



June 29, 2018

The Honorable Alex Acosta
Secretary
Department of Labor
200 Constitution Ave., NW
Washington, DC 20210

Dear Mr. Secretary:

The undersigned members of the Consortium for Citizens with Disabilities (CCD) Employment and Training Task Force wish to express our concerns about the implementation of the Executive Order issued by the President on April 10, 2018 titled “Reducing Poverty in America by Promoting Opportunity and Economic Mobility.” CCD is a coalition of national disability rights, advocacy, consumer, provider and self-advocate organizations representing this nation’s 57 million Americans with disabilities. The Employment and Training Task Force is involved with issues that enhance the ability of people with disabilities to participate in the labor force and achieve greater economic self-sufficiency. Our task force was a strong supporter of the Workforce Innovation and Opportunity Act (WIOA) and has worked closely with the Employment and Training Administration (ETA), Office of Disability Employment Policy (ODEP) and Office of Federal Contract Compliance Programs (OFCCP) to ensure that all relevant components of the Department are advancing the employment of people with disabilities.

We are troubled that the review of regulations and guidance directed by this executive order is being used to impose punitive work requirements in order for people to be eligible for various federal benefits programs. We assume that the Department of Labor does not intend to impose these work requirements in its programs, however, given the nature of those programs. The Department’s programs are employment and training programs—by definition, those programs are for people who are unemployed or who have trouble maintaining or seeking work. Accordingly, it would make little sense to condition eligibility for those programs on the participants working. In addition, exemptions for people with disabilities do not solve the problems created by these requirements. While it may seem simple to assert that “people with disabilities will be exempt” from such requirements, converting such a statement into an effective policy process is complicated, expensive, and fundamentally flawed.

Millions of people with disabilities on federal disability benefits already work through the supports and services provided via Medicaid Buy-Ins, supported employment services,

Money Follows the Person, Ticket to Work and other employment-driven policies. As you know, the Social Security definition for disability is quite strict (fewer than 4 in 10 applicants are awarded benefits) and denies thousands of low-income people with seriously compromised health or functional status. Consequently, many more millions of Americans with disabilities rely on programs like the Medicaid expansion, housing subsidies and nutrition programs to provide for themselves and their families while they seek to gain a stronger foothold in the workforce through many of the services offered through WIOA.

Employment programs and services, where available, have been highly successful at getting people with disabilities into the workforce because they provide additional services tailored to address the unique barriers people with disabilities face. Work requirements, in contrast, are conditions on eligibility that do not accommodate the needs of individual benefit recipients and provide few if any additional services or resources to create new job opportunities, improve access to affordable child care, or increase funding for job training, employer accommodations, or other employment supports.

As your Department responds to the executive order, we expect to see no work requirements imposed. Instead, we encourage you to highlight the many DOL programs that foster workforce participation and which have been weakened by continuing budget reductions and resource constraints.

Sincerely,

American Psychological Association

Bazelon Center for Mental Health Law

Institute for Educational Leadership

National Association of Councils on Developmental Disabilities

National Association of State Head Injury Administrators

National Disability Rights Network

National Down Syndrome Congress

Paralyzed Veterans of America

RespectAbility

The Arc of the United States

United Spinal Association

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