PENNSYLVANIA EMPLOYMENT FIRST

Oversight Commission

2023 Report to Governor Shapiro and the General Assembly

October 1, 2023

"Employment First ...Competitive Integrated Employment is the first consideration and preferred outcome of publicly funded education, training, employment and related services, and long-term services and support for individuals with a disability."

- Act 36 of 2018

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Introduction

Employment First Pennsylvania: Act 36 Of 2018 – Summary and Purpose

In 2018, Act 36, or the Employment First Act (P.L. 229, No. 36) was unanimously passed into law. The purpose of the Employment First Act is to ensure that people with disabilities can get jobs that pay minimum wage or more and that these jobs are in an integrated workplace. Employment First applies to all Pennsylvania departments and agencies.

The Act includes the following principles:

- Competitive integrated employment is the preferred outcome for all Pennsylvanians with disabilities
- All state and county agency or entities that use public funds (education, training and employment related services, long-term services and supports) must follow the Employment First Act
- State and county agencies will work together to make sure that funding and other resources are used well to support Employment First.

How This Report Fits into Act 36 Requirements

Section 6 of Act 36 creates the Pennsylvania Employment First Oversight Commission (Commission, or EFOC), which consists of mostly executive and some legislative appointees. The Commission must:

- Establish measurable goals and objectives governing the implementation of the Act
- Track the progress of public agencies in implementing the Act, and
  - Write an annual report that:
    - Details the progress made on each of the measurable goals and objectives during the preceding fiscal year, and
    - Includes recommendations to the Governor and the General Assembly for effective strategies and policies needed to support the implementation of this act.

The Past Year

Appointments

In the last year, all the Commission seats mentioned in Act 36 were filled, except for one that was supposed to be appointed by the Senate president pro-tempore (which has never been filled).

State Collaboration

Acknowledgement of Administration Staff who Provide Support to the Commission
The Commission would like to thank the staff in the Governor's Policy Office who helped to get information and data the Commission needed, made sure people from different state agencies came to Commission meetings, supported the development of the report, and managed the logistics of the meetings, setting up real-time captions, finding meeting places, and announcements. The Commission gives special thanks to Thomas Foley and Caroline McCaig in the Governor's Policy Office and wishes to express its gratitude to many other people in many state agencies who have been part of the Commission's work and supported our efforts.

Act 36 of 2018 Applicability to All State Agencies

Act 36 applies to all state agencies, departments, and contracts. In Section 4.a it says that ensuring that Competitive Integrated Employment is the preferred outcome for all Pennsylvanians with disabilities who can work according to the laws from the state or the country. This rule applies to all people with disabilities, regardless of what kind of help they need. Additionally, this Act encourages work-based learning experiences for all youth with a disability. Everyone with a disability who gets publicly funded services must be offered employment services and opportunities regardless of whether they live in their own home or in a residential setting.

Many state agencies that deal with disability employment have worked to move toward Employment First. Some of them include the Office of Vocational Rehabilitation (OVR), the Office of Developmental Programs (ODP), the Office of Long-Term Living (OLTL), the Office of Mental Health and Substance Abuse Services (OMHSAS), the Bureau of Special Education (BSE), and the Office of Administration (OA). These agencies worked closely with the Commission and additional agencies have joined in the meetings held by the Governor's Cabinet for People with Disabilities. The Commission is grateful for these agencies and believes that Act 36 applies to all state entities. However, the Commission has not yet figured out how to get all state agencies to understand the implications to their agencies and follow Act 36 policy.

Governor's January 2023 Update and Progress Annual Report

In Section Four of the Act, the Office of the Governor is required to submit an annual report to the General Assembly, it should include:

- Clear expectations for employment that include annual baseline employment data and specific goals for individuals with a disability gaining Competitive Integrated Employment developed by State and county agencies and entities providing publicly funded education, training, employment and related services and long-term services and support for individuals with a disability
- An assessment of progress toward meeting these goals annually, and
- Documentation of continued and improved State agency compliance with the Act.

Cross Agency Findings

Progress is slow

For most of the departments that are directly involved with people with disabilities and employment, there has been progress in many areas. Unfortunately, with this bill being enacted in 2018, the Commission would have liked to have seen more progress.

Many Departments have not recognized their role in Employment First

Even though the Employment First Act was passed in 2018, many departments do not understand its objective and how their department plays a role in achieving its goals. Even agencies that do not provide services directly to people with disabilities have a role in Competitive Integrated Employment and are required to support the state in reaching its goal of having 7% of the workforce consisting of employees with disabilities.

Cross Agency Goal

Ensuring that Competitive Integrated Employment is the preferred outcome for all Pennsylvanians with disabilities

The main goal of Act 36 is to make sure that all Pennsylvanians with disabilities can have competitive integrated employment. All of the goals and recommendations in this report are meant to address this objective. For this to happen, all state and local agencies plus entities receiving public funding must understand and work to achieve the goal of Employment First.

EFOC Recommendations for the Commonwealth (Cross Agency Recommendations)

PA Rec 1: Every county should have or be a member of a Local Employment Coalition that brings together relevant parties to consider and implement new or improved ways that lead to more competitive integrated employment outcomes for people with disabilities.

Pennsylvania is diverse. Recognizing and celebrating this diversity is essential for understanding the state's unique character and the experiences of its residents. It also highlights the importance of inclusivity and respect for all communities within Pennsylvania. It is therefore important to establish Local Employment Coalitions at the county level as a means of fostering collaboration, innovation, and local ownership in the pursuit of competitive integrated employment opportunities for individuals with disabilities. These coalitions have the potential to bring about positive change by addressing the unique needs and circumstances of each community. They also need to have all adult disability service systems, providers and county representatives attend regularly.

PA Rec 2: All data provided should be broken down to identify intersectional gaps

Regarding numbers of individuals or participants, data should include a breakdown by race/ethnicity, gender, gender identity, disability type, and English as second language. When this is not possible, each department is asked to provide an explanation of why the breakdown is not available.

PA Rec. 3: When numbers need to be suppressed for confidentiality reasons, percentages should be used (instead of "zero" or **).

Often when numbers are too small they are 'suppressed' meaning they show as an asterisk or a zero. This is often done when for instance there are less than 5 people with a disability in a school district that could potentially identify them. When this occurs, it is difficult to see what is happening, so using a percentage in these cases may help the Commission and other evaluators understand what is happening.

PA Rec 4: That cross-agency collaboration and coordination be a core value of all activities undertaken by state agencies in their pursuit of Act 36 of 2018 compliance.

In support of the "Values" section of the "Employment First (Act 36 of 2018) Inter-Agency Priorities And Recommendations- Updates And Progress Annual Report" published 1/11/2023, "Partnership and meaningful stakeholder engagement are at the forefront of service delivery by agencies in state, federal, and local government" and "Services are delivered with a focus on equity for everyone, regardless of race, ethnicity, national origin, gender, sexual orientation,

gender identity, age, and disability, so that everyone has access to opportunities." It is the Commission's goal and objective to encourage each agency that provides client facing services and programs to ensure that Employment First related principles are considered and accounted for.

PA Rec 5: Public Surveys (including grievances and complaints) should be conducted

As recommended in previous reports, Pennsylvania should establish a customer feedback system, utilizing an impartial outside evaluator of publicly funded services related to Employment First. The goal is to collect feedback from Pennsylvanians with disabilities regarding the effectiveness of services, including response times from state agencies and providers.

Surveys should be conducted among youth and adults with disabilities, as well as their family members and caregivers, starting from Early Intervention Services. These surveys aim to understand expectations regarding employment opportunities. They will also explore any misconceptions about the employability of adults with disabilities, regardless of their disability's impact. Additionally, the surveys will assess how earning money affects access to essential public services and identify barriers to employment.

PA Rec 6: Measure "on-time delivery" of all state-funded services and implement management plans for continuous improvement.

Individuals with disabilities enrolled in a state funded program should be receiving employment services within a three-month period. To ensure accountability and effectiveness, multiple metrics should be established based on individual case numbers, spanning all relevant departments. These metrics should track service delivery time, service utilization, and employment outcomes, including job retention.

The Office of Vocational Rehabilitation (OVR) already follows federal timelines, but the existing data may not capture all customer issues effectively. Additionally, it remains unclear whether other state agency-funded systems have defined service timelines or collect and review data comprehensively.

There continues to be a lack of information about whether any state agency assesses customer satisfaction. Therefore, it is crucial that all employment-related systems within state agencies implement consistent satisfaction and timeline measures for individuals utilizing their services. This data should be accessible to the public, with personal information appropriately redacted, and state agencies should utilize this information to drive policy and program improvements across multiple systems.

PA Rec 7: State agencies' assessment of Act 36 of 2018 compliance and improvement plans

The Commission has previously requested that the Governor's Office coordinate with the several state agencies to complete an assessment of each of the requirements in Act 36 to indicate whether and how each requirement is being implemented. The Commission is again requesting that each of the cabinet member's departments provide an assessment of their compliance with Act 36 with results submitted to the commission each July. In addition, the Commission requests the provision of the departments' Employment First improvement plans. The departments should be able to demonstrate compliance and the goal of Employment First.

The Cabinet members should answer the question "Is this provision being implemented and if so, how?" for the following applicable requirements.

Applicable Department(s)	Employment First Act Section	Requirement(s)
Governor's Office	6(f)	Provide enough staff, supplies, and money to allow the Commission to perform its duties.
State and county agencies	4(a)	Competitive Integrated Employment should be the first choice for all people with disabilities who are eligible to work under federal or state laws, no matter how severe their disability is or the help they need.
	4(a)	Young people with disabilities should have work-based learning experiences.
	4(a)	Everyone with a disability who gets public services should have a chance to get help with finding a job, no matter if they live on their own or in a group home
	4(d)2	Agencies should recognize exceptional service providers that help people with disabilities find and keep CIE as "Employment Champions." These providers should display their commitment to Employment First and helping people with disabilities find and keep CIE.

Employment champions will receive support to improve their employment services.
A complete list of Employment Champions will be showcased on the State agencies' websites |
| | 4(g) | Agencies should share data and information across systems to track Employment First progress.
State agencies are encouraged to establish clear and measurable goals and objectives. |
	4(h)(1)	All agencies should try to hire people with disabilities so that they make up at least 7% of the total state workforce.
	4(h)(2)	Every two years, state agencies should review their practices for hiring, jobs placement, and career advancement opportunities for Employment First effectiveness.
State and county organizations that offer publicly funded education, training, and services for working-age Pennsylvanians with disabilities	4(c)	Cross system collaboration should work to make sure that the programs, policies, and funding support people with disabilities to get Competitive integrated Employment (CIE).
	4(d)1	Agencies should review payment policies for providers and incentivize, when possible, providers who help people with disabilities find and keep CIE.
	4(e).	Ensure that staff understand and can abide by the policies of Employment First.

Applicable Department(s)	Employment First Act Section	Requirement(s)
	4(f)	Agencies should create clear annual goals for CIE for people with disabilities. Each agency must annually evaluate their progress in achieving these goals. This information should be easy for the public to access and is posted on their official website.
Office of Administration	4(h)(4)	OA should maintain a system for people to voluntarily disclose their disability.
State and county agencies that provide publicly funded education, training, employment, and related services for working-age individuals with disabilities	4(j)	By October 1st of each year, agencies will provide information based on subsections (f) and (g), and any other needed information to the Governor's Office of Policy and Planning for its an annual report for the General Assembly. This report will show how state agencies are following this act and making improvements. The report must be given to the General Assembly by January 30th each year.

Applicable Department(s)	Employment First Act Section	Requirement(s)
Cabinet	5(c)(1)(i & ii) 5(c)(2)(i, ii, & iii) 5(d) 5(e) .	The Cabinet should: • Examine the current rules, policies, and steps connected to helping people with disabilities find community integrated employment, • Ensure that the descriptions of services, rules, and how payments are set are the same or match up in state agencies, both within each agency and between different agencies. • Create suggestions for changes in rules, guidelines, and steps that are needed to make sure that Employment First is put into action. These suggestions will go to the Governor, the Secretary of Education, the Secretary of Human Services, the Secretary of Labor and Industry, the Secretary of Administration, and the Secretary of General Services. • Create suggestions for making sure that data is collected in an efficient way and can be shared in a way that can be enforced. These suggestions will be sent to the Governor, the Secretary of Education, the Secretary of Human Services, the Secretary of Labor and Industry, the Secretary of Administration, and the Secretary of General Services. • Make recommendations to the Governor regarding changes in the law that are needed to support and put this act into action. • Promote collaboration among different state agencies, especially at the local and regional levels, while encouraging the development and adoption of agreements between local entities of these agencies to promote Employment First. • Meet quarterly to create policies that ensure that all government departments follow the rules of Employment First.

PA Rec 8. State agencies' assessment of progress made on EFOC goals and recommendations

Annually, the Commission would like to receive each agency's self-assessment of their progress in achieving the goals and implementation plans for recommendations from the EFOC report by July.

Executive Branch (EB) and OA (including Civil Service Policy Office)

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1. Abstract and Role in Employment First

The Governor's Office of Administration plays a crucial role in Pennsylvania's executive branch by providing support, policy guidance and enforcement to all executive branch agencies under the Governor's jurisdiction. This includes:

- **Technology Management:** Overseeing the state's technology deployment, which involves setting standards, prioritizing projects, managing infrastructure, ensuring security, developing applications, overseeing project management, and staffing.
- **Employee Support:** Managing various aspects related to commonwealth employees, such as handling salaries, benefits, promoting diversity, providing training, ensuring workplace safety, and managing labor relations.
- **Emergency Coordination:** Coordinating planning and cooperation among state agencies to ensure the continuous provision of essential government services during emergencies and critical situations.
- **Records Management:** Administering the state's records management program. This includes creating policies, standards, and procedures to regulate the use, maintenance, retention, and disposal of records.
- **Hiring**: Managing outreach, applications, new employee surveys, and achieving the goal that 7% of the government workforce consists of people with disabilities.
- **Human Resources**: Supporting the needs and accommodations of state and local government employees, including disability accommodations.

Indeed, the Governor's Office of Administration (OA) holds a unique and pivotal position within Pennsylvania's government structure. Given its broad responsibilities, OA has a significant opportunity to make a foundational impact on the employment of people with disabilities. By influencing policies, procedures, and practices related to technology deployment, employee support, emergency coordination, and records management, OA can play a key role in promoting inclusivity, accessibility, and equitable employment opportunities for individuals with disabilities throughout the state's government agencies.

2. Summary of Findings

The OA created questionnaires for new hires to assess anonymously the number of hires who identify as having a disability. In 2023, 6% of new hires reported having a disability. Additionally, there has been a position to increase customized employment. One person was hired and then left the role a year later. The role is currently not filled.

3. Recommendations

EB Rec 1: The Commission requests that the Governor's Policy Office create a Memorandum of Understanding among the departments that are a part of the disability cabinet and federal benefits providers to share and coordinate data.

In Pennsylvania, information originating from various systems and departments often lacks synchronization. This historical challenge in sharing data has negatively impacted the capacity to bring about meaningful improvements. The MOU (Memorandum of Understanding) should focus on creating unique identifiers for individuals using services throughout the state. Moreover, it should contribute to establishing a uniform language and clear definitions, encompassing terms like "intellectual disability." This standardization will make the data more valuable across state departments, facilitating a more cohesive and effective approach.

One example of this being helpful is information sharing between DHS and Social Security would enable SSA to match CHC waiver participants against persons receiving benefits counseling through the WIPA program, ensuring that DHS participants have an employment goal added to their person-centered service plan and have access to other employment supports available under CHC.

EB Rec 2: By 2024, the Pennsylvania state workforce [includes state agencies and state colleges/universities] will exceed a 7% hiring goal (the Federal Government exceeds 12%).
(Updated Recommendation)

In 2019, about 14% of 77,000 Commonwealth workers completed a survey about their diversity. Of those that responded, around 4.8% had a disability. This survey has not been repeated, even though OA told the EFOC that it would be done again in October 2020. It's been **four** years and complete data on this question has yet to be produced. As it stands, the commission is unable to determine if the state has made progress. As a note, the Federal Government can track this (Schedule A) and has shown that they have exceeded their hiring goal of 7% (currently 9.4% of people with disabilities, EEOC 2022)[1], and this should be an incentive for Pennsylvania to do the same. If the data were collected there would be better information to support this outcome.

In June 2021, OA (Office of Administration) started to ask an online question about disability when new staff began their jobs. While the Commission is pleased with this change, it believes it is still important to survey employees who have worked for the state since before the surveys were started.

An updated survey of current employees hired prior to the new hire survey must be a high priority moving forward.

EB Rec 3: All counties will have (or be part of) at least one Local Cross-Disability Employment Coalition.
(Updated Recommendation)

As of July 16, 2022, the Department of Human Services informed the Commission that 54 out of the 67 counties have established or are part of an existing local-level interagency employment coalition. This number matches the count from the same time the previous year. The Commission understands that Local Transition Coordinating Councils (LTCCs) are sometimes counted as employment coalitions. The Commission agrees that an LTCC can

effectively serve as an employment coalition if it includes adult disability service providers and other relevant stakeholders.

The Commission has requested a list of the 13 counties that have not yet established or joined a local employment coalition. The Commission also seeks a brief explanation from state agencies regarding why progress has not been achieved in these counties, along with any ongoing plans to create or connect employment coalitions in those areas.

EB Rec 4: The Governor's Policy Office, along with OA (Office of Administration) and OVR (Office of Vocational Rehabilitation), organize a disability employment workgroup.

(New Recommendation)

This group would involve external experts in disability-related fields, focusing on disability employment and making the state government a model employer for people with disabilities. The aim is to examine various aspects of the state's employment system, such as job classifications and descriptions, recruitment, applications, testing, interviews, hiring, onboarding, accommodations, accessibility issues (both physical sites and information technology), and strategies to retain employees. The goal is to ensure that the state's employment practices are inclusive and accommodating to individuals with disabilities. We recommend a member of the EFOC be invited to be a member of this workgroup.

Following a thorough assessment, the team of experts should formulate suggestions for enhancing these methods and protocols. These recommendations should be geared towards upholding the objectives and aims stated in the Act.

EB Rec 5: It is recommended that the Governor's Disability Cabinet places greater emphasis on transportation matters

(New Recommendation)

Transportation continues to pose a significant barrier for individuals with disabilities seeking competitive integrated employment, despite ongoing efforts by the administration. The challenge primarily revolves around the dependable commute to and from work. To address this issue effectively, it is recommended that surveys and data collection efforts be conducted. These initiatives should aim to gather information that informs policy and program decisions related to publicly funded programs within both PennDOT and the Department of Human Services (DHS). This data-driven approach can lead to more targeted and impactful solutions to improve transportation accessibility for individuals with disabilities in the context of employment.

EB Rec 6: The Commission highlights the importance of active oversight of the Employment First statute, with a focus on current trends and issues.

(New Recommendation)

It is important that the state actively review and provide oversight of the law. If after five years of implementation, legislative changes should be considered to ensure Employment First is meaningful and effective in promoting inclusive and competitive employment opportunities for individuals with disabilities in Pennsylvania.

EB Rec 7: The Governor's Office should establish an Employment First Executive Director Position

(Updated Recommendation)

The "Employment First Executive Director" would be paid by the state and could be in the Governor's Office, Department of Labor and Industry, or Department of Human Services. To manage the requirements of the law, including reviewing policies and data; coordinating with different governmental entities; supporting the draft of annual reports, it is critical to provide a dedicated staff member who can focus on these tasks. The new Executive Director would be responsible for convening and preparing for Commission and committee meetings, facilitating data requests, reviewing, and analyzing employment first plans published by the executive branch, and supporting the commission in drafting, finalizing, and publishing the Commission's annual report. It is not a realistic expectation or comparable to other commissions to require an all-volunteer commission to effectively complete these complex systems and processes independent of more staff support.

4. Data

Number of new state workers joined state employment utilizing a "customized employment" job classification, by state agency.

2021-2022	2022-2023
0	Department of Revenue: 1 (Jan 2022 – Mar 2023)

Table 1: Number of new state workers joined state employment utilizing a "customized employment" job classification; by state agency

Disability accommodations data

Table Information: Not all requests labeled as "denied" are necessarily actual denials. The system limits the choices to "approve" or "deny" Within the case management system, the term "denied" covers requests that were rejected by the bureau, as well as those of which the bureau didn't come to a decision (ex. an employee pulling back their request or leaving their job, requests where the accommodation was mistakenly entered, requests tied to COVID, cases where an employee asked for an accommodation due to a family member's health, not their own).

Note: The EFOC believes a new category should be used instead of denied (even 'other') so actual denials can be monitored.

Dates				
9/14/2020-12/31/2020	248	195		53
1/1/2021-12/31/2021	1752	1073		679
1/1/2022-12/31/2022	1966	1398		568
1/1/2023-6/30/2023	1119	715	224	180

Table 2: Disability Accommodations Data

OA New Hire disability disclosure survey

(Reporting Period July-June)

Numbers only include new employees who completed the survey (88% in '21-22; nearly 100% in '22-'23)

	2021-2022	2022-2023
Number of new employees who disclosed a disability	367	684
Percent of new employees who disclosed a disability	5%	6%

Table 3: OA New Hire Disability Disclosure Survey

Barriers and solutions to state hiring presented to Pennsylvania Office of Administration by statewide coalition of disability advocates

Typical hiring process step	Potential barriers for people with disabilities	Potential solutions
1. Job classification development and job description	• Job descriptions are not clear about what the essential functions of the job are, which inadvertently may lead a potential candidate to not apply. (E.g., "Must be able to lift 50 pounds" – are these kinds of things essential?) • Are they needlessly rigid, leading to some candidates to be excluded, or who could do 80% of the job but may physically (or otherwise) not be able to do the other 20% of the job? Could that 20% be done by another worker through a "customized job" description? Does our current system allow for customized job classifications or job descriptions?	• Review and rewrite classifications and descriptions to use language to focus on an outcome rather than a process; or, it should be written that inserts more than one way of accomplishing the task (e.g., a customer service rep – instead of "must be able to talk on the phone", it could read "must be able to communicate with customers at least one of the following methods – verbal, online, voice technology, written, etc.) and/or, allow the use of customized job descriptions based on the competencies of a candidate (with a disability).
2. Recruitment - communicating, posting, outreach (How to reach potential candidates, which groups to target; which technology is used; which job	• If people with disabilities aren't aware of a job, or cannot access them, then they will never apply for the job.	• The state needs to cultivate relationships with organizations and networks where PWD are likely to be members or signed up for newsletters/job boards.

Typical hiring process step	Potential barriers for people with disabilities	Potential solutions
websites are used and who typically uses those sites, etc.)	• If a person with a disability isn't aware of a website or does not typically use a particular website because it's not accessible. • If the state is not sending job postings to disability organizations, OVR, veteran groups for disabled vets, etc., then PWD are not gaining access to the postings. • If the state emphasizes college and universities in its recruitment efforts, then people with certain disabilities who have not historically attended post- secondary schools are being excluded. • The state has no larger, broader communication (messaging) plan to reach the public to advertise the availability of state jobs including an emphasis on hiring people with disabilities. • PA CareerLink® website fails to enable a typical user to easily find PA state government jobs. • PA CareerLink® website fails to target PWD as a group of potential applicants, e.g., it places an emphasis on veterans but not PWD. For PWD, it merely redirects the person to OVR's website, which may or may not be a resource the PWD needs. PA CareerLink® website is inaccessible to people who	• The state should use IT networks/listservs that attract or serve PWD. • Consult with disability experts/stakeholders to brainstorm on how to better reach potential candidates with disabilities to broaden the candidate pool. • Make sure government websites that post jobs are accessible and user friendly for PWD. Such accessibility specs need to be built into the IT contract and not layered on later after problems are identified. • Develop a broad communication plan that includes a target audience of PWD and make sure the messaging of the plan is inclusive of PWD and welcoming to PWD. • PA CareerLink® website should have on its home screen a link or highlight under career services that emphasizes PWD. It could include information about self-disclosure of disability, a welcoming message from the governor, and accommodation resources within state government. • Lessen confusion about which website a user must use (OVR or PA CareerLink®?) • Career outreach event notices should mention the

Typical hiring process step	Potential barriers for people with disabilities	Potential solutions
	are blind and has major navigational flaws. PA CareerLink® asks if the person needs "OVR benefits". But most PWD have no clue what OVR is.	event will have accommodations or accessibility components, such as interpreters, accessible locations, etc. • Recruitment materials should reference alternate formats. • Disability-related training and materials should be offered for agency recruiters, support staff and managers • Revise job descriptions to remove extraneous core (essential) functions of the job that truly are not essential but have the effect of weeding out otherwise qualified PWD • Use style guides associated with creating marketing materials and website content (color contrast, etc.) • Conduct assessment accessibility of CareerLink sites and/or testing sites for applicants with disabilities
3. Application process	• Paper or online application; can often be user unfriendly and/or inaccessible. • No place or information about the ability to, or advantages of, self- disclosing a disability. Lack of staff assistance for PWD to complete process.	• Work with disability expert and/or stakeholders to identify solutions to increase accessibility and user friendliness of application process. OR • Maintain staff or contract professional expert(s) within OA. • Add information to all state job web sites and forms about the ability of an applicant's

Typical hiring process step	Potential barriers for people with disabilities	Potential solutions
		ability to self-disclose a disability.
		• Offer disability-related training and materials for OA support staff and managers.
		• (Add accommodations statement to home page and
		CareerLink page, help desk, manual process instructions, reporting, follow-up, etc.)
		• Any manual processes associated with applicant data entry into the applicant tracking system should be included so that PWD data is not assumed to not exist.
		• Make information available for recruiters and managers who have questions about accommodations related to applicants with disabilities
		• Website references to alternate methods of applying for a job; be sure processes associated with alternate methods of applying for a job are user friendly and accessible.
		• Collect and report data on accommodations requested, accommodations provided, and associated timeframes.
		• Collect and report data on processes for follow-up with applicants with disabilities associated with alternate application processes.

Typical hiring process step	Potential barriers for people with disabilities	Potential solutions
		Accommodations data that is captured and reported on to support the applicant tracking functions
4. Testing or qualification determination	• Accessible testing sites are not close or accessible. E.g., an Elk County resident must arrange travel to get to Erie to test. Once in Erie, the JAWS system is not available and/or the computer site is not accessible to the applicant; so, a computer must be shipped to Erie that has a working JAWS system or alternative screen reader – the applicant may not even know their test is not accessible until they show up. After arranging travel and waiting for the accessible system to be available, if this happens, it is demoralizing and frustrating. • Significant breakdowns reported for people who report the necessity for accommodations. • If a person has autism and/or intellectual disability, they may not be able to show off their competencies or skills because they are not good test takers. No alternative testing to ascertain skills and competencies • Making people with disabilities travel long distance to test when arranging transportation	• Work with disability expert and/or stakeholder to identify solutions to increase accessibility and user friendliness of testing. All sites should have readily achievable access to common and contemporary accommodations. • Provide disability-related training and materials for testing professionals, support staff and managers. All staff should be trained in the use of accommodations. • Relay back (to the test taker) exactly which accommodations will be available. Consider all materials must be in the same format, i.e., the test-taking book as well as the answer form, lighting, preferred (and contemporary forms of) communication, etc. • Local testing with proctors could be an option for travel barriers. Alternative testing considerations for people who are capable but are poor test takers.

