

Customized Employment in an Economic Downturn: Leveraging Opportunities for Employers and Job Seekers Webinar

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[Robb Sewell] Good afternoon. This is Robb Sewell. And on behalf of the NTAR Leadership Center, I'd like to welcome you to today's webinar on *Customized Employment*. Before we begin, I'd like to take a few minutes to review some important information. For those unfamiliar with this particular webinar format, the presentation slides will appear on the right side of your screen. A chat feature on the left portion of your screen enables you to communicate with me should you have any questions or encounter any problems. Simply type your message and click send. You will also see an option for full screen on the left portion of your display. Clicking this will maximize the area where the presentation slides appear and will minimize your chat box so it appears as a floating window. Please note that this webinar has been arranged so that during the presentation the only voices you'll hear are those of the presenters. We have a lot of time after the presentation for a Q&A session. At that time we'll provide you with information about how to ask questions. Please note that this webinar is being recorded. A direct link to the webinar, including audio and web content will be available on the NTAR Leadership Center Web site by 10:00 a.m. Eastern time Friday, March 27th, 2009. The entire Web site can be accessed at www.ntarcenter.org. That is www.n-t-a-r-c-e-n-t-e-r.o-r-g. Finally, after you exit the internet portion of today's webinar, your web browser will automatically take you to a brief survey where you can give us feedback about your experience as well as provide suggestion for future webinar topics. Please take a few minutes to complete that survey. And at this point I'd like to turn things to Nanette Relave who is the Director of the Center for Workers with Disabilities at the American Public Human Services Association. Additionally, Nanette is the director of the NTAR Leadership Center's Feed Tour Leaders Network. Nanette?

[Nanette Relave] Hello, Robb, thank you. And if we could move on to the next slide, number four. We are delighted today to host this webinar on *Customized Employment* featuring Michael Callahan. Mike is with Marc Gold & Associates. He has worked with Marc Gold & Associates since 1979 and has served as president of the organization since 1982. Marc Gold & Associates is a network of consultants that provide technical assistance to systems, agencies, and families interested in ensuring the complete community participation of people with disabilities. Mike has written many articles, books, curriculums, all kinds of materials relating to the employment of people with disabilities. He is also vice president of employment for (inaudible) In fact, Mike has a very long and impressive bio, so I think I'll stop there and if we want to go ahead and move along to slide number five. I know that many of our listeners are familiar with the NTAR Leadership Center, but I believe that we do have a couple of new folks on this webinar, so I'm just going to take a minute to talk a little bit about our center. We were established in 2007 through a grant from the U.S. Department of Labor's Office of Disability Employment Policy, and our center is a consortium, we're a collaboration of partners with experience and expertise across a variety of fields, including workforce and economic development, disability employment and disability services, asset development, and leadership development. And we were created in order to help build capacity and leadership at the federal, state, and local levels to enable change across workforce development and disability systems to increase employment and economic self-sufficiency for adults with disabilities. Our next slide please. And our center is guided by a set of principles really stemming from many years of research from the Office of Disability Employment Policy. And I'm not going to go over all of these, but I do want to draw your attention to the last guiding principle, increasing the use of customized and other forms of flexible work options for individuals with disabilities. And that's really going to be kind of the goal area that we're going to focus on today in our

presentation. And if we could move along to the next slide. And I'm also going to turn it over to our speaker, Mike Callahan, and, Mike, you might need to press star seven to unmute your line.

[Mike Callahan] Thank you to NTAR and all of you to join the call today. I think it is a timely call and I do want to start with a bit of an apology. If I sound stopped up I have a terrible head cold and I usually sound a little better than that, but maybe I can get the information across by using the slides and speaking as distinctly as I can with this head cold. And it is a pleasure to speak with such a diverse group of people interested in workforce issues and disability employment issues. And it's especially interesting to me to get to present a topic that I think is one of the more important conceptualizations in at least the past decade regarding the employment relationship between job seekers and potential employers, and then when it comes to be then actual employers. ODEP coined the concept in 2001 and I've had the opportunity to partner with ODEP in many of the projects and technical assistance entities over the years since and in rolling out this new and important issue and no more important than now, I think, in terms of the tough economic times that everyone on the call would know that we're in. And let me just take a minute to reflect on what makes the times so tough. We hear everyday of job loss. We hear everyday of employers not rehiring after people are being laid off. We hear about the situation what, two weeks ago in Cleveland, where for one janitor job at Cleveland school systems, 700 plus people got in line for a \$14 an hour job with benefits. It's the kind of thing that makes assisting people to become employed very, very difficult. Job developers have to stay as positively focused as they can in the face, I'm sure, of hearing often from employers, I'm sorry, we're just not hiring, wait until it gets better, wait until the economy turns around. So what can we do? And one of the cases I want to make is the case for customized employment. So let's go to the next slide, slide eight, and I'll start that case. And uniquely customized

