

CAPITOL RESEARCH

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WORKFORCE DEVELOPMENT EFFORTS FOR PEOPLE WITH DISABILITIES: HIRING, RETENTION AND REENTRY

In 2016, The Council of State Governments and the National Conference of State Legislatures assembled a national task force to focus on workforce development efforts targeting people with disabilities in the states. This task force had four subcommittees composed of state policymakers along with non-voting stakeholders from the private sector and academia. The third in a four-part series that coincides with the subcommittee topics, this CSG Capitol Research brief highlights the recommendations from the Hiring, Retention and Reentry, or HRR, Subcommittee of the National Task Force on Workforce Development and Employability for People with Disabilities.

The subcommittee found three categories of policy options at the state level that could improve the condition of hiring, retention and reentry for people with disabilities: engaging the private sector, establishing the state as a model employer, and implementing stay at work and return to work programs in private and public sectors. Those options—as well as strategies for their implementation—are outlined below.

State Policy Options: Engaging Private Sector Employers

The subcommittee provides four policy options for states seeking to stimulate private-sector engagement in hiring and retaining employees with disabilities. These opportunities focus on increasing an understanding of business needs, reinforcing communication between stakeholders and providing the foundation for employees to thrive in the workplace.

- **States can provide technical assistance to and engage with businesses interested in employing individuals with disabilities.** In order to increase shared knowledge and collaboration among stakeholders, states may provide written resources, including best practices, for private-sector employers regarding the hiring and retention of individuals with disabilities. These materials would be best developed by dedicated staff with business expertise who understand the unique opportunities and challenges for employers and employees in the private sector. Policymakers may opt to establish and expand governors' committees, commissions and boards that

IN FOCUS: THE HIRING, RETENTION AND REENTRY SUBCOMMITTEE

The subcommittee's charge was to identify how state government-level policies, programs, funding and initiatives can increase the number and diversity of employees with disabilities in the workforce. The group focused on the issues surrounding hiring, retention and advancement in both private-sector and public-sector careers. The subcommittee also considered the challenges in reentry. A person can acquire a disability at any time; for individuals for whom disability necessitates an absence from work, there may be obstacles that hinder their return to the workforce.



work alongside businesses committed to employing people with disabilities. States may also provide a single point of contact that can help businesses navigate state agencies that support employment of individuals with disabilities. Finally, states also can engage in public awareness and education campaigns to highlight success stories.

- The Florida Governor's [Commission on Jobs for Floridians with Disabilities](#) has established an [employer help desk](#) within the Abilities Work web portal to provide a single point of contact to assist employers with navigating state and federal disability support systems.
- South Dakota's [Ability for Hire](#) campaign, an initiative of the South Dakota Department of Human Services, provides links to critical resources and video testimonials from business owners on their own experiences and realized benefits of hiring people with disabilities.
- **States can extend diversity and inclusion (affirmative action) policies and expand and improve self-identification practices.** This could include extending affirmative action plans that use analysis and goals applicable to race, national origin and gender, to include disability for businesses contracting with state government. States also can expand and improve self-identification practices to ensure accurate counts of people with disabilities.
 - Connecticut, Kentucky, Maine, Minnesota, New Jersey, Rhode Island and Wisconsin all include disability in the list of categories covered by affirmative action requirements.¹
- **States can develop or use existing databases of persons with disabilities looking for employment.** Streamlining the process by which employers committed to hiring staff with disabilities are matched with potential employees is important to increasing overall employment in the private sector for individuals with disabilities. States can work to create and/or support platforms helping employers and potential employees to find each other in a variety of ways, including web-based programs and databases.
 - In Utah, the [PWDNET job opening program](#) allows businesses that have undergone accommodations and disability-hiring training to flag job postings on the statewide job board with a PWDNET tag, encouraging

people with disabilities to apply for those open positions.

