

Be the Change You Want to See: Staff as Change Agents

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2018 WI EMPLOYMENT FIRST CONFERENCE

Continuing On: Strengthening Partnerships for Community

May 15,2019 at the Kalahari in Wisconsin DElls

Introduction – Your Presenter

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Its been a long time coming.....



1970s

Public Law 94-142

“least restrictive environment”

Deinstitutionalization

*“in” though not yet “of” the
community*



1990s

ADA

“Civil Rights Legislation”

OLMSTEAD DECISION

“Reinforcing ADA”



Customized Employment

“making employment a reality for all”



2010s

CMS Settings Rule

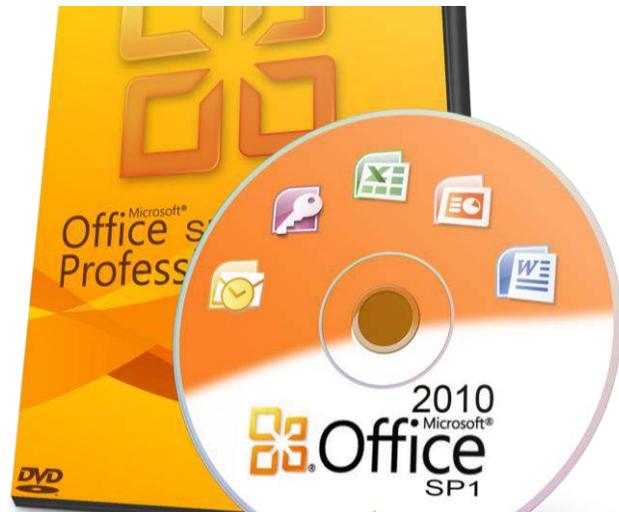
“full access to the greater community”

Dept. of Justice Actions

“remedying failure to provide access”

WIOA

“potential for significant advancement in competitive integrated employment”





2019 - Recent Noteworthy Bills in Congress

Transformation to Competitive Employment Act (HR 873 / S. 260)

A bipartisan and bicameral bill which aims to support states to transition away from sheltered employment, the use of 14(c) certificates, and subminimum wage.

"Raise the Wage" Bill Introduced in Congress

*Includes Increase in Minimum Wage & End to
Subminimum Wage*



The *Raise the Wage Act* would:

- Gradually raise the federal minimum wage from \$7.25 to \$15 over six years
- Index future increases in the federal minimum wage to median wage growth
- Guarantees tipped workers are paid at least the full federal minimum wage
- Guarantees teen workers are paid at least the full federal minimum wage
- **End subminimum wage certificates for individuals with disabilities to provide opportunities for individuals**

Subminimum Wage and 14(c) 11 States Introducing Legislation:

- ✓ MT ([HB588](#)) – Prohibits subminimum wages for workers with disabilities
- ✓ IL ([HB3340](#)) – Develop plan to phase out subminimum wage for workers with disabilities by 2024
- ✓ NC ([HB 366](#)) – Raises wages over 5 years and ends subminimum for workers with disabilities
- ✓ CT ([H6739](#)) – Prohibits employers from paying workers with disabilities less than state minimum wage
- ✓ NY ([S4018](#)) – Eliminates exemptions for workers with disabilities from state minimum wage
- ✓ KY ([SB76](#)) – Phase out of sheltered workshops and 14(c) certificates by 2021
- ✓ OR ([HB2313](#)) – Elimination of subminimum wage & tax credits
- ✓ HI ([SB349](#); [SB789 SD2/HB1191 HD1](#)) – Elimination of subminimum wage; tax credit to offset increase in wages (House bill includes language related to workers with disabilities)
- ✓ WV ([HB2902/S659](#)) – Establish an E1 taskforce and elimination of subminimum wage
- ✓ WA ([SB 5753/HB 1706](#)) – Elimination of subminimum wage
- ✓ NV City of Reno (A-15) – Elimination of subminimum wage in Reno

