

Testimony to Joint Legislative Public Hearings
2014-2015 Executive Budget Proposal
On Workforce Development

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My comments relate to the urgent situation that currently exists to address the employment needs of New Yorkers with disabilities.

NYSILC conducted a Statewide Needs Assessment in 2012. Three overall gaps and barriers emerged from the findings. They have since been updated based on the Annual Disability Statistics Compendium. The employment rate for New Yorkers with disabilities (ages 18-64) was a mere 30.9%, resulting in a gap of 41.8% compared to individuals without a disability in the State.¹ The gap widened from the previous year. The poverty rate for New Yorkers with disabilities (ages 18-64) was an astounding 29.8% - more than twice that of persons in the State without a disability.² This rate slightly decreased from the previous year, but is still alarming. The median earnings for New Yorkers with disabilities (16 or older) were \$12,627 less compared to a person without a disability.³ The gap widened from the previous year.

The same statistical source identifies the disability population in New York State as 2,099,458 or 10.9%.⁴ This is a low figure because it is actually based on a sample of the American Community Survey (ACS). However, the question to be raised and answered at the end is: *what group amounting to more than 2 million individuals could face such enormous gaps and NOT have it be seen as a priority?*

Such a pervasive set of interconnected needs call for a comprehensive approach to impact these trends. NYSILC wrote a letter to Governor Cuomo in November 2013 calling upon him to develop an initiative like the National Governor's Association's (NGA's) "Better Bottom Line" to improve upon the employability (and related gaps) of New Yorkers with disabilities. The plan should have an over-arching goal of reducing the employment gap for New Yorkers with disabilities by 10-15% over a specified period of time utilizing a program of targeted strategies. Tangible goals must be set in a wide variety of areas in order to achieve the desired impact. Some of the recommended strategies include:

- *Development of a "cross-disability" Employment First policy* to coordinate State workforce and economic development efforts. The policy can be all encompassing and be the driving force behind the initiative. Two basic themes would include integrated, competitive employment and providing opportunities for New Yorkers with disabilities to allow them to achieve economic self-sufficiency.
- *The State as a model employer of people with disabilities.* Update and effectively promote the State 55-b program, aggressively looking to fill positions with qualified people with disabilities. Provide the same additional credit allowed for veterans with disabilities in competitive civil service examinations with preference given for retention. Establish a fast track hiring mechanism not

¹ <http://www.disabilitycompendium.org/compendium-statistics/employment/2-1-civilians-with-disabilities-ages-18-64-years-living-in-the-community-for-the-u-s->

² <http://www.disabilitycompendium.org/compendium-statistics/poverty/4-1-poverty-civilians-with-disabilities-ages-18-64-years-living-in-the-community-for-the-u-s->

³ <http://www.disabilitycompendium.org/compendium-statistics/earnings/5-1-median-earnings-of-civilians-16-years-and-over-in-the-past-12-months-for-the-u-s->

⁴ <http://www.disabilitycompendium.org/compendium-statistics/population-and-prevalence/1-3-civilians-living-in-the-community-for-the-u-s-by-disability-status>

limited to alternative appointment process, trial work periods, provisional appointments, and fast track testing. Establish a mechanism for identifying and paying for job accommodations. Provide on-the-job work and education experiences for high school and college students through internships and job shadowing with state agencies. Establish a mechanism for collecting data, gathering feedback and making adjustments to the program. Provide leadership, establish accountability, and set and track measurable goals.

