



**CONSORTIUM FOR CITIZENS  
WITH DISABILITIES**

**WIA RECOMMENDATIONS**

To implement the WIA principles we recommend the following changes to the Workforce Investment Act. (*new language is in italics*)

**Section 101 Definitions**

*Asset development is a strategy to help low-income workers and job seekers, including individuals with disabilities, move toward economic security and greater financial self-sufficiency through income preservation, effective money and credit management, the pursuit of post-secondary education, the purchase of a home, business startup and growth, and the setting aside of resources for longer term needs and retirement.*

*Asset Development Services are a blend of services and supports that help advance economic self-sufficiency for low-income jobseekers, including individuals with disabilities including financial education, tax filing assistance and access to beneficial tax credits and other provisions, use of social security work incentives and individual development accounts (IDAs) and coordination with other savings programs including family self-sufficiency programs, college savings accounts, and home and small business ownership assistance.*

*Hard-to-Serve Populations - The term 'hard-to-serve populations' means populations of individuals who are hard to serve, including displaced homemakers, low-income individuals, Native Americans, individuals with disabilities, older individuals, ex-offenders, homeless individuals, individuals with limited English proficiency, individuals who do not meet the definition of literacy in section 203, individuals facing substantial cultural barriers, migrant and seasonal farmworkers, individuals within 2 years of exhausting lifetime eligibility under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), single parents (including single pregnant women), and such other groups as the Governor determines to be hard to serve.';*

*Programmatic Access- The term "programmatic access" means policies, practices, and procedures providing people with disabilities an equal opportunity to participate in or benefit from the provision of all workforce development services.*

*Universal Design for the Workforce Development System – The term "universal design for the workforce development system" means the design of environments, products and communication practices as well as the delivery of programs, services and activities to meet the needs of all customers of the workforce development system.*

## **Section 111 State Workforce Investment Boards**

Amend section 111 (b)(1)(C)(vi) by adding two new subsections

*In the case of the Public Vocational Rehabilitation Program authorized under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.), the Vocational Rehabilitation Director employed by the Designated State Unit or the Vocational Rehabilitation Directors in States that have a separate State entity that is responsible for the rehabilitation of individuals who are blind and visually impaired;*

*People with disabilities or their representative or community based organizations serving people with disabilities.*

Amend section 111 by adding new (d)(10):

(d) Functions.—The State Board shall assist the Governor in—

*(10) increasing the availability of skills training, employment opportunities, and career advancement for people with disabilities.*

## **Section 112 State Plan Contents**

Amend section 112 (b) by adding the following new provisions

*a description of the procedures that will be taken by the State to assure that individuals with disabilities have physical and programmatic access to the statewide workforce investment system;*

*a description of how the State will increase the capacity of the statewide workforce investment system to serve people with disabilities; including the provision of outreach, intake, assessments, and service delivery, the development of performance measures, and the training of staff*

*a description of the strategies and approaches the State will use universal design when designing or implementing workforce development services.*

## **Sec. 117 Local Workforce Investment Boards**

Amend Section 117(b)(2)(A) by adding a new subsection

*people with disabilities or their representatives.*

Amend section 117 (d) by adding a new requirement

*One-Stop Certification. – The local board will annually assess and certify the physical and programmatic accessibility of all One-Stop operators and providers. The local boards may partner with independent entities familiar with disability accessibility and that have expertise in certifications and assessments.*

Amend section 117(d)(2) by adding new subsection:

*Consumer Choice Requirements.—Consistent with section*

*134(d)(3) and (d)(4), the local board shall ensure there are a sufficient*

*number and variety of eligible providers in the local area in a manner that*

*maximizes consumer choice, including providers with expertise in assisting individuals with disabilities.*

## **Section 118 Local Plan**

Amend Section 118 by adding new requirements to (b)

*a description of how the local board will utilize a universal design approach in the delivery of workforce development services.*

*a description of how the local board will work with eligible employment and training providers in the local area to ensure that programs and services are physically and programmatically accessible to individuals with disabilities;*

## **Sec. 121 Establishment of One-Stop Delivery Systems**

Amend section 121(d)(2) by adding a new subparagraph (C) as follows:

(d) One-Stop Operators.—

(2) Eligibility.—To be eligible to receive funds made available under this subtitle to operate a one-stop center referred to in section 134(c), an entity (which may be a consortium of entities)—

*(C) shall report annually to the local board that its facilities, technology, and services are physically and programmatically accessible to individuals with disabilities.*

## **Section 122 Identification of Eligible Providers of Training Services**

Amend section 122(h)(1) by adding (new language in italics) “providers of on-the-job training, *supported employment* or customized training” and amend (2) by adding “on-the-job training, *supported* and customized training” and inserting “on-the-job training, supported employment services, and customized training.”