These States Have Legislation Banning or Phasing Out Sub-Minimum Wages



- Alaska eliminated subminimum wage through a regulatory change that went into effect on February 16, 2018.
- [Maryland – HB 420 / SB 417](#) became law in May 2016 phasing out special wage certificates.
- [New Hampshire – SB 47](#) passed in May 2015 banning employers from paying workers with disabilities less than the minimum wage
- Vermont – Vermont began moving toward integrated employment in the early 1980s. It closed its last sheltered workshop in 2002.
- The city of Seattle, WA passed [CB 119220](#), removing the authority to pay subminimum wage. Washington state allows subminimum wage.
- The city of Reno, NV has passed resolution [D. 1](#), that prohibits the payment of subminimum wages.

- Laws have been changing
- Expectations have been changing
- Our work has been changing
- No surprises here!

When the winds of change blow, some people build walls and others build windmills.

~Chinese proverb

UnshakeableBelief.com

Laws Precede Culture Change

- Laws aren't the only thing required to make real change
- Changes in culture can be slow and can go forward and then regress
- Culture change has to be pursued persistently



Civil Rights Act of 1964

(55 Years ago)

Outlaws discrimination based on race, color, religion, sex, or national origin. It prohibits unequal application of voter registration requirements, and racial segregation in schools, employment, and public accommodations



Employment Specifically Cited

The act barred race, religious, national origin and gender discrimination by *employers* and labor unions, and created an [Equal Employment Opportunity Commission](#) with the power to file lawsuits on behalf of aggrieved workers.



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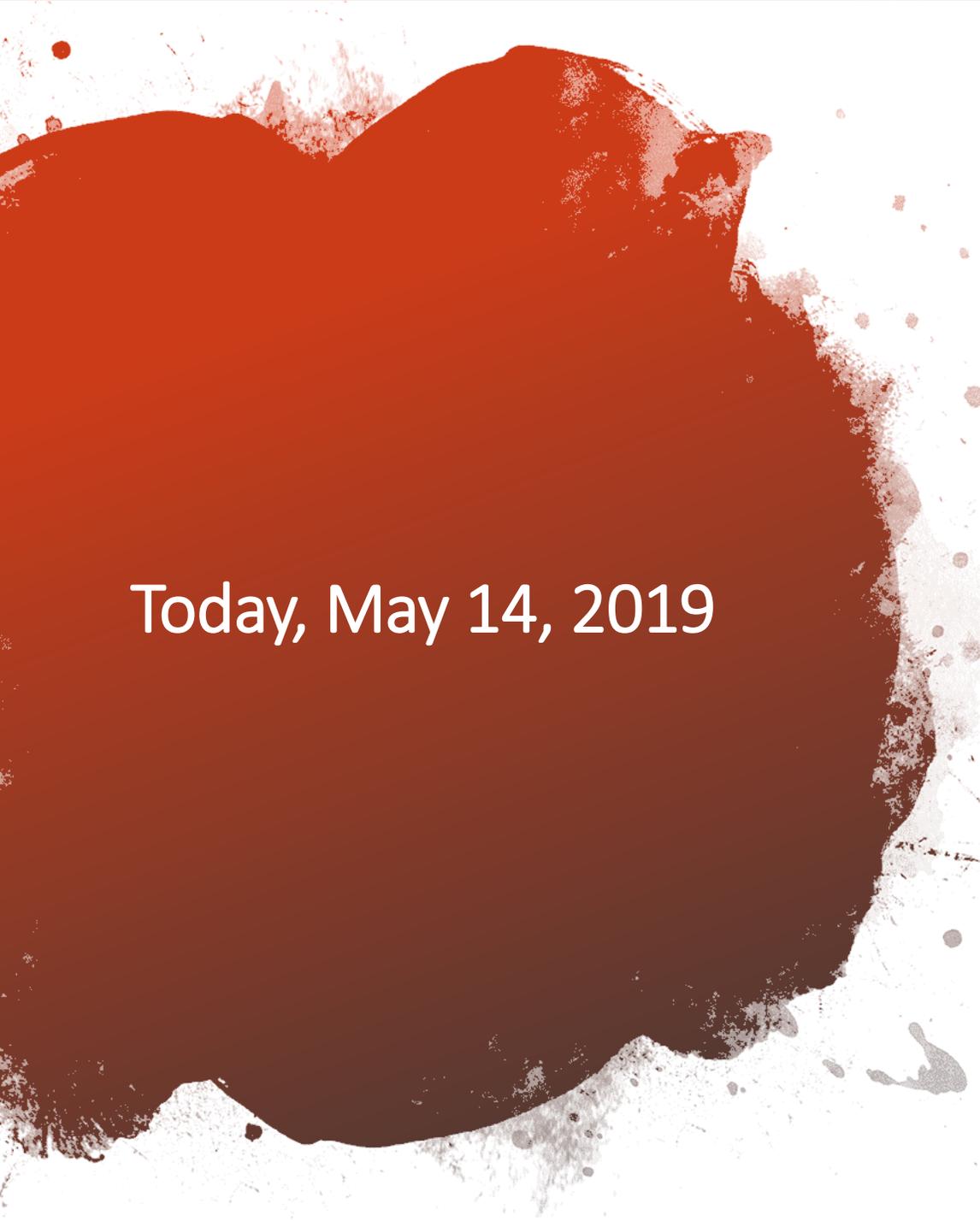
Today, May 13, 2019

