

# Governor Cuomo Signs Executive Order Establishing Commission to Create Employment First Policy for New York

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Albany, NY (September 17, 2014)

Governor Andrew M. Cuomo today signed an executive order to establish the Employment First Commission, tasked with creating an Employment First policy for New York, which makes competitive, integrated employment the first option when considering supports and services for people with disabilities. The initiative aims to increase the employment rate, and decrease the poverty rate, for New Yorkers who are receiving services from the State, as well as register 100 businesses as having formal policies to hire people with disabilities as part of their workforce strategy.

“Equality and inclusiveness play a central role in the history of New York State, and today we are continuing that legacy by standing up for the employment needs of people with disabilities,” Governor Cuomo said. “This Executive Order relays what we stand for as New Yorkers—it will help provide fair opportunities to all people, and I am proud to move our state forward by signing it.”

The Employment First policy is part of a national movement to support the employment of people with disabilities. The employment rate for a New Yorker with a disability (aged 18-64) is 31.2% compared to 72% for a person without a disability, resulting in a gap of 40.8 percentage points. In addition, the poverty rate for New Yorkers with disabilities aged 18-64 living in the community is 28.6%, which is more than twice that of people in New York State without disabilities (12.3%). The Governor has set a tentative goal of a 5% increase in the employment rate and a 5% decrease in the poverty rate among this population.

The Executive Order can be viewed [HERE](#) [2].

According to a Cornell University study, “A Review of Recent Evaluation Efforts Associated with Programs and Policies Designed to Promote the Employment of Adults with Disabilities,” the low employment rates among people with disabilities have negative economic effects on the individual, their family, and the macroeconomy. A person’s self-esteem may be lowered, the pool of qualified talent available to employers is reduced, tax revenue is lessened, and society loses aggregate productivity. The study notes that government policies aimed at increasing the employment of working-age people with disabilities can reverse each of these effects.

New York State Independent Living Center Executive Director Brad Williams said, “We applaud Governor Cuomo for taking leadership on an issue vital to New Yorkers with disabilities. An Employment First Executive Order will provide a structure to reduce the employment gap for our peers.”

New York Association of Psychiatric Rehabilitation Services Executive Director Harvey Rosenthal said, “Employment for New Yorkers with disabilities is the pathway out of poverty and towards fulfilling lives in the community. Once again, Governor Cuomo is leading the way on disability policy in New York State and across the nation.”

Coalition of Mainstream Employment Programs President Edmund O'Donnell said, "Making employment for individuals with disabilities a priority for New York State is a crucial first step in improving their lives. Unemployment and accompanying poverty are the millstones holding back lives of independence and dignity. Employers need to be the focus. They are the keys success. The Governor should be commended for his support and advocacy."

New York State Rehabilitation Association President and CEO Michael Seereiter said, "As NYSRA's recently issued white paper entitled "Getting the Job Done" outlines a series of actions state government can undertake to increase employment opportunities for people with disabilities, we applaud the Governor for exercising this type of executive leadership, unprecedented in recent history. The Employment First Commission outlined by the Governor is an excellent step toward improving the deplorable employment rate among people with disabilities that has existed for decades."

Self-Advocacy Association of New York State Director of Policy and self-advocate leader Clint Perrin said, "Members of the Self-Advocacy Association of New York State support the Governor's Employment First initiative. We believe every New Yorker with a developmental disability has the right to work with the supports they need to be successful at a job in their community. We believe people should also be supported to engage in activities of their choice, including inclusive volunteering and community service, educational and vocational pursuits, and other meaningful opportunities that lead to connections with members of their community."

NYS Council for Community Behavioral Healthcare Executive Director Lauri Cole said, "The New York State Council for Community Behavioral Healthcare applauds the Governor on taking this important step. All New Yorkers deserve the opportunity to engage in meaningful employment that enhances their sense of self-worth and dignity while also making valuable contributions to their local community. We stand with the Governor and all system stakeholders dedicated to improving work opportunities for New Yorkers living with physical or behavioral health conditions and we look forward to working with the Administration on this important endeavor."

New York Association on Independent Living Executive Director Lindsay Miller said, "The New York Association on Independent Living strongly supports Governor Cuomo's Employment First initiative. Access to quality and integrated employment is fundamental to achieving independence for all individuals. This Executive Order is a significant step towards addressing the longstanding barriers to employment faced by New Yorkers with disabilities."

New York Association of Training and Employment Professionals Executive Director Melinda Mack said, "We applaud Governor Cuomo for taking this important step toward providing New Yorkers with disabilities access not only to employment, but economic security. Employment is a critical factor in the health, wellness and stability of our local communities. The workforce boards and providers across the State are committed to supporting all New Yorkers, including those with disabilities, through the State's workforce system, and working with the State's employers to hire."

Independent Living Center of the Hudson Valley, Inc. Executive Director Denise Figueroa said, "We are grateful to Governor Cuomo for his leadership in creating opportunities for economic self-sufficiency for New Yorkers with disabilities. People with disabilities have the highest unemployment rate among protected classes. Employment is the key to economic freedom."