employment seeks to unbundle the demand that in these times simply is not there or if the demand is there, it's there in such a rare instance in situations where jobs that are available often come with very high credential demands, very high competitive demands technically. One example, for instance, that was in the paper a couple of week ago. And one of the things that customized employment seeks to do as a strategy is to engage employers in a set of negotiations to unbundle that demand. Let's look at slide nine. From an employer's perspective, there are two areas of focus for this unbundled demand. Not two weeks ago I was doing a presentation to an employer in a retail, a large retail firm and he stopped me in the middle of the presentation and he said, Mike, don't you know that the ideal job seeker that I look for can multi-task, has good credentials and a solid education, is flexible, and can easily be cross-trained on any number of my jobs. And then I think about people with significant impact of disability, the people I work with on a daily basis, and the people who are probably in this economy the least likely to become employed and that standard doesn't compare well to any of those people. And I had to say to him, I said, you're exactly right. I don't blame you for looking for that, but the folks I represent can come in and meet some very specific needs that you have when those multi-tasking highly credentialed cross-trained flexible employees are simply overworked. And one of the things that customized employment takes advantage of is the niche market of unmet needs that occurs even more strongly in an economy such as we have today, that when there are layoffs, when people are not rehired, when there's tension, pressure, some would even say depression on the part of many employees, things that need to get done often simply are not getting done. Now companies can overlook those things, but at least if we engage an employer in an effort or a request to have the employer think about meeting those unmet needs, we've got something positive to move on. And especially in places where they're not hiring, where there is a hiring freeze, where there's been layoffs. So we've got that to offer. And

we've also got another component that customized deals with very effectively and that is that many people that we represent have specific competencies to offer, not necessarily the whole package, but they've got specific competencies that can often be targeted at various tasks on workplaces that free up people who are paid at pay grades much higher than I make, to meet some of those tasks at a living rate. And between the two of unmet needs and specific employer productivity based on the specific competencies of the job seeker, we now have something that we can discuss with the employer. Let's go to slide ten. This is the definition that was first put forth by ODEP a number of years ago, in fact, in 2001. And over the years we've updated it and we're trying to refine it, still not in public law yet, maybe if the Workforce Investment Act gets reauthorized this year, it may find its way in, but you'll notice that it's an individualized relationship between employees and employers in ways that meet the needs of both. And it does take the demand equation and turn it a bit, although I'm going to give you both side of the demand equation. For some job seekers with disabilities, having them direct lead the job search is going to be the most effective way. But employers can take the lead from a demand side, and we'll take a look at both. Let's go to slide 11. One of the things we found is that rather than variation which is what can happen if you just kind of have a general idea of a customized outcome, that we really found that it's necessary to have a process that includes some of these components, and let me go just quickly through them just to give you a flavor. Discovery refers to a different way of finding the contribution that people have to offer, evaluations, vocational assessments are good if you've got competitiveness to offer. But if that's not what you have to offer, you've got contribution to offer. Discovery is a translational process that looks at people's lives and allows us to translate what we see in people's lives as specific employer benefit or contribution. And this is an activity that can largely replace assessment when people find it difficult to compete on a valuative dimension. People are also a definite need of positive paper. And so we

have a descriptive rather than dispassionate sort of objective document that an assessment report might be. We actually look for the best in people and take that forward. It's what we all do in our job descriptions anyway. I don't know why we don't do it more with people with disabilities. The customized planning entity or aspect of all of this is terribly important in that in order to be customized, it can't just be quality, there's such a thing as a quality job that's not customized. In order to be customized it's got to be of the job seeker. So the planning process tries to link who the jobseeker is with our job development efforts on their behalf. We've also found that we have to have innovative ways and particularly visual ways to present competency to employers who might presume incompetence when they hear the term disability as a part of who a person is. And we look at some creative ways to do both concept communication to employers, i.e. the concept of customized employment, and articulating the individual in an innovative visual way in which the employer can say, I see where you feel that they have these contributions they could offer my company. And then job development has got to relate to this. Customized job development is a unique form of job development in that we're representing an individual to potential employers rather than just going the demand route by asking the employer, what is it that you would like to have for this job? There's nothing wrong with that, by the way, and please don't assume or presume in any of my comments that I'm saying that the demand side is somehow problematic. As a concept, it is what almost all of us use to get jobs. It's only problematic when the level of complexity in people's lives are such that the competitive aspect of the job description and the other people who want the job results in the fact that the person's not employed. Customized also dovetails nicely with both the aspects of the Americans with Disabilities Act under reasonable accommodation, and concepts such as supported employment that provide post-employment supports. Let's look at slide 12. When I talk to employers, this is kind of a list of what I try to say that the employer would benefit. And so part of the

process is actually a recruitment benefit that if we're taking the time to get to know job seekers and follow their strengths, needs and interest, then the employer should not have to do all of their typical personnel and human resource recruitment costs on behalf of that individual. So that results in a savings. The customized plan, make sure that we're following interest and not just getting someone just get a job, any job, but really so that the job reflects the job seeker. The employer can target and within their workplace specific areas of need and can even go completely across their workplace picking out small needs here and there or bundling the needs a little larger in a certain place, but all of this done in relationship to the concept of the jobseeker that we're representing. Slide 13, please. One of the things I love to say to employers is that this is completely voluntary. As best we can tell, and we've now been at it for nine years, or eight years, there's nothing in employment law that requires an employer to customize the essential responsibilities of a job. And by starting with the voluntary nature, employers visibly relax. They sit back and begin to listen because now that delicate dance that's so necessary when you're trying to stay on the right side of legality is somewhat removed. And one of the things that helps with that is that we encourage jobseekers to disclose aspects of their disability in a way that helps an employer see that, well, I see why you're customizing and I see that by customizing, I can get a contribution from a person I might have previously not seen the way to do that if they were not able to meet a full job description for instance. We've not found that pay is a problem, but ODEP has clearly stated that customized employment is for pay of at least the minimum wage, and it's often up to prevailing wage of job titled jobs from which the tasks or that fluff off as needs are determined. So it's amazing that employers are often willing to pay prevailing wage. One of the reasons they tell us is that it's just not worth it to go back in and change all of their personnel documents and computer programs just for one job, so they just pay prevailing. That works out very nicely. That does vary, but pay has not been a