Typical hiring process step	Potential barriers for people with disabilities	Potential solutions
	and/or finding accessible transition is a barrier. Traditional tests may exclude people with certain mental health or cognitive issues Having been disadvantaged due to their disability their entire life, the lack of training and/or real-world experience limits some PWD from meeting minimum qualifications or taking advantage of the state's "experience and training exams".	
5. Applicant tracking	The state has no idea how many applicants' disabilities have; how many applied, how many tested, how testing went, how many interviewed or the outcome of the interviews, how many were hired, etc.	• Develop a better tracking system that tracks applicants with disabilities. Develop a self-disclosure policy and encourage applicants to self- disclose so they can access resources and information for candidates with disabilities.
6. Interviews – the interview; bringing candidates into town, etc.	• Making people with disabilities travel long distance to test when arranging transportation and/or finding accessible transition is a barrier. Some disabilities lend themselves to biases of the interviewer in terms of appearance, speaking, eye contact, etc. which may not be relevant for the job but disadvantage candidates during the interview scoring process.	• To address travel barriers, Skype interviews could suffice, or phone interviews • Better disability training for all state staff, some of whom will serve on interview panels, are recruiters, or are involved in the accommodation process. • Make sure the site is accessible. • Interviewing and disability "etiquette" training for recruiters and hiring

Typical hiring process step	Potential barriers for people with disabilities	Potential solutions
		managers. (e.g., do not ask medical questions, etc.)
		Put into place processes associated with the agency "owning" and handling accommodations requests
		• Put into place processes associated with pre-employment assessment tests (alternate formats, additional time, etc.)
		• Put into place a process that leads/encourages the interviewee to seek an accommodation for the interview, if needed.
		Collect and report on accommodations data captured and reported on to support the interviewing functions so that improvements can be made.
7. Hiring & candidate selection	The civil-service "rule of three"- i.e., even if a person with a disability is the top candidate, the rule of three allows a bias to enter the process thwarting the selection of the person with a disability.	Require a written explanation from the person who selects from the rule of 3 when the candidate with a disability is not selected. Make part of the permanent record. OA collects and reviews all such decisions to inform future policies.
8. Onboarding – short term	General business processes associated with this activity (before first day, on first day, day three) may look different for a person with a disability	• Assess and make changes based on the results associated with the accessibility of on-boarding forms/website applications
		• Assess and make changes based on accommodation

Typical hiring process step	Potential barriers for people with disabilities	Potential solutions
		requests at this stage in the process
		• Provide disability etiquette training for individuals delivering new employee orientation
		Develop and use disability self-identification form so that staff providing onboarding support know in advance how to make the onboarding process as effective for the PWD as possible.
		• Be sure emergency evacuation procedures are reviewed in the context of how PWD will fare.
		Collect and assess accommodations data so on-boarding functions can be continuously strengthened.
9. Continuous support	The new worker with a disability faces unique challenges due to disability – worker may feel isolated; performance may weaken over time.	• Maintain staff or contract professional expert(s) in Human Resources (either in the agency or OA).
		• Create affinity groups for workers with disabilities
		• Be sure the PWD and their supervisor are aware that OVR exists as a resource when a worker with a disability is at risk of losing their job because of their disability. An OVR counselor can come in and offer help and technical assistance so that the state's investment in the worker is protected.

Typical hiring process step	Potential barriers for people with disabilities	Potential solutions
10. Reasonable accommodations	• There is no in-house agency expertise. • There is no agency budget – agencies pass the buck or say, "that's not our responsibility". Workers with disabilities may be afraid to ask for an accommodation because there is no obvious person to ask or they have asked, and they've received no response or a negative response.	• Create line item in each agency specifically for anticipated accommodation costs; or create a single line item and/or centralized fund within OA that each agency knows can tap into for staff accommodations. Maintain staff or contract professional expert(s) in Human Resources on accommodations in either the agency or centrally in OA. Use JAN-Job Accommodations Network https://askjan.org/
11. Welcoming and functional workplace – physical space, IT, general assistive technology resources, disability etiquette for other staff	• Lack of welcoming culture or constant need to request something "special" because common sense accessibility features for physical space, IT equipment or software, etc., were not baked into specifications from the start. • Other staff stumble over disability related issues, becoming uncomfortable – can adversely impact the performance of workers with disabilities.	• Maintain staff or contract professional expert(s) in accessible physical plant/IT/HR at the agency or in OA. • Ensure that available information is contemporary, consistent, and available on employee portals. • Consult with experts in the field, and then develop and implement structured planning process (dates/budgets/responsibilities) in all state agencies to identify barriers, remove barriers, develop universal design, and create a disability-friendly workplace.
12. Retention	• If a person acquires/develops a disability after having joined the workforce without a disability, they may be afraid to ask for help because they fear	• Have professional(s) on staff or via contract to support retention strategies. • Ensure all processes include opportunity for remediation.

Typical hiring process step	Potential barriers for people with disabilities	Potential solutions
	they will be terminated or reassigned. • Or, if the disability of a worker (who was hired with the disability) worsens or manifests in a new way that makes the worker's job more challenging, the lack of assistance and resources for that worker may lead to poor performance and eventual termination (this wastes the state's investment in the worker)	• Ensure measurement of successful retention to track success, understand ongoing barriers, and types of remediation Make sure all workers are aware that resources are available for remediation (even a referral to OVR at no cost to either the employer or employee), new accommodations, or reassignment into jobs for comparable compensation.

Table 4: Barriers and Solutions to State Hiring Presented to Pennsylvania Office of Administration by statewide coalition of disability advocates

General Assembly (GA)

Authors: Josie Badger, Representative Dan Miller, Susan Tachau, and Heidi Tuszynski

1. Abstract and Role in Employment First

The General Assembly has a big role in the success of Pennsylvania's Employment First Act, to make sure everyone with disabilities can find competitive integrated employment.

With the size of many of Pennsylvania's state departments and government, the General Assembly must work collaboratively to guide the work of the Commonwealth to improve the rate of competitive integrated employment. This part of the Employment First Oversight Commission's yearly report has suggestions for new laws and rules that can keep things moving in the right direction, so that anyone who wants to work can have that chance.

2. Goals and Objectives

Begin the process of phasing out 14Cs (subminimum wage) and segregated employment programs (e.g., licensed 2380 Adult Training Facilities, and 2390 Vocational Facilities).

The main goal of the Employment First law, the Employment First Oversight Commission, and this report is to make sure that Pennsylvanians with disabilities can get competitive, integrated employment. To make this happen, collaborative effort across state departments and guidance from the General Assembly must occur.

3. Recommendations (Rec)

GA. Rec 1: Host hearings on phasing out 14Cs, 2380s, and 2390s.

(New Recommendation)

The General Assembly should consider hosting legislative and public hearings to develop a comprehensive plan to phase out subminimum wage and segregated work.

GA. Rec 2: End the use of subminimum wage labor by state contractors

The state should not hire companies that pay subminimum wage labor or work in a segregated setting (workplaces with 14c certificates). A 14c certificate lets companies pay less than the minimum wage.

Lawmakers should consider promoting integrated work settings as defined by the Act (reducing the direct-labor percentage). Under Section 520, companies who have a workforce where 75% of the employees have disabilities can get state contracts for things they make or services they provide without having to compete with other companies. The state decides a fair price for these items or services through the PA Department of General Services (DGS).

By ending subminimum wage for Section 520 contracts and revising the direct-labor ratios, the benefits of 520's affirmative employment for Pennsylvanians with disabilities would continue while only jobs that provide competitive wages and integrated (not segregated) work environments will be advanced.

This code should be revisited to determine the best way to create integrated work environments while allowing disability run and owned organizations (i.e., Centers For Independent Living also known as CILs) to flourish. While most businesses operating under 520 pay competitive wages, a few still utilize federal 14c certificates to pay subminimum wage (estimated under 2% of direct labor, see Table 40).

GA. Rec 3: Amend Act 36 of 2018: change date of annual EFOC report, establish executive director position, and mandate the development of three-year Employment First plans

The Commission recommends two changes to Act 36 of 2018. The first is to move the Commission's annual report date from October 1 to November 1 every year. The second recommendation is to create a new job called "Executive Director of the Employment First Oversight Commission." This job would be paid by the state and could be in the Governor's Office, Department of Labor and Industry, or Department of Human Services.

The October 1 deadline for the commission's yearly report is difficult to achieve. After receiving the data from each department at the end of July or beginning of August, it often takes three months to develop the report.

The complex work of the commission is time-consuming and requires the support of an Executive Director who would be responsible for: convening and preparing for Commission and committee meetings, facilitating data requests, reviewing, and analyzing employment first plans published by the executive branch, and supporting the commission in drafting, finalizing, and publishing the Commission's annual report.

Like the initial three-year plan developed by the Governor and Cabinet to advance the goals of Employment First, similar three-year plans should be developed on an ongoing basis to set the goals and expectations throughout the state and its progress towards Employment First. The Executive Director will support the development of this report that will be a collaboration between the Governor's office, Cabinet, EFOC, and any other necessary entities. These recommendations could be achieved through legislation or an Executive Order.

GA. Rec 4: House Labor and Industry Committee's Employment and Unemployment Subcommittee in collaboration with Disability Employment and Empowerment Caucus will hold annual hearings to examine Community Health Choices' (CHC) employment data, employment service utilization, and employment outcomes.

Based on the information received, OLTL is having difficulty in increasing employment services and therefore helping participants get jobs. It would be useful to know more about what OLTL has been doing to try to improve this situation, especially after the pandemic. The Commission would like to know about OLTL's results. Some of these efforts could have included: improving the rates paid to employment service providers and coordinators to be competitive with other service providers such as the rates paid by ODP; financially incentivize OLTL service providers to also provide employment services to OLTL participants; and piloting innovative value-based purchasing (VBP) strategies.

Finally, it's the Commission's understanding that OLTL has proposed that there be a waiver to the federal requirement that a referral be made to OVR for Benefits Counseling before CHC can pay for the employment services. The Commission supports this endeavor and believes that it would be a good step in overcoming an existing systemic hurdle.

GA. Rec 5: Pass legislation to establish full-time transition counselors in each school district.

The EFOC proposes that the General Assembly create a new law and provide the needed money to make sure every school district has at least one full-time (or equivalent based on student numbers) Transition Coordinator to help students with their transition plans, especially integrated into local jobs and community activities. These coordinators will be well-trained and skilled in helping students transition from school to work. Additionally, the Pennsylvania Department of Education will be responsible for making sure this rule is followed by all school districts. This change will help students prepare for jobs better.

Many local education agencies (LEAs) assign "transition coordinator" responsibilities to someone who already has a different full-time job in the school. Just following the rule to have a transition coordinator isn't enough.

GA. Rec 6: Amend the Civil Service Reform Act to establish a Schedule A-like program and customized employment in state jobs.

The General Assembly should amend the state Civil Service Reform Act to remove roadblocks to employment and ensure access and inclusion for people with disabilities to be hired by state government agencies (see previous HB 348).

By creating a program like the federal government's "Schedule A" process, agencies can hire people with disabilities for jobs without making them go through the usual competitive process. This would make it easier for qualified disabled people to get jobs in the state government. This program could help remove or reduce the problems caused by a lot of rules and paperwork, making it simpler for people with disabilities to get hired. It may be possible for the Executive Branch to implement such improvements without legislation, but it remains unclear, and the General Assembly may want to hold hearings on this topic.

The General Assembly should include a section on "customized employment," which lets state agencies create a "customized employment" job classification, which would enable people with disabilities to be hired who can perform some of the specific job duties but not all. Customized employment is a strength-based approach that would create job opportunities for otherwise qualified job applicants with disabilities who, due to their disability, may not be able perform some parts of the job.

OVR should be included as a key partner with OA in this endeavor.

The Commission suggests that education regarding customized employment, Schedule A, and other disability related programs be provided throughout the departments to improve the use of these employment supports.

GA. Rec 7: The General Assembly should host a hearing with the Secretary of the Department of Human Services, Deputy Secretaries from relevant offices, and individuals who have waivers to better understand how different types of support services and the money for those services impact job opportunities for people in ODP and OLTL. Legislative action should then be taken to address the inadequate reimbursement rates for Direct Care Providers (also known as Direct Service Professionals) across systems (ODP and OLTL).

Direct care providers rarely earn a livable wage and are even less likely to receive benefits. Without a livable wage and benefits, job turnover is high, making it difficult for people who need care to maintain reliable supporters/caregivers. Dependable, high-quality direct care providers play a critical role in helping individuals with disabilities to maintain employment. Without a robust, reliable care provider, people with disabilities are not able to participate and/or perform effectively in the workplace. The General Assembly should work to address the inequity between the provider systems and develop the necessary policy and procedure to ensure that these professionals receive fair pay and benefits that are updated on a regular basis.

Improving direct care provider rates and benefits could be done through multiple means. One possibility is through amending and passing HB661 to include caregivers in the ODP and OLTL systems. This bill would amend the Human Services Code to require that direct care provider rates are annually adjusted to align with a national market consumer index. The adoption of a nationally recognized market index will help provide stability to this system and support the hard-working caregivers that are essential to the delivery of services for Pennsylvanians with disabilities. Another way that rates could be improved in the OLTL system would be to require that any approved MCO must ensure livable wages for direct care providers with cost-of-living adjustments and benefits (including paid time off).

GA. Rec 8: Amend Medical Assistance For Workers With Disabilities (MAWD) to align all categories with the new Workers with Job Success Category (MAWD:WJS) and with CMS guidelines.

(New Recommendation)

When MAWD:WJS was signed, DHS was unaware of amendments that would be necessary to align with Centers for Medicare & Medicaid Services (CMS) requirements, which would allow the federal government to cover some of the expenses for individuals in this program. To align, the General Assembly should work with DHS to identify the necessary amendments and to develop a bill to address them. The amendments would allow individuals to take high quality, well-paid jobs immediately without needing to wait one year on the basic MAWD program (as it is written now). It would also allow all individuals on the program to start saving for emergencies or retirement.

Additionally, advocates have raised concerns for individuals who due to their disability may have to stop working but may be eligible for Medicaid due to assets gained in MAWD. The General assembly should review possible solutions to this issue and include these in the amendment to Act 69.

GA. Rec 9: The Senate President Pro-Tempore should appoint a new EFOC Commissioner

All of the appointments as outlined in Act 36 were filled during the past year except for the one available to the Senate President Pro-Temp (which has yet to be filled since the EFOC was first convened in early 2019). The Commission feels strongly that this seat needs to be filled to be able to fulfill the duties as envisioned by the General Assembly when Act 36 was passed.

5. Data

Legislative Initiative from the EFOC Commission Recommendations

Topic	Affiliated EFOC Recommendation	Status	Sponsor(s)
Subminimum Wage	B	Co-sponsor memo circulated, not yet introduced	Rep Khan; Rep Dan Miller
Transition Coordinator	D	Introduced on March 13th, 2023 as HB 342 and referred to House Human Services Committee	Rep Dan Miller; Rep Venkat
Excepted Services Hiring and Promotion Authority (Civil Service Reform)	E	Introduced on March 13th, 2023, as HB 348 and referred to House Labor & Industry Committee	Rep Dan Miller; Rep Mercuri
Employment First Amendments	B	Still in draft form – co-sponsor memo draft, but not yet circulated	Rep Dan Miller; Rep Cutler
Increased rates for direct caregivers	I	Co-sponsor memo circulated, not yet introduced	Rep Dan Miller; Rep Mercuri

Table 5: Legislative Initiative from the EFOC Commission Recommendations

Department of Human Services (DHS)

Authors: *Josie Badger, Richard Edley, Representative Dan Miller, Stephen Suroviec, Susan Tachau, Susan Tomasi*

1. Abstract and Role in Employment First

The Department of Human Services (DHS) is important for helping people with disabilities find jobs. Many of these people are low-income with disabilities, so they can get help from Medicaid. Medicaid is a program funded by the government that pays for medical care and long-term supports. These services can be provided in facilities or at home.

Tens of thousands of people with disabilities get home and community-based services (HCBS) services through Medicaid. This is called "home and community-based services" or HCBS. People who get HCBS could go to a care facility like a nursing home, but they choose to get help at home or in the community instead. This is called a "waiver." It helps them have more freedom and support while staying in their own homes.

Those who receive HCBS also have access to supported employment services, which can help a person get and keep a job. Medicaid HCBS waivers can be a challenge to Employment First if individuals are being offered the opposite of Competitive Integrated Employment or CIE (i.e., sheltered workshop activities paying subminimum wages). But Medicaid HCBS can be an important benefit if programs require and ensure that supports coordinators are offering employment support services in community-based locations with typical wages.

Apart from living services, people who get HCBS usually can join programs that keep them active during the day. In the past, these programs were often provided in segregated places, like workshops or day centers, especially for those with intellectual/developmental disabilities and for people who are blind. Now, people who receive HCBS should have access to services that help them find and keep competitive integrated employment (the essence of Employment First).

Medicaid HCBS waivers can influence Employment First in an important way. Because each person in the program has a Supports Coordinator (also known as a Service Coordinator in different programs) this person has a huge influence/responsibility whether someone chooses a Competitive Integrated Employment (CIE) job or an activity in a segregated place. The Supports Coordinator works closely with people with disabilities to create plans that meet their needs and help them achieve their goals in life. These plans can be changed if needed, and they are looked at yearly.

The state's Employment First Act (a law called Act 36 of 2018) says that Competitive Integrated Employment should be the first choice for participants of any program that get public funding, like HCBS. So, the Supports Coordinator's role is important in making sure this law is followed. They help put the spirit of the Employment First Act into action by working with individuals to choose a Competitive Integrated Employment (CIE) path.

DHS also plays a role in how Employment First works by deciding how much money is given to Supported Employment Services. The Employment First Act says DHS should give more money to make sure Competitive Integrated Employment is incentivized. But right now, the rates they set for these services don't encourage that. The rates are rarely increased, and when they are, it's not by much. This means Supported Employment isn't given the importance it should have compared to other services, like those that help people in facilities that pay less than minimum wage.

Lastly, DHS can also impact Employment First through the rules they make about services in their Medicaid HCBS waivers. These rules (service definitions) decide what services are allowed, how they're provided, what qualifications providers need, and how long the service can be given. If these rules are too strict, inflexible, or have a lot of requirements that cost too much, it can become hard to find providers to offer the service. This can make it hard for people who want Competitive Integrated Employment to find a Supported Employment Service provider to help them.

2. Innovative Initiatives (Provided by Departments)

Social Determinants of Health

The Office of Disease Prevention and Health Promotion (ODPHP) from the U.S. Department of Health and Human Services talks about Social Determinants of Health (SDOH). These are things in the places where people are born, live, learn, work, have fun, go to worship, and grow old, that affect how healthy they are and the risks they face.

Social Determinants of Health can be put into 5 groups:

1. Money and Stability
2. Access to Good Education
3. Access to Good Healthcare
4. The Area You Live in
5. The People and Community Around You

In the first group, having a steady job means less chance of being poor and better chance of being healthy. But some people have trouble finding and keeping a job. People with disabilities often have more trouble getting and keeping a job, which can negatively affect the other Social Determinants of Health. So, getting and keeping a competitive integrated job is critically important for the health of PWD.

3. Goals and Objectives

DHS Goal 1: By 2024, 30% of working age individuals (ages 18-64) who are on an Intellectual Disability/Autism waiver (enrolled with ODP) will have Competitive Integrated Employment.

This goal has been set for five years now, but it has not been met. Even though the Office of Developmental Programs (ODP) has made some changes to its rules to support Employment First, PA still hasn't reached the point where enough people are working in competitive integrated jobs.

In Table 8, you can see the number of people enrolled with ODP who have jobs that are part of the community. This is shown as a percentage from 2017 to 2022. Other than 2020, there is a trend of the number of individuals in the ODP with competitive integrated employment, increasing 1-2 percentage points each year. The Commission commends the office in this progress and continues to encourage the department to reach 30% by 2024. This goal has been an annual goal for a few years.

DHS Goal 2: By 2026, 90% of individuals with Intellectual Disability/Autism who have an employment goal in their ODP Individual Support Plan (ISP) will have at least one of the following statuses: receiving employment services, have a job that doesn't require services, referred to WIPA for benefits counseling, or referred to OVR.

The number of employment services approved by Individual Support Plans (ISPs) for people receiving services through ODP has increased. However, there is a gap between those with an employment goal versus people who have approved employment services, are already getting services, have a job, were referred for benefits counseling, or were referred to OVR. All individuals who have a goal of employment should be able to work, with the supports needed to be successful.

Table 9 shows how many people in ODP have an employment goal in their ISP and how many of them are getting the job-related help they need.

DHS Goal 3: The Department of Human Services should report how many people are getting support from state and local money to work in CIE compared to how many are in segregated employment settings with the funding stream broken down by county. The number of participants in segregated settings should decrease by at least 10% annually.

To address this issue, complete information about everyone working in segregated facilities is needed. The number of people in each type of segregated employment settings (14c, 2390, 2380) should be reported and reduced by at least 10% each year, no matter what kind of certification it is.

DHS Goal 4: By 2026, 20% of adults between 18 and 64 years old who are in Community Health Choices (CHC) or OBRA will have Competitive Integrated Employment.
(New Goal)

To reach this goal, information about all segregated facilities and people working in them should be made available. OLTL should work to lower the number of people working in sheltered places by at least 10% each year.

In 2022, there were 58,419 people ages 21 to 64 who were part of CHC. Of these people, only 649 had jobs (which is 1.11% of the total). 528 had jobs in competitive integrated settings. These numbers don't count people who were part of OBRA.

The Office of Long-Term Living has added services to help working-aged people find and keep jobs in their programs, but there is a gap between the services authorized through individualized plans and the services that people are getting.

DHS Goal 5: Annually each of the Community Health Choices managed care organizations (AmeriHealth Caritas, PA Health and Wellness, UPMC) will increase the number of working-age participants who have employment services by 50%.
(New Goal)

Employment services are required by the CHC contract. It is required, as a part of the CHC MCOs payment structure.[i] In the first three reports from the Employment First Oversight Commission (EFOC), a goal of increasing the number of CHC participants who have CIE by 200 each year was set. But it's been four years, and there has been little progress or improvement in this area.

Just 1,188 participants (which is about 2% of the participants) had an employment goal in their support plan. This raises the question of what might be stopping Supports Coordinators from talking about employment. Only 61 (which is 144 people less than last year) out of those 1,188 with a job goal got approvals for job-related help. Even though the Commission knows that job services might not always follow a straight path due to person-centered planning and different situations, this data makes us question why someone would say they want a job, but their Service Coordinator doesn't plan any help for them to find a job.

Before getting permission for employment services, a person might be referred to a WIPA program (to figure out if earning money affects their healthcare or HCBS) or to OVR (because Medicaid money can only cover employment services after trying OVR). But even when we add up all the participants' employment outcomes, authorized employment services, or referrals to OVR or WIPA, the numbers don't improve much.

The low results shown from the MCOs are in Table 16. The Commission continues to urge the General Assembly to hold hearings to hold OLTL and the MCOs accountable to the requirements of Act 36 and the MCO provider agreements. Each MCO should develop action plans to address the situation, including:

- Detailed training of SCEs in the implementation of employment goals in support plans.
- An analysis of barriers, including inadequate rates.
- An analysis of network adequacy; and
- The feasibility of utilizing VBP arrangements to advance utilization of employment services.

For this report, the Commission asked for data to be shown separately for different racial and ethnic groups. This was done to find out if any disparities might exist. From the limited data, this could be happening. It seems that in every MCO, there are fewer Black/African American and Hispanic participants who have an employment goal compared to the total number of people in the group. Also, there are fewer of them with jobs compared to the number who have an employment goal in their plan. The Commission wants OLTL and the MCOs to examine these numbers, see if there's a problem, and if so, why.

4. Summary of Findings

According to the data that has been provided to the EFOC through the Department of Human Services, slow but consistent progress in employment first efforts have been made across offices and agencies.

Worsening rate of progress in 2021-2022 from 2020-2021

It is evident that there has been a slowdown of individuals pursuing competitive integrated employment and related services over the past year, stemming from the initial rush of individuals trying to get jobs after pandemic restrictions had lifted.

Insufficient employment first progress within the Office of Long-Term Living (OLTL)

Regardless of measurement, the employment rate and services for individuals who are enrolled in services under OLTL are incomparable to similar data presented by the Office of Developmental Programs (ODP). There could be multiple sources for this service and outcome inequity. That could include inadequate funding, inadequate reimbursement rates, or using MCO's instead of supports coordination organizations.

Difficulty measuring progress and initiatives within OMHSAS

A lack of data and cohesiveness among the state mental health services has made it impossible to measure progress or provide recommendations.

5. Recommendations

DHS Rec. 1: DHS should financially incentivize Supports Coordinators/Service Coordinators (SC) to promote employment with participants in HCBS waivers.

Employment First makes sure that competitive integrated employment is the first option and expected outcome of publicly funded services. The SCs are the first and primary place where employment should be discussed with the program participant. SCs can help promote employment with participants, yet there has not been major improvement in the numbers, especially in the following areas:

- Employment as a goal in participants' Individualized Support Plan (ISP)
- Employment services authorized in the ISP.
- Employment services provided.
- Referrals to the Office of Vocational Rehabilitation
- Referrals to Work Incentive Program Assistance (for benefits counseling), and
- Competitive integrated employment outcomes.

Because of the workload, support coordinators (SCs) might think it is "easier" to suggest that someone joins a program at a facility instead of supporting CIE. Service Coordinators should be given incentives to help people find real jobs with the right support. It would be ideal to provide extra rewards when they meet the goals of "Employment First." This idea goes along with a new way of supporting outcomes called Value Based Payment (VBP). This new idea for services is a different and better way because it focuses on making sure the services are good and have good results.

The Commission is excited about the possibility of a new plan for OLTL. Reviewing all CHC MCOs to address smart financial incentives to improve employment outcomes.

As the intellectual disability and autism IDAD system moves toward new reimbursement plans (e.g., performance value-based purchasing), ODP is proposing a new waiver amendment: "selective contracting." The pros and cons of Selective Contracting for the IDAD system are still being discussed. Performance-based contracting, as proposed by ODP, in the proposed ODP selective contracting language, could lead to choosing SCOs who are of higher quality with better outcome indicators.

DHS Rec.2: OLTL and ODP should automatically refer any participant with an employment goal in their Individualized Service/Support Plan (ISP) to OVR
(New Recommendation)

Because of federal funding rules, Vocational Rehabilitation funds need to be used before ODP or OLTL can pay for employment supports for a participant who has an employment goal in their Individualized Service Plan (ISP). As soon as an employment goal is put in an ISP, the Service Coordinator should refer them to the Office of Vocational Rehabilitation (OVR).

Once referred, OVR can determine if the individual is eligible and/or if the person had been a customer of OVR in the past. If they are determined eligible, then OVR can begin creating or updating their Individualized Plan for Employment (IPE), and/or provide services needed for competitive integrated employment (CIE). If OVR determines that the individual is not eligible for services, then employment services can be added to the participant's ISP and provided by ODP/CHC/OLTL in pursuit of CIE.

It's important for OLTL/ODP to send the participant to OVR right away. This way, they can start getting help with getting a job either through OVR's plan or the ODP/CHC/OBRA. Otherwise, time will be wasted, and they won't be able to make progress towards their job goal.

DHS Rec. 3: Annually, OLTL and ODP should increase the rates for supported employment services.

In the OLTL Community Health Choices program, there are not many people who are working or getting help finding jobs. This is partly because the money given to those who provide employment services is very low. So, not many providers want to offer these services. In 2022, in ODP, 75% of employment service codes got a small 0.9% increase. This was the first time in six years that the ODP rates increased! Providers need more money to keep up with the costs of doing their job. At the very least, the money they get should go up as things get more expensive (inflation). And they should be able to count on getting more money each year, not just every 5 to 8 years.

DHS Rec. 4: DHS should examine which licensed facilities are permitted to support subminimum wage activities and consider limiting their use to only licensed 2390 Vocational Facilities.

DHS needs to make it clear how its money is being used to support activities where people are paid less than the minimum wage. DHS should also make sure that the people getting this support are in the right place for such activities. There are two types of places for these subminimum work activities, 2380s and 2390s[2]. The state suggests that the appropriate place for these activities is in a 2390.

If these services are allowed in other places (like 2380s), it is confusing for the people who make rules, provide the money, and keep an eye on the services. This also raises a question about whether the proper health and safety protections that are supposed to be in place in 2390s are also being provided in 2380s.

DHS Rec. 5: DHS should increase systems and public awareness about Medical Assistance for Workers with Disabilities (MAWD) and the MAWD/Workers with Job Success statute.

MAWD: Workers with Job Success (Act 69 of 2021) makes a new category for eligibility under MAWD, making it possible for workers with disabilities to earn more money and save. Making people aware of MAWD is important. Education on these changes should be provided each year to disability organizations, County Assistance Offices (CAO), OVR customers, people with disabilities, and family members.

The Department of Human Services needs to collect and share information every year with the Employment First Oversight Commission. This information should include data about how many people are signed up for different categories of MAWD, why some people are not able to use MAWD anymore, how much money people are making, and how many of them are also using Home and Community-Based Services.

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[2] 2380 description
https://www.pacodeandbulletin.gov/Display/pacode?file=/secure/pacode/data/055/chapter2380/chap2380toc.html 2390 description
https://www.pacodeandbulletin.gov/Display/pacode?file=/secure/pacode/data/055/chapter2390/chap2390toc.html

Additionally, all departments (including the County Assistance Offices) that work directly with individuals with disabilities and those that may be involved in the employment of people with disabilities should have a working knowledge on Medical Assistance For Workers With Disabilities, Medical Assistance For Workers With Disabilities: Workers With Job Success and other programs that allow individuals with disabilities to work, earn, and save.