Promise kept or more work to do?

**1920 19th Constitutional
Amendment
A Woman's Right to Vote
(100 years ago)**

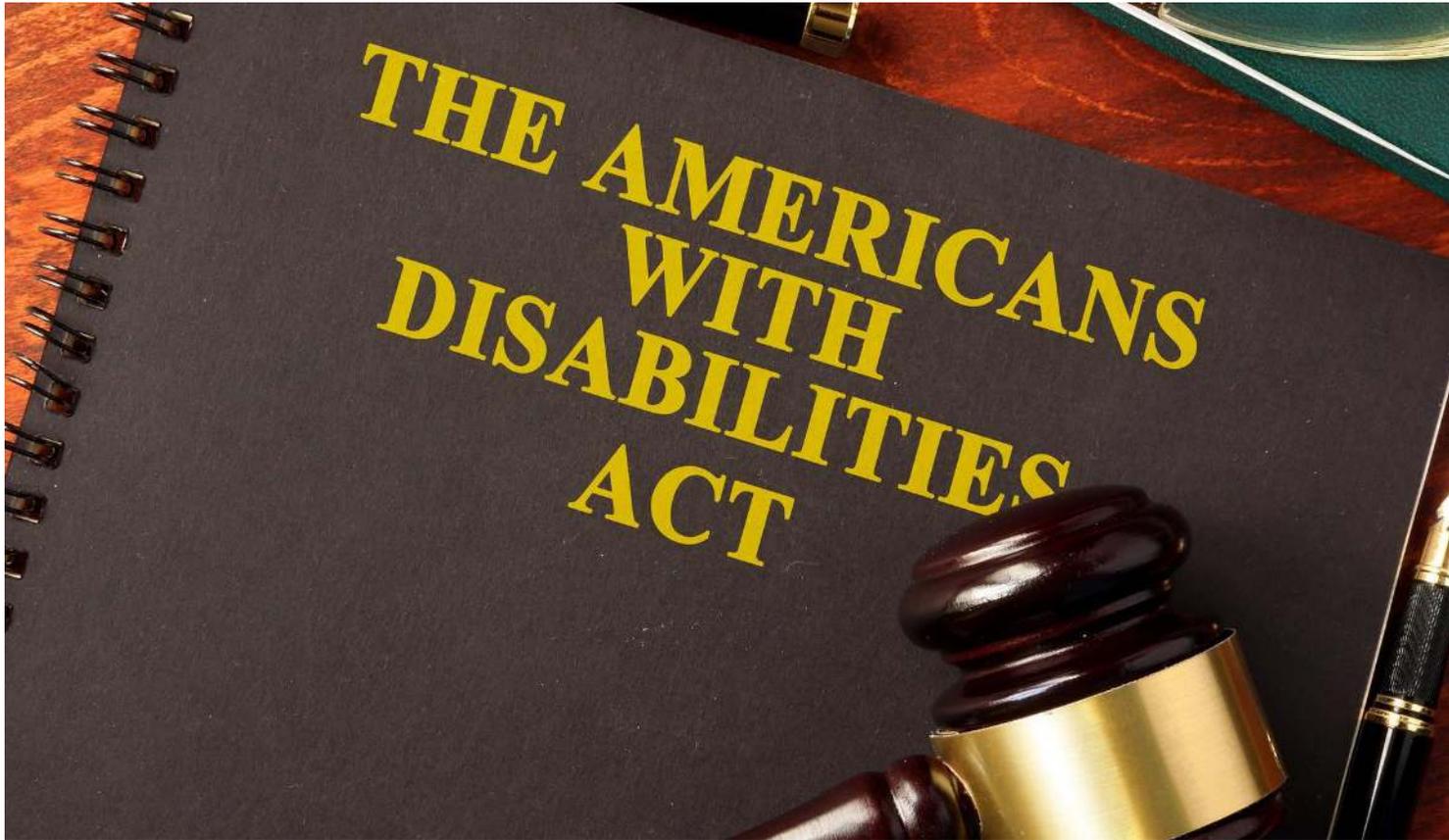
**Women get the right to vote for the
first time**





