

Collaboration, Coordination and Communication

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NDSC Convention Highlights Legislation and Advocacy -- Employment

At the NDSC Convention in Orlando, self-advocates, in a legislative and advocacy session, unanimously affirmed that they want real jobs in the community that pay a living wage.

And finally, after years of collaborative efforts with other national disability organizations, real jobs paying at least minimum wage seems to have risen to prominence on the national stage in both the Republican and Democratic platforms.

Collaboration, Coordination and Communication

In a plenary session focusing on Legislative Advocacy, board member Mitch Rothholz said NDSC's work in Washington, DC can be described as "Collaboration, Coordination, Communication." That is how we have successfully participated in the movement that brought about these changes. Our efforts, in concert with other national disability organizations, have been a force for ensuring that people with intellectual and developmental disabilities have the same post-school opportunities available to everyone.

Competitive, integrated employment means work performed on a full or part-time basis (including self-employment) for which an individual is:

1. Compensated at not less than federal minimum wage requirements, or State or local minimum wage law (whichever is higher), and not less than the customary rate paid

by the employer for the same or similar work performed by individuals without disabilities;

2. Interacting with persons who are not individuals with disabilities to the same extent that nondisabled workers do; and
3. Presented with opportunities for advancement, which are similar to those for other employees who are not individuals with disabilities and who have similar positions.

Below is a summary of two bills on which we will need your advocacy. They are critical to advancing our goals of "Independence, Inclusion and Opportunity."

NDSC was also very involved in the passage of the Workforce Innovation and Opportunity Act, which is also summarized below.

Transition to Independence Act (S.1604)

This bill, if passed into law, would establish the Transition to Independence demonstration program. The demonstration program will give ten Medicaid Buy-In states (states where individuals can buy into Medicaid while working) an opportunity to receive bonus payments from Medicaid for meeting benchmarks that reduce subminimum wage work and increase integrated employment. There are currently 44 Medicaid Buy-In states. [For an explanation of the Medicaid Buy-In program, go to this link.](#)

The goals of the Transition to Independence bill are to:

- Improve opportunities for people with disabilities to obtain integrated employment and reduce their reliance on subminimum wages and segregated environments.
- Reform and coordinate systems to offer cost-effective supports and services to people with disabilities, consistent with the rising expectations of and for people with disabilities.
- Ensure that people with disabilities and their families regularly receive accurate information about and have access to services and supports that promote self-determination, independence, productivity, and integration and inclusion.

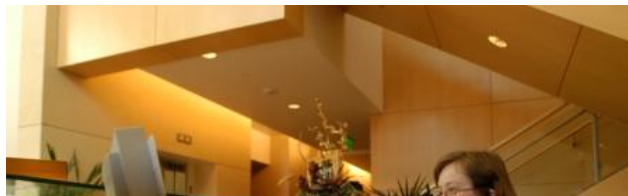
What you can do:

Watch for an NDSC Action Alert about what actions you can take to help this bill become law. In the meantime, you can learn more by reading [this fact sheet about the Transition to Independence Act.](#)

The TIME Act (Transition to Integrated and Meaningful Employment)

The TIME Act will modernize the Fair Labor Standards Act to encourage competitive employment for persons with disabilities.

Currently, employers can receive certificates from the Labor Department that allow them to pay workers subminimum wages. The TIME Act would bar the Labor Department from issuing new certificates, and would phase out the use of existing certificates within three years. Since it was introduced in 2015,



the legislation has failed to gain much traction. However, both political parties are now recognizing that this issue needs to be addressed.



NDSC is opposed to subminimum wage, **but recognizes that the transition from these jobs to competitive**

employment will take time, especially for individuals who have been in subminimum wage jobs for years. *We encourage a long but steady phase-out to regular jobs.* We will be working to ensure that the subminimum wage is eventually ended with an appropriate phase out. Stay tuned.

Workforce Innovation and Opportunity Act (WIOA)

The reauthorization (amendment) of the Rehabilitation Act was completed in July 2014. This new law is known as WIOA. A key purpose of WIOA is to increase competitive, integrated employment opportunities and outcomes for individuals with disabilities.

WIOA is expected to present opportunities for students and adults with Down syndrome and other disabilities to work in integrated, competitive employment. However, funds are limited and services are not an entitlement (as with the Individuals with Disabilities Education Act - IDEA). Parents need to be forceful about advocating for their children when transition begins in high school. A helpful policy brief to read about WIOA and a seamless transition for students with significant disabilities was prepared for the Collaboration to Promote Self Determination, a coalition in which NDSC is a member. [The brief can be found here.](#)

A new provision in WIOA prohibits schools from entering into contracts with sheltered workshops that segregate people with disabilities and pay subminimum wage to their workers.

We will keep you informed about implementation of this law with suggestions for using it to plan for employment.

If you have questions about these issues, please contact susan@ndscenter.org.



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