DHS Rec. 6: HCBS waivers, OVR, and transition IEPs should include financial education.

Learning about money and how to manage it (which is also called financial education or financial literacy) is important for people with disabilities who want to become independent by working. Everyone, including people with disabilities, should have the knowledge to make smart choices about things like making a budget, earning money, saving safely, paying taxes, building good credit, and protecting themselves from identity theft. This information is crucial, and it's also important to know how the money you make and the things you own can affect your ability to get benefits from Medical Assistance and HCBS waivers and the opportunity to participate in the Medical Assistance for Workers with Disabilities (MAWD-Medicaid) program. It is also vital to understand things like the ABLE savings program, which can help you save money without hurting your benefits, and the difference between supported decision-making and guardianship. This is important for everyone who wants to think about working and those who already have jobs and want to keep working.

DHS Rec. 7: The General Assembly should hold a joint hearing with the Secretary of the Department of Human Services, the Deputy Secretaries from the pertinent offices, and waiver participants. The hearing should focus on different Direct Care Provider (or Direct Service Professionals) service definitions, the fee service rates, and how they affect employment outcomes from both ODP and OLTL.

Making sure that everyone gets fair access to services provided by Direct Care Professionals (DCP's) is important. We can tell how well this is happening by looking at how much these services help people with disabilities find jobs. Right now, the money given for employment services is quite low in programs run by the Office of Developmental Programs (ODP), and it's even lower within the waiver programs run by the Office of Long-Term Living (OLTL). This directly affects how much the people who provide these services can get paid. When Direct Care Providers do not get paid well, they might not want to stay in their jobs, which can affect quality of services.

On the other hand, there are many people who could use employment services from ODP, but there is a waiting list for a waiver. But in the OLTL system under Community Health Choices (CHC), there's no waiting list. Because of this, some people with ID/A (Intellectual Disability/Autism) are choosing OLTL over ODP, even if it might not be the best fit for them. Payment rates need to be better in different DHS departments. There should be similarity across the systems for like services.

DHS Rec. 8: Improve safeguards to protect people with disabilities from losing their benefits by mistake in the system or inaccurate information at the County Assistance Offices.

The way things are set up now, there are strict rules about who is eligible based on finances. For instance, there's a limit on how much money a person with disabilities can have. The timing of getting money and paying bills, as well as small mistakes, can quickly make someone ineligible, even if they still really need services.

People with disabilities and their fiscal agents should be educated to learn how this process works. Also, there should be some flexibility and people should be allowed to fix things before someone loses their benefits because of minor issues.

DHS Rec. 9: ODP should review and make needed changes to the service definition for Advanced Supported Employment, including eligibility, rate amounts, and the method of service reimbursement.

Not many people are using this service, and there might be two reasons for that. First, the rules for who can use the service are strict, and so not everyone qualifies. Second, the service providers only get paid if they achieve certain outcomes, which might make them less interested in offering the service. While it's a good idea to pay based on results, it works best when the system is well-established. To make this service more popular, the first thing to do is to get more people to use it regularly.

DHS Rec. 10: ODP should report, by county, how they use base dollars to support non-CIE outcomes.

ODP needs to share information about how much money from the state is given to each county. They should also tell us how many people that money is used for. This money is used to support people who are working for employers that have a "14c certificate" and are paying them less than the regular minimum wage.

DHS Rec. 11: ODP should report the number of people who are getting ODP-funded services in a subminimum wage activity according to facility type (e.g., licensed 2380 facilities, licensed 2390 facilities, or any other location).

In Pennsylvania, in 2022 there were 147 people or groups who have 2390 Vocational Facilities licenses and 457 with licenses for 2380 Adult Training Facilities. The Commission wants to know how many participants receiving subminimum wage are in each type of facility, for next year's annual report. The Commission needs more information from ODP to understand how a 2380 site provides employment services and pays subminimum wages.

DHS Rec. 12: OLTL should track the participants getting paid subminimum wage according to their living arrangement (e.g., licensed community "group" home, their own home, or living with a family member, etc.).

The Commission wants to find out if there are differences between how many people are working in competitive integrated jobs based on their living arrangement. If there are differences, then the Commission could recommend program and policy changes so that all people, regardless of living arrangement, can access competitive integrated jobs.

DHS Rec. 13: Establish CHC MCO employment specialist positions (potentially in MCO contract updates)
(New Recommendation)

In addition to service coordinators, CHC Managed Care Organization (MCOs) should have employment specialists who are assigned to serve CHC waiver participants with at least one for each OLTL region. The number of employment specialists will be based on a percentage TBD of the number of the MCO's participants in each region. Service coordinators should not count as employment specialists.

Employment specialists should be responsible for providing employment-related information and referrals to service coordinators and participants who indicate an interest in employment. That information includes the importance of having an employment goal in the person-centered service plan, various employment related services under CHC as well as other sources of services including the WIPA program and OVR and how to access those services. Employment specialists should also encourage employment of CHC waiver participants by educating participants and service coordinators about Medical Assistance for Workers with Disabilities including Workers with Job Success, Section 1619b and other provisions which enable most participants to maintain their waiver after employment. Employment specialists should also develop relationships with employers in their region to encourage employment of CHC waiver participants. These specialists should not have other responsibilities not directly related to employment.

DHS Rec 14: CHC network adequacy to enable employment (potentially in MCO contract updates)
(New Recommendation)

Reliable, high-quality caregivers are vital to enabling people with disabilities to get and keep competitive integrated employment. It is essential that CHC MCOs have enough personal assistance providers in their network who can fully staff the services authorized by the MCOs. However, given wage scales for direct care workers that are not competitive even with entry level retail and food service jobs, it has become increasingly difficult for agencies serving CHC waiver participants to recruit and retain qualified direct care workers. As a result, many waiver participants go with authorized hours of personal assistance unstaffed. This makes it impossible for some CHC waiver participants to seek and maintain CIE as they lack the support needed to get dressed for a job, take transportation to work and handle personal care needs while at work. "CHC-MCOs are required to contract with a sufficient number of providers to demonstrate network adequacy." (CHC waiver application 2023, p.226). Among the key providers for CHC waiver participants are agencies that provide personal assistance services. As a means of ensuring network adequacy of PAS providers, OLTL should consider the EFOC's following requirements.

- Create a wage equalization fund for the sole purpose of increasing CHC direct care workers' wages to a level equal to direct support professional workers in the ODP waivers or prevailing marketplace wages, whichever is higher. This fund should be separate from the capitated rate paid to the MCOs to ensure it is not used for other purposes.
- Create an enhanced tier of PAS services for CHC waiver participants with complex conditions with a higher pay rate, like the enhanced in home and community supports service under the ODP waivers.
- Require CHC MCOs to report unfilled PAS hours to OLTL along with their other monthly reports.
- Monitor those reports and the MCOs' use of the wage equalization fund. OLTL will take corrective action against MCOs that misuse the fund or fail to have an adequate network of PAS providers to ensure authorized hours are staffed.
- Review the wage maximums for consumer-directed PAS and increase them to a level equal to direct support professional workers in the ODP waivers or prevailing marketplace wages, whichever is higher.
- Review wage rates on an annual basis to determine wage comparability with prevailing wages in the marketplace.

DHS Rec. 15: Community Autism Peer Specialist Program (CAPS) should be expanded across the state, with funding from Behavioral Health Choices, ODP, and/or OVR.

CAPS is a program made by Community Behavioral Health (CBH), a group that provides care for people's mental health in Philadelphia. It uses an approach where people who have been through similar experiences (Certified Peer Specialists) help young adults (14-17 years old) and adults look for and find employment services. Even though the services in Behavioral Health (BH) Health Choices are different in each place, this model program could be supported by the Department of Human Services (DHS) and suggested to other BH-MCOs

DHS Rec. 16: Continue the Department of Human Services' efforts to implement value-based purchasing arrangements in the Behavioral Health Choices program that includes addressing employment as a social determinant of health.

Each year, data should be gathered and then shared by Behavioral Health Managed Care Organizations (BH-MCOs) to DHS for publication like what is collected by ODP and OLTL.

Right now, the services that help people with behavioral health conditions find jobs that are only offered at the county level and only if someone wants them. Even though there are some new and helpful programs to support employment, they are not the same everywhere in the state. Having a job can really help someone with behavioral health issues, and employment support is a good use of state funding. Not providing these supports goes against the Employment First policy, which says programs paid for by the government should focus on helping people get jobs before anything else.

The State Office of Mental Health and Substance Abuse Services (OMHSAS) told the Employment First Oversight Commission that according to the Medicaid waiver given for the Behavioral Health Choices program, the federal Centers for Medicare and Medicaid Services does not allow employment services to be a regular part of the program. This means each county's mental health or behavioral health programs must separately try to help people get employment support. However, this is under the base fee-for-service county mental health program in place.

To address this issue, DHS/ OMHSAS employment services should be built into the "Community-Based Care Management" program, allowing BH-MCOs to choose to offer employment services as part of an overarching plan to address social determinants of health.

DHS should also look at building employment into value-based payment programs. Specifically, BH-MCOs are being required (at an increasing amount/percentage of provider payments each year) to implement creative alternatives to traditional fee-for-service reimbursement. Knowing this, BH-MCOs can incorporate employment as a process and an outcome to financially reward successful, quality providers. As an example, the successful initiation of employment could be tracked as an offset to decreased behavioral and physical health costs.

DHS Rec. 17: OMHSAS (Office of Mental Health and Substance Abuse Services) should annually report and employ at least 600 additional people receiving services for employment.

In 2021-22, the Commission learned that the information they used to understand progress wasn't very trustworthy. Because of this, they couldn't show any clear improvements in their report for 2021. They found out that OMHSAS (a part of the state) was now asking for better and more complete information about employment. This new data was supposed to be collected from each county and given to OMHSAS by the end of July 2021.

For their report in 2022, the Commission got some details about employment and job-related services in each county or groups of counties.

DHS Rec. 18: Increase access to on-demand transportation

DHS should make changes to its Home and Community-Based Waiver programs to streamline the process of using Medicaid Home and Community-Based Service waiver funds for accessing on-demand transportation services (like Uber and Lyft) via participants' mobile phones. This adjustment would enable individuals to use their allocated waiver funds to get to their competitive integrated jobs on time, every time. Without on-demand transportation, keeping a job in the community is made more difficult because workers must rely on the Shared Ride Program, provider transportation, or family.

6. Data

ODP Data, Charts, and Tables

Number and percent of individuals with Competitive Integrated Employment by ODP supports coordination organization

Data Source: ODP Data provided for annual EFOC report

Table Description: This table and chart include individuals ages 18-64 enrolled in the Consolidated, P/FDS, Community Living, or Adult Autism Waivers, Base Funding, or Supports Coordination Services only. Numbers under 11 have been suppressed for privacy, this is illustrated through two asterisks (**). Not Applicable (N/A) indicates the SCO was not serving any people at that time

Data Highlights: Overall, the percentage of individuals in supports coordination organizations (SCOs) has increased by 2% yearly. On average, 17% of individuals who are served by a support's coordination organization have competitive integrated employment. Due to the small size of some of the SCOs, the actual numbers of participants with Competitive Integrated Employment shows a clearer picture of the current employment situation.

SCO Entity Name	June 30, 2020		June 30, 2021		June 30, 2022	
	# with CIE	% with CIE	# with CIE	% with CIE	# with CIE	% with CIE
A Bridge To Independence	**	40%	**	22%	**	35%
Achieving More, Inc	14	20%	19	16%	49	26%
AdvoCare Support Systems LLC	N/A	N/A	**	67%	**	63%
Alleghenies United Cerebral Palsy	23	35%	24	34%	24	35%
Amcord Care Inc	N/A	N/A	**	100%	N/A	N/A
Arc Advocacy Services	153	12%	179	13%	212	16%
Beaver County MH MR - D And A BSU	79	14%	74	14%	84	16%
Bradford Sullivan Counties MH-MR Program	35	10%	40	11%	44	13%
Cambria County MH MR	29	7%	36	9%	42	10%
Case Management Unit	211	21%	211	21%	247	25%
Case Management Unit, Lebanon	46	23%	42	23%	0	0%
Ce MH MR Program	19	17%	16	14%	18	17%

SCO Entity Name	June 30, 2020		June 30, 2021		June 30, 2022	
	# with CIE	% with CIE	# with CIE	% with CIE	# with CIE	% with CIE
Center For Community Resources – Allegheny	12	19%	19	24%	24	24%
Center For Community Resources – Blair	**	4%	0	0%	**	17%
Center For Community Resources – Butler	99	17%	103	17%	115	19%
Center For Community Resources – Clarion	**	5%	**	7%	**	8%
Center For Community Resources – Lebanon	N/A	N/A	N/A	N/A	**	38%
Center For Community Resources – Washington	**	10%	**	10%	24	25%
Center For Community Resources – Westmoreland	0	0%	**	17%	**	8%
Center For Community Resources – William	**	13%	**	13%	**	20%
Center For Community Resources, Inc.	**	39%	**	38%	**	42%
Centre County MH MR And BSU	91	26%	85	24%	108	31%
Chester County MH MR	161	22%	150	21%	156	22%
Chester City Intermediate Unit	**	54%	12	52%	14	64%
Community Guidance Center	27	10%	26	10%	29	12%
Community Resources For Independence	44	43%	44	40%	56	46%
Consortium Inc	101	11%	109	13%	107	12%
County Of Delaware – TSM	207	14%	204	15%	212	16%
Crawford County Human Services	36	10%	46	12%	52	14%
Creative Independence Alliance Corp	**	4%	**	12%	**	10%
Creative Life Options LLC	28	48%	34	53%	30	47%
Cumberland Perry MH MR Office And BSU	169	22%	166	21%	185	23%
Cypress Support LLC	**	21%	12	28%	20	38%
Developmental Supports And Services BSU	90	16%	99	18%	110	19%
Erie County Care Management Inc	267	14%	291	15%	352	18%
Family Counseling Ctr Dd	17	7%	16	6%	24	9%
Family First Supports And Consulting	**	18%	0	0%	N/A	N/A
Familylinks Independent Supports Coor	353	15%	367	16%	423	18%
Fayette County MH MR Program	48	11%	49	11%	56	13%
Gracefull Progress	16	31%	19	32%	20	35%
Greene Community Human Services Prog	**	3%	**	6%	**	7%
Helping Hands Community Services	**	47%	**	38%	**	69%

SCO Entity Name	June 30, 2020		June 30, 2021		June 30, 2022	
	# with CIE	% with CIE	# with CIE	% with CIE	# with CIE	% with CIE
Human Services Center	43	13%	55	16%	57	16%
Journey To Wellness Supp. Coordination	**	16%	11	17%	11	15%
Lancaster County MH-MR And BSU	231	17%	255	18%	284	20%
Lehigh Valley CIL Inc	21	43%	11	35%	23	49%
Lenape Valley Foundation	178	17%	194	18%	226	20%
Luzerne-Wyoming Counties MH MR Program	160	12%	150	12%	160	13%
Lycoming Clinton BSU	74	14%	61	12%	63	14%
Mercer Co Behavioral Health Commission	49	11%	57	12%	51	11%
Miracle Works LLC	**	18%	**	23%	11	32%
Monroe MR Services Unit	98	11%	95	11%	105	12%
Northampton County MH MR Program	0	0%	0	0%	0	0%
Northstar Support Services BSU	64	12%	74	14%	89	17%
Northumberland County	73	18%	71	19%	78	22%
Partnership For Community Supports	259	13%	250	13%	276	15%
Penn Foundation MR Case Management	93	21%	93	21%	98	23%
Penndel Mental Health Center	132	18%	122	17%	134	18%
Person Link-Phmc	83	7%	115	10%	140	11%
Philadelphia MRS ICF-MR	0	0%	0	0%	0	0%
Potter County Human Services	11	29%	**	19%	**	20%
Public Health Management Corporation	N/A	N/A	**	17%	0	0%
Quality Progressions	283	15%	268	14%	331	18%
Quality Progressions – Northampton	75	12%	83	13%	97	16%
Rankin Christian Center	140	13%	152	15%	176	17%
Road To Independence	N/A	N/A	N/A	N/A	**	100%
Roni Vandagna And Jennifer Brodie	124	17%	168	21%	223	24%
Sam Blair	**	11%	**	8%	**	13%
Sam Inc – Allegheny	**	11%	N/A	N/A	N/A	N/A
Sam Inc – Clarion	12	8%	12	9%	17	12%
Sam Inc - Clearfield/Jefferson	58	16%	59	16%	60	16%
Sam Inc – HMJ	54	12%	59	13%	63	14%
Sam Inc - Lehigh Valley	191	14%	186	14%	227	16%
Sam Inc – Scranton	53	10%	52	10%	70	13%
Sam Inc Lebanon	58	28%	67	30%	99	28%
Sam Inc Schuylkill	46	9%	54	11%	59	11%
Sam, Inc.	16	10%	25	16%	27	17%
Sam, Inc. F/F	44	9%	51	10%	61	13%

SCO Entity Name	June 30, 2020		June 30, 2021		June 30, 2022	
	# with CIE	% with CIE	# with CIE	% with CIE	# with CIE	% with CIE
Scranton Counsel Center	0	0%	0	0%	0	0%
Service Access And Management Inc Montco	80	16%	95	17%	101	18%
Service Access And Management Inc	169	13%	190	14%	218	16%
Service Coordination Unlimited, Inc.	14	74%	12	75%	13	13%
Shore Direct Care LLC	N/A	N/A	N/A	N/A	**	20%
Somerset BSU	52	11%	57	12%	67	14%
Staunton Clinic Valley Med Facilities	260	19%	244	18%	295	21%
Support Coordination Services LLC	**	38%	**	37%	**	44%
Sydandi LLC	N/A	N/A	N/A	N/A	**	3%
The Guidance Center	15	7%	11	5%	19	9%
Tri Valley Care Inc	45	12%	35	9%	41	10%
United Disabilities Services	38	44%	35	41%	29	35%
Venango County MH MR BSU	25	12%	32	15%	28	13%
Warren County Human Services	16	10%	14	9%	12	8%
Washington Communities MH MR Center	34	13%	38	14%	45	12%
Washington County MH MR Program	34	17%	24	12%	N/A	N/A
Wayne County MH MR	35	22%	35	22%	35	21%
Westmoreland Case Management-Supports	171	16%	181	16%	208	18%
WJS Allegheny Psychological Associates	14	32%	14	26%	18	32%
York BSU And MH-MR	210	16%	216	16%	233	18%
Your Choice Supports Coordination	31	46%	32	47%	35	51%
Total	6,341	17%	6,607	19%	7,550	21%

Table 6. Number and Percent of Individuals with Competitive Integrated Employment by ODP Supports Coordination Organizations
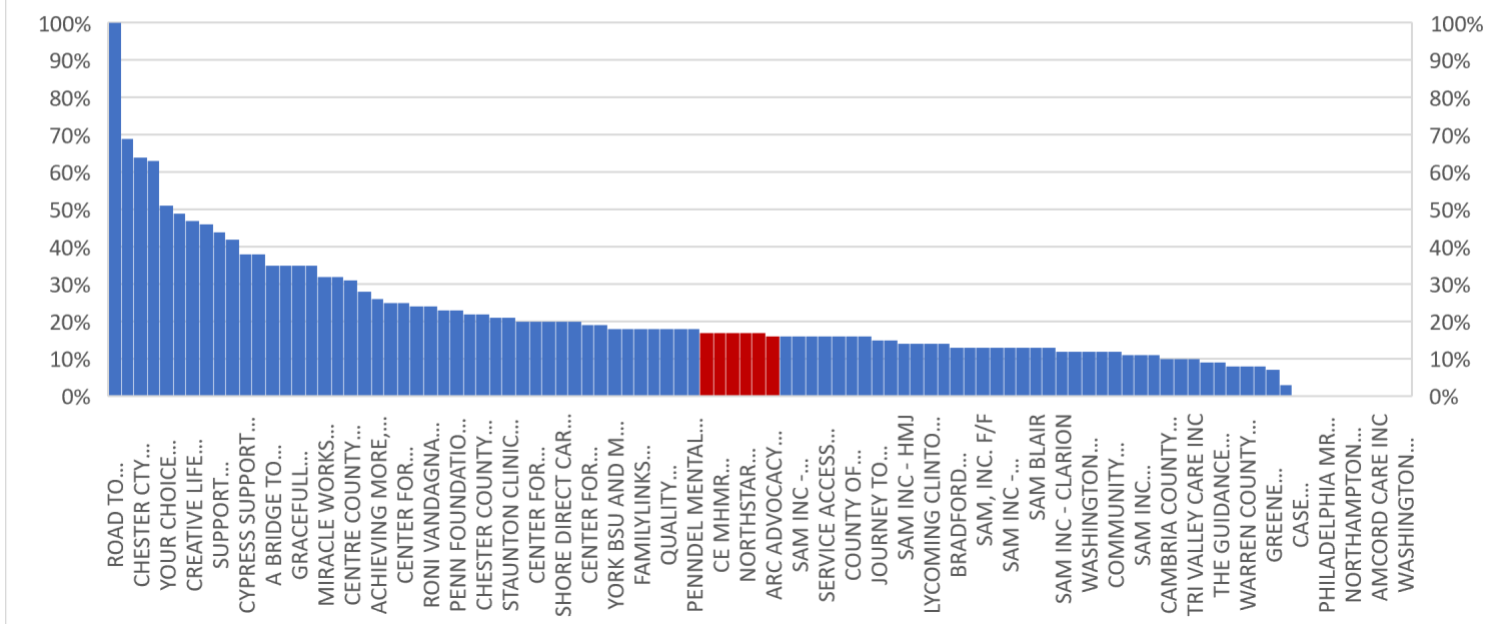
Figure 1: Number and Percent of Individuals with Competitive Integrated Employment by ODP Supports Coordination Organization

RED bars = 17% (Statewide Average as of June 30, 2022)

Number of people enrolled in ODP with employment as a goal in their ISP who have authorized employment services versus those utilizing employment services according to race as of June 2022

Data Source: ODP Data provided for annual EFOC report

Table Description: This table provides information about working-aged individuals who are enrolled with the Office Of Developmental Programs. It shows how many participants have employment services approved in their individualized service plan, and how many are using those services. This information is broken down by race.

Data Highlights: Approximately 77% of individuals who have employment services authorized in their Individualized Service Plan are using those services. Individuals utilizing these services at the lowest rate are of Asian descent at a rate of 71% and the highest being participants with an unknown race at 92%.

Working age ODP participants with employment services approved and those using them, by June 2022

	American Indian or Alaskan Native	Asian	Black or African American	Native Hawaiian or other Pacific Islander	Other or System Default	Unknown	White	All
June 2022 # Authorized		81	1168	0	372	14	4034	5675
June 2022 # Utilized**		58	885	0	276	13	3124	4360
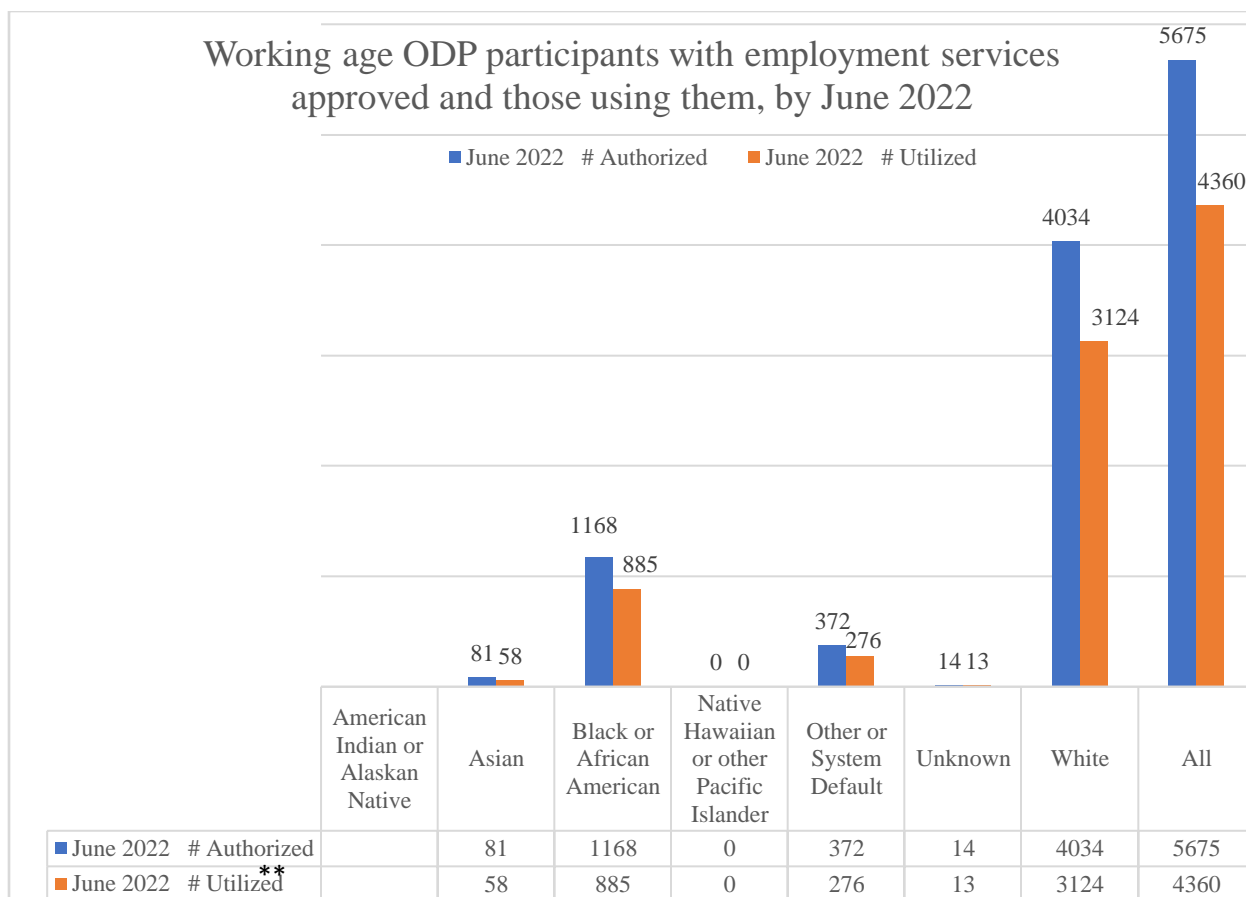
Figure 2: Working age ODP participants with employment services approved and those using them, by June 2022

Number of people aged 18-64 enrolled With ODP with CIE, according to race and year

Data Source: ODP Data provided for annual EFOC report

Table Description: This table shows the number of working age ODP participants who have Competitive Integrated Employment. Information is broken down by race and year.