Today, May 14, 2019

Promise kept or more work to do?



Made it a violation of federal law to discriminate against people with disabilities, just as civil rights laws protect people against discrimination on the basis of race, gender, national origin, and religion. Four titles: Employment, State and Local Government, Public Accommodations, Telecommunications, Miscellaneous Provisions

ADA

Title I Employment



Helps people with disabilities access the same employment opportunities and benefits available to people without disabilities.



Applies to employers with 15 or more employees.



Requires employers to provide reasonable accommodations to qualified applicants or employees.



Regulated and enforced by the U.S. Equal Employment Opportunity Commission.

Title III

Public Accommodations and Services Operated by Private Entities



Prohibits places of public accommodation from discriminating against individuals with disabilities. Sets the minimum standards for accessibility for alterations and new construction of commercial facilities and privately owned public accommodations.



Directs businesses to make "reasonable modifications" to their usual ways of doing things when serving people with disabilities.



Requires that businesses take steps necessary to communicate effectively with customers with vision, hearing, and speech disabilities.



Regulated and enforced by the U.S. Department of Justice.



Today, May 14, 2019

Promise kept or more work to do?

Recognize How Employment First Fits In a Civil Rights Movement

Work has an equalizing effect

Familiarity breeds acceptance

Seeing productivity changes perceptions

Economic parity is empowering

Laws/rules often precede practice

Cultural change occurs over time



Implications for Service Provision for Agencies

**Competitive integrated employment
as a priority.**

**Meaningful community
engagement as an imperative.**

**Change in the way we operate is
inevitable.**

**How we see our work and our jobs
not the same.**

What Can You Do?

