



OPWDD Employment Transformation Questions and Answers June 10, 2013

OPWDD Employment Definitions

1. How is competitive employment being defined?

There are two criteria for competitive employment. Employment must be in an integrated setting and the worker employed must earn at least minimum wage.

2. How is an integrated employment setting being defined?

Work settings where workers with developmental disabilities have opportunities to interact with, and work alongside, co-workers who do not have disabilities are considered integrated. If supervisors, job coaches and other staff are the only people without disabilities that workers interact with, then the setting does not meet the definition of integrated.

3. How are mobile work crews and enclaves being defined?

Mobile work crews and enclaves are employment placements for groups of two to eight workers with disabilities. The employment placement is with a business located in an integrated employment setting. Mobile work crews work in various community locations while workers in enclaves are located at one specific business.

4. How is segregated employment being defined?

Segregated employment is a work setting where workers with developmental disabilities and/or mental illness only interact with, and work alongside, other workers with developmental disabilities and/or mental illness.

5. How are sheltered workshops being defined?

Sheltered workshops are typically facility-based employment settings that exclusively or predominately employ workers with mental illness and/or developmental disabilities. The work setting is usually segregated with no opportunities for workers with mental illness and/or developmental disabilities to interact with, or work alongside, people who do not have disabilities.

6. How are prevocational services being defined?

Prevocational services prepare a person with a developmental disability for the generic work environment. They include services that provide learning and work experiences, including volunteering, where a person with developmental disabilities can develop general, non-job-task-specific strengths and skills that contribute to their employability in paid employment in an integrated community setting. These services assist individuals who are interested in working but whose skills are such that they would need a year or more of prevocational services before they could successfully obtain and maintain competitive employment.

OPWDD Employment Goals

- 1. What are the October 1, 2013 and April 1, 2014 goals related to the number of individuals with developmental disabilities receiving supported employment services who are competitively employed?**



By April 1, 2014 OPWDD will increase the number of new people with developmental disabilities competitively employed by 700. By October 1, 2013 OPWDD will have 250 new people employed.

2. Will OPWDD continue to fund group employment placements (enclaves and mobile work crews)?

Yes, funding will continue for small group employment; however, group employment placements cannot exceed eight people and the employment placement must be in an integrated setting.

3. Does OPWDD expect individuals receiving day habilitation services to transition to employment?

Some of the individuals currently receiving day habilitation services can and want to be competitively employed. OPWDD is seeking to expand the number of choices that people with developmental disabilities have to be actively engaged in their community. This includes increasing opportunities for people with developmental disabilities to work in integrated settings, volunteer, or engage in other community activities.

Workshop and Prevocational Services

1. What are OPWDD's plans related to sheltered workshops?

As part of an agreement with the federal Centers for Medicare & Medicaid Services (CMS), OPWDD has agreed to end new admissions to workshops effective July 1, 2013. OPWDD will also create a draft work plan and timeline related to the elimination of all funding for segregated employment settings. With input from families, individuals with developmental disabilities, and providers, the work plan and timeline will be finalized by January 1, 2014.

2. What is the significance of the October 1, 2013 date as it relates to "sheltered workshops?"

With input from stakeholders, OPWDD will submit a draft work plan and timeline to CMS on October 1, 2013 related to the elimination of funding for segregated workshop services.

3. When will workshops close?

At this time, OPWDD does not have a date for the elimination of funding for existing segregated employment settings. With input from stakeholders, OPWDD will develop a timeline and work plan, which will be submitted to CMS on October 1, 2013 for approval.

4. Is it OPWDD's intent for all sheltered workshops to close?

It is OPWDD's intent to fund employment that is consistent with the US Supreme Court Olmstead Decision; therefore, OPWDD's priority is to transition employment funding from segregated settings to integrated settings. Workshops that shift from segregated to integrated business models will be consistent with OPWDD's funding priorities. Examples of integrated business models include, but are not limited to, affirmative businesses and social enterprises.

5. If workshops change from segregated to integrated business models, will they still be able to pay subminimum wage?

As long as a provider has a 14c certificate from the Department of Labor, they will be able to pay subminimum wage. However, jobs that pay subminimum wage would not count toward OPWDD's April 1, 2014 employment goal.