problem in the rollout of customized. Let's look at slide 14. One of the things that ODEP has been clear about is that not only is this a disability benefit, customized, that is. But all users of the workforce system can benefit. At this point, they're still relatively low take up on that behalf, but I think it's coming. In fact, I'm actually a little worried, frankly, that if the workforce system kind of understood this right now that the disability field would lose it's niche market so to speak with customize, and a whole lot of people who are out of jobs at this point would start doing that. There's really no reason that they could not by meeting and targeting unmet needs and specific areas of productivity within a workplace. It's clear to us that if a person needs ongoing supports and like supported employment, et cetera, that those supports should be available. Customized and supported employment dovetails at the first day or work. And many employers have had goals in diversity that they've struggled to meet and have not been able to find, for one reason or another, the people to meet the high demands of the workplace. Now this is not a knock on people with disabilities. I know that many, many people with disabilities can fully compete at the workplace for jobs that are defined at very high thresholds of performance, that's completely understandable. But there are many, many more people who are served in DD systems particularly, and people who go to voc-rehab who disparately need this approach, and if it meets an employers need to have diversity in their workplace and one part of that diversity is disability, this is an excellent tool for an employer to use to allow that to happen. Let's go to slide 15. Let me give you two quick glances at approaches that we're talking to with local employers really across the country. And we'll start with the individualized customized job development approach. So let's go to slide 16. I brought some friends along to kind of help take a look at this. And one of the things that these graphics depict is a typical community anywhere in our country. On the right-hand side of the page, there's a group of all the employers in a community. In the middle is a group of jobseekers person we feel customized is the best approach.

And then we have a job developer representative and an individual jobseeker, and the individual jobseeker, in this case the guy with the megaphone, is going to be represented individually, not in competition with peers, but individually to potential employers. Let's go to the next slide. The fundamental concept is discovery, and you can here that discovery casts a broad net across life. We're looking in all of these areas of life hoping to find direction; fundamentally we're hoping to find conditions for success, interest toward an aspect of the labor market, and discreet contributions that could be offered to employers. From a person's life we translate what we see into those three concepts. And this works very well for jobseekers for whom the competitive standard of the evaluation results in their exclusion from employment, and that's a fairly typical outcome even today in 2009. Let's look at slide 18. Once discovery is done, a plan is held and one of the things you may notice on the right side of the screen, you see that the employers in a given community actually shrinks. They have been reduced by the jobseeker, by the jobseekers conditions for success, particularly their interest and what the jobseeker wishes to bring forward. And in that way, our job development is very intentional, and yet we found even by shrinking employers in a very small community, this has worked equally well in rural Montana or downtown Manhattan as we helped local providers do customized employment. And as the pitch is made and an employer agrees to take a look at their unmet needs, or their specific areas of production that could be augmented, in plenty of situations, let's go to the next slide 19, we have an employer who says, yes, and now we've got a team where we've got a negotiated site with the jobseeker. We have support for the employer and the jobseeker is necessary and we are seeing that customized employment is a sustainable concept. There are many people on employment situations that were customized without the name being available 10, 15, even 20 years ago in ways that many people just get stuck in dead end jobs, people are regularly having their jobs updated based on a continual change in employer

need in specific areas of focus. Let's look at slide 20. Another approach is an employer-driven approach. And we're saying to employers, it might be worth your time to take a close look at your workplace. In fact, I would encourage everyone on this call today to do a needs analysis in your workplace. One of the things that many of us do is overlook things that need to get done that are not getting done within everyday workplaces. Now it may be that we're not interested in hiring someone to do that, but on the other hand, it may be that these unmet needs are causing real problems that we're simply overlooking. And I think this is a sensitive area for employers, but when employers are really clear-headed about, there's a chance I may have unmet needs in my workplace. And it would be very nice to know what they are and to see if an individual might meet those needs, then we can talk. And there are plenty of employers willing to do this. So let's take a look at slide 21. One of the things that happens is when we do a needs analysis with an employer; we turn whatever the need is into a task. And one of the things I've shown you here is just taking some stereotypical, they must be stereotypical because someone took the time to do clipart about these. I just found these on Microsoft clipart, so they must be fairly stereotypical unmet needs on a workplace, and turned them into tasks. If these tasks then match specific skills and potential contributions of jobseekers in a community, then an employer can actually instead of putting a job out there, post a list of unmet needs and welcome people or jobseekers or provider agencies to make a proposal. So in this way, customized employment can either be an individual guiding the service toward a set of potential employers or an employer looking at their unmet needs and looking for somebody to make a proposal to fill those. Either way the basic concept is negotiation and the willingness to enter into that negotiation that really makes the concept customized. Let's go to slide 22. In this slide just depicts the last thing I was saying, which is basically once an employer understands those needs we can then turn to a pool of jobseekers and welcome the proposal either by a