Data Highlights: Across all races, there has been an increase in the number of participants who have Competitive Integrated Employment. Although progress was made in the number of individuals with CIE across all races, it was at a higher rate of change between 2020 and 2021 than there was between 2021 and 2022.
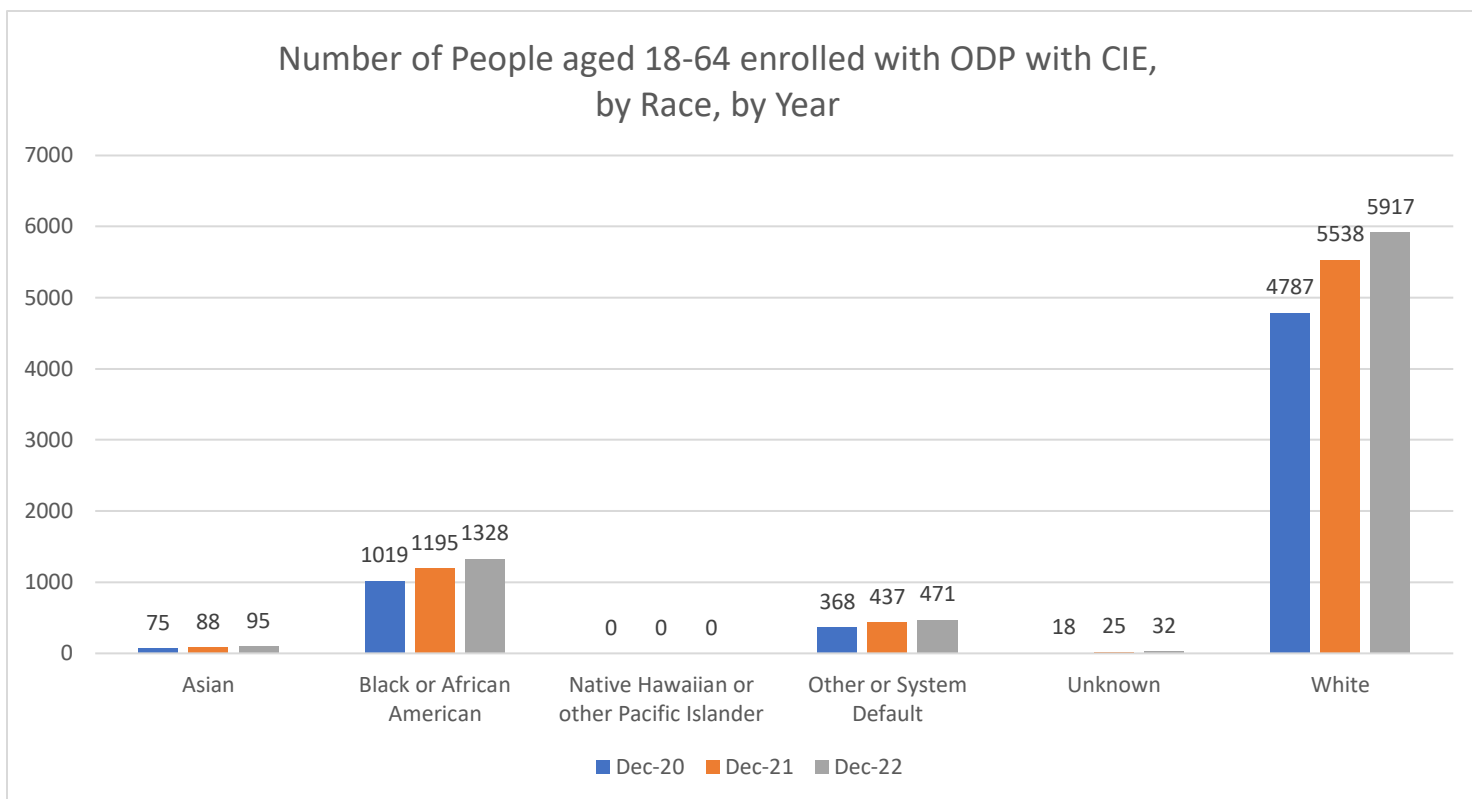
Number of People aged 18-64 enrolled with ODP with CIE, by Race, by Year

	Asian	Black or African American	Native Hawaiian or other Pacific Islander	Other or System Default	Unknown	White
Dec-20	75	1019	0	368	18	4787
Dec-21	88	1195	0	437	25	5538
Dec-22	95	1328	0	471	32	5917

■ Dec-20 ■ Dec-21 ■ Dec-22

Figure 3: Number of People aged 18-64 enrolled with ODP with CIE,

Number of people aged 18-64 enrolled with ODP with CIE, by living situation, by year

Data Source: ODP Data provided for annual EFOC report

Table Description: This table shows the number of people who are aged 18-64 and are enrolled in ODP who have competitive integrated employment. It breaks this information down by living situation and year.

Data Highlights: Most individuals who have Competitive Integrated Employment live on their own or with family, followed by individuals who are in 24-hour residential facilities, which could include group homes.
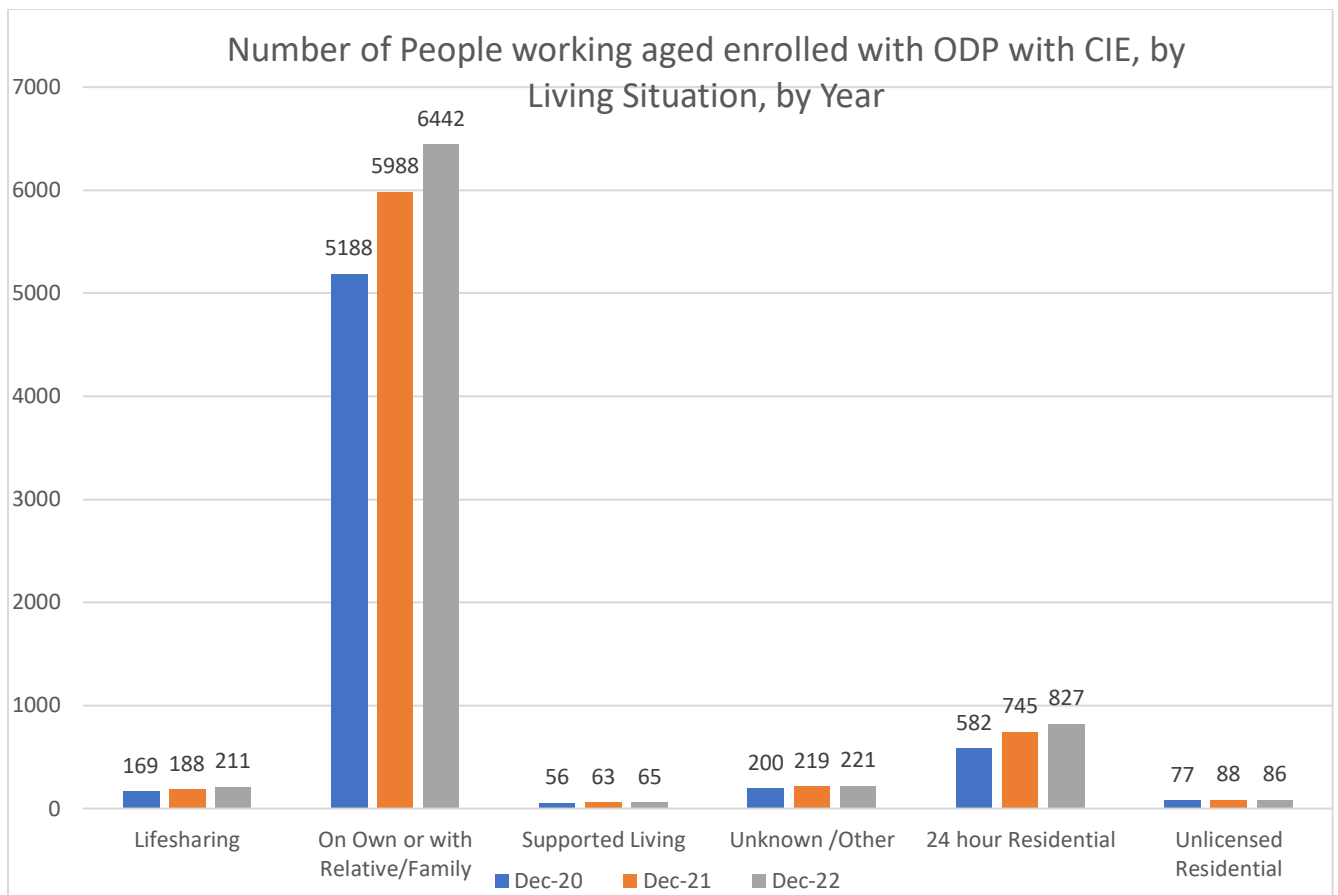
Figure 4: Number of People working aged enrolled with ODP with CIE, by Living Situation, by Year

Percent of people with employment as a goal in their ISP by living situation as of December 2022

Data Source: ODP Data provided for annual EFOC report

Table Description: This table shows the number of people who are aged 18-64 and are enrolled in ODP who have an employment goal in their ISP. It breaks this information down by living situation and year

Data Highlights: This data parallels the numbers of individuals who have Competitive Integrated Employment by their living situations.

PERCENT OF PEOPLE WITH EMPLOYMENT AS A GOAL IN THEIR ISP BY LIVING SITUATION AS OF DECEMBER 2022

Legend:
- 24 Hour Residential (2995)
- Lifesharing (472)
- On Own or with Family (9559)
- Supported Living (102)
- Unknown/Other (428)
- Unlicensed Residential (119)
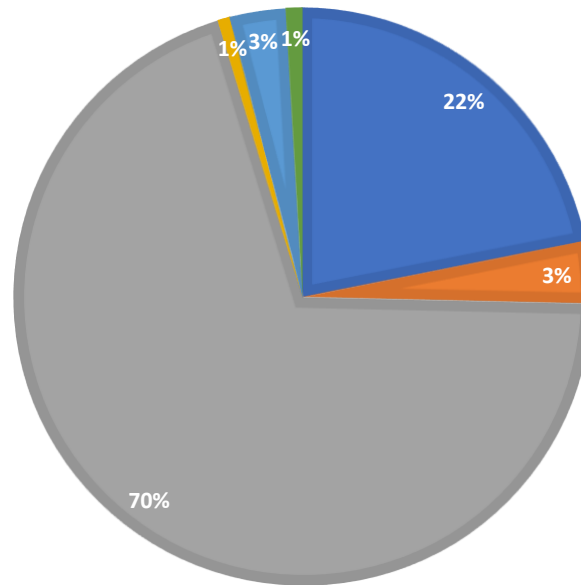
Figure 5: Percent of people with employment as a goal in their ISP by living situation as of December 2022

People aged 18-64 enrolled with ODP, authorized for, and utilizing Employment Services, by living situation, by June 2022

Data Source: ODP Data provided for annual EFOC report

Table Description: This table shows the number of people who are aged 18-64 and are enrolled in ODP who have authorized for and utilizing Employment Services. It breaks this information down by living situation and year

Data Highlights: The authorization and utilization rates for employment services mirror the employment rate and employment goals of ODP participants by their living situations as seen in the previous charts. Additionally, the utilization rate of authorized employment services demonstrates a similar pattern regardless of race or living situation.

	24 hour Residential	Lifesharing	On Own or with Relative/Family	Supported Living	Unknown /Other	Unlicensed Residential	All
June 2022 # Authorized	1253	201	3921	62	149	89	5675
June 2022 # Utilized	951	154	3022	56	110	67	4360
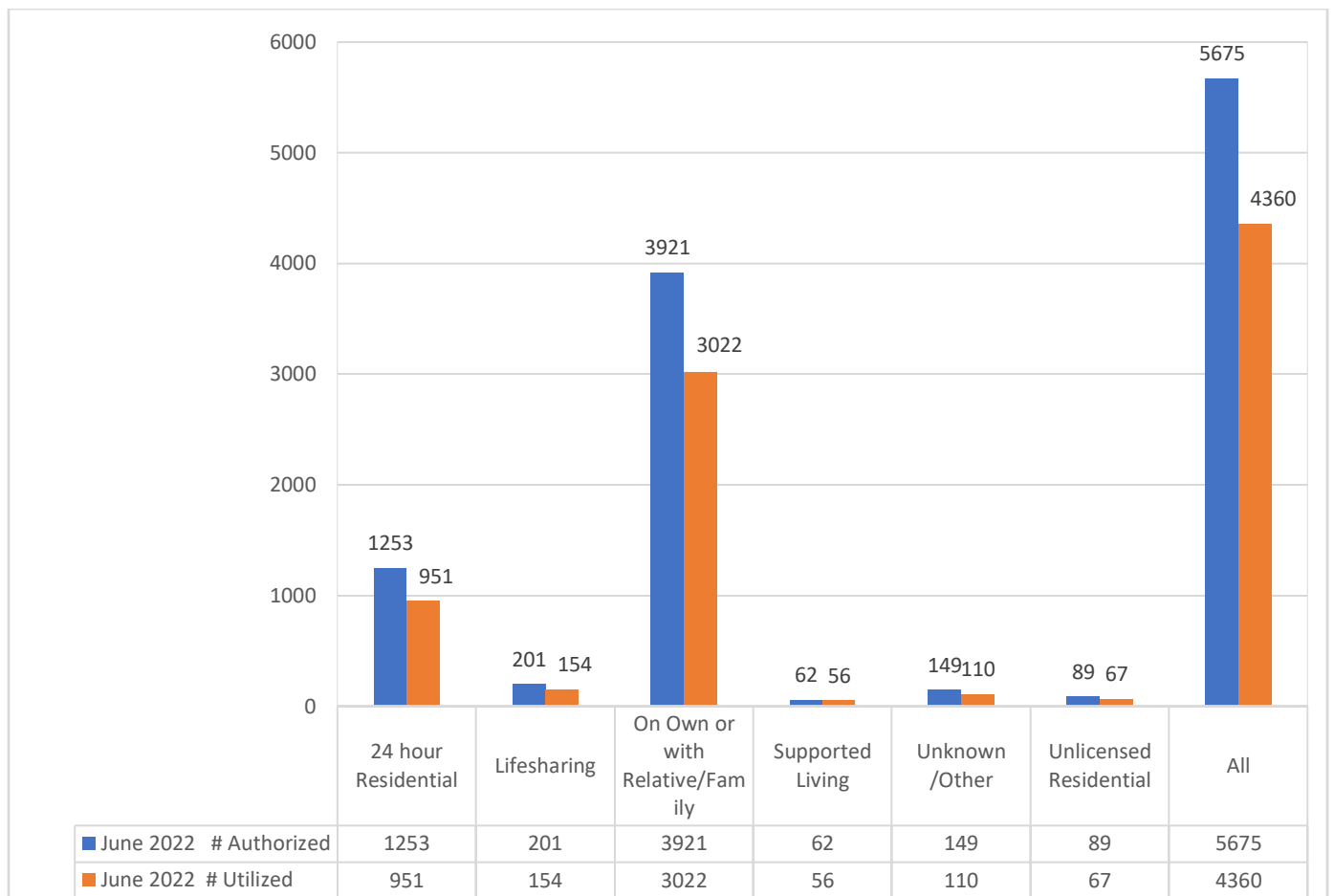
Figure 6: # People aged 18-64 enrolled with ODP, authorized for, and utilizing Employment Services, by Living Situation, by June 2022

Number of people aged 18-64 enrolled with ODP with CIE, by Average Hours Worked per week, by race

Data Source: ODP Data provided for annual EFOC report

Table Description: This table provides the average hours worked by ODP participants, broken down by race. Due to low numbers, individuals with races other than white and black are combined for confidentiality. The greatest number of individuals employed have N/A or "null" listed as the number of hours worked. It is unknown how these individuals track their time worked or what type of work is being done.

Data Highlights: Most participants with Competitive Integrated Employment marked the number of hours that they worked as null or not applicable, followed by individuals who worked 11-20 hours per week. It was not clear what responses from a participant resulted in a "null or not applicable" response
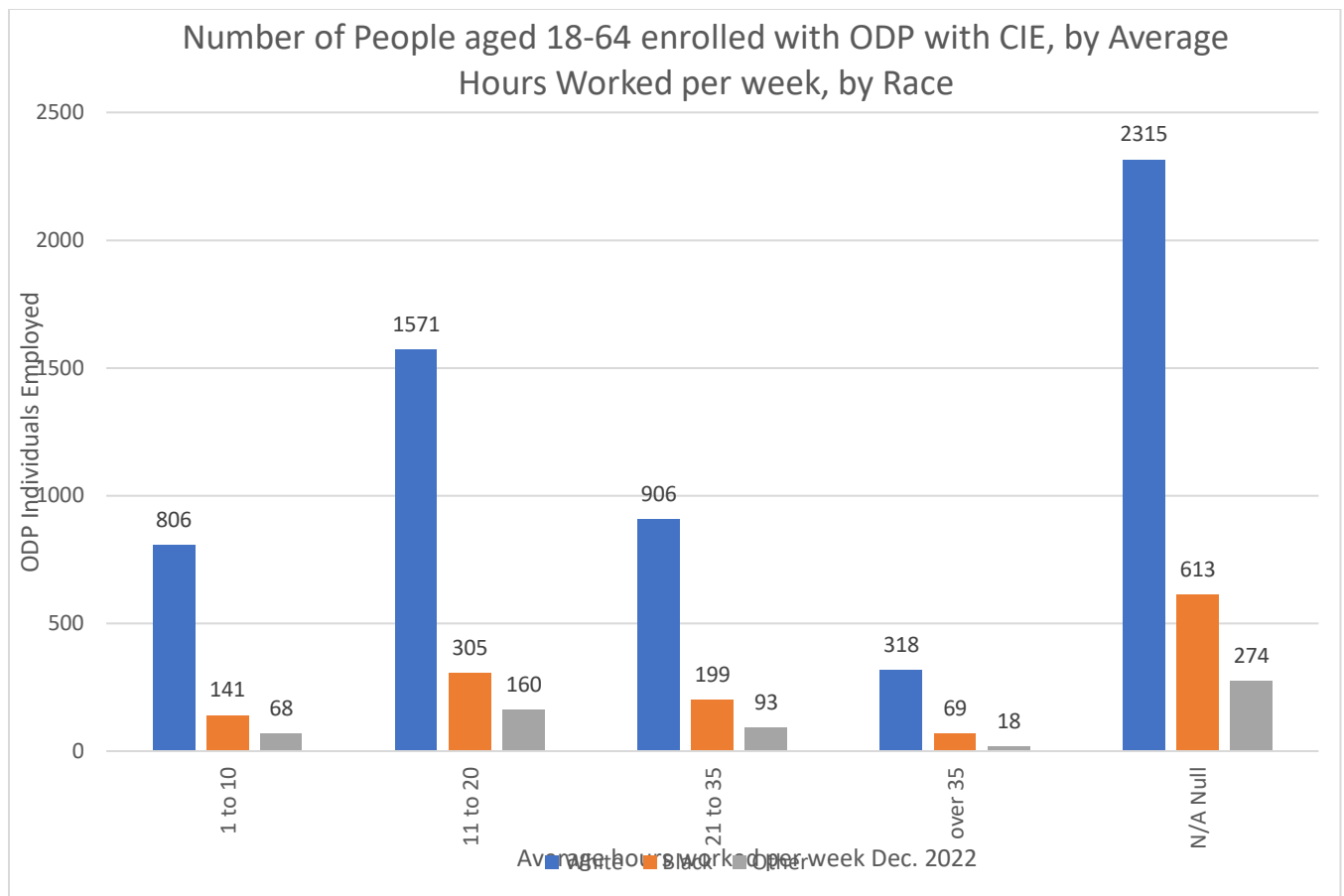
Figure 7: Number of People aged 18-64 enrolled with ODP with CIE, by Average Hours Worked per week, by Race

Number and percent of individuals enrolled with ODP who have Competitive Integrated Employment

Data Source: HCSIS & Individual Monitoring Employment Question #1 – "Is the individual working in a competitive integrated job?"

Table Description: This table includes ODP participants who are of working age (18-64). The number represents the individuals in each specified program who have Competitive Integrated Employment (CIE). The percentage represents the percentage of individuals in each specified program who have CIE out of the total number of participants in the specified programs. ODP Waivers included in the table below include Consolidated, Community Living, P/FDS, or Adult Autism). The number of individuals enrolled in a Waiver and the number of individuals enrolled in base-funded or SC only services may not be equal to the total number of individuals enrolled with ODP since individuals can be enrolled in a Waiver and receive base-funded services.

Data Highlights: The number and percentage of participants with competitive integrated employment continues to increase across service provision.

	Participants with an ODP Waiver who have CIE		Participants Enrolled in Base-funded or SC services only with CIE		Total Participants with ODP with a Waiver OR Base-funded or SC services CIE	
As of:	#	%	#	%	#	%
Dec 31, 2020	266	.46%	2,190	18%	6,261	14%
Dec 31, 2021	4,890	15%	2,421	20%	7,279	17%
Dec 31, 2022	5,332	16%	2,549	21%	7,843	18%

Table 7: ODP Participants with CIE by service type

Number of ODP working-age individuals with an employment goal in their ISP, number of working-age individuals with authorized employment services, and number of individuals with CIE

Data Source: HCSIS. Supports Coordinators have been instructed to use the following guidance: "Does this consumer have employment goals? Y or N (Goals could be whether the individual would like to: explore competitive integrated employment, increase, or decrease hours of current employment, change jobs, career advancement, etc.)

Table Description: This table Includes individuals ages 18-64 served in the Consolidated, Community Living, Person/Family Directed Support (P/FDS), and Adult Autism Waivers as well as those receiving base funding and SC only services. "Authorized Services" includes Advanced Supported Employment, Supported Employment, Career Planning (AAW only), and Small Group Employment.

Data Highlights: According to the data available nearly half of the individuals who have an employment goal in their service plan have Competitive Integrated Employment. In 2022 70% of individuals with CIE had authorized employment services.
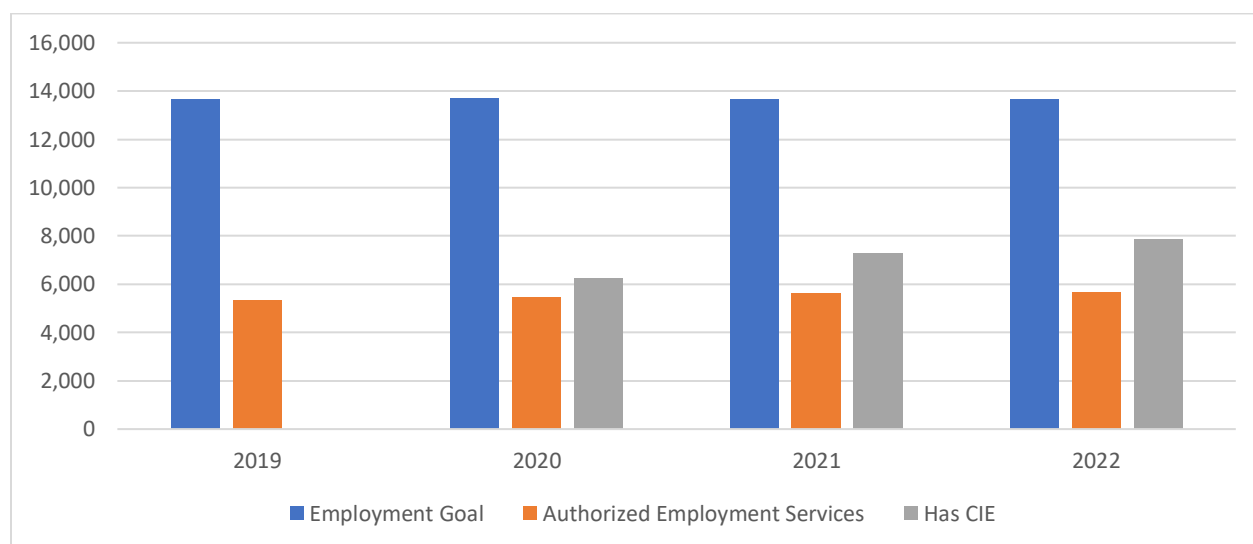
Figure 8: Number of ODP Working-Age Individuals with an Employment Goal in their ISP, Number of Working-Age Individuals with Authorized Employment Services, and Number of Individuals with CIE

As of Dec 31, of each year	Employment Goal	Authorized Employment Services	Has CIE
2019			
2020	13,712	5,448	6,247
2021	13,640	5,597	7,283
2022	13,675	5,675	7,843

Table 8: Number of ODP Working-Age Individuals with an Employment Goal in their ISP, Number of Working-Age Individuals with Authorized Employment Services, and Number of Individuals with CIE

Table of service locations licensed under 55 Pa. Code Chapter 2390 (licensed Vocational Facilities) as of July 2021 and July 2022

Data Source: ODP Data Compiled for EFOC July 2021 and 2022

Table Description: This table shows the number of 2390s in each county in 2021 and 2022.

Data Highlights: The greatest number of 2390 facilities are in southeastern Pennsylvania. There are **no** changes in the number of facilities between 2021 and 2022.

Central Region			Northeast Region			Southeast Region			Western Region		
County	'21	'22	County	'21	'22	County	'21	'22	County	'21	'22
Adams	1	1	Berks	2	2	Bucks	8	8	Allegheny	10	10
Blair	1	1	Lackawanna	1	1	Chester	13	13	Armstrong	1	1
Cambria	4	4	Lehigh	3	3	Delaware	6	6	Beaver	1	1
Centre	1	1	Luzerne	5	5	Montgomery	14	14	Butler	1	1
Columbia	1	1	Monroe	1	1	Philadelphia	12	12	Clearfield	1	1
Cumberland	2	2	Northampton	2	2	**Total**	**53**	53	Crawford	1	1
Dauphin	2	2	Pike	1	1				Elk	2	2
Franklin	2	2	Schuylkill	6	6				Greene	2	2
Huntingdon	1	1	Tioga	3	3				Indiana	1	1
Juniata	1	1	Wayne	1	1				Jefferson	1	1
Lancaster	7	7	Wyoming	1	1				Lawrence	3	3
Lebanon	1	1	**Total**	**26**	**26**				McKean	1	1
Mifflin	2	2							Mercer	2	2
Northumberland	1	1							Venango	1	1
York	2	1							Warren	0	0
Total	**29**	**29**							Westmoreland	9	9
									Total	**37**	**37**

Table 9: Service Locations Licensed Under 55 Pa. Code Chapter 2390 (licensed Vocational Facilities) as of July 2021

Number and percent of working-age individuals with Competitive Integrated Employment - by county

Data Source: HCSIS; Individual Monitoring Employment Question #1 – "Is the individual working in a competitive integrated job?" (Point in time as of December 31)

Table Description: This table shows the number of ODP participants, and the number and percentage of participants who have Competitive Integrated Employment from 2020 to 2022.

Data Highlights: Unlike information in previous tables, these data demonstrate the increase in the number of individuals who are enrolled with ODP at the county level from 2020-2021 followed by a decrease in between 2021 and 2022. Although the number of participants who have Competitive Integrated Employment increased yearly, the percent of ODP participants with Competitive Integrated Employment decreased slightly between 2021 and 2022.

