



**CONSORTIUM FOR CITIZENS  
WITH DISABILITIES**

**Employment & Training Task Force Recommendations for the 117<sup>th</sup> Congress**

The disability community faces critical barriers entering and maintaining employment in the general labor market. Those barriers have worsened due to the economic crisis created by the pandemic. Prior to the COVID 19 pandemic [the national employment rate](#) for working-age people with disabilities in America was 37.6 percent compared to 77.8 percent of people without disabilities. If you are an African-American and have a disability, disparities in employment outcomes are even more stark, with [only 29.7 percent](#) of working-age Black people with disabilities having jobs before COVID hit. As such, the intersectionality of the disability community and the disparities faced by too many people with disabilities in underrepresented communities needs to be a high priority for the new Congress.

The pandemic has ravaged the disability community and [more than 1 million](#) workers with disabilities have lost their jobs.

**The Consortium for Citizens with Disabilities urges the new Congress to consider the following priorities:**

- **Pass the Transition to Competitive Employment Act.** –The [Transformation to Competitive Employment Act](#) is a bipartisan bill that modernizes the Fair Labor Standards Act and phases out Section 14 (c). The bill, as drafted, reflects [the insights](#) and [ideas from](#) multiple national reviews of current 14(c) practices, efforts to transform business models, and provide the services and supports workers with disabilities need to acquire competitive integrated employment. It would also invest in service providers at a time when so many non-profits are shutting down, businesses are closing, and agencies are losing resources. State agencies would directly benefit from the Transformation bill through a series of competitive grants to further expand competitive integrated employment.
- **Pass the Disability Employment Incentives Act.** –The [Disability Employment Incentive Act \(DEIA\)](#) expands the Work Opportunity Tax Credit for employers who hire a person with a disability through a state Vocational Rehabilitation agency or a person with a disability who is currently on benefits. The credit covers 40 percent of the new hire's salary for the first year of employment, thereby raising the available tax credit to a maximum of \$5,000. The WOTC

provision of DEIA also supports retention of workers with disabilities offering a tax credit for employers for a second year of employment. Beyond just hiring, DEIA also addresses accessibility, architectural and transportation barriers for small businesses and by removing existing physical barriers.

- **Support funding for Home and Community Based Services (HCBS) programs that lead to greater employment outcomes.** – Medicaid is a vital part of the lives of millions of Americans with disabilities. Medicaid supports opportunities for around 5 million people with disabilities to access long-term services and supports (LTSS) that directly support their opportunities to live and work in their communities. Critically, Medicaid can directly address critical barriers that keep millions of people with disabilities out of the labor force. [HCBS waivers](#) can help a jobseeker with a disability develop a person-centered employment plan, receive job coaching, secure a job placement, negotiate with an employer, job placement, job development, negotiation with prospective employers, advance their skills, or otherwise access workplace supports. Successful HCBS depends on service providers in states across the country. Those providers have struggled throughout the pandemic to provide services, keep their direct service professionals (DSPs) safe, and deal with cuts in state budgets. While increases in HCBS funding has been absent from several of the COVID-19 stimulus packages, there is [bipartisan consensus](#) that increased HCBS funding represents a wise investment even in these uncertain times. As such, the new Congress should take this opportunity to ensure that investment of Medicaid dollars in employment-related supports gets more Americans with disabilities back to work or into the labor force for the first time.
- **Congress must adequately fund the Public Vocational Rehabilitation (VR) program.** – 2020 marks the [100<sup>th</sup> anniversary](#) of the first federal program to advance opportunities for people with disabilities. This program has ultimately become the modern vocational rehabilitation and VR is one of the most federal programs for getting working-age people with disabilities into the workforce. According to the [Annual Disability Statistics Compendium](#), 186,570 Americans with disabilities and 175,542 people with significant disabilities obtained employment through state vocation rehabilitation agencies. Such programs operate by having the federal government match nearly \$4 for every \$1 that is spent by the individual states. Given the significant budgetary cutbacks now being made by state governments, there is a serious risk that state VR agencies will fail to meet their full match requirements in the months ahead. As such, Congress needs to continue to adequately fund the nation's vocational rehabilitation program at a time when it is so sorely needed. For the duration of the crisis, it may be necessary to prioritize a waive of the state/federal match requirements considering the scope of need and devastated state budgets.

- **Learn from the lessons of Workforce Innovation and Opportunity Act (WIOA) implementation.** –Today, there are over 51 million Americans out of work, putting vastly greater strains on the nation’s workforce development system than ever before. WIOA was passed in 2014 and is currently up for reauthorization. However, before the Congress takes further legislative action, efforts are needed to really reflect on the lessons learned by states’ workforce system over the past four years and implement promising practices for empowering people with barriers back into the labor force. There remain access issues for jobseekers with disabilities at America’s Job Centers and implementation issues for state agencies that are trying to provide pre-employment transition services (Pre-ETS) for youth with disabilities. Critically, many of the recommendations offered by the Advisory Committee on Increasing Competitive Integrated Employment for Individuals with Disabilities (the “Committee”) established by WIOA has not yet been implemented. Before reauthorization is considered, Congress needs to consider convening hearings from key constituencies about what has worked under WIOA, what has not been successful, and where improvements might be made. Further, protecting [the definition](#) of competitive, integrated employment (CIE) remains a critical priority as providers work to improve outcomes and change business models. Any legislative or regulatory attempts to undermine the definition of CIE both undercuts the work done by the provider community and the success of workers with disabilities in the wider labor market.
- **Prioritize the hiring of congressional staff with disabilities.**

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