representative or if it's appropriate, by the jobseeker himself or herself. Slide 23, please. One of the things I'd like to do to wrap up our presentation, to kind of put a punctuation mark on all of this is to give you four different ways of looking at the employment relationship that can be augmented by a customized approach. We're still learning about these. We understand there's distinctions in these categories and we have some notion of the importance of the distinction, that the difference does actually make a difference. Much, much more needs to be learned. And as you look down through here, one of the first two issues, the first two categories of customized employment relate to the job title source from which the unmet needs or the additional productivity needs were originally based. And one of the things I want to say in a way that I hope that you can really understand here, we're not talking job carving here. Job carving starts with a demand job and a job developer goes in and attempts to negotiate aspects away from that job that we feel would not be a fit with our jobseeker. In that situation, it's kind of taking out a metaphorical chainsaw and ending up with a piece of abstract chainsaw art from the original job description that probably looked pretty much like a log when you started. Employers are inevitably going to feel a sense of loss with that kind of job carving. Some have been willing to do it, but job carving really never got the kind of traction it needed. I credit job carving with kind of opening the door to customization, but what we're talking about with these concepts, are these are naturally existing needs that exist in a workplace that are not negotiated away from a job, but that exist naturally within a workplace. So the concept of customized employment here is formative. We are asking and engaging an employer to look at a workplace and bring together those tasks at their voluntary rationale, whatever that happens to be. And if it rises to the level of that really benefits me, then employers will pay for it. I think customized employment is its own incentive because of that. So let's get back to the source from which the job descriptions are formed and there are what we call single source job descriptions and

that is either the needs or the specific augmentation of productivity. All are associated with a single source job description in the area. The difference that makes, at least one of the differences that we know now, is that one it's simple and straightforward, there's very few logistical complexities with this kind of negotiated job description. And, two, you have one supervisor. It's an ideal match for jobseekers who really need one person to report to. I don't want to be stereotypical here, but it might be a person with a mental health issue that kind of forms a strong bond with a single supervisor and would not want to get direction from multiple supervisors. A single source job description would really work. Is there a downside to this? That could be. And the downside could easily be that the Murphy's Law of employment says that the good supervisor always leaves. So, just about the time that everything is working well, if that supervisor was really that good, they're probably going on to something bigger and better or away from the workplace. So there's a benefit, there's a downside, and you try to make the best of it. A multiple source job description is pretty much as it implies, that the tasks are derived from job title, or job titles from across the workplace. And it can be as varied as crossing departmental lines; it can be within a single workplace in which case you would have a single supervisor but more flexibility and variability in your job. And I'll give you some examples of that. The downside of this is that you have multiple supervisors and for some people, that's really a problem. However, the upside is if one supervisor leaves it's not that big a deal to the jobseeker or to the employee because they might have two, three, or four other supervisors and when one leaves, you've still got others that you have a relationship with. The third is kind of a unique component of customized, and it's one that's often used as a descriptor for customized, and that is a created source. And this is tricky because I think that we sometimes try to talk employers into creating a need but, in fact, in the best of customized employment, there's got to be a bona fide unmet need, a heretofore unmet need in the workplace. Nobody has met it, but the employer says, it would really help

me if somebody did this thing that has never been done. So there's no source to it as in single or multiple source that created source. The upside of created source is that it allows for job developers and employers to be extremely creative, to look beyond just what is and look into what's possible. The downside, although there's no data on it, common sense would tell us when things really get tough in a company and you have a created source, if the company did without that task being done previously that created source job may, and again I say here just we don't know, but common sense would make it so, maybe be vulnerable to layoff. The last one I'm going to talk about on this call is the contract relationship, and that is doing any of the three of the above, but in a small business contract instead of an employment wage relationship, and in this day and time with employers who politically might not be able to hire simply because people that they had a commitment to have been laid off and they just couldn't face the heat in the community might well be willing to enter into a contract relationship to get us through the economic downturn. Many people doing a contract relationship would want to work in a business and are just doing this as a fallback. And, in fact, you're seeing this written across web pages and magazines and newspapers right now. Anytime you look at ideas for people to be created in this economy, you're seeing these contract relationships being touted. So we know that it works generally. Now there is a form I won't be talking about today and that is the small business that's set up to be a small business and I just didn't feel that it really fit with the workforce focus of our call today. Know that it is included as a category of customized employment, and when jobseekers would like to start a small business for the purposes of owning a business, we will certainly help them do that. But let's focus on these four and let me give you some examples. Let's go to slide 24, please. Here's an example of a man with autism on a single source job in an office setting. All of his tasks from this particular job came from a file clerk one position. These papers were in boxes just unfiled, unorganized, and they desperately needed to be