- *Better coordination of existing employment services.* This would include providing connections for New Yorkers with disabilities with workforce development programs, economic development efforts, workforce strategies, and Regional Economic Development Councils. In turn, they must coordinate and interface with the State agencies responsible for serving people with disabilities, disability workforce initiatives, Department of Labor (DOL) regional business services, and One-Stop Career Centers. Connections must then be made at the community level with provider agencies serving people with disabilities.
- *Expanded Involvement with Regional Economic Development Councils.* New Yorkers with disabilities need representation on every regional economic development council. It is the best way to ensure that disability issues will be considered and disability owned businesses have their best chance of obtaining support. Disability Owned businesses should be considered for contracting preferences and accepted strategies such as set-asides, evaluation points, required subcontracting plans, and price percentage preferences. They should also have access to affordable capital grants and loans as well as technical assistance.
- *Include disability owned businesses within the State procurement and business certification program.* Entrepreneurial business growth must be expanded for New Yorkers with disabilities. Since people with disabilities are a protected class, the opportunity should be extended in the Minority and Women Owned Business program so that "disability" can be its own designation and go through the certification process. There is precedent for this in the State of Illinois. They have a Business Enterprise Program (BEP) similar to MWBE which includes minorities, females and people with disabilities.
- *Tax Incentives.* Continue to support and promote the Workers with Disabilities Employment Tax Credit, which is a \$2,100 tax credit for businesses for each person with a disability hired. The credit equals 35% of the first \$6,000 in wages paid during the second year of employment following the Federal Work Opportunity Tax Credit (that covers year one). Eligible individuals must have a written plan through a State vocational rehabilitation agency. In addition, a small business tax credit should be provided for those who hire and retain New Yorkers with disabilities. Small businesses are defined as 100 employees or less. The tax credit is provided when a small business hires a full-time employee with a disability (35 hours per week) for twelve months. Small businesses that qualify will receive a \$5,000 tax credit per person with a disability hired - not to exceed a maximum credit of \$25,000.
- *Focus attention toward youth and young adults with disabilities.* Challenge the State University of New York (SUNY) to follow the State government's lead and develop strategies, establish activities, and set goals to increase the hiring of faculty and staff with disabilities into positions within the university system. Develop and support a fast track hiring system. Develop partnerships to create internship opportunities for state college students with disabilities in State agencies, and create a stronger recruitment network between graduating state college students with disabilities with employment opportunities in State government. In addition State government must address benefit to work issues. Support best practices learned from the recently awarded Promoting the Readiness of Minors in Supplemental Security Income (PROMISE) grant in New York which is designed to address approximately 2,000 New York youth ages 14-16 who receive SSI to prepare them to transition from benefits. Also, support the Adult Coaching, Counseling and Employment Support Services (ACCESS) project being formulated for young adults 18 to 30 to achieve independence through employment. As young adults with disabilities jointly receive benefits during their transition to work, costs are being offset by paying taxes and having a greater contribution to the economy.

- *Support the State's plans to close sheltered workshops and transition work opportunities for our peers to integrated, competitive employment.* The Office for Persons with Developmental Disabilities (OPWDD) draft Plan to Increase Competitive Employment for People with Developmental Disabilities describes specific strategies to increase the number of individuals with developmental disabilities engaged in competitive employment, increase the number of students that transition from high school to competitive employment, and transition current workshop participants to competitive employment (or other meaningful community activities). We encourage these efforts and look forward to similar plans from other State agencies.

Can you imagine the economic impact to the State if these strategies were pursued in a comprehensive way and the employment rate of New Yorkers with disabilities improved by 10%? It would also dramatically enhance an individual's quality of life, productivity, and economic self-sufficiency.

So, how can these needs continue to exist year after year without the gaps being addressed as a priority? People with disabilities are not being recognized as having political capital, or being involved in significant ways in the process. New Yorkers with disabilities need to get involved and engaged. The council believes it is time to create a statewide social marketing campaign to promote leadership development and civic engagement for people with disabilities to help raise awareness, increase visibility, and build community. Peers must be encouraged to register to vote and increase voter turnout, serve as poll workers, volunteer for candidates during election campaigns, run for public office, become a part of Community Emergency Response Teams (CERT) and assist during emergencies, be appointed to policy setting boards and other leadership roles, and be encouraged and connected to pursue disability owned business certification programs.

I look upon the State to do what it can to address these persistent gaps and barriers for New Yorkers with disabilities within the realm of workforce development.