County/ Joinder	Number of Individuals Enrolled with ODP 2020	Number of Individuals with CIE 2020	Percent of Individuals with CIE 2020	Number of Individuals Enrolled with ODP 2021	Number of Individuals with CIE 2021	Percent of Individuals with CIE 2021	Number of Individuals Enrolled with ODP 2022	Number of Individuals with CIE 2022	Percent of Individuals with CIE 2022
Allegheny	4,731	726	15.3%	4,803	874	18.2%	4761	884	18.6%
Armstrong/Indiana	561	41	7.3%	560	52	9.3%	562	59	10.5%
Beaver	595	89	15.0%	608	95	15.6%	611	91	14.9%
Bedford/Somerset	482	49	10.2%	486	63	13.0%	485	64	13.2%
Berks	1,386	187	13.5%	1,395	233	16.7%	1380	228	16.5%
Blair	556	71	12.8%	561	85	15.2%	558	91	16.3%

County/ Joinder	Number of Individuals Enrolled with ODP 2020	Number of Individuals with CIE 2020	Percent of Individuals with CIE 2020	Number of Individuals Enrolled with ODP 2021	Number of Individuals with CIE 2021	Percent of Individuals with CIE 2021	Number of Individuals Enrolled with ODP 2022	Number of Individuals with CIE 2022	Percent of Individuals with CIE 2022
Bradford/Sullivan	340	39	11.5%	335	40	11.9%	335	44	13.1%
Bucks	1,719	315	18.3%	1,755	353	20.1%	1722	345	20%
Butler	586	100	17.1%	590	108	18.3%	596	109	18.3%
Cambria	472	33	7.0%	463	47	10.2%	451	51	11.3%
Cameron/Elk	115	20	17.4%	114	18	15.8%	112	18	16.1%
Carbon/Monroe/Pike	919	100	10.9%	915	102	11.1%	916	108	11.8%
Centre	367	78	21.3%	353	95	26.9%	354	104	29.4%
Chester	1,413	263	18.6%	1,472	347	23.6%	1481	355	24%
Clarion	183	**	**	180	23	12.8%	180	30	16.7%
Clearfield/Jefferson	397	58	14.6%	394	58	14.7%	393	59	15%
Columbia/ Montour/ Snyder/Union	564	96	17.0%	568	114	20.1%	563	110	19.5%
Crawford	374	45	12.0%	381	55	14.4%	372	54	14.5%
Cumberland/Perry	796	173	21.7%	816	170	20.8%	794	184	23.2%

County/ Joinder	Number of Individuals Enrolled with ODP 2020	Number of Individuals with CIE 2020	Percent of Individuals with CIE 2020	Number of Individuals Enrolled with ODP 2021	Number of Individuals with CIE 2021	Percent of Individuals with CIE 2021	Number of Individuals Enrolled with ODP 2022	Number of Individuals with CIE 2022	Percent of Individuals with CIE 2022
Dauphin	1,001	205	20.5%	998	242	24.2%	996	247	24.8%
Delaware	1,755	285	16.2%	1,747	355	20.3%	1724	344	20%
Erie	1,917	283	14.8%	1,956	329	16.8%	1924	351	18.2%
Fayette	453	48	10.6%	444	54	12.2%	441	54	12.2%
Forest/Warren	155	13	8.4%	157	12	7.6%	155	13	8.4%
Franklin/Fulton	494	47	9.5%	485	54	11.1%	484	61	12.6%
Greene	93	**	**	97	**	**	**	**	6.3%
Huntingdon/ Mifflin/ Juniata	443	54	12.2%	455	66	14.5%	446	66	14.8%
Lackawanna/ Susquehanna	886	90	10.2%	909	97	10.7%	904	103	11.4%
Lancaster	1,419	244	17.2%	1,443	282	19.5%	1419	288	20.3%
Lawrence	369	53	14.4%	363	64	17.6%	364	61	16.8%
Lebanon	409	115	28.1%	425	121	28.5%	420	113	26.9%

County/ Joinder	Number of Individuals Enrolled with ODP 2020	Number of Individuals with CIE 2020	Percent of Individuals with CIE 2020	Number of Individuals Enrolled with ODP 2021	Number of Individuals with CIE 2021	Percent of Individuals with CIE 2021	Number of Individuals Enrolled with ODP 2022	Number of Individuals with CIE 2022	Percent of Individuals with CIE 2022
Lehigh	1,145	153	13.4%	1,169	199	17.0%	1151	193	16.8%
Luzerne/ Wyoming	1,219	147	11.3%	1,288	165	12.8%	1280	165	12.9%
Lycoming/Clinton	531	72	13.6%	526	71	13.5%	505	72	14.3%
McKean	219	11	5.0%	217	16	7.4%	210	19	9.1%
Mercer	466	59	12.7%	466	65	13.9%	455	58	12.8%
Montgomery	2,510	412	16.4%	2,600	494	19.0%	2569	495	19.8%
Northampton	800	111	13.9%	825	130	15.8%	826	126	15.3%
Northumberland	402	68	16.9%	388	77	19.8%	377	82	21.8%
Philadelphia	5,827	693	11.9%	5,781	761	13.2%	5760	765	13.3%
Potter	43	**	**	43	12	27.9%	**	**	22%
Schuylkill	497	46	9.3%	496	60	12.1%	496	54	10.9%
Tioga	159	21	13.2%	163	27	16.6%	155	25	16.8%
Venango	220	27	12.3%	222	26	11.7%	217	24	11.1%

County/ Joinder	Number of Individuals Enrolled with ODP 2020	Number of Individuals with CIE 2020	Percent of Individuals with CIE 2020	Number of Individuals Enrolled with ODP 2021	Number of Individuals with CIE 2021	Percent of Individuals with CIE 2021	Number of Individuals Enrolled with ODP 2022	Number of Individuals with CIE 2022	Percent of Individuals with CIE 2022
Washington	493	75	15.2%	507	70	13.8%	499	80	16%
Wayne	188	33	17.6%	188	40	21.3%	188	37	19.7%
Westmoreland	1,107	166	15.0%	1,132	203	17.9%	1145	215	18.8%
York/Adams	1,418	234	16.5%	1,408	248	17.6%`	1366	233	17.1%
Statewide	**43,273**	**6,269**	**14.5%**	**43,647**	**7,279**	**16.7%**	**43,102**	**7333**	**16.3%**

Table 10 Number and Percent of Working-age Individuals with Competitive Integrated Employment -by County

Data Source: ODP Data provided for annual EFOC report: PROMISE

Table Description: This table shares the number and percentage of ODP participants from 2020 to 2022 who are receiving CPS, prevocational services. Numbers less than 11 have been suppressed to protect the confidentiality of the individuals served. Data includes working age (18-64) individuals in the Consolidated, Community Living, P/FDS, and Autism Waivers as well as those receiving base funding and SC only services. Some individuals enrolled in the Adult Autism Waiver may also be registered with the County ID Program for Intellectual Disability/Autism services and therefore would be counted twice in this total.

Data Highlights: The Number of individuals (all ages) that received CPS prevocational services in a setting licensed under 55 Pa. Code Chapter 2390 at least once between October 1, 2021, and December 31, 2021, was 3,471 Individuals and between October 1, 2022, and December 31, 2022, was 3,471.

Due to high staff turnover, this data was available for this year's report. We are hopeful that by July 2024 we will have data for 2022 and 2023.

County/Joinder	2020 Receiving CPS Prevocational services		2021 Receiving CPS Prevocational services		2022 Receiving CPS Prevocational services	
	Number of Individuals	Percentage	Number of Individuals	Percentage	Number of Individuals	Percentage
Allegheny	275	5.8%	281	5.9%		%
Armstrong/Indiana	85	15.2%	75	13.4%		%
Beaver	80	13.4%	74	12.2%		%
Bedford/Somerset	13	2.7%	16	3.3%		%
Berks	16	1.2%	19	1.4%		%
Blair	42	7.6%	43	7.7%		%
Bradford/Sullivan	0	0.0%	0	0.0%		%
Bucks	172	10.0%	261	14.9%		%
Butler	43	7.3%	56	9.5%		%
Cambria	88	18.6%	98	21.2%		%
Cameron/Elk	19	16.5%	18	15.8%		%
Carbon/Monroe/Pike	31	3.4%	41	4.5%		%
Centre	31	8.4%	30	8.5%		%
Chester	106	7.5%	176	12.0%		%
Clarion	**	**	0	0.0%		%
Clearfield/Jefferson	27	6.8%	27	6.9%		%

County/Joinder	2020 Receiving CPS Prevocational services		2021 Receiving CPS Prevocational services		2022 Receiving CPS Prevocational services	
	Number of Individuals	Percentage	Number of Individuals	Percentage	Number of Individuals	Percentage
Columbia/ Montour/ Snyder/Union	18	3.2%	21	3.7%		%
Crawford	71	19.0%	71	18.6%		%
Cumberland/Perry	78	9.8%	85	10.4%		%
Dauphin	37	3.7%	38	3.8%		%
Delaware	45	2.6%	47	2.7%		%
Erie	0	0.0%	0	0.0%		%
Fayette	**	**	**	**		%
Forest/Warren	**	**	**	**		%
Franklin/Fulton	68	13.8%	84	17.3%		%
Greene	**	**	19	19.6%		%
Huntingdon/Mifflin/ Juniata	54	12.2%	51	11.2%		%
Lackawanna/ Susquehanna	64	7.2%	78	8.6%		%
Lancaster	118	8.3%	32	2.2%		%
Lawrence	83	22.5%	84	23.1%		%
Lebanon	26	6.4%	**	**		%
Lehigh	101	8.8%	109	9.3%		%
Luzerne/Wyoming	93	7.2%	63	4.9%		%
Lycoming/Clinton	0	0.0%	0	0.0%		%
McKean	**	**	0	0.0%		%
Mercer	78	16.7%	92	19.7%		%
Montgomery	219	8.7%	281	10.8%		%
Northampton	71	8.9%	69	8.4%		%
Northumberland	31	7.7%	29	7.5%		%
Philadelphia	152	2.6%	310	5.4%		%
Potter	0	0.0%	0	0.0%		%
Schuylkill	38	7.6%	62	12.5%		%
Tioga	47	29.6%	45	27.6%		%
Venango	28	12.7%	**	**		%
Washington	18	3.7%	21	4.1%		%
Wayne	0	0.0%	**	**		%

County/Joinder	2020 Receiving CPS Prevocational services		2021 Receiving CPS Prevocational services		2022 Receiving CPS Prevocational services	
	Number of Individuals	Percentage	Number of Individuals	Percentage	Number of Individuals	Percentage
Westmoreland	215	19.4%	181	16.0%		%
York/Adams	46	3.2%	82	5.8%		%
Statewide	**2,844**	**6.6%**	**3,184**	**7.3%**		**%**

Table 11: Number and Percent of Working-age Individuals with Competitive Integrated Employment Working-age Individuals Receiving CPS Prevocational services in Settings Licensed under 55 Pa. Code Chapter 2390 - by County

OLTL Data, Charts, and Tables

Background: Employment supports under the CHC waiver include benefits counseling, employment skills development, Career assessment, job finding, job coaching (supported employment). As benefits counseling is also covered by the Social Security Ticket to Work program through the federally funded Work Incentives Planning and Assistance program ("WIPA"), CHC waiver participants must usually seek benefits counseling through the WIPA program before accessing benefits counseling under the CHC waiver. The other employment supports are often available from the PA Office of Vocational Rehabilitation ('OVR") so CHC waiver participants usually must seek those supports from OVR before seeking them from the waiver. In addition, CHC waiver participants seeking coverage of these employment supports must also have an employment goal in their person-centered service plan. Service coordinators are to add an employment goal when a CHC waiver participant indicates they are interested in employment. Service coordination is an administrative function of the CHC Managed Care Organizations. (CHC federal waiver application)

Number and percent of unique HCBS participants aged 21-64 enrolled in CHC by MCO OLTL data request: 3 years of the following:

Data Source: Ops 22 and Standard CHC Enrollment Reports for CY2021 and 2022 (CIE: Competitive Integrated Employment)

Table Description: This table breaks down employment service data according to year and MCO. Numbers or percentages under 11 are suppressed for confidentiality.

Data Highlights: The Community Health Choices MCO's stagger at around 1% of the participants who have an employment goal in their service plan, those who are employed, and those who have Competitive Integrated Employment. Further, a fraction of a percentage of participants has authorized employment services. Regardless of the size of the MCO, the lack of individuals with Competitive Integrated Employment is astonishing.

Measures	AHC/KF			PHW			UPMC		
	2020	2021	2022	2020	2021	2022	2020	2021	2022
HCBS Participants Aged 21-64	30,455	32,361	34,166	12,420	10,542	8,861	14,778	15,786	16,037
Goal Documented on PCSP Count	532	582	374	209	279	81	61	213	733
Goal Documented on PCSP %	1.75%	1.80%	1.7%	1.68%	2.65%	1.47%	.41%	1.35%	3.77%
Authorizations Count	51	63	29	11	24	*	102	118	32
Authorizations %	.17%	.19%	.16%	.09%	0.23%	.12%	.69%	.75%	.16%
Employed Count	299	330	330	19	86	91	73	113	283

Measures	AHC/KF			PHW			UPMC		
	2020	2021	2022	2020	2021	2022	2020	2021	2022
Employed %	.98%	1.02%	1.18%	.15%	.82%	1.22%	.49%	.72%	1.91%
Confirmed CIE Count	241	303	304	18	84	88	*	46	223
Confirmed CIE %	.79%	.94%	1.08%	*	.80%	1.2%	*	.29%	.83%

Table 12: Number and Percent of Unique HCBS Participants Aged 21-64 Enrolled in CHC by MCO OLTL Data Request

Number and percentage of working age participants with an employment goal in their ISP, number of employment services authorized, and their CIE outcomes.

Data Source: OLTL Data: May 2023, OPS-22 report

Table Description: CHC program has 1,304 HCBS (aged 21-64) participants with Employment as a goal on their Person-Centered Care Plan of the 59,489 HCBS Participants (aged 21-64). This cohort represents 2.19% of the CHC HCBS population. This group of participants represent 49.2% (59,489/121,007) of the overall May 2023 CHC HCBS population of 121,007

Data Highlights: of the over 100,000 participants in community health choices home and community-based only 2.19% have even employment goal in their service plan.
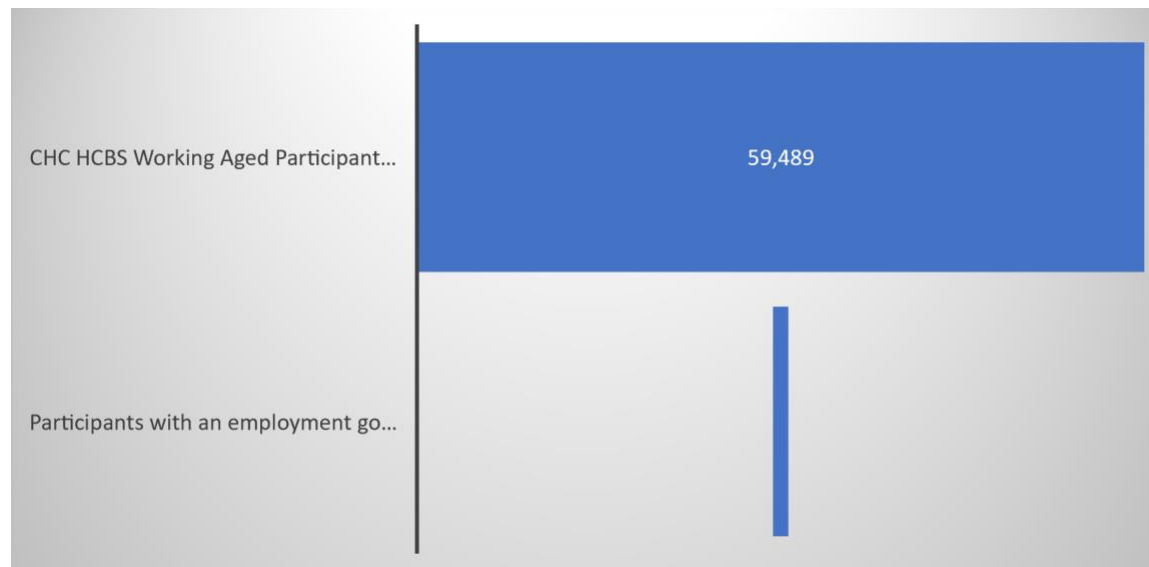
Figure 9: Number and percentage of working age participants with an employment goal in their ISP, number of employment services authorized, and their CIE outcomes

Number and percentage of participants who are receiving employment services.

Data Source: OLTL Data provided for annual EFOC report

Table Description: These tables show the number of OLTL participants who receive employment services. This information is further broken down by race and ethnicity.

Data show that 54 CHC waiver participants have been authorized for CHC-funded employment supports other than benefits counseling during the report period. Another 260 CHC waiver participants are receiving employment services, other than benefits counseling for other sources,

most likely primarily OVR. That amounts to 0.53% of the total number of CHC waiver participants eligible for employment services.

Data Highlights: OLTL data shows reports that there were 10 CHC waiver participants who received benefits counseling through the CHC waiver and another 1928 who received benefits counseling through a "comparable service type" (most likely the WIPA program) during the period of the DHS report. This is a total of 1938 CHC waiver participants receiving benefits counseling from any source. There were 59,489 CHC waiver participants in the under-65 group potentially eligible for benefits counseling from either source (Figure 1). This amounts to 3.26% of the total number of CHC waiver participants eligible for benefits counseling that are receiving this service for any source.

HCBS Waiver Service Type	Authorization Count	Distinct Count of Participants
Benefits Counseling	10	
Career Assessment	*	
Employment Skills Development	25	
Job Coaching	30	64
Job Finding	*	
Grand Total	**72**	

Table 13: Number and percentage of participants who are receiving employment services by waive service

Comparable Service Type	Authorization Count	Distinct Count of Participants
Benefits Counseling	1,928	
Career Assessment	*	
Employment Skills Development	59	2,025
Job Coaching	*	
Job Finding	201	
Grand Total	**2,226**	

Table 14: Number and percentage of participants who are receiving employment services by comparable service

Distinct Count of Participants Combined Sources
2,069

Table 15: Distinct Count of Participants Combined Sources

73

Distinct Count of Participants		
Race	Comparable Services	HCBS Waiver
White	910	48
Black or African American	743	*
Other or system default	147	*
Asian	116	*
Unknown	99	
American Indian or Alaskan Native	*	
Native Hawaiian or Other Pacific Islander	*	
Grand Total	2,023	63

Table 16: Distinct Count of Participants by race

Distinct Count of Participants		
Ethnicity	Comparable Services	HCBS Waiver
Non-Hispanic	1,792	*
Hispanic	152	*
Unknown	79	0
Grand Total	2,023	63

Table 17: Distinct Count of Participants by ethnicity

Number and percentage of participants who are in a current referral status with OVR, according to race and ethnicity.

Data Source: OLTL Data provided for annual EFOC report

Table Description: These tables show the number of OLTL participants who have been referred to OVR according to race and ethnicity.

Data Highlights: 201 HCBS participants (aged 21-64) were referred to OVR. Of that group, 1 participant is on the OVR waitlist or 0.5%. 54% of the participants referred were white and nearly 18% were Black or African American. 95% reported being non-Hispanic. The numbers of participants from other races were not reported due to low numbers to protect confidentiality.

The Race and Ethnicity breakdown of these participants are outlined in the tables below:

Distinct Count of Participants	
Race	**OVR**
White	110
Black or African American	72
Other or system default	*
Asian	*
American Indian or Alaskan Native	*
Unknown	*
Grand Total	**201**

Table 18: Race breakdown

Distinct Count of Participants	
Ethnicity	**OVR**
Non-Hispanic	190
Hispanic	*
Unknown	*
Grand Total	**201**

Table 19: Ethnicity breakdown

Fee for service claim data for OLTL waiver participants in 2017

Data Source: OLTL Data provided for annual EFOC report

Table Description: This table shares the provision of fee-for-service employment supports that was available to OLTL participants in 2017. Numbers under 11 are suppressed to protect confidentiality.

Data Highlights: during the month of July-December 2017, an average of 32 participants were being provided with job coaching services for any given month. This number is at least 2 participants more than are being provided with job coaching now.

Procedure Code	Procedure Modifier Code	Procedure Description	July	Aug	Sept	Oct	Nov	Dec
W1733	U4	Job Coaching (1:1) follow along/intensive	19	23	24	21	23	22
W1733	U5	Job Coaching (1:1) follow along/intensive	***	***	***	***	***	***
W1734	U4	Job Coaching 1:2 to 1:4 follow along/int	***	***	***	***	***	***
W1734	U5	Job Coaching 1:2 to 1:4 follow along/int	***	0	0	0	0	0
Grand Total			**29**	**34**	**34**	**32**	**32**	**30**

Table 20: Fee for Service Claim data for OLTL waiver participants in 2017

Participants who have CIE average hours worked per week

Data Source: OLTL Data provided for annual EFOC report

Table Description: This pie chart shows the breakdown of the average hours worked by OLTL participants.

Data Highlights: Of the 679 only 529 reported their average hour range. Without specific hour at the participant level, OLTL estimates the average hours worked per week is 22.7. There are 67 participants working 37.5 or more hours, 169 working 20-37.39 hours, 293 working less than 20 hours and 150 participants that didn't disclose their hours worked. Nearly half of the participants with Competitive Integrated Employment work half-time or less.
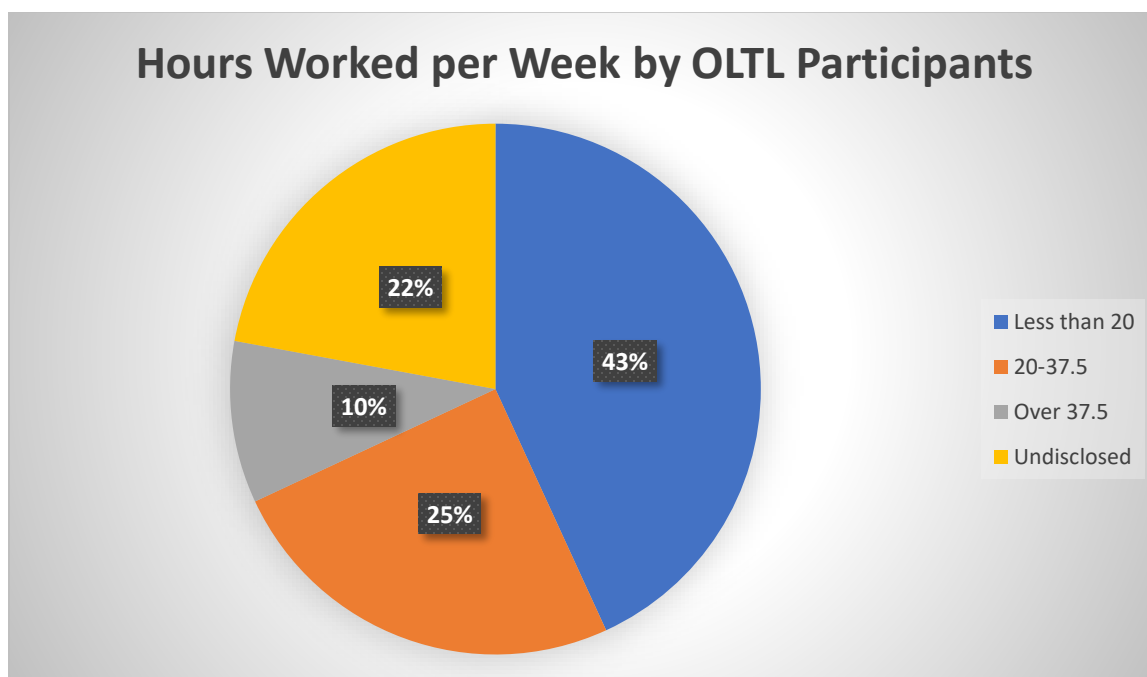
Figure 10: Participants who have CIE average hours worked per week

Participant to service coordinator ratio in CHC

Data Source: OLTL Data provided for annual EFOC report

Table Description: This table shows the number of participants for each service coordinators according to their region and MCO for nursing facilities (NF) and home and community-based services (HCBS). Data show the caseload ratio for CHC waiver service coordinators is 70 participants to 1 service coordinator.

Data Highlights: All the MCOs across all regions have nearly the maximum number of participants to service coordinators for nursing facilities and home and community-based services.

Service Coordinator to Participant Ratio				
Southwest Zone	Required Ratio	UPMC	PHW	AMH
NF	250:1	221.5	189.1	242.8
HCBS	70:1	65.7	67.7	61.4
Southeast Zone	Required Ratio	UPMC	PHW	KF
NF	250:1	247.7	216.1	225.1
HCBS	70:1	60.4	66.7	72.2
Lehigh/Cap Zone	Required Ratio	UPMC	PHW	AMH
NF	250:1	250	217.4	232
HCBS	70:1	65.4	67.8	69.8
Northeast Zone	Required Ratio	UPMC	PHW	AMH
NF	250:1	242	198.9	242
HCBS	70:1	50.3	67.7	68.7
Northwest Zone	Required Ratio	UPMC	PHW	AMH
NF	250:1	222.6	196.4	224
HCBS	70:1	60.4	66.2	68.3

Table 21: Participant to service coordinator ratio in CHC

Number of requests CHC gets for transportation

Data Source: OPS 22 for Employed with Encounters for Non-Medical Transportation Utilization. For this request,

Table Description: This table shows the number of nonmedical transports that were provided from July 2020 through December 2022. OLTL data was pulled matching all HCBS participants who are employed and receive non-medical transportation, so this information includes data on transportation for all non-medical needs which includes employment.

Data Highlights: with the wide scope of nonmedical transportation services, it is difficult to identify how many of these rides may be for employment reasons.

Employed Participants with Non-Medical Transportation Service During the Month	
Month/Yr.	Count of Participants
Jul-22	74
Aug-22	77
Sep-22	77
Oct-22	77
Nov-22	82
Dec-22	79

Table 22: Number of requests CHC gets for transportation

OMHSAS

Number of people receiving employment or vocational services through county/joinder mental health program for State Fiscal Year 2020-21

Data Source: County Human Services Plans

Table Description: This table shows the number of people who are receiving employment services for 2020-2021 through County level mental health programs.

Data Highlights: OMHSAS did not provide updated data. They had concerns that their information was unreliable and suggested that the Commission use the publicly available Human Services Plans to access some of the data on employment or vocational services through county/joinder mental health programs. Unfortunately, each county or joinder counties provide separate and extensive reports. The Commission does not have the resources to sift through to obtain the necessary data. The Commission is looking forward to a new MOU between L&I and OMHSAS next year.

County/Joinder	# People 2020-2021
ALLEGHENY	323
ARMSTRONG/INDIANA	24
BERKS	49
BLAIR	48
BUCKS	73
CAMBRIA	20
CARBON/MONROE/PIKE	11
CHESTER	39
CUMBERLAND/PERRY	63
DAUPHIN	37

County/Joinder	# People 2020-2021
FAYETTE	36
FRANKLIN/FULTON	<11
LACKAWANNA/SUSQUEHANNA	<11
LAWRENCE	<11
LEBANON	<11
LEHIGH	39
LUZERNE/WYOMING	<11
MONTGOMERY	113
NORTHAMPTON	57
PHILADELPHIA	114
SCHUYLKILL	36
TIOGA	<11
WARREN	<11
WASHINGTON	101
YORK/ADAMS	99
Total	**1347**

Table 23: Number of People Receiving Employment or Vocational Services Through County/Joinder Mental Health Program

Education (ED)

Authors: Dale Verchick, Mary Hartley, Cindy Duch

1. Abstract and Role in Employment First

Education plays a significant role in supporting and advancing the goals of Employment First. With access to education and training, support for high school and further employment opportunities to succeed in the workforce, individuals with disabilities have the best chance of obtaining employment and staying employed.

A crucial aspect of education that facilitates employment is effective Transition Planning which promotes self-awareness and goal setting. It empowers individuals with disabilities to become self-advocates and make informed decisions about their career paths. With a solid understanding of their rights, options, and the value of integrated employment, individuals can actively seek out and demand inclusive work opportunities. It emphasizes the importance of building a support network that includes family members, educators, mentors, and peers.

Through innovative educational initiatives, advocacy efforts, and outreach campaigns, stakeholders can promote the principles of Employment First, challenge stereotypes, and foster support for inclusive employment opportunities. All of these are essential for raising awareness about the benefits of competitive integrated employment for individuals with disabilities.

Finally, and notably, education is a key driver of cultural change. By incorporating the principles of Employment First into educational curricula and practices, schools can help shift societal attitudes towards valuing and prioritizing inclusive employment opportunities for individuals with disabilities.

2. Innovative Initiatives

Connecting for employment

Connecting For Employment is the state-led initiative between the Bureau of Special Education (BSE), the Office of Developmental Programs (ODP), and the Office of Vocational Rehabilitation (OVR). These departments have joined forces in shared training, technical support, and strategic development. The purpose of this initiative is to enhance the coordination among these entities and to set an example of how collaboration can facilitate a seamless transition from school to adulthood. Concurrently, this initiative seeks to broaden work-based learning opportunities and eliminate barriers at a local level.

Indicator 14 enhancements

The aim of Indicator 14 is to gather data on the outcomes of students with disabilities after they leave school, to assess the effectiveness of transition services and make improvements where necessary. Timely student responses for Indicator 14 are crucial for evaluating the effectiveness of transition services, improving individualized planning, allocating resources, guiding policy decisions, and continuously enhancing post-school opportunities for students with disabilities. With these enhancements and introducing a simple push notification feature on a smart device, the department expects to capture response rates from students promptly

so that it identifies areas of success and areas that may need improvement, leading to better overall transition services.

3. Goals and Objectives

ED Goal 1: By 2024, no student who is being educated in an inclusive setting will transition to a more segregated setting (i.e., from pre-school to school age; school age to middle school; middle school to high school).

This objective is focused on ensuring that students with disabilities receive their education in settings that prioritize integration and interaction with their typically developing peers, rather than being transferred to more isolated or segregated environments. All students, regardless of ability, need a consistent educational experience as they progress through different stages of their academic journey. Since inclusion is a well-known predictor of CIE, a student who is educated with typical peers in one school should not advance to a more restrictive setting as they advance in grades/schools (ex. included in grade school, segregated in middle school).

ED Goal 2: By 2024, 20% of all high school graduates (senior year up to their 22nd birthday) receiving transition services from PDE, OVR and/or ODP will be competitively employed in an integrated setting within 3 months of graduation.

This objective outlines a specific and measurable goal related to the successful transition of students with disabilities from high school to competitive employment in integrated settings. It emphasizes the three departments who play a heavy role in assisting students with disabilities transition to employment and other post-school activities. This is to ensure that a meaningful percentage of graduates achieve this employment outcome shortly after completing their high school education.

ED Goal 3: Each year, the Commonwealth will steadily increase access to competitive integrated public and private employment for high school students with disabilities with funding and/or support from either OVR or PDE. This can be in the form of a Work-Based Learning Experience or a job with job coaching and/or other supports. First year goal 2000 students; Second year goal 2500 students; 3rd year goal 3000 students.

This objective envisions a concerted effort by the Commonwealth to enhance the accessibility of competitive integrated employment for students with disabilities, thereby promoting their individual growth, boosting workforce diversity, and reinforcing the principles of inclusivity and equal opportunity within the broader community.