- 6. What will happen to government contracts that require providers to have a percentage of workers with disabilities?**
OPWDD expects providers with contracts that require a percentage of workers to have disabilities to meet the requirements of those contracts while also transitioning to more integrated business models.
- 7. What does it mean to end funding for new admissions to settings that meet the definition of segregated employment settings?**
Effective July 1, 2013 funding from OPWDD will no longer be available to enroll new people in segregated employment settings. This includes prevocational services delivered in a sheltered workshop.
- 8. How will this impact prevocational services?**
Funding will only be available for new enrollment into prevocational services that are provided in integrated community settings.
- 9. Does OPWDD expect all work centers (sheltered workshops) to close?**
The expectation is to increase opportunities for people with developmental disabilities to work in integrated employment settings. OPWDD believes that it is possible for a provider agency to maintain their employment contracts and transition to an integrated business model.
- 10. Will funding be available to support workshops that are interested in changing their business model in ways that meet the definition of competitive employment?**
OPWDD is very interested in working with provider agencies that are willing to transition from segregated business models to models that create opportunities for people with developmental disabilities to work in integrated settings.
- 11. If segregated employment settings are no longer an option for new people receiving OPWDD services, what types of services will be available to students transitioning from high school?**
There are several OPWDD services that are available to people with developmental disabilities who are interested in employment or other community inclusion activities including: prevocational services, supported employment, community habilitation, and self directed services. All of these services can assist a person to be an active participant in their community.

Pathway to Employment

- 1. What is the “Pathway to Employment Service?”**
Pathway to Employment is a person-centered, comprehensive employment planning and support service designed to assist participants in achieving competitive employment or self-employment. It is a focused, time limited service that engages a participant in identifying a career direction, provides instruction and training in pre-employment skills, and develops a plan for achieving competitive, integrated employment at or above minimum wage. Within 12 months, or sooner, the outcome of this service is documentation of the participant’s stated career objective and a detailed career plan used to guide individual employment supports.
- 2. What type of services will be included as part of Pathway to Employment?**
Services provided under Pathway to Employment will be person-centered and may include, but not be limited to: vocational assessment; situational assessments; job readiness training, including



individualized and appropriate work related behaviors; community experiences; pre-employment skills, including tasks necessary to obtain employment based on the individualized needs of the participant; job-related discovery; travel training; experiential learning in career exploration and vocational discovery; experiential learning to achieve a specific vocational outcome; education and counseling around benefits management and employment; assessment for use of assistive technology to increase independence in the workplace; and, person-centered career planning which includes a defined and extensive vocational plan completed by the end of the Pathway to Employment service.

3. Who can receive Pathway to Employment Services?

The Pathway to Employment service will be available to individuals expressing an interest in community employment, including individuals who are currently receiving day habilitation, workshop, prevocational and supported employment services. This service will also be available to students leaving high school.

4. When will Pathway to Employment services be available?

As part of the transformation agreement with CMS, OPWDD is planning for an October 1, 2013 launch of the Pathway to Employment service.

Measuring Success

1. What type of performance measures will be used to track OPWDD’s success in achieving these employment goals?

OPWDD will use the following metrics to track its progress in meeting the employment goals within the transformation agreement with CMS: number of people with developmental disabilities who are employed in integrated settings earning at least minimum wage; number of people who transition from day habilitation, prevocational and workshop services to Pathway to Employment; and number of people who transition from Pathway to Employment to supported employment.

2. What is the significance of New York Employment Services System (NYESS) in tracking employment outcomes?

NYESS contains data on the number of people receiving supported employment services who are employed, their wages, the number of hours they work, length of time employed, and type of occupation. This data will assist OPWDD in measuring its progress in meeting transformation agreement employment goals. As a result, OPWDD will expect all providers to report supported employment data into NYESS.

3. How can my agency obtain more information about NYESS?

Information about NYESS is available at www.nyess.ny.gov.

For additional questions regarding OPWDD employment goals, please email employment.technical.assistance.questions@opwdd.ny.gov.