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DIEP RRTC
DISABILITY INCLUSIVE EMPLOYMENT POLICY
REHABILITATION RESEARCH AND TRAINING CENTER

# Disability Inclusive Employment Policy Rehabilitation Research and Training Center Newsletter

**March 2023 - Issue 9**

## Welcome

Welcome to the ninth issue of the Disability Inclusive Employment Policy RRTC Newsletter.

People with disabilities encounter obstacles at every stage of the employment life cycle. Through a series of research studies, the Disability Inclusive Employment Policy (DIEP) Rehabilitation Research and Training Center (RRTC) is adding new knowledge and understanding about public policies that impact employment opportunities and economic stability for working-age Americans with disabilities. This project is a collaboration between Syracuse, Harvard, and Rutgers universities.

This issue of the newsletter provides updates on what the DIEP RRTC researchers are learning about the impact of COVID on employment of people with disabilities across types of work and market sectors. The newsletter shares a summary prepared by APSE, a DIEP RRTC knowledge translation collaborator of recent relevant activities of the

118th session of Congress and at a state level. In addition, readers are encouraged to listen to our podcast series with insights from a diverse group of subject matter experts that provide their perspectives on ways to address policy and other system barriers to improved employment outcomes.

**Invite others to receive this quarterly FREE newsletter to stay updated on the latest employment policy research related to advancing economic stability, and security for youth and adults with disabilities.**

# Disability employment rate increase

DIEP researchers Ari Ne'eman and Nicole Maestas found that a combination of unusually tight labor markets and expanded employer acceptance of remote work has resulted in increased employment opportunities for people with disabilities. Compared with people without disabilities, disabled people experienced greater employment gains following the COVID-19 pandemic. See the academic paper: How Has COVID-19 Impacted Disability Employment? | DIEP RRTC (disabilityinclusiveemployment.org) and our related research brief.

Rapid gains in disability employment were concentrated in telework-able, non-frontline occupations. Beginning in Q2 2021 and continuing over the next year, people with disabilities experienced faster growth in telework-able occupations compared with nondisabled people, and by Q2 2022, disability employment outpaced the employment of those without disabilities by about 18.6 percent.

However, the impacts weren't as significant as they could have been because of occupational distribution. In a related study by DIEP researchers Mason Ameri, Doug Kruse and colleagues, found that people with disabilities are more likely to have blue-collar jobs that require in-person participation, and that more than half the gap in telework between people with and without disabilities can be attributed to differences in occupational distribution. See the academic paper: Telework during the Pandemic: Patterns, Challenges, and Opportunities for People with Disabilities and a related research brief.

# Podcast series Season Two

Season Two of our "Let's Get to Work: Reimagining Disability Inclusive Employment Policy" podcast series (Podcast Episodes Season Two | DIEP RRTC (disabilityinclusiveemployment.org), includes seven discussions about the impact of employment policy on people with disabilities in a myriad of employment situations. We speak with entrepreneurs, business leaders, advocates, academics, experts in disability inclusion and others about transforming the policies and practices of public sector agencies and private sector workplaces to increase employment opportunities.

- Chai Feldblum describes the ongoing process of modernizing the Ability One program.
- Jay Burks describes the value of including Disability-Owned Businesses Enterprises (DOBEs) in the supplier diversity programs of large companies.
- Lisa Mills explains how we can increase the availability of employment supports by blending and braiding resources.
- Carol Glazer discusses the challenge of encouraging disability disclosure in the workplace.

The podcast series highlights two important issues that are often overlooked when discussing disability policy:

- Finn Gardner talks about intersectionality and unique challenges faced by people with multiple marginalized identities.
- Zach Morris discusses the need to develop public policies that address the economic impact of disability not just on earnings but also on the extra out of pocket expenditures that people with disabilities face.

## Featured episodes:

### Advancing Opportunities for Autistic People of Color

Finn Gardiner, Director of Policy and Advocacy at the Autistic People of Color Fund, describes the importance of recognizing the impact of intersectionality on the disability experience. He shares his personal and professional perspectives as an autistic person of color and how they have blended together as he launched his career. Throughout the episode, he highlights how

policies and practices have marginalized certain people, based on their gender, race, disability, and sexual orientation, and how the intersectionality of those identities compounds stigma and bias experienced in seeking employment and in the workplace.