4. Summary of Findings

Yet to receive three years of data on students who moved from inclusive education setting to segregated setting.

In previous data requests, the Commission requested "3 Years of the Following: Number (and denominator) and percentage of children/students who go from an inclusive setting to a segregated setting during the following transitions:

- EI birth to 3 transitioning to EI 3-5

- EI 3-5 transiting to kindergarten/elementary

- Elementary transitioning to Middle School

- Middle School transitioning to High School"

Although we have not received such data and analysis this year, the Commission was informed that the Department is in the process of analyzing data collected from a sampling of students to determine least restrictive settings at different grade levels. As such, data for a student eligible for special education will be analyzed from kindergarten, in Grade 7 and then in Grade 10. This analysis will allow the Department to monitor moves to more restrictive settings and the factors that led students to be transferred to a more segregated setting. The Department has assured the Commission that we will have this data for the next report.

The Commissioners are still awaiting clarification on the students that transfer to more segregated out-of-district placements at these junctures. The Commission understands that families are part of the decision- making process, but it is important to know if adequate resources were used to ensure full participation.

Students with CIE, lower than national average

The department reported that in the program year 2020-21, there were 114,383 students with a transition plan. (Tables 25 and 26) Of these students, 18,961 graduated and 4971 of these were reported to be in competitive integrated employment. Thus, 26% of high school graduates receiving transition services were engaged in competitive integrated employment.

In the program year 2021-22, there were 123,483 students with a transition plan (Tables 25 and 26). Of these students, 20,773 graduated and 5,072 of these were reported to be in competitive integrated employment. As such, 24% of high school graduates receiving transition services were engaged in competitive integrated employment.

Based on data presented on the Bureau of Labor Statistics website, among 2,022 high school graduates ages 16 to 24, the college enrollment rate was at 62%. PA reports 60.03% of high school graduates that are college bound. These numbers represent every graduate regardless of disability status. Both the national and PA college enrollment rates are close, indicating that PA's rate is slightly lower than the national average by about 1.97%. Because there is no data specifying how many PA high school graduates with an IEP have a post-secondary placement or related plan to continue with their education, we are unable to determine any gaps between those who are employed, those who choose to continue with their education and those who fall in neither category.

Increased numbers of students with transition plans

The total number of Special Education Students with a Transition Plan increased from 114,383 in the 2020-2021 school year to 123,483 in the 2021-2022 school year. (Tables 25 and 26) Both years show a higher percentage of male students (63.25% and 63.74%) with a Transition Plan compared to female students (36.75% and 36.26%).

The percentages for most ethnic/racial groups remained consistent between the two years. White students continue to be the largest group (60.32% and 62.05%), followed by Black or African American students (18.48% and 18.16%) and Hispanic students (14.58% and 13.71%).

English Language Proficiency (ELP): The percentage of students with ELP remained consistent between the two years (2.88% and 2.96%).

The increase in the total number of dropouts from the 2020-2021 school year to the 2021-2022 school year is concerning and suggests a need for further attention and interventions to prevent dropouts. The top reasons for dropping out remained consistent across both school years, with "disliked school," "academic problem," "wanted to work" and "behavior problems" being the main contributing factors.

From Act 26 data for the reporting year (Last quarter of 2021-22 and first three quarters of the fiscal year 2022-23)

The total number of IEPs with transition status, Paid Work-Based Learning, Transition Job Supports/Coaching, and Transition Career Development/Job Exploration has stayed consistent across all four quarters.

The number of unique students receiving Pre-Employment Transition Services (Pre-ETS) and related services has consistently increased over the quarters, implying a growing demand for and participation in these services. However, this data may not be an accurate reflection of the delivery of Pre-ETS as a single student may have received multiple services and does not indicate the total number of students served annually.

5. Recommendations

ED Rec. 1: Financial education should become an employment service in special education programs for transition-age students who have Individual Education Programs (IEPs)

Financial education should be a fundamental service offered by OVR, HCBS waiver programs, and special education programs. Financial literacy enables individuals with disabilities to achieve greater independence, stability, and success in their transition to employment and adulthood. It equips them with the skills needed to navigate the complex financial landscape and make informed decisions in various aspects of life. People with disabilities can also be vulnerable to financial exploitation. Financial education provides them with the knowledge to recognize and avoid scams, fraud, and abusive financial practices.

Many individuals with disabilities rely on government benefits and assistance programs. Financial literacy helps them understand how these benefits work, how to maintain eligibility, and how employment income might impact their benefits such as Social Security, Medical Assistance and HCBS waivers and the opportunity to participate in the Medical Assistance for Workers with Disabilities (MAWD-Medicaid) program. Understanding the ABLE savings program and supported decision-making vs guardianship are also vitally important to those who want to consider working or for those who have jobs and want to continue working.

In conjunction with educating beneficiaries on how to maintain eligibility, financial education should also inform students that government assistance programs can provide temporary relief and essential support-- they are not designed to address the underlying causes of poverty or to facilitate long-term economic independence. Relying exclusively on these benefits leaves individuals vulnerable to sudden changes that could disrupt their financial stability.

ED Rec. 2: The PA Department of Education should publish Act 26 data in a way that separates results between cyber schools, brick-and-mortar schools, and by LEA (Local Education Agency).

Data on support and employment of students receiving transition services in a cyber setting compared to students in home & charter schools should be reported separately so that potential disparities can be identified, evaluated, and addressed.

ED Rec. 3: Local education agencies (LEA) should establish as a goal for every student with an IEP: that they lead their own meetings; encourage and support self-advocacy; permit (if they choose and if necessary) students to disclose their disability and identify the types of accommodations they need to be successful in a job.

The Commission believes PDE should set these goals and research and report on skills across all students and districts. These measures should be taken at least once while the student is in school and 12 months after graduation. This is critical as successful outcomes are likely to lead to strong self-advocacy and leadership skills, both of which are needed during adult life to secure and keep competitive integrated employment.

ED Rec. 4: All students with a disability who are likely to rely on Medical Assistance for their health care and Medicaid-funded Home and Community-Based Service waiver should be referred to a WIPA program for benefits counseling before they leave high school.

Benefits counseling has been shown to be a promising practice in vocational rehabilitation and has had a demonstrated impact on positive employment outcomes for adults with disabilities receiving SSA benefits. Transition-age students through age 26 are already a priority population for WIPA benefits counseling, yet not all students are aware of the no-cost service. Earning "too much" and the resultant fear of losing life-sustaining health care and home-based services are one of the biggest reasons many people with disabilities will not pursue employment. Yet, it's a myth that people with disabilities cannot both work and receive benefits, and the new MAWD legislation and changes to waivers have helped to increase potential. Both young people with disabilities and their parents should be referred to WIPA before the student leaves school so that informed decisions about having paid work experiences during high school and getting competitive integrated employment after high school can be made.

ED Rec. 5: That 100% of students with an IEP, when they leave high school, either have a competitive integrated job, a post-secondary education placement, or a plan in place with OVR, ODP, or OLTL-funded program for services intended to lead to competitive integrated employment or a post-secondary education placement.

While there is data to show an increase in the number of students in competitive integrated employment after graduation, there is no data indicating how many students have a post-secondary placement or related plan if they choose to continue with their education. We know that the department's Division of Data Quality provides a compilation of statistical information covering high school graduates in Pennsylvania's public schools with information on intended post-high school activity of graduates, including college bound students. This data tracking and analysis should extend to students with an IEP and transition plan. The Commission also recommends increasing the percentage previously set in Goal 2 to avoid complacency with the

current level of achievement and so that there is sustained momentum to foster innovation and a commitment to excellence.

ED Rec. 6: OVR and PDE track the number of students served annually in every category of Act 26 that is not duplicated, in addition to quarterly service data.
(New Recommendation)

In the Act 26 quarterly reports, OVR should include not only updates for each quarter but also publish an annual count of students they assist in every category, broken down by county. This approach would provide a more comprehensive understanding of existing needs or changes to be implemented. It is critical to understand how many students are being served annually, statewide by category.

ED Rec. 7: That PDE separately track the number of students aged 14-22 with transition plans who drop out of school
(New Recommendation)

The data on dropout rates does not explicitly indicate students with disabilities. Tracking dropout rates can help identify if there are significant disparities between students with disabilities and their peers without disabilities. It will also provide insights into the long-term outcomes of students with disabilities, including their post-school employment and life trajectories.

6. Data

Special Education Students 14 or older with a Transition Plan as of August 1, 2023

School Year	Total	Female	Male	American Indian or Alaska Native	Asian	Black or African American	Hispanic	Multiracial	Native Hawaiian or Other Pacific Island	White	LEP	Not LEP
21-22	123483 100%	45380 36.75%	78103 63.25%	269 .22%	1745 1.41%	22817 18.48%	17999 14.58%	6090 4.93%	81 .07%	74482 60.32%	3652 2.96%	119831 97.04%
20-21	114383 100%	41477 36.26%	72906 63.74%	251 .22%	1618 1.41%	20767 18.16%	15685 13.71%	5013 4.38%	73 .06%	70976 62.05%	3289 2.88%	111094 97.12%

Table 24: Special Education Students 14 or Older with a Transition Plan as of August 1, 2023

Special Education Students that graduated during the school year and were employed in a Competitive Integrated Setting

School Year	Total	Female	Male	American Indian or Alaska Native	Asian	Black or African American	Hispanic	Multiracial	Native Hawaiian or Other Pacific Island	White	LEP	Not LEP
21-22 Percentage	20773 00%	7586 6.52%	13187 63.48%	37 .18%	300 1.44%	3453 16.62%	2580 12.42%	774 3.73%	12 0.06%	13617 65.55%	510 2.46%	20263 97.54%
20-21 Percentage	8961 100%	160 37.76%	11801 62.24%	34 .18%	242 1.28%	3211 16.93%	2208 11.64%	612 3.23%	10 0.05%	12644 66.68%	437 2.30%	18524 97.70

Table 25: Special Education Students that Graduated During the School Year and Were Employed in a Competitive Integrated Setting

Dropout final publication summary: 2020-2021 All LEAs

Grade Level	Academic Problem	Behavior Problems	Childcare	Disliked School	Exceeded Max Sch Age	Runaway Or Expelled	Wanted To Work	All Other
007	1	0	0	31	0	10	0	244
008	1	0	0	24	0	8	1	244

Grade Level	Academic Problem	Behavior Problems	Childcare	Disliked School	Exceeded Max Sch Age	Runaway Or Expelled	Wanted To Work	All Other
009	31	1	2	78	0	25	50	1,002
010	38	8	6	207	0	26	102	1,326
011	105	16	16	375	0	27	154	1,767
012	304	11	42	555	0	29	181	2,806
Summary	480	36	66	1,270	0	125	488	7,389

Table 26: Dropout Final Publication Summary

Drop out data for SY 2020-21 and SY 2021-22 by reason

Grade Level	Academic Problem	Behavior Problems	Childcare	Disliked School	Exceeded Max Sch Age	Runaway Or Expelled	Wanted To Work	All Other
007	1	0	0	33	0	9	0	396
008	1	0	0	39	0	10	3	361
009	46	1	4	129	0	32	67	1,605
010	70	7	9	235	0	25	171	1,983
011	154	10	26	426	0	31	221	2,544
012	315	22	40	686	0	19	198	3,771
Summary	587	40	79	1,548	0	126	660	10,660

Table 27: Drop out data

Percentage of closed cases placed into Employment through OVR broken down by Race, Gender, Ethnicity and English Language Learners over 3 program years

Percent of Closed Cases Placed into Employment through OVR							
	2020		**2021**		**2022**		**Grand Total**
Act 26 Individuals Placed into Employment through OVR	1,255		1,145		1,591		3,991
Act 26 Individuals with Closed OVR Cases	2,307		2,725		3,020		8,052
Pecentage of Employed	54.4%		42.0%		52.7%		49.6%
Racial Demographics by Program Year							
	2020		**2021**		**2022**		**Grand Total**
Asian	13	1.0%	18	1.6%	26	1.6%	57
Black	214	17.1%	184	16.1%	281	17.7%	679
Native American	3	0.2%	1	0.1%	2	0.1%	6
Native Hawaiian or Pacific Islander	1	0.1%	3	0.3%	1	0.1%	5
White	888	70.8%	800	69.9%	1,108	69.6%	2,796
Multiracial	20	1.6%	19	1.7%	22	1.4%	61
Not Disclosed	116	9.2%	120	10.5%	151	9.5%	387
Grand Total	**1,255**		**1,145**		**1,591**		**3,991**
Gender by Program Year							
	2020		**2021**		**2022**		**Grand Total**
Female	462	36.8%	419	36.6%	620	39.0%	1,501
Male	792	63.1%	720	62.9%	968	60.8%	2,480
Other	1	0.1%	6	0.5%	3	0.2%	10
Grand Total	**1,255**		**1,145**		**1,591**		**3,991**
Ethnicity by Program Year							
	2020		**2021**		**2022**		**Grand Total**
Non Hispanic/Latino	1,023	81.5%	906	79.1%	1,308	82.2%	3,237
Hispanic/Latino	54	4.3%	57	5.0%	76	4.8%	187
Do not wish to disclose	178	14.2%	182	15.9%	207	13.0%	567
Grand Total	**1,255**		**1,145**		**1,591**		**3,991**
English Language Learners							
	2020		**2021**		**2022**		**Grand Total**
No	139	11.1%	130	11.4%	145	9.1%	414
Yes	1	0.1%	0	0.0%	3	0.2%	4
Not Reported	1,115	88.8%	1,015	88.6%	1,443	90.7%	3,573
Grand Total	**1,255**		**1,145**		**1,591**		**3,991**

Table 28: Percentage of closed cases placed into Employment Through OVR broken down by Race, Gender, Ethnicity and English Language Learners

Representations of Table 5 data
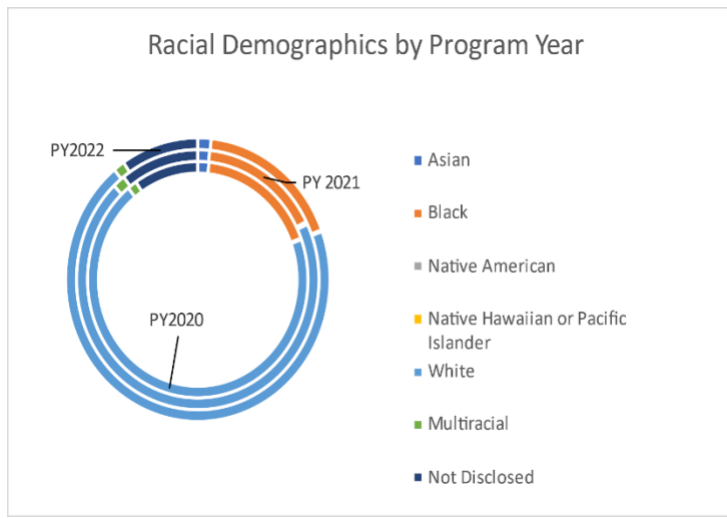
Figure 11: Percentage of closed cases placed into Employment Through OVR broken down by Race
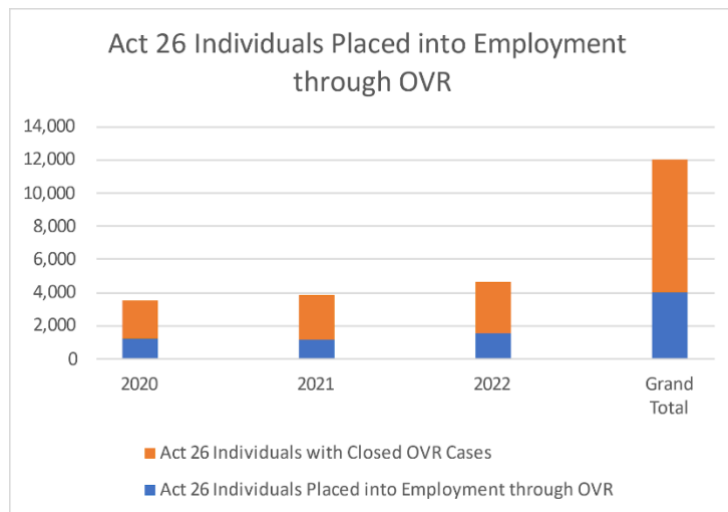
Figure 12: Act 26 Individuals Placed in Employment through OVR
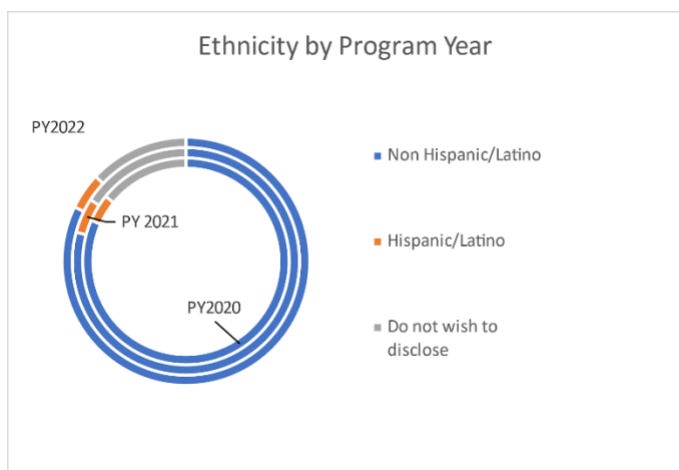
Figure 13: Percentage of closed cases placed into Employment Through OVR broken down by Ethnicity

89
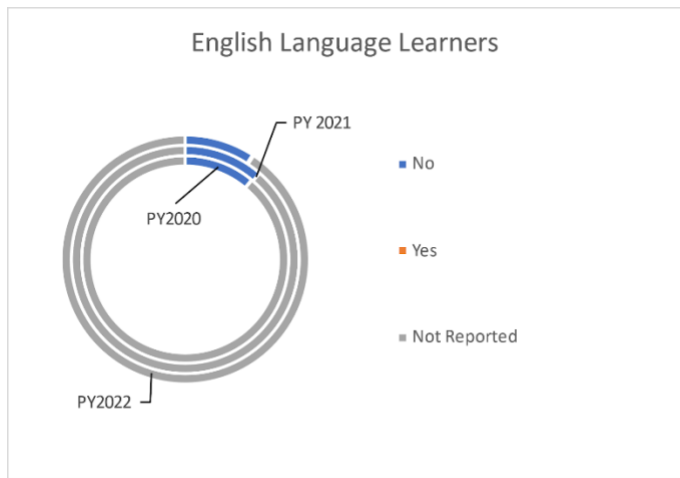
Figure 14: Percentage of closed cases placed into Employment Through OVR broken down by English Language Learners
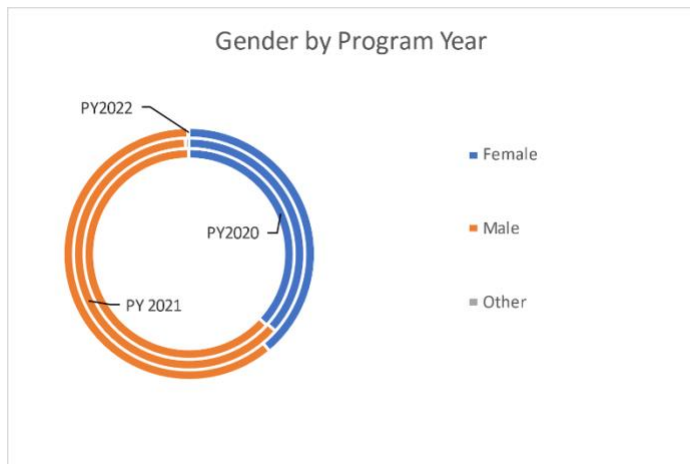
Figure 15: Percentage of closed cases placed into Employment Through OVR broken down by Gender

Labor and Industry (L&I) and OVR

Authors: Julia Barol, Lisa Biggica, Cindy Duch, Andrew Pennington

1. Abstract and Role in Employment First

The PA Office of Vocational Rehabilitation is among the most influential agencies in providing direct support to Pennsylvanians with disabilities to achieve their goals for employment and professional development. According to OVR's website, "*The Pennsylvania Office of Vocational Rehabilitation, or OVR, provides vocational rehabilitation services to help persons with disabilities prepare for, obtain or maintain employment.*" The range of services provided by OVR include diagnostic services, vocational evaluation services, vocational counseling, benefits counseling, training and education services, restorative services, placement assistance services, assistive technology services, and support services. As such, OVR is a key contributor to advancing PA's Employment First priorities.

2. Innovative Initiatives (Provided By Departments)

InVest

In fall of 2022, the Office of Vocational Rehabilitation (OVR) applied for and received a $14 million Disability Innovation Fund (DIF) grant from the Rehabilitation Services Administration. The intent of this grant is to help individuals who are considering or currently participating in subminimum wage employment to transition to competitive integrated employment. The grant proposal ("Project InVest") was developed in collaboration with the Office of Developmental Programs (ODP) and was competitively selected to focus on building supports around an individual, their family, and the employer. This is a 5-year grant that will create opportunities in six locations throughout the commonwealth starting in Philadelphia and a rural area in year two. (Employment First (Act 36 of 2018) Interagency Priorities and Recommendations – Updates and Progress Annual Report, p5)

Connecting for Employment

Connecting for Employment (multiagency effort), to solidify the three prongs of support for people with disabilities during the transition years, Bureau of Special Education (BSE), OVR, and Office of Developmental Programs (ODP) established the Connecting for Employment initiative. This initiative sets the conditions for the field-level providers to collaborate and innovate to create equitable seamless practices at the regional level. Last year was the kickoff with the preparation of basic level training videos for all providers to ensure solid understanding of the mission of the three agencies and the supports that can be woven together. Pennsylvania's Secondary Transition Roadmap and video series is now available here: https://www.pasecondarytransition.com/connecting-for-employment. ((Employment First (Act 36 of 2018) Interagency Priorities and Recommendations – Updates and Progress Annual Report, p6)

PA OVR and BSE Youth Engagement Specialists

The Office of Vocational Rehabilitation (OVR) and the Bureau of Special Education (BSE) are collaborating on a new initiative to hire Youth Engagement Specialists (YES). The YES will assist OVR and BSE in their mission to create a seamless transition for students from high school to college or community employment. This exciting initiative will help facilitate

communication with youth and educators on enhancing educational services for students with disabilities.

The YES will assist with providing technical assistance and training in assigned initiative/projects as part of OVR and the Pennsylvania Training and Technical Assistance Network (PaTTAN). The YES will represent the youth perspective at trainings, meetings, conferences, and other stakeholder events. Additionally, the YES will assist with the development and implementation of training materials, resources, and publications to incorporate youth voice. Initial project goals include increasing youth engagement by assisting in the recruitment of Youth Ambassadors and engaging with youth organizations like the Pennsylvania Youth Leadership Network (PYLN), developing youth committees to provide feedback to OVR and BSE leadership to increase the effectiveness of Transition planning for Pa Students with Disabilities.

3. Goals and Objectives

L&I Goal 1: Transition from Section 14(c) wage employment

The goal or objective is to transition from Section 14(c) wage employment (a special wage program for people with disabilities) to Competitive Integrated Employment (CIE). The Pennsylvania Office of Vocational Rehabilitation (OVR) should aim for successful outcomes measured through various reporting metrics. These metrics should include, but not be limited to:

1. Achieving Competitive Integrated Employment (CIE) outcomes.

2. Developing Individualized Plans for Employment (IPEs) for individuals.

3. Establishing employment goals within the Office of Developmental Programs (ODP) or Community Health Choices (CHC).

4. Offering Work Incentives Planning and Assistance (WIPA) consultations.

5. Demonstrating other forms of progress toward transitioning individuals into employment with wages governed by standards other than Section 14(c).

This objective emphasizes moving individuals away from jobs that pay subminimum wages (Section 14(c)) toward more inclusive and competitive employment options.

L&I Goal 2: Create method to measure Pre-ETS success

The goal or objective is focused on Pre-Employment Transitions, with an aim for the Pennsylvania Office of Vocational Rehabilitation (OVR) to achieve successful results, as measured by specific reporting metrics. These metrics should gauge the effectiveness of Pre-Employment Services provided by OVR in preparing and supporting young individuals with disabilities in Pennsylvania as they work towards their post-education goals for competitive integrated employment.

L&I Goal 3: Speedy Service Delivery

The goal or objective here is to ensure speedy service delivery by the Pennsylvania Office of Vocational Rehabilitation (OVR). This is to be measured through specific reporting metrics that track the time it takes from the moment an applicant requests OVR services to when those

services are delivered. The aim is to achieve efficient and timely support for individuals seeking OVR services.

4. Summary of Findings

14(c) to CIE

The number of Section 511 Case Referrals increased from 314 in 2021 to 549 in 2022 which the Commission views as a positive trend. Other substantial positive trends include increases to the number individuals reported in (Case Status *14)-Counseling & Guidance*, (Case Status *18)-Training*, (Case Status *26)-Closed Rehabilitated*, (Case Status *20)-Ready for Employment*, and (Case Status *06)-Trail Work experience*. The Commission, however, saw only a nominal increase in (Case Status *22)-In Employment*, and would like to see continued efforts to reduce less productive outcomes, including and especially (Case Status *08)-Closed Prior to Eligibility*. We look forward to learning more about what obstacles OVR is facing in achieving stronger success outcomes, including and especially (Case Status *22)-In Employment* statuses. Of the racial, gender and ethnicity demographics reported, the Commission found that the ratio of males vs. females served through 511 referrals indicates disproportion (62.1% male vs. 35% female) and may warrant further review to help ensure equal access to 511 Referral related services.

Pre-Employment Transitions

The number of Act 26 Cases closed for "Placed into Employment" increased in 2021 vs. 2022 from 1,495 to 1591, which is recognized as growth. The percentage of closed Act 26 Cases increased over the same period from 42% to 52.7% is also recognized as positive progress. Of the racial, gender and ethnicity demographics reported, the Commission found that the ratio of males vs. females served under Act 26 cases indicate disproportion (62.9% male vs. 26.6% female) and may warrant further review to help ensure equal access to Act 26 services.

Speed to OVR Service Delivery

The amount of time an applicant waits for OVR services can impact a job seeker's success in securing employment. As such, the Commission found that the number of cases receiving employment services within 90 days increased in 2022 by 563 as compared to 2021. The percent of individuals receiving services within 90 days decreased from 83.7% in 2021 to 73.5% in 2022, a 10% decrease, which is indicative that OVR maintained the same level of expediency with the 2022 increase in demand.

5. Recommendations

L&I Rec. 1: 14c to CIE

The commission recommends OVR work to overcome obstacles that prevent individuals interested in 511 Referral related services from ending in the most common closure reason 08-Closed Prior to Eligibility, representing well over 50% of all case closure statuses. The Commission recommends that OVR maintains communication over progress of the SWTCIE Grant over the course of the grant. In addition, the Commission requests a seat on the advisory board of the SWTCIE grant projects.

L&I Rec. 2: It is advised that the Pennsylvania Department of Labor and Industry monitors the engagement of individuals with disabilities in the labor force, along with their unemployment rates.

Additionally, the department should release this data concurrently with the publication of similar information for other demographic groups within Pennsylvania. Indeed, adopting this approach would foster transparency and ensure equitable reporting of statistics related to the workforce. It's vital for providing a clear, unbiased view of workforce data and outcomes for all demographic groups, including those with disabilities. This transparency is a key element in driving informed decision-making and policy improvements in employment and inclusion initiatives.

L&I Rec. 3: Pre-Employment Transition Services

While the Commission recognizes growth in the number of Act 26 Cases closed in "Placed in Employment" status within three months of graduation in year 2022 as compared to 2021, "Placed in Employment" status still only represents 52% of those closed cases. The Commission wants to see specific efforts and resources dedicated to improving employment outcome results for students with disabilities graduating high school.

L&I Rec. 4: Greater collaboration between OVR and BSE to better support the requirements under IDEA to provide Transition Services to Transition Age Youth through direct intervention with school districts.

It is recommended that outreach to transition age youth, as a collaboration between OVR and BSE, be increased to better educate students and families as to options under the Workforce Innovation and Opportunity Act (WIOA) and the Individuals with Disabilities Education ACT (IDEA.)

L&I Rec. 5: The Commission recommends that the credential attainment be identified similarly to other states so that we can provide comparable data to other states.

As an example, in PY 2021, PA was listed last in the country with a credential attainment of 11.9%.