done. Now on that from an employer's side, that's pretty important, but from the jobseeker side, and particularly for a young man who had had four jobs and quit those jobs summarily, he walked off without so much as an explanation, it was very important to follow his interest. One of the things we found in discovery, now what I'd like to do with this story is to connect discovery with the job. We found that in discovery this man, a 19-year-old young man spent most of his time watching cop shows on TV, and not CSI and Law and Order. I'm talking about rough 'em, stuff 'em, and cuff 'em cop shows like COPS and Reno 911 and glorious car crashes, that milieu. And he would give anything to be a police officer. I don't know how to help a young man with autism to meet the competitive standard of becoming a police officer. But for ten years, he's worked with our local sheriff's department where what you see him doing here, these are misdemeanor arrest reports that had gone unfiled, also traffic citations, and other papers of importance that were just unmet needs in the workplace. In other words, these existed in boxes and they were supposed to exist in files. This happens in workplaces. Let's go to slide 25. Here's two brothers meeting unmet needs derived from a data entry clerk and office manager position in a small firm, a small audiovisual firm. And the unmet need that existed there was the manager wanted all customer information digitized so he could pull up the information on his computer. The problem is the office manager saw that it would cut into her control and she just refused to do it. I believe this sort of thing happens embarrassingly so employers don't get on TV or on the radio and discuss this lack of supervision. It happens all the time in business. And what these two brothers are doing on tag team jobs, one in the morning, the brother on the left works morning hours, the one on the right afternoon hours, met their need to work a similar job at the same time, and also met issues within their lives that each brother uniquely needed a certain time of day to work, and a third of that clearly during discovery as to how important it was. So, again, of the things that you'll probably guess here is that if you're meeting unmet need

productivity demands get put aside. Every employer they enter is a benefit and if we made the mistake of putting them in a data entry pool, then the competitive standard would result that they just simply couldn't work. Let's go to slide 26, please. Let's shift now to multiple sources and this is one of my oldest friends in employment and a strong mentor. This gentleman has pretty well seen every aspect of the disability service field so-to-speak, from at five years old going into a state institution, at 45 coming out. He's been in sheltered workshops, group homes, and for about 12 years he's worked at a mall department store, a rather large department store. In fact, Sears doesn't mind that I say that it's a Sears store where he has job tasks associated with nine different departments within the store. This is a man who gets along so beautifully with managers that he has protected his job over the years by offering discreet contributions across a huge part of the store from cash aisle and maintenance and logistics to advertising to the furniture department, TV and technology area, the warehouse area, the clothing sales floor, the business office, and others. James's contributions are matched with Sears and the needs across all these settings. Yes, he has many supervisors and his schedule is a bit of a logistical nightmare, but if someone will manage that schedule, James can stay employed for years meeting discreet needs in a retail setting. Let's go to slide 27. This is a similar situation and much, much more kind of down to earth. This is a man who works in a large kind of downtown music store, one of the old line music stores that still exist in many cities. And he has tasks associated with three different job descriptions within the workplace. One of the things I found was that the sales staff were supposed to dust and clean and polish the musical instruments but, in fact, they would be showing a \$5,000 guitar and the guitar would be dusty with fingerprints and this guy treats musical instruments like it's the altar at church, they're sacred instruments to him. And he also does other tasks in other areas of the music store. He is a man who would love to be a musician and one of the perks that make this fit for him is that employees get to do a concert in the late afternoon once a

week. So about every eight weeks, he actually gets to do a public concert when his time comes around with the music that he plays. So he's really feeling like he's on a career track to a greater outcome for him. Let's go to slide 28. The story that this situation represents is one that has helped me understand so much of the difference between a production task and an unmet need in a workplace. And this is a young woman from Detroit who desperately wanted to work with children, but found that she did not have the educational background, the credentials, or educational experience to even apply for the entry level. So one of the things that we had to find is any flexibility that exists within a system, and indeed, we found that flexibility within Michigan just by digging through the requirements. I mean, just the due diligence of sweating the details will oftentimes give you the flexibility you need. When a job call was made on her behalf at a local childcare center, the childcare manager kind of caught the idea, and then went in a direction we weren't prepared for. She suggested that she had just the job for this jobseeker, and one of the things that I worry about, and I want to make a clear comment right now is that we must be careful that customized employment doesn't relegate jobseekers with disabilities to the dirtiest jobs in the American workplace, and I think you know where I'm going with this just by thinking what's the dirtiest job in the childcare center? That was the task about to be offered to this young woman. And I think she would have taken it. I think she would have jumped at it as a chance to get her foot in the door and I think she would have been miserable very, very soon. Instead, a wise job developer seeing the dirtiest job trap backed off, but what the job developer didn't see was Carolyn -- this young woman is someone who doesn't have high productivity to offer. So if she had been changing diapers, she would have been put in a situation where people would have been waiting as with her cerebral palsy, she was struggling through diaper changing. It's a task she can do, but not at speed or productivity. There might not be tasks that she does as speed or productivity in the classical sense. But once the employer heard the concept of