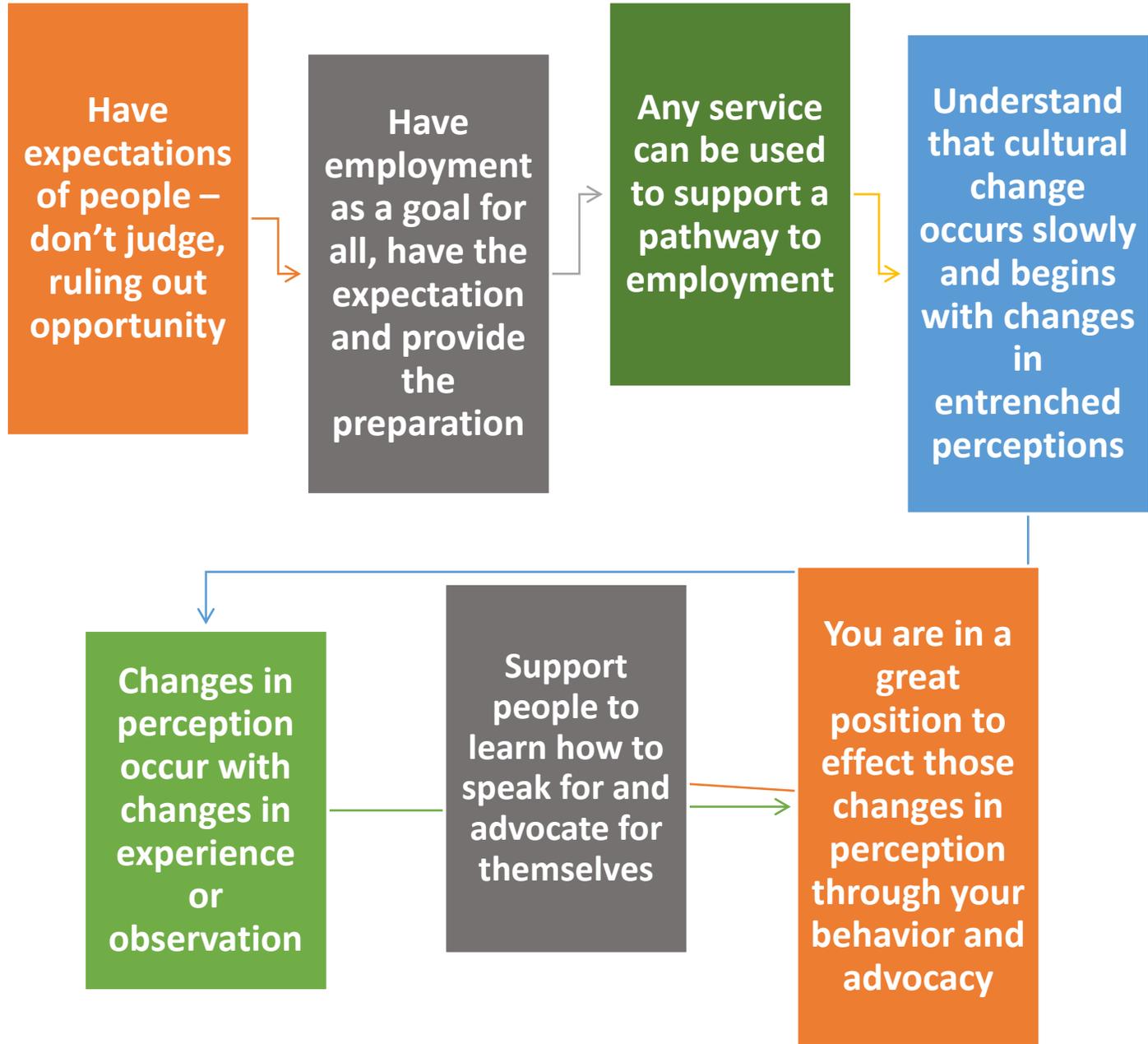
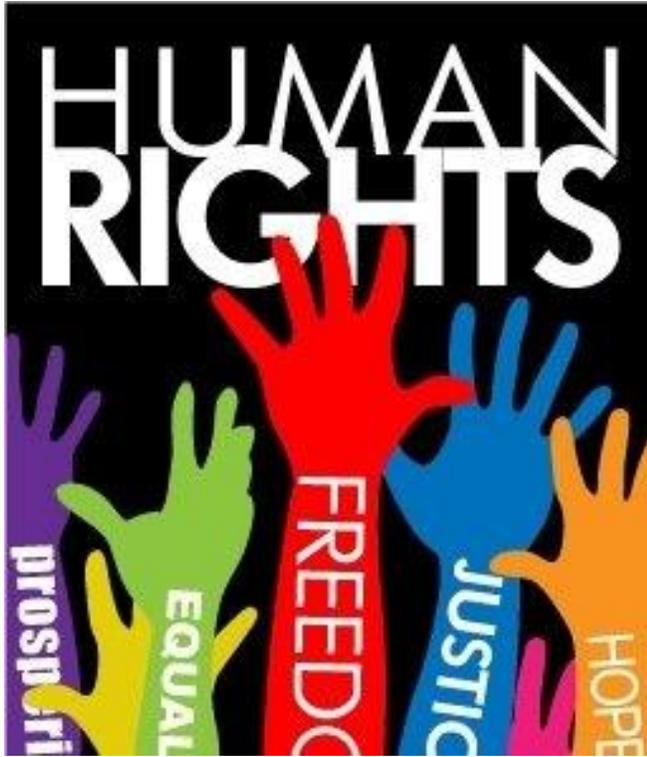