**Increasing Disability Inclusion**

Carol Glazer, President of the National Organization on Disability, describes how companies, even those that are striving to be inclusive, are having difficulty figuring out how to encourage employees to disclose their disability. She calls for greater acceptance of disability, specifically multiply-marginalized people with disabilities, but points out that companies must have a strategic plan for disability inclusion in order to be successful. This is especially important for supporting those with mental health disabilities, who face additional stigma and often lack access to accommodations.

# Public Policy Updates by APSE

The 118th Congress began in January, creating a new landscape in which to navigate. While it took some time for leadership decisions to be made and Committee assignments to be finalized, we now have a sense of what we can expect in terms of prioritization and progress of disability employment initiatives. The House of Representatives has shifted to Republican control, and Congresswoman Virginia Foxx (R-NC) is the Chair of the newly renamed Committee on Education & the Workforce (link to: Republican website, Democratic website). Congressman Bobby Scott (D-VA) is currently serving as Minority Leader. On the Senate side, while things remain in Democratic control, a shift in leadership assignments has Senator Bernie Sanders (I/D-VT) as Chair of the Health, Education, Labor & Pensions (HELP) Committee and Senator Bill Cassidy (R-LA) as the ranking Republican. While these are not the only two committees of jurisdiction for matters that address disability employment, these are the two committee where the majority of the work was taking place during the 117th Congress.

Based on early meetings between APSE and Committee staff, it remains unclear where the windows of opportunity lie for advancing legislative endeavors in support of Employment First. Currently, it appears most likely that we will see tax related bills prioritized, so there is need to shift focus on what can be accomplished via these mechanisms.

Several important pieces of legislation have been re-introduced from the last Congress:

- Transformation to Competitive Integrated Employment Act (TCIEA, (H.R.1263 / S.533) phases out the use of 14(c) certificates which allow for the payment of subminimum wages to employees with disabilities.
- Stop the Wait Act (H.R. 883) (S. 320) phases out the waiting period to receive Social Security disability insurance benefits (SSDI).
- Better Care Better Jobs Act (S. 100) provides funds for state Medicaid programs to expand access to home and community-based services.

Additionally, we are anticipating reintroduction of the Disability Employment Incentive Act (DEIA) which enhances tax credits and deductions available to employers who hire and retain employees with disabilities.

For a full list of and status updates on **Federal legislation** related to disability employments see: https://apse.org/legislative-advocacy/.

On the state level, there is much to pay attention to:

- Seven states have introduced legislation to phase out 14(c). In Virginia (H.B. 1924), legislation made it through the legislature relatively quickly despite getting stalled at the Committee level in 2022. This is, in part, due to the state being one of 14 who received Subminimum Wage to Competitive Integrated Employment (SWTCIE) grants from the Rehabilitation Services Administration via the Disability Innovation Fund to focus on 14(c) transformation.
- Legislation to establish an Employment First framework was recently introduced in Arkansas (SB443).

- Legislation to adjust to reimbursement rates for direct support professionals was proposed in  Illinois (H.B. 3569), Massachusetts (H.D. 3286), and Minnesota (H.F. 913/S.F. 993).
- Legislation to enhance state tax credits to support inclusive employment was introduced in Indiana (H.B. 1559) and Kansas (H.B. 2275).

For a full list and **status of state legislation**, visit the website of our collaborator APSE at: https://apse.org/state-legislation/.

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**About BBI**

The Burton Blatt Institute ("BBI") at Syracuse University reaches around the globe in its efforts to advance the civic, economic, and social participation of people with disabilities. Through program development, research, and public policy guidance, BBI advances the full inclusion of people with disabilities. BBI builds on the legacy of Burton Blatt, a pioneering disability rights scholar. BBI has offices in Syracuse, NY and Lexington, KY. Learn More about BBI