L&I Rec. 6: Speed to OVR Service Delivery

The Commission recognizes with increased demand comes the need for an increase in resources to meet the demand. As such, the Commission recommends that OVR address its resource vs. demand challenges, and work to return to and improve *application to service-provided* turnaround time. It is recommended that there be a decrease in the time from registration of the customer to the development of the IPE and authorization of services.

L&I Rec. 7: 911 Data

The Commission is concerned with the 911 exit data, especially those that are unable to be located or are no longer interested in employment services. It is recommended that there are heightened investigative strategies developed to have a greater understanding of these numbers to help improve overall outcomes for this segment of customers.

L&I Rec. 8: Promoted Workforce Development's Designated Funds

Workforce Development's designated funds for innovative initiatives aimed at advancing Employment First initiatives need to be better promoted with agency partners so that people with disabilities are given the many options available to them through these initiatives.

L&I Rec. 9: Amend the Civil Service Reform Act to establish a Schedule A like program and customized employment in state jobs

By creating a program like the federal government's "Schedule A" process 15, agencies can hire people with disabilities for jobs without making them go through the usual competitive process. This would make it easier for qualified people with disabilities to get jobs in the state government. This program could help remove or reduce the problems caused by a lot of rules and paperwork, making it simpler for people with disabilities to get hired. It may be possible for the Executive Branch to implement such improvements without legislation, but it remains unclear, and the General Assembly may want to hold hearings on this topic.

OVR should be included as a key partner with OA in this endeavor.

The commission suggests that education regarding customized employment, Schedule A, and other disability related programs be provided throughout the departments to improve the use of these employment supports.

6. Data

Section 511 Data

511 Case referral outcomes SFY 2022		
Most Recent SFY 2022 Case Status	**Case Status Definition**	**Number of Cases SFY 2022**
-2	Pre-Application Closure	0
-1	Pre-Application	0
00	Referral	30
01	Application Started	7
02	Applicant	8
06	Trial Work Experience	27
08	Closed Prior to Eligibility	153
10	Acceptance	6
11	Waiting for Services	0
14	Counseling & Guidance	41
16	Physical & Mental Restoration	13
17	Training - High School	0
18	Training	85
19	Training - College Certificate	1
20	Ready for Employment	9
21	Inactive	48
22	In Employment	3
24	Service Interrupted	5
26	Closed, Rehabilitated	20
28	Closed Unsuccessfully After Services	74
30	Closed Unsuccessfully Before Services	11
32	Post-Employment Services	0
34	Post-Employment Closure	1

511 Case referral outcomes SFY 2022		
Most Recent SFY 2022 Case Status	**Case Status Definition**	**Number of Cases SFY 2022**
39	Training - College Bachelor's Degree	0
BBVS – R (O&M/VRT/ILOB)	Referral	6
BBVS – S (O&M/VRT/ILOB)	Closed Successfully	1
BBVS – U (O&M/VRT/ILOB)	Closed Unsuccessfully	0
TOTAL		**549**

Table 29: 511 Case referral outcomes

Note: Program Year (PY) 2022 does not end until June 30, 2023, and program year data will not be available until later this Fall. The last file that we provided (in January 2023, and attached) included PY18-PY21 metrics and that is still the most current workforce services data.

Demographic Breakdown for current Section 511 cases

Race	
White	61.4%
Black	12.1%
Not Disclosed	25.0%
Multiracial	1.1%
Asian	0.4%
Ethnicity	
Non-Hispanic/Latino	71.8%
Hispanic/Latino	3.6%
Did not identify	24.6%
Gender	
Male	62.1%
Female	35.0%
Did Not Identify	2.5%
Non-Binary	0.4%

Table 30: Demographic Breakdown for current Section 511 cases

Counties with 511 Participants	
Non-zero numbers less than 10 suppressed for privacy	**SFY 2022**
Adams	*
Allegheny	21
Armstrong	*
Beaver	*
Bedford	13
Berks	33
Blair	11
Bradford	0
Bucks	18
Butler	*
Cambria	*
Carbon	0
Centre	*
Chester	30
Clarion	*

Counties with 511 Participants, cont.	
Non-zero numbers less than 10 suppressed for privacy	**SFY 2022**
Lancaster	32
Lawrence	*
Lebanon	*
Lehigh	21
Luzerne	18
Lycoming	0
McKean	29
Mercer	*
Mifflin	*
Monroe	10
Montgomery	20
Montour	*
Northampton	*
Northumberland	*
Perry	*

Counties with 511 Participants	
Non-zero numbers less than 10 suppressed for privacy	**SFY 2022**
Clearfield	*
Columbia	*
Crawford	*
Cumberland	10
Dauphin	*
Delaware	*
Elk	*
Erie	13
Fayette	*
Franklin	*
Fulton	0
Greene	0
Huntingdon	*
Indiana	*
Jefferson	0
Juniata	*
Lackawanna	35

Counties with 511 Participants, cont.	
Non-zero numbers less than 10 suppressed for privacy	**SFY 2022**
Philadelphia	30
Pike	*
Schuylkill	14
Snyder	*
Somerset	*
Susquehanna	*
Tioga	12
Union	*
Venango	*
Warren	*
Washington	*
Wayne	*
Westmoreland	11
Wyoming	*
York	15
TOTAL	549

Table 31: Counties with 511 Participants

OVR Office Name	511 Participant Cases
Allentown - OVR (BVRS)	48
Altoona - OVR (BBVS)	*
Altoona - OVR (BVRS)	37
Dubois - OVR (BVRS)	36
Erie - OVR (BBVS)	*
Erie - OVR (BVRS)	32
Harrisburg - OVR (BBVS)	*
Harrisburg - OVR (BVRS)	32
Johnstown - OVR (BVRS)	21
New Castle - OVR (BVRS)	20
Norristown - OVR (BVRS)	78
Philadelphia - OVR (BBVS)	*
Philadelphia - OVR (BVRS)	32
Pittsburgh - OVR (BBVS)	*
Pittsburgh - OVR (BVRS)	20
Reading - OVR (BVRS)	48
Wilkes-Barre - OVR (BBVS)	*
Wilkes-Barre - OVR (BVRS)	82
Williamsport - OVR (BVRS)	25
York - OVR (BVRS)	66
Grand Total	**598**

Table 32: 511 Participant Cases

Living situation of the person each in CIE, IPE, ODP ISP or CHC ISP

Living Arrangement – Open (IPE) Cases	
Private Residence (independent, or with family or another person)	51.8%
Community Residential/Group Home	29.3%
Rehabilitation Facility	0.7%
Mental Health Facility	0.7%
Other	0.4%
Not Reported	17.1%

Living Arrangement Description - CIE Cases	
Private Residence (independent, or with family or another person)	64.6%
Community Residential/Group Home	29.3%
Rehabilitation Facility	1.2%
Mental Health Facility	0.0%
Other	1.8%
Not Reported	3.0%

Table 33: Living situation of the person each in CIE, IPE, ODP ISP or CHC ISP

Act 26 Related Data

Provide three years of data regarding students entering CIE within three months of graduation. Include the total possible number of unique students so that a percentage can be derived. Include and show separately the same data for cyber, charter, and home school students.

This data is reported as a portion of the Act 26 report. The data presented is data which was available through the third quarter of SFY 2022. (July 1, 2022 – March 31, 2023). Act 26 data is still under development for the fourth quarter. The total possible number of unique students across Pennsylvania is not available to OVR. OVR does not capture data related to type of school in relation to Act 26 reporting.

Percent of Closed Cases Placed into Employment through OVR				
	2020	**2021**	**2022**	**Grand Total**
Act 26 Individuals Placed into Employment through OVR	1,255	1,145	1,591	3,991
Act 26 Individuals with Closed OVR Cases	2,307	2,725	3,020	8,052
Pecentage of Employed	54.4%	42.0%	52.7%	49.6%
Racial Demographics by Program Year				
	2020		**2021**		**2022**		**Grand Total**
Asian	13	1.0%	18	1.6%	26	1.6%	57
Black	214	17.1%	184	16.1%	281	17.7%	679
Native American	3	0.2%	1	0.1%	2	0.1%	6
Native Hawaiian or Pacific Islander	1	0.1%	3	0.3%	1	0.1%	5
White	888	70.8%	800	69.9%	1,108	69.6%	2,796
Multiracial	20	1.6%	19	1.7%	22	1.4%	61
Not Disclosed	116	9.2%	120	10.5%	151	9.5%	387
Grand Total	**1,255**		**1,145**		**1,591**		**3,991**
Gender by Program Year				
	2020		**2021**		**2022**		**Grand Total**
Female	462	36.8%	419	36.6%	620	39.0%	1,501
Male	792	63.1%	720	62.9%	968	60.8%	2,480
Other	1	0.1%	6	0.5%	3	0.2%	10
Grand Total	**1,255**		**1,145**		**1,591**		**3,991**
Ethnicity by Program Year				
	2020		**2021**		**2022**		**Grand Total**
Non Hispanic/Latino	1,023	81.5%	906	79.1%	1,308	82.2%	3,237
Hispanic/Latino	54	4.3%	57	5.0%	76	4.8%	187
Do not wish to disclose	178	14.2%	182	15.9%	207	13.0%	567
Grand Total	**1,255**		**1,145**		**1,591**		**3,991**
English Language Learners				
	2020		**2021**		**2022**		**Grand Total**
No	139	11.1%	130	11.4%	145	9.1%	414
Yes	1	0.1%	0	0.0%	3	0.2%	4
Not Reported	1,115	88.8%	1,015	88.6%	1,443	90.7%	3,573
Grand Total	**1,255**		**1,145**		**1,591**		**3,991**

Table 34: students entering CIE within three months of graduation

Speed to OVR Service Delivery

Three years of data showing the percentage of customers/participants who were employed or were actively receiving an employment-related service within 3 months of contact/referral to each of the following programs.

State Fiscal Year July 1 - Jun 30	Number of Cases found Eligible for OVR Services	Number of Cases Receiving Employment Services within 90 Days	Percentage
2020	5,930	4,976	83.9%
2021	11,046	9,246	83.7%
2022	13,311	9,782	73.5%

Table 35: participants who were employed or were actively receiving an employment-related service within 3 months of referral

Employment for Pennsylvanians with Disabilities

Labor Participation and Unemployment Data for People with Disabilities.

Data Source: Center for Workforce Information and Analysis 7-14-23 - Current Population Survey 12-Month Averages

CPS 12 Month Averages for Total PA Labor Force and People with Disabilities

Month	PWD Participation Rate	PWD Unemployment Rate	Total PA Labor Force Participation Rate	Total PA Labor Force Unemployment Rate	PA Labor Force for PWD Participation Rate	PA Labor Force for People without Disabilities Unemployment Rate
July 2019 – June 2020	20.8	8.2	63.2	4.8	70.1	4.7
July 2020- June-2021	17.6	12/2	62.1	8.7	69.6	8.5
July 2021- June 22	20.2	12.9	61.5	6.3	68.6	6
July 2022 - May 2023		9.4*	61.6			

Table 36: CPS 12 Month Averages for Total PA Labor Force and People with Disabilities

*PA Monthly Work stats, PA Department of Labor and Industry, CWIA-19 REV 06-23

Credential attainment is broken down by where the credential was attained.
The following credentials have been documented for the 2022-2023 Academic Year. Documentation for this period is still being collected. Please note that these are not necessarily the same definitions as are used in calculation of the RSA Credential Attainment performance indicator which has additional parameters.

HS Diploma or Equivalent: 1,170

Associates: 124

Bachelors: 306

Masters: 29

Other Graduate:2

Vocational-Technical License/Certificate: 12

RSA Measurable Skills Gains Rate: PY 2021

National – 43%

Virginia- 92.3%	Wisconsin- 56.4%	New York- 44.0%	Tennessee- 36.0%
Oklahoma- 75.1%	Montana- 55.7%	Iowa- 43.8%	Texas- 34.3%
Missouri- 74.4%	Connecticut- 55.2%	Nevada- 42.5%	Kentucky- 34.2%
Mississippi- 72.1%	Nebraska- 54.6%	Maryland-42.4%	California- 32.2%

North Dakota- 69.5%	Ohio- 54.3%	Washington- 42.0%	Hawaii- 30.7%
Illinois- 67.8%	Delaware- 54.0%	Rhode Island- 41.5%	Colorado- 29.2%
Alaska- 66.5%	Utah- 52.6%	Florida- 40.6%	North Carolina- 29.0%
Indiana- 63.5%	Alabama- 51.9%	Georgia- 39.9%	Oregon- 24.8%
New Hampshire- 59.9%	Maine- 51.0%	DC- 39.8%	Kansas- 22.1%
Arkansas- 59.4%	West Virginia- 49.9%	South Carolina- 39.3%	New Mexico-17.3%
Idaho- 58.3%	Wyoming- 48.9%	Arizona- 38.6%	South Dakota-16.0%
Vermont- 57.3%	Louisiana- 47.2%	Puerto Rico- 38.2%	New Jersey- 11.5%
Michigan-56.8%	Minnesota- 45.5%	Massachusetts- 36.5%	Pennsylvania- 11.3%

Table 37: RSA Measurable Skills Gains Rate

List of current transition counselors in major cities including deaf and BVS counselors servicing students and youth with disabilities.

- Philadelphia: 8 Transition Vocational Rehabilitation Counselors and 2 Early Reach Coordinators
- Pittsburgh: 23 Transition Vocational Rehabilitation Counselors and 4 Early Reach Coordinators

Note: The above totals include Rehabilitation Counselors for the Deaf

Exit data for the program broken down in each category according to the RSA 911 for the following year.

Code	TYPE OF EXIT RSA-911 DE 354	PY 2022-23*
1	Individual exited during or after a trial work experience	324
2	Individual exited after eligibility, but from an order of selection waiting list	94
3	Individual exited after eligibility, but prior to a signed IPE	1,826
4	Individual exited after a signed IPE without an employment outcome	6,145
5	Individual exited after a signed IPE in noncompetitive and/or nonintegrated employment	0
6	Individual exited after a signed IPE in competitive and integrated employment or supported employment	5,467
7	Individual exited as an applicant after being determined ineligible for VR services	0
0	Individual exited as an applicant, prior to eligibility determination or trial work	1,809
	TOTAL	15,665

Table 38: Exit data

*RSA-911 has not yet been finalized/submitted for PY2022-23 4th quarter, due date is 8/15/23.

Reason for Program Exit

Code	REASON FOR PROGRAM EXIT RSA-911 DE 355	PY 2022-23*
2	Health/Medical: Individual is hospitalized or receiving medical treatment that is expected to last longer than 90 days and precludes entry into Competitive Integrated Employment or continued participation in the program.	313
3	Death of the Individual	70
4	Reserve Forces Called to Active Duty: Individual is a member of the National Guard or other reserve military unit of the armed forces and is called to active duty for at least 90 days.	1
6	Ineligible: The individual was determined eligible for the VR program; however, the individual was no longer eligible because he or she no longer wished to seek Competitive Integrated Employment or the individual's disability prevented the individual's ability to seek competitive integrated employment.	60
7	Criminal Offender: Individual entered a correctional institution (e.g., prison, jail, reformatory, work farm, detention center) or other institution designed for confinement or rehabilitation of criminal offenders (section 225 of WIOA).	48
8	Ineligible: The individual was found to have no disabling condition, no impediment to employment, or did not require VR services to prepare for, secure, retain, advance in, or regain competitive integrated employment.	47
13	Transferred to Another Agency: Individual needs services that are more appropriately obtained elsewhere. Transfer to another agency indicates that appropriate referral information is forwarded to the other agency so that the agency may provide services more effectively. Include individuals transferred to other VR agencies.	119
14	Achieved Competitive Integrated Employment Outcome: Applicable only to Type of Exit code value 6 (Individual exited after an IPE in competitive and integrated employment or supported employment).	5,467
15	Extended Employment: Individuals who received services and were placed in a non-integrated or sheltered setting for a public or private nonprofit agency or organization that provides compensation in accordance with the Fair Labor Standards Act (34 CFR 361.5(c)(18)).	4
16	Extended Services Not Available: Individual has received VR services but requires long term extended services for which no long-term source of funding is available. This code is used only for individuals who have received VR services.	5
17	Unable to Locate or Contact: Individual has relocated or left the State without a forwarding address, or when individual has not responded to repeated attempts to contact the individual by mail, telephone, text, or email.	4,269
18	No Longer Interested in Receiving Services or Further Services: Individual actively chose not to participate or continue in the VR program. Also use this code to indicate when an individual's actions make it impossible to begin or continue a VR program. Examples would include repeated failures to keep appointments for assessment, counseling, or other services.	4,261
19	All Other Reasons: This code is used for all other reasons not included in other code values.	774
20	Short Term Basis Period: The individual achieved supported employment in integrated employment but did not earn a competitive wage after exhausting the short-term basis period.	0
21	Ineligible: The individual applied for VR services pursuant to section 511 of the Rehabilitation Act and was determined ineligible because he or she did not wish to pursue competitive integrated employment.	135
22	Ineligible: Following Trial Work Experience(s), the individual was determined ineligible because the individual was unable to benefit due to the severity of his or her disability.	93
	TOTAL	15,666

Table 39: Reason for program exit

* RSA-911 has not yet been finalized/submitted for PY2022-23 4th quarter, due date is 8/15/23.

Number of requests of OVR for transportation, and how many are funded. (OVR does not track transportation requests)

- 1,233 Unique cases received one or more transportation services funded by OVR in SFY 2023.

Number of requests to OVR for Assistive Technology, and how many are funded (OVR does not track Assistive Technology requests)

- 147 Services related to assistive technology hardware, software, or other devices were funded by OVR in SFY 2022-23.
- 3,281 Services related to hearing aids were funded by OVR in SFY 2022-23

PA Organizations with issued 14c certificates (or Applications) under the Fair Labor Standards Act; and number of people Paid Subminimum Wage

Data Source: US DOL shows the Number of People Paid Subminimum Wage by PA Organizations

Table Description: The facilities that have 14c certificates are listed in this chart along with the number of workers who are paid subminimum wage in 2021 and 2022.

Data Highlights: As of April 1, 2022, PA has 52 organizations that have issued or pending 14c certificates (which is a decrease from 58 organizations in 2021). At least 3,820 people in PA are being paid subminimum wage compensation.

County	Employer	Certification Start Date	Certification End Date	2021 Workers Paid Subminimum Wages	2022 Workers Paid Subminimum Wages
Adams	Hanover Adams Rehabilitation And Training Center	6/1/20	5/31/24	129	86
Allegheny	Barber National Institute	1/1/21	12/31/22	279	165
Allegheny	Citizen Care, Inc.	11/1/20	10/31/24	98	47
Allegheny	Life's work Of Western Pennsylvania	2/1/22	1/31/24	84	84
Allegheny	Milestone Centers Inc.	12/1/20	11/30/22	65	
Allegheny	Wesley Family Services	1/1/20	12/31/23	64	64
Armstrong	Progressive Workshop Of Armstrong County Inc	8/1/20	7/31/24	75	75
Beaver	Beaver County Rehabilitation Center, Inc.	9/1/20	8/31/24	98	101
Berks	Helping Hands Inc.	9/1/20	8/31/24	17	18
Berks	Prospectus Associates, Inc.	9/1/20	8/31/24	99	44
Berks	South Mountain Workshop	8/1/20	7/31/22	34	0

County	Employer	Certification Start Date	Certification End Date	2021 Workers Paid Subminimum Wages	2022 Workers Paid Subminimum Wages
Berks	Threshold Rehabilitation Services, Inc.	6/1/20	5/31/24	57	24
Berks	Vision Resource Center Of Berks County	3/1/22	2/29/24	8	8
Bradford	CTC Manufacturing, Inc.	8/1/20	7/31/24	13	10
Bradford	Futures Rehabilitation Center, Inc.	6/1/20	5/31/24	131	113
Bucks	Associated Production Services, Inc.	9/1/20	8/31/24	501	383
Bucks	Barc Developmental Services, Inc.	12/1/22	11/30/24		129
Bucks	Wood Services	4/1/22	3/31/24		110
Butler	Arc Of Butler County	11/1/20	8/31/24	23	46
Cambria	Cambria County Association For The Blind And Handicapped	9/1/20	8/31/24	14	99
Center	Skills Of Central Pa	7/1/20	6/30/24	216	150
Chester	Handi-Crafters.Org	3/1/22	2/29/24		238
Crawford	Vallonia Industries	12/1/20	11/30/24	82	80
Cumberland	S. Wilson Pollock Center For Industrial Training	8/1/20	7/31/24	76	125
Delaware	Elwyn of Pennsylvania and Delaware	12/1/20	11/30/22	328	0
Elk	Dickinson Center Inc.	2/1/22	1/31/24	9	9
Elk	Elcam, Inc.	8/1/20	7/31/24	12	8
Franklin	Occupational Services, Inc.	12/1/20	11/30/24	80	84
Greene	Greene Arc Inc.	8/1/22	3/31/24		17

County	Employer	Certification Start Date	Certification End Date	2021 Workers Paid Subminimum Wages	2022 Workers Paid Subminimum Wages
Indiana	Human Resource Center, Inc.	7/1/22	6/30/24		47
Indiana	ICW Vocational Services, Inc.	5/1/20	4/30/24	65	49
Lackawanna	Allied Services - Scranton Vocational Rehab	11/1/20	10/31/24	100	96
Lackawanna	Keystone Community Resources, Inc	10/1/22	9/30/24	305	167
Lackawanna	Novice Workshop, Clarks Summit State Hospital	9/1/20	8/31/22	30	0
Lancaster	Lighthouse, Vocational Services	2/10/21	10/31/22	0	0
Lancaster	Occupational Development Center	10/1/20	9/30/24	61	30
Lawrence	Lark Enterprises, Inc.	10/1/21	9/30/24	92	82
Lebanon	Ephrata Area Rehab Services	11/1/20	10/31/24	78	74
Lehigh	Life Path, Inc.	1/1/21	12/31/24	24	13
Lehigh	Via Of The Lehigh Valley, Inc.	8/1/20	7/31/24	96	58
Monroe	Burnley Workshop Of The Poconos, Inc.	10/1/20	9/30/24	56	44
Montgomery	Access Services Inc.	1/1/21	12/31/24	38	28
Montgomery	Developmental Enterprises Corporation	3/1/22	2/29/24		149
Montgomery	Devereux Advanced Behavioral Health	11/1/20	10/31/24	101	77
Montgomery	Indiana Creek Industries	8/1/20	7/31/22	61	0

County	Employer	Certification Start Date	Certification End Date	2021 Workers Paid Subminimum Wages	2022 Workers Paid Subminimum Wages
Northumberland	Suncom Industries, Inc.	7/1/20	6/30/24	160	73
Philadelphia	Dr. Warren E. Smith Health Centers, Inc.	7/1/20	6/30/24	48	17
Philadelphia	Path, Inc	8/1/20	7/31/22	72	0
Philadelphia	Sparc Services	2/1/20	1/31/24	67	67
Schuylkill	Habilitation Inc.	8/1/20	7/31/24	127	96
Tioga	Partners In Progress, Inc.	11/1/20	10/31/24	42	46
Venango	Venango Training & Developmental Center	2/1/22	1/31/24	34	34
Warren	Warren State Hospital			27	
Westmoreland	Clelian Center	3/1/22	2/29/24	64	64
Westmoreland	Rehabilitation Center & Workshop, Inc.	2/1/22	1/31/24	35	35
Westmoreland	Westmoreland County Blind Association	3/1/22	2/29/24	76	76
York	Penn-York Opportunities, Inc.	2/13/23	4/30/24	0	0
York	Shadowfax Corporation	9/1/20	8/31/24	106	81
Totals				**4557**	**3820**

Table 40: PA Organizations with issued 14c

Pennsylvanian workers with disabilities who are working under section 520 contract

Fiscal year	Number of workers	Average wage of all 520 workers	Number of workers who receive subminimum wage	Percent of workers receiving subminimum wage	Average subminimum wage
20-21	2,327	$13.44	37	unknown	$2.61
21-22	2,352	$13.74	33	unknown	$2.37
22-23	2,191	$15.58	26	.06%	$2.97

Table 41: Pennsylvanian workers with disabilities who are working under section 520 contract

*520 facilities do not breakdown data by race/gender/language

*In 2022 there were 3,820 people working for subminimum wage in Pennsylvania. In 2022-2023, 1.2% of all Pennsylvanians receiving subminimum wage worked under a section 520 contract.

Other Agencies/Departments

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1. Abstract and Role in Employment First

Collaboration is the backbone of the Employment First movement, enabling diverse stakeholders to work together towards a shared vision of inclusive employment opportunities for individuals with disabilities. Pennsylvania's state agencies have a substantial impact on the well-being of all Pennsylvanians with disabilities, and their ability to grow and thrive in all aspects of life, including and especially ***employment***. Thus, the formation of partnerships and networking among organizations, government agencies, educational institutions, and other stakeholders is critical.

As such, the Employment First Oversight Commission requested data from the Department of Health (DOH), the Department of Transportation (PennDOT), the Department of Aging (DOA) and the Department of Corrections (DOC) to identify ways in which these agencies have fostered Employment First as a preferred outcome. The Commission also requested data from the PA Human Relations Commission to discover the extent to which discrimination may hinder the efforts of the Employment First movement particularly in the areas of education and employment.

2. Innovative Initiatives

Pennsylvania Department of Transportation (PennDOT):

Driving with Bioptics - Eligible individuals can use bioptic telescope lenses to help them to qualify for and obtain a driver's license. These lenses must be prescribed by a licensed optometrist or ophthalmologist and individuals must complete a certain number of hours of training with a low vision specialist to qualify for this special license.

Dual Control Permit - A dual control learner's permit authorizes the permit holder to train in a motor vehicle equipped with adaptive equipment, including items such as a left foot gas pedal, hand-controlled brakes, extended pedals, spinner knob on steering wheel, etc. These regulations affect persons who, because of their medical conditions, are required to obtain one-on-one instruction with a driving rehabilitation specialist or certified driving rehabilitation specialist training in a dual control vehicle to become licensed.

Through the Federal Half-Fare Program (under 49 U.S.C. Section 5307(d)(1)(D) of the Federal Transit Act), federally subsidized fixed route transit providers may not charge more than half of the peak fare for fixed route transit during off-peak hours for seniors, people with disabilities, and Medicare cardholders. To use this service, people with disabilities must present a Commonwealth of Pennsylvania Reduced Transit Fare Identification Card or Medicare Card at the time of fare payment.

For areas of Pennsylvania not accessible with a fixed route service, the Commonwealth's People with Disabilities Program operates services above and beyond ADA requirements. Through the Shared Ride Transportation program, Participants pay a portion (approximately 15%) of the public fare for local transit services (shared ride). The Commonwealth then reimburses the local transit agency for the difference between the passenger portion and full fare.

Last year, more than 200,000 trips were provided via the PwD Shared Ride Program, **with 58% of those trips for employment purposes** (see pie chart provided by PennDOT's Bureau of Public Transit). The program is offered in all Pennsylvania counties except for Philadelphia, where SEPTA's extensive fixed-route service enables people with disabilities to travel on ADA-complementary service.

PwD Trips in 2022

Education 2% · Medical 16% · Other 13% · Recreation 5% · Shopping 7% · Work 58%
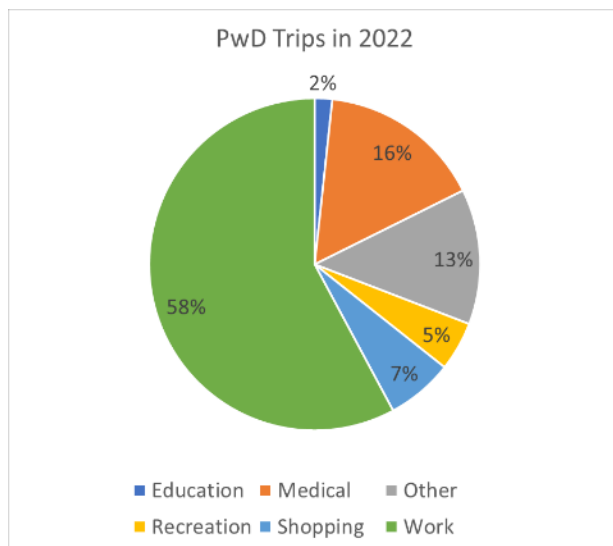
Pennsylvania has also developed the Find My Ride Program, a collection of resources designed to help people learn about available public transportation service, apply for transportation services, and schedule transit trips. Through these resources, people with disabilities can determine what is available to them. PennDOT offers the following user-friendly map of transit agencies that links to county offerings. https://gis.penndot.gov/transitmap/

Department of Corrections (DOC)

Students enrolled in vocational programs throughout PA correctional institutions run between 18 and 24 months. They are open entry/open exit, so numbers fluctuate due to new enrollments and completions; however, the average total monthly enrollment for all vocational programs ranges between 1800-1900 students. Between 5500-6500 certifications annually taking into consideration that one student can earn multiple certificates during their enrollment. NOTE: The data provided did not include specific information about enrollees with disabilities

Department of Military and Veteran Affairs (DMVA)

The DMVA works to identify and serve veterans in need through PA VETConnect, an innovative program that connects veterans to the best possible resources for assistance, anywhere in the commonwealth. The DMVA field staff networks in all 67 Pennsylvania counties and are well-versed in helping veterans find employment programs and services. This year, the EFOC requested trending data information regarding PA veterans receiving Veteran Readiness and Employment (VR&E) services, which is a service provided by the VA, for veterans with service-connected disabilities.