Developmental Disabilities Alliance of Western New York of People, Inc. President and COO Rhonda Frederick said, "Regularly, we hear from our business community in Western New York that individuals with developmental disabilities are some of their best employees – they're dedicated and hard working. But unfortunately, there aren't enough job opportunities for them. As his efforts continue

to improve the economy in Western New York and New York State, Governor Cuomo again is on the right track in creating this commission so that more individuals with developmental disabilities will have greater employment opportunities. But more importantly, businesses in our community and across the state will see that they're an asset to their workforce and our economy."

The Employment First Commission is comprised of representatives from the Governor's office and State agencies and will build on Governor Cuomo's comprehensive plan for reclaiming New York's leadership role in serving people with disabilities. Since 2011, fundamental changes have been implemented to help people with disabilities live more integrated and fulfilling lives, which include the State's Olmstead Plan that prioritizes competitive integrated employment as a foundational component to community integration, the State's Medicaid redesign efforts that focus on employment outcomes for people with disabilities, the creation of the Justice Center for the Protection of People with Special Needs, and the New York's Service-Disabled Veteran-Owned Business Act, signed into law earlier this year. In addition, the State established the Governor's Program to Hire Individuals and Veterans with Disabilities, an alternative hiring program for individuals with disabilities, which includes a new Recruitment Resources Center web portal that launched this year.

Governor Cuomo's action today will strengthen New York State's Disability Employment Initiative, which is currently in place to improve educational, training, and employment opportunities and outcomes for adults with disabilities who are unemployed, underemployed, and/or receiving Social Security disability benefits. The Initiative coordinates among individuals, employers, and the community using asset development programs implemented at State and local levels, in part to serve as Employment Networks under the Social Security Administration's Ticket to Work Program. The Disability Employment Initiative is jointly funded and administered by the United States Department of Labor's Employment and Training Administration and the Office of Disability Employment Policy.

This Executive Order also builds on the work that New York State has engaged in for nearly three decades through the Office for People With Developmental Disabilities. Today, nearly 10,000 individuals are enrolled in supported employment and 7,800 are engaged in competitive employment.

Employment services currently offered by Office for People With Developmental Disabilities include:

- Supported Employment, which involves the ongoing provision of job-related supports for people with significant disabilities to maintain their competitive employment in community settings.
- Pathway to Employment, which is a new service designed to assist individuals in developing pre-employment skills, engage in integrated community vocational experiences, and develop a vocational and career plan.
- Employment Training Program, which provides opportunities for people with developmental disabilities to learn skills through an on-the-job work experience and develop job-readiness skills in a classroom setting.
- Self-directed Service Options, which empower people with disabilities and their families to design and manage their services and hire their own staff based on the person's individualized goals and abilities.
- Employment and Benefits Counseling, which promotes the understanding of New York State's network of certified benefits counselors who are trained to give personalized planning and detailed technical assistance on benefits and work incentives.

The Office for People With Developmental Disabilities' Transformation Agenda outlines strategies to increase competitive and integrated employment opportunities, and sets targets to transform sheltered workshops to models of integrated employment. The Office of Mental Health has reinvested funds from community-based sheltered workshops into vocational services and supports while

partnering with local government and community agencies to help individuals attain and sustain employment in competitive, integrated settings.

The Office of Mental Health has expanded the Social Security Ticket to Work program and simplified the process for providers and recipients to participate in this program. The program is now the largest and most successful of its kind in the United States, providing access for people with disabilities to the mainstream employment supports available to all New Yorkers, and coordinating these supports so New Yorkers with disabilities have the opportunity to work, pay taxes, and achieve economic self-sufficiency.

Additionally, the Office of Mental Health has:

- Increased training for mental health providers, recipients and families on a variety of social security work incentives.
- Partnered with the New York State Department of Labor to provide service recipients better access to job supports and training programs.
- Partnered with Cornell University to obtain a PROMISE grant that targets employment services toward youth with disabilities and their families.

The Department of Labor has committed to coordinating and better aligning workforce strategies within different State agencies to strengthen vocational rehabilitation and employment programs.

New York State currently applies strict policies regarding discrimination against people with disabilities. The New York State Department of Labor Policy Statement on Discrimination against People with Disabilities is available [HERE](#) [3].

New York has established the Workers with Developmental Disabilities Tax Credit, a tax credit that can result in up to \$5,000, or 15 percent of qualified wages, for full-time employees of more than six months, and up to \$2500, or 10 percent of qualified wages, for individuals employed part-time for more than six months. There is no limit the number of hires one company can make, and the employer ultimately decides who to hire. More information about the Workers with Developmental Disabilities Tax Credit is available [HERE](#) [4].

Since 1990, the Americans with Disabilities Act has protected people with disabilities from discrimination in employment. In 2008, Congress passed the Americans with Disabilities Act Amendment Act to broaden the definition of "disability" that had been narrowed by Supreme Court decisions. More information about the Americans with Disabilities Act and Americans with Disabilities Act Amendment Act is available [HERE](#) [5].

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