unmet needs, then a shift occurred and you're looking at the unmet need in the childcare center. It's the little guy that she's holding his hand. And his issue is when he gets upset a little bit, he reaches out and bites the kid closest just in aggression. And Carolyn was assigned to focus on the young kids in the childcare center who were biting other kids, and virtually stopped the biting within a couple of months of her employment. Imagine the value of even if that productivity would not have matched speed; imagine the value of the unmet need. And it really distinguishes, I think, the difference between an unmet need and the value of that and specific productivity, which Carolyn does not exactly have to offer on most things given the impact of her cerebral palsy. Let's go to slide 29. Here's an example of a created job description. And this is a classic kind of office workplace issue. This is a large insurance firm. You can pretty well guess by the model of the building in the right foreground. And they were having problems with people in the cubicles requesting from the office manager to have faxes delivered as soon as they came off the fax. The problem was they're multi-tasking highly flexible quite competent mailroom/fax room/copy room clerk was already multi-tasking at a factor of about five. If she starts walking down the halls delivering those faxes, something is going to drop off in the mailroom/fax room/copy room, and it's a classic workplace dilemma. Now you can simply hire another person, double up the number of people, but instead this company looked at a time when it had the most need, and then listened to a presentation by an organization representing someone who had delivery to offer. And that combination just fit just right for the insurance company that liked that idea of matching their need to a person who had that skill to offer. And one of the things that once employers get this, they don't keep coming back saying, okay, I want multi-tasking, I want flexibility, I want credentials. What they begin to say is, let's look at other tasks that people can do and I can get other unmet needs met. It's a whole different way of getting there. Let's look at slide 30. This is one of my favorite created job stories in that this is a man who

did not want to leave the sheltered workshop. He was quite happy with his sweeping and he spent most of his time on his hands and knees in a saw shop in a sheltered workshop for people with disabilities. And in a negotiation with him and his mom, the employment service negotiated, if we could find you a job in your area of interest, in other words, the jobseeker defining what creates value within a job rather than someone outside saying, well, that's just janitorial work, this is really what he wanted to do and was willing not to work if he was made to do something else. He was willing to accept that, and then in a factory in the northwestern part of the state of New Jersey, he ends up meeting a specific need by sweeping under the work area of employees who were having all kinds of problems with slip and falls as a result of a byproduct of a milling process. They were milling laminate boards and the dust machine would pick up the sawdust and leave the laminate chips like marbles or pieces of ice on the floor and the company was having terrible slip and falls. This gentleman comes in and in six months his sweeping around the area of operators, machine operators, had reduced the Workmen's Comp premium to the extent that it was the reduced salary and, you know, that's a real contribution for someone who was about to be unwilling to leave a sheltered workshop. Let's look at slide 31. The last one that I would like to talk to you about is the contract relationship. And in a contract relationship we assist someone to start a small business for purposes of meeting unmet needs or if the jobseeker has it to offer, augmenting specific productivity needs within the workplace. And this was a gentleman who we assisted to do this in Birmingham, Alabama in a time not dissimilar to now, in that his employer was on a complete hiring freeze and jobseekers were simply given an application and told, "Come back later when the freeze is up." And the hiring freeze lasted for nearly a year. By going to the same place and getting beyond personnel, which is one of the things that's necessary here. You have to get to someone who can make a decision, and someone who knows about the work performed in the workplace. Those are the two conditions, I think, can

make this work. We were able to engage an employer of this company to look at their unmet needs even -- and especially because they had a hiring freeze. And, again, we're talking about tables and tables of papers that were going unentered in the data system. Why? Because there's layoffs and we know that everybody's multi-tasked to the nth degree. It's nice to say that people should do more but, come on, there is a point at which that just doesn't happen. This gentleman had two four-month contracts. His productivity is around one percent. His quality is right at 100%. The company was so pleased with the two contracts that he did for them, he was the first person hired when the hiring freeze was lifted eight months later. And it was just a testament to where the employers appreciating both the multi-tasking full featured credentialed employee and the employee who brings specific contribution to a workplace that's meaningful. So let's go to -- I think that's about all. Let's look at the next slide 32 and we've got some additional information here. There is information on onestops.info. Most of you know the DOL site, and I've given a couple of the marcgold.com Web site and a site funded by Social Security called MYTI, that's the Mississippi Youth Transition Innovation, which is a site that represents the Social Security transition from school to work using these procedures. So, Robb, we're right at, by my watch anyway, we're right at two o'clock and I'd like to turn it over to you to handle the questions and I'll respond as however makes sense. Thanks you very much, folks, and I hope that this was useful for you.

[Robb Sewell] Thanks, Mike. At this point, we are going to be taking questions from our participants. And essentially you have two ways to ask a question. One is that you can click the raise hand button in the lower left-hand corner of your screen, and then I will call on participants and provide instruction on how you can ask your question. Or if you prefer, just submit your question by using the chat feature on the left portion of our screen. Just simply type your message and click send. And,

Mike, we actually do have a couple of questions that have already been e-mailed to us via the chat feature.

[Michael Callahan] Okay.

[Robb Sewell] The first one is how do you convince employers to focus on their needs and match their needs to the ability of persons with disabilities? And how do you convince employers to restructure in order to create those jobs?