- In Florida, the [Abilities Work](#) portal encourages businesses to post open positions to the Employ Florida Marketplace and utilize the Abilities Work help desk to source candidates from the state vocational rehabilitation client lists.
- **States can expand and improve community linkages among entities already engaged in increasing employment opportunities for individuals with disabilities.** Policymakers can make disability employment a part of the state workforce development strategy by ensuring physical and programmatic accessibility to [American Job Centers](#) as part of the state plans submitted under the Workforce Innovation and Opportunity Act.

State Policy Options: The State as a Model Employer

The subcommittee developed six options for states seeking to establish the state as model employers of individuals with disabilities; as a major employer in its own right, the state can and should lead by example in hiring and retaining employees with disabilities by establishing policies that reflect best practices.

- **States can use formal mechanisms to enact policies committing states to be model employers of people with disabilities.** This may include executive orders, legislation or both. Legislation has established these mechanisms in seven states; these measures have been enacted by executive order in four states. In seven states, both executive order and legislation have formalized these efforts.
- **States can create infrastructure to maximize the likelihood that employment-related and other issues impacting people with disabilities are addressed by government agencies at the earliest stages of policy development, design, implementation and evaluation.** By including champions for those with disabilities in state organizational structures, states can increase the likelihood that disability-specific considerations are incorporated into the policymaking and implementation process. States have used a variety of strategies to achieve this end, including creating cabinet-level positions, creating accountability through strategic planning and convening interagency committees to this end. Extending diversity and inclusion initiatives applicable to state agencies and departments to include disability may also be an option. Stakeholders with disabilities can be given a voice through inclusion in the policymaking process and through gathering data on barriers to workforce participation.
 - In Maryland, there is a cabinet-level department for policy relating to people with disabilities. The secretary of disabilities, as head of the [Maryland Department of Disabilities](#), sits on numerous advisory councils and task forces related to disability issues. The department also provides information and referrals to Maryland citizens with disabilities, evaluates relevant state programs, consults with and advises the [Maryland Commission on Disability](#).
 - In New Mexico, the [Governor's Commission on Disability](#) "serves as a liaison and advisor to the governor and legislature on disability issues." The commission





comprises statutory and appointed members and is supported by staff members. Seven other states—Alaska, California, Massachusetts, Pennsylvania, South Dakota, Utah and Washington—also have established committees, interagency working groups or task forces for these policy issues.

- Three states—Alaska, California and Massachusetts—have adopted strategic plans for state employment of people with disabilities.²
- Washington Gov. Jay Inslee, recognizing that state government is one of the largest employers in the state, issued [Executive Order 13-02](#), setting the goal that by June 30, 2017, 5 percent of the state’s workforce will be people with disabilities. Under the order, each cabinet-level agency must develop an annual employment plan to address the underrepresentation of people with disabilities in their agency and report progress. Connecticut, Illinois, Iowa, Massachusetts, Minnesota, Oregon and Vermont also have adopted state hiring goals for people with disabilities.
- **States can adopt hiring systems, including fast-track hiring systems, to increase accessibility of application processes for people with disabilities.** For example, states can make modifications to civil service exams to accommodate disabilities, institutionalize hiring preferences, and offer paid internships or trial work opportunities to those with disabilities.
 - California, Illinois, New York, Oklahoma and Utah have waived the civil service exam for individuals with disabilities and have substituted them with other qualifications, such as internships or certifications.³
 - Arizona, Kansas, Maryland and Montana have passed hiring preference policies for people with disabilities. For example, in Arizona, under [Ariz. Rev. Stat. §38-492](#), individuals with disabilities are given a five-point preference on qualifying examinations, provided they receive a passing grade without preference. Disabled veterans are given a 10-point preference.
 - Maryland offers the [QUEST program](#) through a partnership between the Department of Budget and

Management and the Department of Rehabilitation Services. Through QUEST, participants intern with state agencies for three months in an unpaid capacity, and may be reimbursed for expenses “above their usual living expenses because of participation.” Alaska, Delaware, Illinois, Maine and Utah also have trial work periods, paid internships or credit-for-work programs for individuals with disabilities.