## **Section 134 Use of Funds For Employment and Training Activities**

Amend Section 134(a)(2) to specify that statewide employment and training activities shall include, among other things:

- *disseminating information on physical and programmatic accessibility for individuals with disabilities and providing technical assistance and capacity building, which may include development and training of staff to provide opportunities for hard-to-serve populations to enter high-wage, high-skilled, and nontraditional occupations.*
- *activities to improve coordination between employment and training assistance and programs carried out in the local area for individuals with disabilities, including programs carried out by State agencies relating to mental retardation and developmental disabilities, Statewide Independent Living Councils, and centers for independent living.*

- *deployment of an effective and responsive statewide system of full-time dedicated expert staff to navigate a pathway to higher skilled and higher paying jobs and economic security for individuals with disabilities and others with multiple barriers to employment by:*
  - a. *improving meaningful and effective participation in and outside the One-Stop systems including physical, communication and programmatic access;*
  - b. *improving coordination and collaboration among employment and training and asset development programs carried out at a state and local level;*
  - c. • *improving the leveraging of resources to provide effective integrated supports and services from multiple public systems (MH, VR, DD, Transportation, Education, Housing); and*
  - d. *improving critical linkages to the business community*

Amend section 134(a)(2)(B)(i) by adding “eligible providers of on-the-job training, supported employment and customized training”

Amend section 134(a)(3)(A) by adding new provisions:

*Implementing innovative programs serving individuals with disabilities consistent with section 188 including the use of supported employment for serving hard-to-serve populations;*

*Promoting universal design of services and expanding physical and programmatic access of the local one-stop centers and providers.*

Amend section 134(c)(1) by adding a new provision (F) as follows:

*(F) shall provide physical and programmatic access to individuals with disabilities.*

Amend 134(d)(2)(B) by inserting the following clause at the end: “*and customer support to navigate multiple adult service delivery systems for special participant populations that face multiple barriers to employment, including individuals with disabilities.*”

Amend section 134(d)(4)(D) by inserting at the appropriate place: “*supported employment services*”

Amend section 134(d)(4)(G) by adding on-the-job training provided by an employer, *supported employment* or customized training”

## **Section 170 Technical Assistance**

Amend Section 170 (a)(1) by adding new language

(1) IN GENERAL The Secretary shall provide ,coordinate, and support the development of, appropriate training, technical assistance, staff development and other activities, including assistance in replicating programs of demonstrated effectiveness, *assistance in formulating State and local workforce development systems based on universal design concepts*, to States and localities, and....

## **Sec. 188 Nondiscrimination**

Amend section 188 (a) by adding new requirement

*State that receives allotments under this Act shall ensure that its statewide workforce investment system shall comply with section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d).*

### **TITLE I - New Section Authorizing Office of Disability Employment Policy**

Subtitle \_\_\_\_: Office of Disability Employment Policy

(a) There is established within the U. S. Department of Labor an Office of Disability Employment Policy, hereinafter referred in this chapter to as ODEP, to provide leadership, develop policy and initiatives, and award grants furthering the objective of eliminating barriers to the training and employment of youth and adults with disabilities and increasing their economic self-sufficiency.

The specific duties of ODEP are to include, but not be limited to, the following:

(i) Provide leadership and promote effective policies and practices related to training and employment of youth and adults with disabilities;

(ii) With the Assistant Secretary of Employment and Training Administration jointly develop a five year plan to improve the accessibility of the workforce development system, increase the employment of people with disabilities throughout the federal government and improve employment of people with disabilities through the federal procurement processes. The plan will be submitted to Congress no later than 2011. In each subsequent year the agencies shall provide a progress report to Congress.

(ii) Ensure coordination among DOL agencies, and across Federal Government programs, on matters or programs related to disability employment and advancing economic-self-sufficiency;

(iii) Keep the President, Secretary, and Congress fully informed regarding the employment and economic status of workers with disabilities through reports on critical issues;

(iv) Award demonstration grants furthering the objective of eliminating barriers to the employment and training of youth and adults with disabilities with an emphasis on cross-system collaboration and integrated service delivery within and outside the workforce development system;

(v) In coordination with the National Council on Disability, design and implement research and technical assistance grants and contracts to develop policy that reduces barriers to employment and advances economic self-sufficiency for youth and adults with disabilities; and,

(vi) Ensure effective dissemination of research results to federal agencies and other stakeholders.

(b) The office shall be lead by an Assistant Secretary appointed by the President, subject to Senate confirmation, and operate under the general direction of the Secretary.

SEC \_\_\_\_: Authorization of Appropriations

There are authorized to be appropriated to carry out this part such sums, and not less than \$50,000,000, as may be necessary for each of the fiscal years 2010 forward.