Begin to See Your Role Differently

More than a job –
it's a ***movement.***

Inspired staff
make things
happen, no matter
what.

Direct Support
Professionals are
change agents.



Staff as Messengers

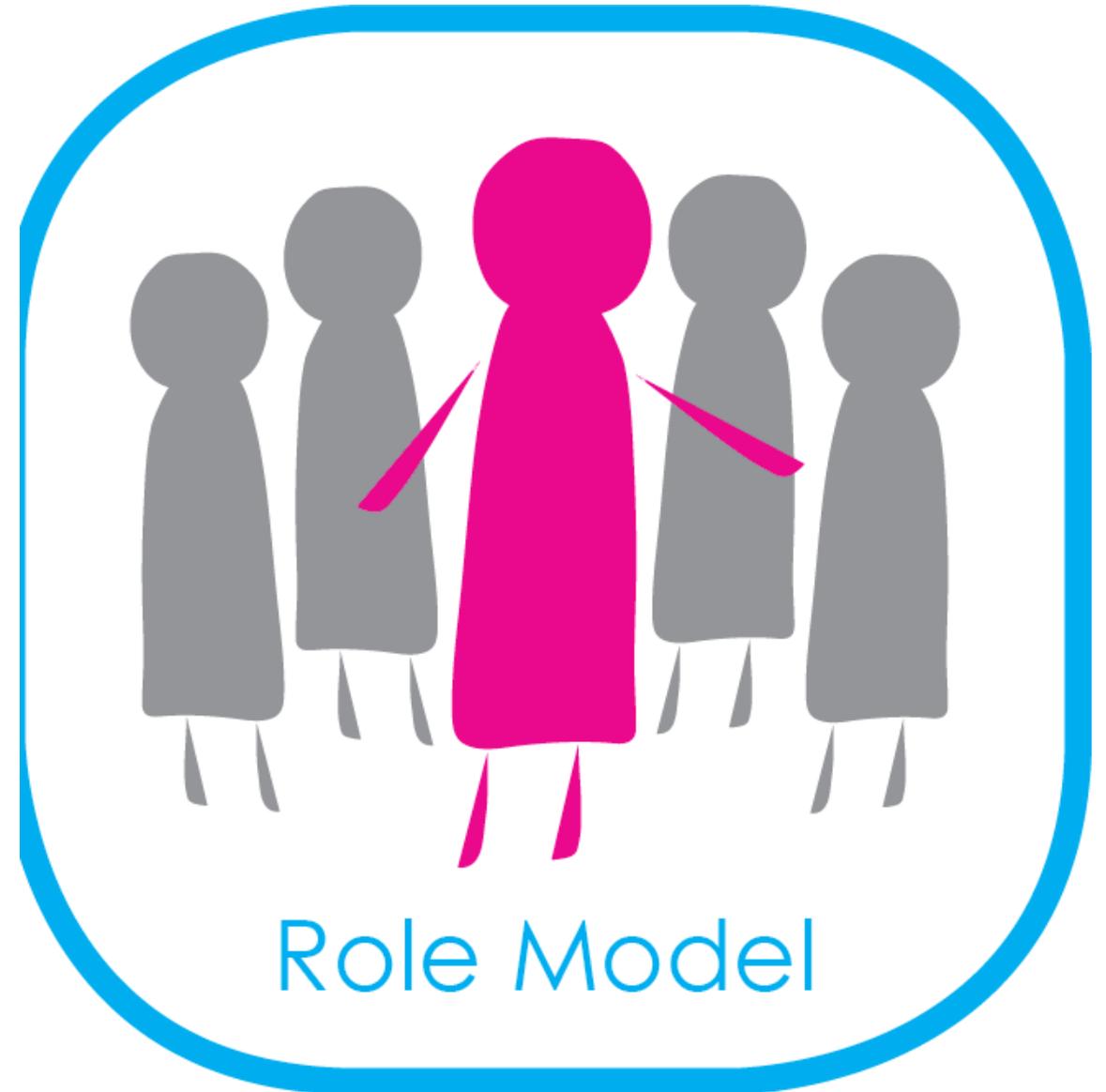
Individuals
and the staff
supporting
them are
delivering
messages to
their
community
and to
society.