[Michael Callahan] Well, one of the things that I've learned is not to try to convince at all, but to try to present. And I'm not just trying to mince words here. I think if we sell too hard and especially in this economy employers will push back. They have a sense that they're being pushed. So I would almost say, I don't know, I'm going to coin a phrase here, optimistically humble, if you will. I come in humbly saying, I know things must be tough, I'd like to talk to you about a concept, and so I'm not hard selling at all and in saying you might find this interesting because many employers notice that in tough economic times, that needs go unmet. Let me stop here just for a second and say, this seems to occur in all economic times, but since we really focus this on tough economic times, and that's the time that we're in right now, it's most germane to right now. But anyway, going back to those comments, I let the employer seek their own way. Now several things are necessary. Explanation and presentation are of great importance, not convincing as much as explaining. People at NTAR and you guys on the initiative know the demand side, you know it very well. You know the default position of an employer is to go to the typical way things are done. So I have found the most helpful strategy is to have a visual, I use a lot of the slides I used in the presentation that I used with you. I make a presentation very much like that to an employer, and then just basically say if you feel that this would be useful, let's talk. And by not pushing too hard, enough employers will say, yes, our job development data would indicate that it really takes about

one in six or seven calls to get a yes. I know people on the demand side calling 50 and 60 employers to get a yes. So, I mean, employers really are not the problem here. If we can explain the concept and be careful not to push too hard. The restructuring issue, I want to go back to because if you say restructuring, the employer thinks they're changing something they had to do something new, and I used to use that term and I don't use it much anymore, just like I used to use the term job carving, because both restructuring and job carving take you from the status quo to something new. Customization, unmet needs, and augmenting specific productivity is formative. It happens almost naturally and about the only negotiation is making sure that both the employer's needs and the jobseekers contributions are a match and that's terribly important and there can be some negotiation there, and sometimes an employer who's willing to do this might say, well, that doesn't work for me. And then sometimes the jobseekers says well what you need doesn't work for me. So actually the willingness to restructure is kind of an automatic aspect. So, Robb, I'm going to stop with that and take another question.

[Robb Sewell] Our next question is how have places incorporated customized employment strategies at their agencies? It seems like you need sophisticated and well-trained job developers. In other words, how do you get started?

[Michael Callahan] Great question. Several ways, one is, I think, to try to grasp the base concept first. Really spend some time with it. I know I've been working with it for eight years and I'm still at times humbled by just trying to figure out what is this new way to have an employment relationship? And I'll say yet again, that does not in any way replace what we've done, but extends the possibilities to other people with a new idea. And I think the other thing I would answer, Robb, is that I feel that process fidelity is one of your best friends here. Don't try to start making changes in the process at the beginning and that's kind

of an inclination many times when we learn something. We start to learn something, we say, oh, this looks kind of like what I did, so I'll just keep doing what I did and not the new thing. Really staying true to the process that, and I know that ODEP has many excellent brochures and materials on this that are available to be downloaded from their Web site, which you've got as a resource, and I would recommend doing, staying true and really looking at all the information you can get your hands on around the process. I think also that we've had an interesting finding and I'm guessing whoever asked the question has already done employment in their agency and done it in a demand way and probably been successful at it. One of the things I've learned with this is don't try to convert a successful demand side job developer to a customized job developer. It is a different way of thinking. And it really pulls someone kind of at their core to go in and say, look, you've been really successful doing it that way, but I want you to do it this way. My advice to those of you who are managers or who are consulting and influencing, making suggestions to managers, go in and say let those people do what they do for you well, you need their placements, you need the efficiencies that they bring and look for people who have not kind of been able to go out maybe and do the kind of traditional sales approach, but really are more sort of people persons and customized often works for them. It's not that this is informal or kind of less important, but it is different enough that a good manager can sometimes really find the right person to take this forward. I will say that customized is probably more intuitive, it's probably more people focused, you engage employers around real people issues, and it's not just about how one's skills and one's resume stacks up against the employer's demands. They're people for whom that works, but that's not good customized employment. So if you've got staff that kind of are learning in that direction, they might be ideal staff to start from ground zero and to train up through this and that would be my strong recommendation. Robb?

[Robb Sewell] Our next question is how do you teach this translation instinct or skill to job developers or others assisting people with disabilities to find employment?

[Michael Callahan] Well, you guys are asking the right questions, let me tell you that. And that is isn't that the \$64 question right there? Let me go back to my answer with the job developers first, since that was the frame of reference that the question was asked in. That don't try to convert someone who is really good at seeing the high levels of competition and competence and credentials that many of our jobseekers bring rather easily. Don't try to convert that person, you know, so you're looking at the people person. Also it's important to say that for the most part, agencies are not choosing to focus or to use job developers in the discovery/translational aspect. They're using people who would shy away from job development, and then pairing those people who do discovery and that translation with job developers at the job call. So we often use a team of two for a job call. One person who has really gotten to know the individual and the other person who's pretty well got the customized chat down who might not know the person as well and might not be as inclined to do the translational aspects of discovery. Now at the base of the question asked though is a very, very important issue is how can we improve in general, regardless of who it is, people to really do this? And I can only say it takes practice, that we can only learn by actually doing, and find ourselves in interactions with people that provide us an opportunity. One of my favorite stories and I didn't tell it on this was we were doing discovery with this woman in my town here on the Gulf Coast, and during discovery, her nine-year-old brother suggested that her very best skill, and we ask siblings about this, was opening Christmas presents. And there was a lot of laughing and there probably is out there in the webinar right now. What are we going to do with this? But imagine translating opening Christmas presents to employer language and potential unmet need. All that is is receiving materials in a workplace and that's where this young