- **States can adopt policies and procedures to facilitate advancement and retention.** In the spirit of continuous improvement, the state as a model employer can enhance efforts to develop professionals with disabilities through career pathways planning that might include mentorships, additional natural supports and employee satisfaction assessment tools. This could also include centralizing “reasonable accommodation” funds and expertise on disability employment.
 - The [accommodation fund](#) in Minnesota has two goals—“to provide equal footing for applicants with disabilities during the hiring process” and “to provide for a more inclusive workplace environment.” The Department of Administration can reimburse up to \$1,000 for current employee one-time expenses; there is no limit to expenses reimbursed for applicants and on-going expenses incurred for current employees. In 2016, the Legislature authorized \$200,000 for the fund.
- **States can implement stay-at-work, return-to-work programs, policies and practices for state employment.** Disabilities may develop and vary in effects throughout a state employee’s tenure. As a model employer, the state should recognize that disabilities may change in their impact over time, or develop suddenly as a result of illness or injury. States can intervene early through stay-at-work and return-to-work programs with their own employees through the administration of health insurance, disability insurance and other benefits such as employee assistance programs, or EAPs.
 - Delaware has [enacted legislation](#) establishing a return-to-work program for its state employees and appointed

a [return-to-work](#) coordinator tasked with helping state workers stay at work or return to work after injury or illness.

- **States can provide training and information to state personnel.** While states may have robust policies and procedures to attract and retain employees with disabilities, it is important to offer training to direct supervisors and other employees regarding these policies to maximize implementation.
 - All staff in Massachusetts state agencies must attend [two levels of disability awareness training](#); the first is completed in the first six months of employment, and the second is done every two years.

State Policy Options: Stay-at-Work and Return-to-Work Programs in Private and Public Sectors

As disability can develop at any time in an individual's life, accommodating changing needs in the workplace is essential for retention. This could include programs for employees to take a leave of absence, or for employees to continue working through episodes of need in a changed capacity.

- **States can implement stay-at-work and return-to-work programs in the private and public sectors.** As mentioned in the previous section, these programs can positively impact retention, and states have crafted a variety of programs both for state employees and for public-sector workers in a state. These include expanding provisions of retention services for workers with medical conditions by state vocational rehabilitation agencies, improving state employees' access to evidence-based stay-at-work/return-to-work services, and providing incentives and services to short-term disability insurance, or STDI, claimants in states with mandatory STDI. These efforts may also extend to regulatory, process or service changes to improve services and incentives for workers with job-related conditions.

- Three states with exclusive state workers' compensation, or WC, funds have implemented promising job-retention initiatives for workers with work-related conditions.
 - In Washington's [Centers for Occupational Health and Education, or COHE](#), program, trained health service coordinators work directly with medical providers, employers and injured workers to coordinate care and return-to-work activities. Washington's [Stay at Work program](#) pays employers 50 percent of injured workers' base wages up to a \$10,000 cap, as well as the costs of certain accommodations.
 - North Dakota's [Preferred Worker Program](#) provides injured workers with benefits such as work search allowance and reimbursement for new tools and equipment.
 - Ohio has two programs administered by the [Ohio Bureau of Workers Compensation](#), the Transitional Work Grants Program and the [Transitional Work Bonus Program](#), helping employers develop a work site program that helps injured workers perform transitional work while they recover.
- Delaware enacted [legislation](#) to create a return-to-work program for state employees and appointed a state coordinator to assist state workers with staying at work or returning to work after injury or illness.
- Vermont includes disability accommodation services as part of its statewide employee assistance program, [Invest EAP](#), which is available to all state employees and some private sector workers.

As states consider workforce development efforts for people with disabilities, there are many policy options from which to choose. The Subcommittee on Hiring, Retention and Reentry focused on policy options within three main themes—engaging private employers, states leading by example, and maximizing employment for individuals whose circumstances require alterations in work habits. More information about the work of this task force is available in the CSG Capitol Research briefs focusing on the other three subcommittees.



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