Are we doing a
good job of
preparing the
messengers?

What should those
messages be?

Staff as Role Models

- The community sees how you support someone and it shows them how to act when they encounter someone with a disability
- If staff do things to make people look incompetent, that's how they'll be seen by others
- Helping to engineer situations for success





Competitive Integrated Employment

- Employment that is well matched to the person makes everyone look good
- A poor job match or poor job support does the opposite
- The right job for the right worker with the right conditions to make everyone successful

Meaningful Community Inclusion

- Can't be achieved in large groups
- Can't be achieved by endless one-shot experiences
- Can't be achieved by staff who don't believe
- Staff need skill to provide just the right support for success



Teaching and Training in Natural Environments

Staff must be supported to learn how to :

Use the community as the classroom

**Introduce people to their community and the
community to them**

Look for teachable opportunities

**Have teaching/training goals in mind but use what is
around them and be opportunistic**

Learn to
“Teach from
Behind”

Allow initiation, unassisted attempts at tasks and experiences

Learn to not be at the center of the teaching experience – get out of the way

Failure is okay, especially with a skilled coach to talk the person through the experience

Learn to See the Total Person

Community integrated employment is the goal

BUT

Our work is not isolated from the rest of lives, rather it is woven into it

Work is most satisfying when it is balanced with out other needs and interests



So, what can agencies do to better support staff?

Staff Training and Development

- **Great staff orientation is essential - first impressions count!**
- **Repetition of mission and values**
- **Field-based learning and mentorship**
- **Untraditional topics – customer service, marketing, messaging, advocacy**



Provide Support in the Field

Managers job descriptions should reflect responsibility to support staff in the field.

Managers should have schedules for field visits with staff

Ensure productive staff meetings – think field based!

Provide communication devices/protocols – keep touch

Data collection devises/protocols – making it easier for staff

Summary

- **Now is the time for great advances in the acquisition of full civil rights for people with disabilities – the culmination of decades of effort**
- **Competitive integrated employment and is key to the inclusion of people with disabilities as valued members of society**
- **Perception change is critical to culture change and we all play a significant role in making this happen**
- **We are fortunate to be civil rights workers and advocates for people with disabilities – celebrate your role and recognize your power to promote change!**

Questions ?