



NEW YORK STATE SENATOR

Catharine Young

## Senator Young Introduces Legislation Protecting Employment Opportunities for People with Developmental Disabilities

CATHARINE YOUNG March 18, 2015

| ISSUE: **DEVELOPMENTAL DISABILITIES, JOBS & EMPLOYMENT**

| COMMITTEE: **LEGISLATIVE COMMISSION ON RURAL RESOURCES**

ALBANY – Senator Catharine Young (R,C,I-Olean), Chair of the Legislative Commission on Rural Resources, is fighting to save sheltered workshops as an employment choice for people with disabilities.

Senator Young, who has introduced Senate Bill 3893-A, says the issue is personal to her.

“For 15 years before I was elected to state office, I worked at the ReHAbilitation Center in Cattaraugus County where I saw people with disabilities thrive at the agency’s workshop, SubCon Industries. They had a deep sense of pride and self worth from working, and they loved earning a paycheck,” said Senator Young.

“Many of these individuals are unable to sustain a job in competitive employment in the community because of the nature of their disabilities. If they don’t have sheltered employment, they will be forced to sit at home with nothing to do. It’s a huge hardship for themselves and their families. They will be isolated, non-productive, and lose out on the social aspect of going to work,” she said.

“The people who work at SubCon and other sheltered workshops in my district are my friends. When I feel like I need a boost, I drop in to see them. They inspire me because of what they are able to accomplish in spite of their disabilities. Many of them have expressed their fear and grief of losing their job at the sheltered workshop. They deserve to be able to keep working,” said Senator Young.

According to a recent report to the Legislature from the Office for People With Developmental Disabilities (OPWDD), New York State plans to discontinue funding for nonintegrated settings, including sheltered workshops that employ individuals with developmental disabilities, over the next six years. Senate Bill 3893-A, called the Employment First Choice Act, would reverse the devastating effects of this decision and ensure that people with developmental disabilities who currently work in a sheltered workshop will have the choice to remain there.

Not only do sheltered workshops provide income, but they also function as an important stepping-stone toward greater independence for many individuals with developmental disabilities. They provide participants with opportunities to socialize, a way to improve and maintain their functional and vocational skills, and a pathway to achieve their personal goals and support their interests.

Sheltered workshops are a critical component within a broad spectrum of employment options for individuals with developmental disabilities, providing them with meaningful work and valuable experiences.

“This bill supports a full range of employment choice. It stresses the right of a person to choose what they want, because people with disabilities already have enough challenges, and their choice of employment is important to them. People with disabilities do not need any additional challenges,” said Mr. Chris Peterson, Executive Director of The Arc of Livingston-

Wyoming.

“These past two years, individuals with severe disabilities and their families have been left in a state of utter confusion and dismay as an already fragile, although reliable system of work, paid employment, and person-centered supports that evolved over some five decades has been attacked and eviscerated, creating devastating unintended consequences in the real lives of thousands of individuals and families,” said Mr. Paul Cesana, Executive Director of The Resource Center.

The decision to close sheltered workshops is contrary to the clear wording of the U.S. Supreme Court decision in *Olmstead v. L.C.*, which says that states are required to place individuals with developmental disabilities in community settings rather than in institutions when, among other conditions, “the transfer from institutional care to a less restrictive setting is not opposed by the affected individual...”

“Senator Young's introduction of the Employment First Choice Act is a breath of fresh air that challenges the Administration to truly adhere to the full intent of the *Olmstead* Decision, ensuring that individuals' informed choices and options are in fact preserved and continue to be made available. At the same time, newly improved, and hopefully 'real' and 'tangible' options, will evolve over time to expand opportunities for more integrated and economically advantageous employment options for every individual with a severe disability,” said Mr. Cesana.

“The proposed legislation preserves the right of people with developmental disabilities to choose where they work. This is a timely action as unemployment rates for people with disabilities consistently remains between 70 and 80 percent, and New York State has adopted policies which will impact that choice for 8,000 individuals employed at community work centers across New York State,” said Ms. Mari Howard, President and Chief Executive Officer

of The ReHAbilitation Center.

Access to sheltered workshops is especially important in rural areas. Employment opportunities in these areas can be more difficult to find, simply due to lower numbers of competitive employment opportunities and the geographic challenges inherent to rural areas.

“We at Allegany Arc are deeply concerned about the inconsistencies between the Executive Branch’s plans for increased competitive employment for people with intellectual and other developmental disabilities and the closing of sheltered workshops. The numbers just don’t add up. The plan has significant gaps that would be even more serious for rural counties such as ours. Allegany Arc is grateful that Senator Young has once again stepped up to propose a common sense solution that is consistent with the law and protects many of our most vulnerable citizens,” said Mr. Michael Damiano, Chief Executive Officer of Allegany Arc.

Furthermore, OPWDD estimates that only half of the total number of those currently working in sheltered workshops will successfully transition to an integrated work setting when nonintegrated settings are discontinued. With approximately 8,000 individuals currently working in sheltered workshops, these closures will eliminate any employment opportunities for roughly 4,000 people with developmental disabilities.

For the thousands of participants who choose not to, or will be unable to, transition to competitive, integrated employment, their only other options will be day habilitation, if it is available to them, or to stay at home. Those transitioning to integrated workplaces will face the additional challenges associated with finding a new job.

“We applaud Senator Young for proposing the Employment First Choice Act. We believe it is fully consistent with the Governor’s Transformational agenda, which we strongly support. It

makes it clear that people with developmental disabilities should be able to choose those services that they believe best suit their needs. We believe that respect of an individual depends on respecting the choices they make. We look forward to working with the Legislature and the Administration on this issue,” said Mr. Steven Kroll, Executive Director of NYSARC, Inc., the nation’s largest nonprofit provider of services to people with developmental disabilities.

“Senator Young has consistently championed the issues faced by people with disabilities and their families. Once again, her insight and compassion regarding what is important to New Yorkers with disabilities has resulted in legislation that will assure that people with disabilities can choose where they work, just as people that do not have disabilities are able to,” said Ms. Howard.

“Every person with developmental disabilities deserves the opportunity to live a full and meaningful life – a chance to fulfill their dreams. Career choices are a cornerstone of such a life. Instead of eliminating existing job opportunities, we need to strengthen the current system and open up new career opportunities. By protecting jobs in sheltered workshops, this bill serves as another important step in that process,” said Senator Young.