Pennsylvania Department of Aging

The Senior Community Service Employment Program (SCSEP) fosters and promotes part-time work-based training opportunities in community organizations for unemployed individuals

aged 55 and older whose income does not exceed 125% of the most recent federal poverty guidelines. The Department's SCSEP program served 662 individuals in program year 22-23.

3. Goals and Objectives

To ensure that all public facing agencies engage with the Disability Cabinet to strengthen collaboration and data sharing.

The ultimate purpose of this goal is to advance the principles and initiatives associated with "Employment First". The engagement of public-facing agencies with the Disability Cabinet is a strategic move toward strengthening collaboration, improving data sharing, and enhancing the quality of services and support provided to individuals with disabilities. It promotes a more coordinated, inclusive, and informed approach to addressing the needs of this vital community within the state.

4. Summary of Findings

In the Commission's collection of data and information from PennDOT, DOC, DMVA, and Department of Aging, it is noted that all these surveyed Agencies have programs specifically focused around supporting employment development for the individuals that they serve. It is also noted that some, but not all, have programs specifically carved out to focus on the needs of their employment-services stakeholders who have disabilities and face unique obstacles to employment as compared to their peers without disabilities. We also find that there is little or no specific success outcome tracking or data collection as to how their initiatives and innovations are impacting employment for specifically, Pennsylvanians with disabilities, and thus providing the ability to identify opportunities for improvement. Upon the information collection from Pennsylvania Human Relations Commission, the EFOC was disappointed but not surprised to learn that among the most common investigations of "Acts of Harm" in both employment and education categories are related to "Failure to Accommodate (disability)."

5. Recommendations

Pennsylvania Department of Transportation (PennDOT) (New Recommendations)

- The EFOC recommends that PennDOT Develop specific Employment First related initiatives, goals, and measures.
- The EFOC recommends that PennDOT review opportunities for better on demand transportation supports, especially in underserved rural areas and to support non-traditional shift work.
- PennDOT should permit, encourage, and financially support pilot programs throughout Pennsylvania under the Shared Ride Program for People with Disabilities. These pilot programs should aim to test and assess on-demand transportation services. Shared Ride providers, who are already Medicaid-enrolled providers, can facilitate the testing of new and innovative transportation models for Medicaid HCBS waiver participants seeking employment opportunities. This approach can potentially offer more efficient and flexible transportation solutions for individuals with disabilities who wish to work.
- PennDOT (Pennsylvania Department of Transportation) should regularly participate in Commission meetings and be an engaged participant within the group of government agencies under the Governor's Office dedicated to advancing the principles of Employment First.

Department of Corrections (DOC) (New Recommendations)

- Individuals with disabilities often find themselves in correctional facilities and programs and are hampered by the additional labels given them. DOC should recognize the unique challenges of youth and provide better coordination and data specific to the education and training development of youth with disabilities that will enable them to foster skill development for lifelong careers.
- The EFOC recommends that DOC develop specific Employment First related initiatives, goals, and measures.
- The EFOC recommends that DOC Develop partnerships and ideally a MOU with OVR to develop Employment First focuses, initiatives and education.
- The EFOC recommends that DOC develop cross agency relationships (and MOUs) with PDE to assist in developing Employment First focuses initiatives and education.

Department of Military and Veterans Affairs (DMVA) (New Recommendations)

- The EFOC recommends that DMVA develop partnerships and ideally a MOU with OVR to develop Employment First focuses, initiatives and education.
- The EFOC recommends that DMVA engage in statewide workforce development boards
- The EFOC recommends that DMVA Develop specific Employment First related goals and measures.

Department of Aging (PDA) (New Recommendations)

- The EFOC recommends that the PDA Develop partnerships and ideally a MOU with OVR to develop Employment First focuses, initiatives and education.
- The EFOC recommends that the PDA Engage with statewide workforce development boards to develop strategies on how to engage in local workforce opportunities.
- The EFOC recommends that the PDA develop specific Employment First related goals and measures.
- The EFOC recommends that the PDA develop specific initiatives that provide specialized supports for their clients who also have disabilities.

6. Data

PennDOT- Persons with Disability Trips in 202258% Work
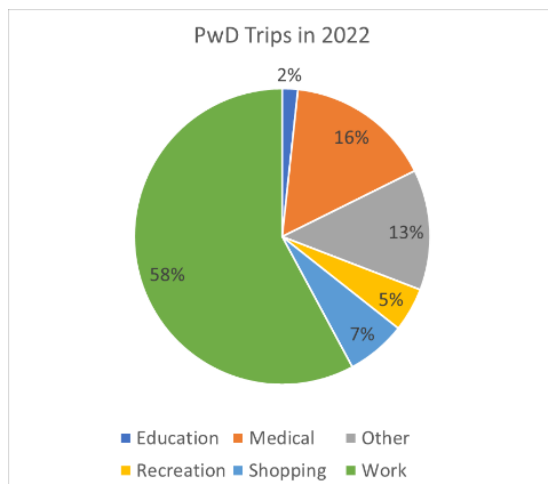
16% Medical

13% Other

7% Shopping

5% Recreation

2% Education

Figure 16: PennDOT - Persons with Disability Trips in 2022

DOC Certifications per Facility

INSTITUTION	PROGRAM	MONTHLY ENROLLMENT
ALBION	Cosmetology	6
	Warehouse	24
BENNER	Electricity	24
	Plumbing	24
	Custodial Maintenance	24
	Barber	9
CAMBRIDGE SPRINGS	Custodial Maintenance	20
	Optical	20
	Cosmetology	10
CAMP HILL	Graphic Arts/Printing	30
	Restaurant Trades	10
	Barber	10
CHESTER	Building Trades	22
	HVAC	22
	Barber	10
COAL TOWNSHIP	Auto Tech	30
	Custodial Maintenance	30
	HVAC	30
	Barber	8
DALLAS	Carpentry	30
	Custodial Maintenance	30
	Horticulture/Landscape	16
	Welding	10
	Cosmetology	10
FAYETTE	Carpentry	30
	Custodial Maintenance	30
	Electricity	24
	HVAC	30
	Welding	12
	Cosmetology	4
FOREST	Auto Tech/CDL	30
	Building Trades	24
	Custodial Maintenance	30
	Electricity	30
	Masonry	24
	Restaurant Trades	24
	Welding	12
FRACKVILLE	Carpentry	24
	Custodial Maintenance	24
	Barber	6
GREENE	Carpentry	12
	HVAC	30
	Barber	1
HOUTZDALE	Construction Cluster	30
	Custodial Maintenance	30
	Electricity	30

	Electronics	30
	Warehouse	30
	Barber	10
HUNTINGDON	Auto Tech/CDL	20
	Construction Cluster	20
	Custodial Maintenance	20
	Graphic Arts/Printing	20
	Barber	10
LAUREL HIGHLANDS	Custodial Maintenance	18
	Electronics	24
	Cosmetology	5
MAHANOY	Auto Tech/CDL/Diesel	20
	Carpentry	24
	Warehouse	30
	Barber	9
MERCER	Auto Tech	16
	Custodial Maintenance	16
	Carpentry	16
MUNCY	Auto Tech	16
	Machine Shop	16
	Restaurant Trades	16
	Cosmetology	8
PHOENIX	Building Trades	40
	Custodial Maintenance	40
	Restaurant Trades	20
	Warehouse	40
	Barber	20
PINE GROVE	Carpentry	20
	Custodial Maintenance	20
	Horticulture/Landscape	20
	HVAC	20
QUEHANNA	Custodial Maintenance	30
	Construction Cluster	30
ROCKVIEW	Electricity	22
	HVAC	24
	Masonry	20
SOMERSET	Carpentry	20
	Masonry	16
	Plumbing	16
	Barber	12
WAYMART	Carpentry	20
	Restaurant Trades	16
	Cosmetology	12

Table 42: DoC Certifications per Facility

Pennsylvania Human Relations Commission break down of Employment And Education Cases

Subject Area	Act Of Harm	Cases
Education (Total 188)	Academic Achievement or Accomplishment - Require Repeating Course	2
	Academic Instruction - Use of Inconsistent Standards of Conduct	2
	Admission- Failure to Admit	3
	Assignment - Failure to Appropriately Assign to or Within a School- Program- Class or Classroom	2
	Buildings and Facilities - Closure of School Building	7
	Buildings and Facilities - Refusal to Permit Use of Facility	1
	Discipline – Detention	5
	Discipline - Disciplinary Letter- Points- or Other Progressive Discipline Action	6
	Discipline – Expulsion	12
	Discipline - Removal from Classroom	3
	Discipline - Removal of Privileges	2
	Discipline – Suspension	13
	Discipline (verbal warning)	1
	Discrimination Response - Failure to Respond to Complaints of Discrimination	1
	Extra-Curricular - Failure To Permit Participation In Extra-Curricular Activity	1
	Failure to Accommodate (Disability) - Failure to Provide Accommodation (Programmatic or Physical)	9
	Failure to Accommodate (Religion) - Refusal to Provide Alternate Testing Date	1
	Failure to Accommodate (Religion) - Refusal to Provide ting Facility/Place	1
	Harassment - Failure to Conduct a Timely Investigation of Harassment Complaint	3
	Harassment - Failure to Stop Harassment	17
	Harassment - Failure to Take Appropriate Action in Response to Harassment Complaint (Discipline- Training- Criminal Referral- etc.)	11
	Harassment - Harassment by Staff (Different Treatment)	21
	Harassment - Harassment by Staff (Direct)	1
	Harassment - Harassment by Student (Different Treatment)	2
	Harassment - Harassment by Student (Direct)	8
	Harassment - Physical Harm by Student	9
	Harassment - Sexual Harassment by Staff	1
	Harassment - Sexual Harassment by Student	2
	Monetary - Failure to Provide Financial Aid	1
	Parental Rights - Denial of Parental Rights	1
	Parental Rights - Failure to Appropriately Inform or Involve Parents	3
	Policy or Procedure - Failure to Adhere to Existing Policy- Procedure or Requirement (Admissions- Discipline- Harassment- Disability- etc.)	1
	Records - Refusal to Remove Inaccurate or Other Information from Records	2
	Segregation – Isolation	2
	Segregation – Segregation	2
	Service - Failure to Provide Housing	1
	Service - Failure to Provide Services	4
	Service - Failure to Provide Transportation	3
	Special Education - Failure to Implement IEP	1
	Special Education - Failure to Provide Appropriate Special Education Evaluation	3
	Sports - Failure To Permit Participation In Sports	3

Subject Area	Act Of Harm	Cases
	Sports - Failure to Provide Sports Facility	1
	Statutory - Inappropriate Referral to or Notification of Appropriate Law Enforcement Officials	2
	Student Rights - Exclusion from Graduation Ceremony	1
	Student Rights - Failure to Provide Accurate Reference	1
	Testing and Evaluation - Application of Different Criteria for Grading or Other Evaluation	1
	Testing and Evaluation - Issuance of Failing Grade	5
	Third Party - Aid and Abet	3
Employment (Total 5201)	Access (denied)	2
	Accessibility	38
	Aid and Abet	27
	Assignment	14
	Assignment (additional)	5
	Assignment (denied)	17
	Assignment (Failure To)	11
	Assignment (less desirable)	30
	Assignment (unequal)	24
	Benefits - % Wage Increase (denied)	10
	Benefits - % Wage Increase (unequal)	1
	Benefits - Bonus (unequal)	4
	Benefits - Insurance (terminated)	4
	Benefits - Insurance (unequal)	3
	Benefits - Other (denied)	14
	Benefits - Other (unequal)	7
	Benefits - Retirement/Pension (terminated)	1
	Benefits-Insurance	8
	Constructive Discharge	229
	Constructive Other	3
	Corrective Action Program	1
	Demotion	56
	Discharge	1792
	Discharge (Threaten)	28
	Discipline	47
	Discipline (final warning)	17
	Discipline (Placed on Probation)	5
	Discipline (suspension indefinite)	4
	Discipline (suspension pending dismissal)	5
	Discipline (suspension pending investigation)	20
	Discipline (suspension w/ pay 1day)	1
	Discipline (suspension w/ pay 2day)	6
	Discipline (suspension w/ pay 3day)	6
	Discipline (suspension w/o pay 1day)	3
	Discipline (suspension w/o pay 3day)	7
	Discipline (suspension w/o pay other)	16
	Discipline (verbal warning)	19
	Discipline (written warning)	108
	Early Retirement Incentive	2

Subject Area	Act Of Harm	Cases
	Harassment	182
	Harassment (class related)	250
	Harassment (different treatment)	291
	Hire (refusal to)	110
	Hiring	34
	Hours Changed	3
	Hours Reduced	47
	Investigate (failure to)	11
	Lay Off	16
	Layoff	9
	Leave (Forced w/o Pay)	64
	Leave Denied	10
	Other	15
	Other Language/Accent Issue	1
	Overtime (denied)	9
	Pay Unequal	51
	Performance Appraisal Negative	40
	Performance Improvement Plan	50
	Prohibited Medical Inquiry/Exam	7
	Promote (failure to)	99
	Promotion	15
	Reasonable Accommodation	140
	Reasonable Accommodation (disability)	281
	Reasonable Accommodation (religion)	111
	Recall (failure to)	1
	Record Keeping Violation	1
	Reference Unfavorable	14
	Reinstate (failure to)	14
	Removed From Duties	25
	Retirement Involuntary	10
	Severance Pay (Denied)	1
	Sexual Harassment	106
	Suspension	113
	Terms and Conditions	137
	Terms and Conditions (non-monetary)	157
	Time Off (denied)	1
	Training	6
	Training (denied)	29
	Transfer (denied)	20
	Transfer (forced)	36
	Union Representation (failure to provide)	8
	Union Representation (not permitted)	1
	Wages	80

Table 43: Pennsylvania Human Relations Commission

Pennsylvania Human Relations Commission

Disability Cases by Office

Docketed from 7/1/2020 through 6/30/2021

Protected Class	Pittsburgh	Harrisburg	Philadelphia	Statewide Total
Disability - Has a Disability	439	415	346	1200
Disability - Has a Record of Disability	3	7	11	21
Disability - Is Regarded as Having a Disability	12	18	16	46
Disability – ted	6	17	15	38
Total	**460**	**457**	**388**	**1305**

Table 44: Disability Cases by Office

End Notes

Commissioners Names and Biographies

Josie Badger DHCE, CRC, Commission Chair. Dr. Badger received her bachelor's degree from Geneva College in Disability Law and Advocacy, a Master's from the University of Pittsburgh in Rehabilitation Counseling, and a Doctorate from Duquesne University in Healthcare Ethics. She founded J. Badger Consulting Inc. in 2014 and PEACOCK, a nonprofit organization in 2023. Dr. Badger is also the Director of the national RSA-Parent Training, Information, technical assistance center (RAISE). Dr. Badger was the founder of the Pennsylvania Youth Leadership Network (PYLN), the Children's Hospital Advocacy Network for Guidance and Empowerment (CHANGE) and created a youth and leadership development training program that serviced all of Pennsylvania.

Julia Barol, Commission Vice Chair is at Temple University Institute on Disabilities working on employment systems issues. She is also President of Transition Consults where her work focuses on giving people the opportunity to live and work in their community, self-directing their lives. She is President of the Pennsylvania chapter of APSE (Association of People Supporting Employment First) and has been working to advance Employment First in Pennsylvania since 2012. She serves as the Chair of Transition and Education of the PA Vocational Rehabilitation Council. Julia was a part of the initial cohort of the BPAOs and the roll out of the TWWIIA and was certified as a benefits counselor in 2001. She has counseled many hundreds on work and its impact on benefits so that people can make informed decisions about their future. She has trained groups on work incentives, SSA benefits, and healthcare options for many years. Julia holds a Masters in Secondary Special Education and Transition from The George Washington University.

Dale Verchick, Commission Secretary, has been an advocate at Disability Rights Pennsylvania since 2008. Dale and her family were refugees in the Persian Gulf War when they were forced to relocate to India. She is an immigrant, now US Citizen and she resides in Schuylkill County with her husband, their son Andrew and daughter Lucy who has congenital femoral deficiency and fibular hemimelia. Dale presently serves on the Board of Pennsylvania Assistive Technology Foundation. She co-authored "NRI- the Improbable Adventures of a Non-Resident Indian" which tells the story of non-resident Indians caught between countries and cultures. She holds a master's degree in law and public policy.

Stephen Suroviec, Immediate Past Commission Chair, is President and Chief Executive Officer of Achieva. Before joining Achieva in January 2018, Steve held several disability-related positions in both the public and non-profit sectors, including Chief Operating Officer and Intellectual/Developmental Disabilities Division Director for the Rehabilitation and Community Providers Association, Special Advisor to the PA Secretary of Human Services (for "Employment First" policy), Deputy Secretary for Developmental Programs, Executive Director for the PA Office of Vocational Rehabilitation, Executive Director of The Arc of PA, Deputy Secretary and Policy Director at the PA Department of Health, and Director of the Erie County Department of Human Services. He was a Legislative Assistant for then-Congressman Tom Ridge from 1991 through 1994 and served on the President's Committee for People with Intellectual Disabilities from 2006 to 2008. Steve is a veteran of the U.S. Air Force and holds a master's degree in public and international Affairs from the University of Pittsburgh.

Mary Hartley (Inaugural Chair of the Commission) is the Executive Director of the Parent Education and Advocacy Leadership (PEAL) Center. She has led statewide policy and legislative change as well as projects supporting transition to adulthood and employment, most notably, the self-advocate managed #IWantToWork campaign at United Way of Southwestern Pennsylvania. With United Way and county leadership, she initiated and launched a successful new model of employment collaboration (now in multiple businesses), the Career Transition Project. Mary is a parent advocate who got her start volunteering with the Local Task Force on the Right to Education. She lives with her husband and two children in Pittsburgh; her son is advocating on his own behalf through transition.

Lisa Biggica is the President/CEO of UniqueSource Products & Services, a network of organizations affirmatively employing people with disabilities who prioritize providing adaptive technologies, effective accommodations, and supports to not only meet, but exceed the requirements of the ADA. UniqueSource provides as the Central Non-Profit operating under Section 520 of the PA Procurement Code. In 2021 Lisa was named, and continues to serve, as the President of the national State Use Program Association (SUPRA), providing a consolidated source of information, education, and support for State Use Program leaders nationwide. She is a nationally sought speaker and co-author of multiple SUPRA papers and other publications. Lisa holds a B.S. in Business Administration from Elizabethtown College and Project Management Certifications from Villanova University. In addition to Lisa's work in advancing employment opportunities for people with disabilities, she has an extensive background in business leadership, financial services, and digital customer service operations.

Cheryl Bates-Harris is a Senior Disability Advocacy Specialist for the Training and Advocacy Support Center (TASC) of NDRN where she has 23 years of experience and expertise working with people with disabilities. She has an in-depth knowledge of cross disability issues and focuses on employment issues of people with disabilities, including Vocational Rehabilitation, Social Security and Return to Work (PABSS), and other work programs that impact people with disabilities, including DOL OneStops. Since the passage of Ticket to Work and Work Incentive Improvement Act, she has conducted national training on TWWIIA and Vocational Rehabilitation Services and has conducted extensive training on the intersection issues of the Ticket to Work with state vocational rehab services. She was appointed by President Bush to the Ticket to Work and Work Incentives Advisory panel in 2004. A prime impetus behind Segregated and Exploited; the Failure of the DD System to Provide Meaningful Work, she provides training and technical assistance to the protection and advocacy and Client Assistance Programs nationwide and has been an invited speaker at many national conferences.

Cindy Duch is the Director of Individual Assistance at the PEAL Center. In addition to her work at the PEAL Center, Cindy is a 20-year member of the Local Task Force 3 (LTF3) for the Right to Education. Cindy is a former member of the PA Rehabilitation Council and a current member of the OVR- Pittsburgh District Office Citizen Advisory Council. She is a Commissioner on the PA Employment First Oversight Commission. Cindy also serves as a peer monitor assisting the PA Department of Education/Bureau of Special Education in monitoring the Special Education Departments of School Districts in Pennsylvania. Additionally, she represents PEAL on the Office for Dispute Resolution Stakeholder Council. Cindy lives in Allegheny County with her husband Jim and their two sons. She has a B.S.B.A. in Economics from Robert Morris University.

Amiris Dipuglia obtained her degree as a medical doctor in 1991 from the Pontificate Catholic University Mother and Master in the Dominican Republic. When her eldest son Alexander was diagnosed with autism, she abandoned her medical career and pursued her certification as a behavior analyst. Amiris has dedicated the past twenty years to serving children with autism and other developmental delays by providing training and consultation to staff members in educational programs as well as homebound service providers on the implementation of evidence-based interventions derived from the field of applied behavior analysis. She also provides training to family members to promote and facilitate collaboration as well as optimize outcomes. She is currently one of the lead consultants for the Pennsylvania Training and Technical Assistant Network (PaTTAN) Autism Initiative and serves as a parent consultant.

Richard S. Edley, PhD, is the lead executive for the Rehabilitation and Community Providers Association (RCPA) in Pennsylvania, one of the largest state trade associations in the country representing providers of mental health, drug and alcohol, intellectual and developmental disabilities, children's, brain injury, medical rehabilitation, and physical disabilities and aging services. The association includes over 350 members. His professional career began in 1988 and prior to leading the association he was President and CEO of PerformCare/Community Behavioral HealthCare Network of Pennsylvania (CBHNP), a national, full-service, behavioral health managed care organization. Most recently, Dr. Edley was named to the Board of Directors of the National Council, a Washington DC based organization representing behavioral health providers and associations throughout the country. He also is a member of the PA Medical Assistance Advisory Committee (MAAC) and numerous other state task forces. Dr. Edley's baccalaureate degree is from Boston University, and he holds master's and doctorate degrees in clinical psychology from Emory University. He was an intern and post-doctoral fellow at McLean Hospital, where he held a faculty appointment at Harvard Medical School, Department of Psychiatry. Dr. Edley is a national presenter and is published in a broad variety of health care areas.

Michele Leahy is the founder and CEO of Leahy Life Plan, a firm dedicated to life planning for those with disabilities as well as their families. In 2009, Michele started her journey by obtaining her Certification in Work Incentive Planning through an approved Social Security Administration (SSA) program established through the SSA Ticket To Work Program. Ms. Leahy has an M.S. in Non-Profit Management from Eastern University and an B.A. in Communications, Division of Humanities, from Penn State. In 2019 Ms. Leahy was appointed by PA Governor Wolf to serve on the PA Rehabilitation Council (PaRC). Ms. Leahy was the first non-veteran Executive Board Member of the United Spinal Association, a national disability rights organization, where she served for over 8 years.

State Representative Dan Miller. As the eldest child of immigrant parents, Dan was the first member of his family born in America. Having a strong appreciation of the special opportunities America offers, he has made public service part of his life. He enlisted in the Army National Guard after high school. While his military service was cut short due to injury, he found another way to engage in service. Dan was a volunteer firefighter with Mt. Lebanon Fire Department for 14 years and was elected as a municipal commissioner. Dan earned undergraduate degrees in education and history and a law degree from Catholic University. He was first a public defender focusing on juveniles and later was a county solicitor where he worked to make sure kids were safe in their homes and received a proper education. Dan was elected to the House of Representatives in 2013 and in 2020 he became Caucus Chair of the Democratic Caucus.

Andrew Pennington is the Deputy Director of the Pennsylvania Client Assistance Program (CAP). He is a council member of the PA Rehabilitation Council and serves on multiple Citizens Advisory Councils that meet to discuss potential barriers within the Vocational Rehabilitation Process at the district office level. He participates in the policy development process for the Office of Vocational Rehabilitation. He is an advocate for individual seeking services from the Office of Vocational Rehabilitation, Centers for Independent Living, and programs, projects and facilities funded under the Rehabilitation Act of 1973 as amended. He also provides individuals and programs training on services funded under the Act and Title 1 of the ADA throughout Pennsylvania.

Susan Tachau is the founder and recently retired CEO of Pennsylvania Assistive Technology (PATF), Pennsylvania's Alternative Financing Program as designated by the federal Assistive Technology Act. She is the founder and Vice President of the Board of Directors for Appalachian Assistive Technology Loan Fund (AATLF). Both AATLF and PATF are Community Development Financial Institutions. Susan is the co-author of many of PATF's publications, including the financial education curriculum, Cents and Sensibility: A Guide to Money Management and Funding Your Assistive Technology. Prior to her work at PATF, Susan was the policy director at the Institute on Disabilities, Temple University. Susan serves on several Boards of Directors including the PA Statewide Independent Living Council and the National Disability Finance Coalition. She received a B.A. from Colorado College, an M.A. from Rutgers University, and an honorary Doctor of Humane Letters from Colorado College. Susan and her husband are the parents of an adult son who has a disability and who lives in his own home and is employed as a policy advocate.

Susan Miller Tomasic graduated from Messiah (College) University with a B.S. in education. After more than a dozen years as a classroom teacher, Susan made a career change to corporate training coordination. Susan began working for the PA Statewide Independent Living Council, was later appointed by Gov. Rendell to the PA SILC board, and now serves as its chair. Susan has been an active advocate for the disability community at local, state, and national levels for more than 22 years. Susan, her husband, Frank, and their children, Jason, and Leah, reside in South Hanover Township, Pennsylvania.

Heidi Tuszynski MS, NCC, LPC is a person with a visual disability and resides in Erie, PA with her husband and daughter. She is a Nationally Certified Counselor and a Licensed Professional Counselor and holds a bachelor's degree in social work and Masters in Counseling. She has over 25 years of experience working for nonprofits in the Erie community working with grieving children, individuals who are visually impaired and blind, individuals with mental health issues, and advocating for parents and children with disabilities in the educational system. Heidi is the former Chair of the Pennsylvania Rehabilitation Council and a member of The Governor's Advisory Committee for Persons with Disabilities.\

Glossary

14C Certificate

Section 14(c) of the Fair Labor Standard Act allows employers to apply to get a 14C Certificate. A business that has at 14C can pay their employees less than the minimum wage when their disabilities impair their productivity for the work being performed

2380 - Adult training facility or facility

A building or portion of a building in which services are provided to four or more individuals, who are 59 years of age or younger and who do not have a dementia-related disease as a primary diagnosis, for part of a 24-hour day, excluding care provided by relatives. Services include the provision of functional activities, assistance in meeting personal needs and assistance in performing basic daily activities.

2390 - Vocational facility

A premise in which rehabilitative, habilitative or handicapped employment or employment training is provided to one or more disabled clients for part of a 24-hour day.

Competitive Integrated Employment (CIE):

This means work that is performed on a full-time or part-time basis

Wage is at least the same rate as it would be for employees without a disability in the same position

At least state or local minimum wage law; and

level of benefits provided to other employees.

is at a location where the employee interacts with other persons who are not individuals with disabilities

as appropriate, presents opportunities for advancement that are like those for other employees who are not individuals with disabilities and who have similar positions.

Employment First

The idea that Competitive Integrated Employment is the first consideration and preferred outcome for individuals with a disability.

Section 520 of the Procurement Code

Section 520 of the Procurement Code allows organizations with over 75% of their workforce being people with disabilities to get state contracts for things they make or services they provide without having to compete with other companies. The state decides a fair price for these things through the PA Department of General Services (DGS).

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[i] CHC Agreement: https://www.dhs.pa.gov/HealthChoices/HC-Providers/Documents/2021%20CHC%20AGREEMENT.pdf The CHC-MCO must include employment-related needs and service requirements of Participants as part of the person-centered service plan. Details are found on page 118.