and for virtually the entire adult life span. Sheltered workshops typically are open five days a week throughout the year. When there is no contract work available, persons often engage in non-paid activities and training to improve their skills. In addition, although waiting lists may delay placements, once individuals are accepted in sheltered workshops they are unlikely to ever lose their positions. Also cited is that placing individuals in sheltered workshops is much easier than finding them jobs in the open labor market because placement is all but guaranteed where community employment is not.

Why are there concerns about Sheltered Workshops?

The main concerns about sheltered workshops revolve around issues of sub-minimum wages, limited transition into open employment, segregation from the community, and lack of self-determination.

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Why are there concerns about sheltered workshops continued:

Although sheltered workshops engage in production and operate as businesses, workers with disabilities in sheltered workshops do not get the same level of benefits available to workers in the open market. Salaries are low and other benefits such as vacation, sick leave and health insurance are not always offered. For instance, a survey involving 5,000 adults with disabilities in sheltered workshops in 24 states found that, on average, adults with disabilities in sheltered workshops earned $1.36 an hour. Lower wages are possible because typically sheltered workshops can apply for exemption from wage and hour regulations. Such exemptions have come under attack recently as taking advantage of many workers who are more than capable of having minimum wage jobs in the community. Recently there have been some news articles about sheltered work where employees with IDD have been taken advantage of and even abused.

A second concern about sheltered workshops is their lack of success in assisting adults with disabilities to transition into typical community employment. The transition rate from sheltered workshops to the open labor market is very low and may range from under one percent to about five percent. A possible reason for the low transition rate is that work in sheltered workshops is not challenging and, therefore, people with disabilities do not acquire the skills needed to be successful in other types of employment. In addition, adults with disabilities, especially people with intellectual disabilities, may have difficulties transferring skills across different work environments. As a result, some types of training that take place in sheltered workshops can have little meaning for outside employment.

Finally, some raise concerns about the lack of self-determination to which adults with disabilities in sheltered workshops are subjected. They are not given a choice in the type of work they do, or in even pursuing a job in the community. A 1985 study involving adults with disabilities in a sheltered workshop revealed that about a third of participants wanted to work outside the sheltered workshop. Moreover, most of the respondents had very little or no exposure to outside employment to make an informed decision.

The increase in dissatisfaction with sheltered work can also be connected to the changing times and supports available. We have progressed in treatment modalities, medications, and inclusion approaches over the past few years that enable people with developmental disabilities to be more successful in an integrated environment. Add to that our educational systems that have mainstreamed students with disabilities and treated them as typical children, you have a generation of young people transitioning to an adult world that have not known segregation as some of our older adults have. Expectations for employment and socialization have changed. In the past sheltered workshops were the only opportunity many individuals had for work. Now there can be many supports and opportunities to choose from. So how do we respond?
Recent Controversy over Sheltered Workshops continued:

Eitas believes that we should be proactive in addressing the changes that are occurring nationally and even within Jackson County. Just in the past two years three workshops in Jackson County have either downsized or closed their doors completely. Reasons cited were that contract work was not available; losses from the workshop operation could no longer be covered; and increasing outside pressure to stop paying sub-minimum wages.

On July 22, 2014, President Obama signed the Workforce Innovation and Opportunity Act passed by both the House and Senate. This bill reauthorizes many workforce programs previously part of the Workforce Investment Act, including vocational rehabilitation. Specifically, the act prohibits individuals age 24 and younger from working jobs that pay less than the federal minimum of $7.25 per hour unless they first try vocational rehabilitation services, among other requirements.

What’s more, the legislation would require state vocational rehabilitation agencies to work with schools to provide “pre-employment transition services” to all student with disabilities. And, such agencies must allocate a minimum of 15 percent of their federal funding to help individuals with disabilities in transition under the measure.

While the bill mandates that most young people try competitive employment before they could work for less than minimum wage, there are exceptions for those deemed ineligible for vocational rehabilitation and to allow individuals already earning so-called sub-minimum wage to continue to do so.

From the lawsuits brought by the U.S. Department of Justice, demands from younger parents and self-advocates, to the new Workforce Innovation and Opportunity Act—there is a clear message being sent that sheltered employment has to change. There may be allowances for some middle ground where sheltered workshops can continue to support current persons working there, but be gradually reduced in size over an extended period of time. The key to working in this new environment is to be proactive in how we approach employment for persons with intellectual and developmental disabilities. What new programs, education, and training can we develop to satisfy the laws and regulations, but foremost meet the needs of the individuals? How can we give people choice in their work and supports for those choices? Hopefully workshops locally and across the country are looking at changes they may need to make in the near future.

This is the second in a series of articles dealing with changes to the developmental disability service system, nationally and within Missouri. Our next article is:

Focus on the Future, Part 3—Unmet Needs

References: The International Encyclopedia of Rehabilitation; the Missouri Association of Workshop Managers; Workforce Innovation and Opportunity Act: https://beta.congress.gov/113/bills/hr803/BILLS-113hr803eas.xml

Jackson County Economic Authority

Jake Jacobs, Executive Director for eitas was appointed by Mike Sanders, Jackson County Executive to the Jackson County Economic Authority for a term to expire in 2017.

The Economic Development Authority acts as a liaison between the County, the community, and industry for the advancement of economic development in Jackson County.
New Support Coordinators

Bernadette Richardson  |  Desirae Peel  |  Katie Gentile

Laura Stadler  |  Alicia Harvey  |  Sarah Vallandingham

Stephanie Ross  |  Lindsey Blew

Eight shining stars to help us reach our goals and complete our mission.
Utilization Review (UR)

Eitas now has a process which is more efficient and effective in getting services for the people we support.

To further enhance this process, Eitas hired Tiffany Tryon from the Kansas City Regional Office as their first Utilization Review Coordinator. Tiffany has several years of experience in the field and was instrumental in redesigning the UR process at KCRO.

The purpose of the UR process is to:

- Ensure quality of services are fair and consistent
- Ensure that the plan reflects the individual’s needs
- Ensure levels of service are defined and documented with outcome of the plan
- Ensure plans meet all local, state and federal requirements
- Ensure accountability of public funds

October is National Disability Employment Awareness Month

Held each October, National Disability Employment Awareness Month (NDEAM) is a national campaign that raises awareness about disability employment issues and celebrates the many and varied contributions of America’s workers with disabilities. The theme for 2014 is “Expect. Employ. Empower.”

NDEAM’s roots go back to 1945, when Congress enacted a law declaring the first week in October each year “National Employ the Physically Handicapped Week.” In 1962, the word “physically” was removed to acknowledge the employment needs and contributions of individuals with all types of disabilities. In 1988, Congress expanded the week to a month and changes the name to “National Disability Employment Awareness Month.” Upon its establishment in 2001, ODEP assumed responsibility for NDEAM and has worked to expand its reach and scope every since.

Employers and employees in all industries can learn more about how to participate in National Disability Employment Awareness Month and ways they can promote its messages—during October and throughout the year—by visiting the ODEP website at www.dol.gov/odep/.

EXPECT. EMPLOY. EMPOWER.

What can YOU do?

NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH

www.dol.gov/odep