woman started her first job. Now I don't want to demean her by saying she went into her first job thinking she was opening Christmas presents everyday, but the fact that that skill was something that existed in her life, a young woman with extremely significant impact of disability in her life was, that translation was of huge value. And we've done this again and again. So, you know, I would say one of the things that all of this requires is a clarity that the outcome is really worth it, that we're not using discovery to answer the question can she or can't he. We're presuming that most everything that we see in a person's life is the fodder for translation. Just because somebody who like, for instance, the same young woman that I'm describing here, we notice that she picked up and used Crayola a lot. Now couldn't find a translation for that. Maybe marking boxes or that sort of thing, but the art that she did was really not that kind of specific marking or numerical art, it was kind of random lines. So maybe you could translate if an employer had a need for having, say, a bar code marked out where it couldn't be read. Maybe could translate that, but I guess my point is is that everything you see in someone's life wouldn't necessarily translate. It's those things that really seem to have relevance. And the best way to learn that is just to do it and to do it some more and to really begin to understand what this new concept is. And I actually have not seen it written about or discussed very much in employment, so I think we're on to something fairly new here. I'm sure it's happened in life many times before, but I've just not seen it written about as a professional skill. So there's not a book you can go to at this point. There will be soon; I'll tell you that, I'll give it a shot at writing it. Robb?

[Robb Sewell] Okay, our next question is, do you have any suggestions about how to do customized employment in the government when there are reductions in the workforce, elimination of jobs that were vacant and unfilled and a freeze on hiring?

[Michael Callahan] Well, two things about that comment. One is on one side this is -- and life is often this way, isn't it? And that's that on one hand with all of those layoffs, furloughs, people doing early retirement or being encouraged to do early retirement, within the government there must be huge unmet needs. And may or may not rise to the level that anyone wants to do anything about those. So on the plus side; we've got a treasure trove. On the downside, there's significant barriers. And I often use complexity as a concept that helps me understand things. I use complexity related to individuals, but I think employers have complexity quotients associated within. One of the things we found in customized, there's no doubt that it's easier when the -- and I'm making this up so give me a break on this. When the complexity quotient of the employer is relatively lower for one than another. I mean, and this is just pure common sense, the complexity quotient of the federal government is out on the rings of Jupiter somewhere, it is really, really high. And in that sense, it's been difficult to get in because of the structural barriers associated with the government. I don't think you would ever necessarily win the day, unless Congress wrote it into some legislation requiring the government to do this, and that would be a tough piece to get through. I think it's got to be negotiated at the level of the -- and I don't know all the correct federal terms, but you're certainly not at the secretary or assistant level. In some cases, you're down to where someone needs assistance, and then you start looking for ways to pay for it. I do know as a person who has had contracts with the federal government, that there are ways that the federal government can get its needs met discreetly at least through contract, if not through customizing a job description in a wage relationship. So, I would say that would be a tough, but valued effort to make, and I wish I had the easy solution. I think you'd be better off at GM, let's say, which is in kind of an equal tough situation, than you would be in the federal government of talking somebody into this. At the same time it would be tough in both areas. So, you know, the company of the size of anywhere from about 10 or 15

employees up to somewhere between 250 to 500 seems to be the ideal focus size for customized. The smaller you get the less kind of wiggle room that employer has to pay for unmet needs that may be real, and at the higher level you get into the complexity factor that really makes it very, very tough. Not impossible, it's just tough and I would try at the individual level or just go to Congress and try to get it mandated. But that's going to be a piece of work. Robb?

[Robb Sewell] Okay, our next question is, what are you finding in terms of how long customized jobs last versus jobs that are taken in more traditional means?

[Michael Callahan] The best data available is anecdotal and yet if you follow anecdotal data, customized is holding up extremely well. And one of the reasons it's anecdotal is that customized employment actually didn't start in June of 2001 when ODEP's initiative rolled out. It had been around operating under a variety of names back into the late '80s. So we've got experiences that go back, at least in my recognition of the concept to around 1988, and most of those customized relationships were called supported employment, but they were a very unique form of supported employment, not the typical use of just a job coach in an open job in a workplace. And I think it's fair to say that the early returns from the [inaudible] data that ODEP gathered during the customized initiatives from '01 through about '07 or so, as those initiatives rolled out indicated that retention looked good compared to other approaches. And I believe that it is, I believe that whatever data you can find would indicate it. Like for instance, we did a project with Alaska's division of public assistance using customized with welfare recipients. The end was small, but customized showed a significant improvement in retention and usefulness over the typical way that they did their services. So I don't know any data that would indicate that it is less useful in terms of retention. I know a number of early indicators and many, many anecdotal indicators that it's better. But we still

have not had the kind of head-to-head comparison and especially around, I mean, we know what demand employment is, it's gone on for ions, so demand employment is well established. Customized employment is still a moving target as to what it exactly is and what people perceive it to be and how they practice it. So we've got all of those problems, I'm not shying away from it, but I am explaining, I guess, as best I can, why there might not be the kind of data that we would really like to see. But all that we have is positive. Robb?

[Robb Sewell] Okay, our next question is, what does the employer end up doing about job descriptions they will need to meet wage and hour determination? For example, exempt status?

[Michael Callahan] Well, one of the things -- oh, exempt, I think you're meaning here exempt and nonexempt for salary versus hourly and that you were not talking subminimum wage as best you know on that. And one of the things that I have to say to you is, talking about a frontier, so far as I know, that is a frontier. I don't have a single salary example in customized. I just don't have it. All of mine are payment by the hour, so they would be nonexempt. And so anyway, and I don't know if that stays, I don't know if it goes into the future, I know that, in fact, about the only thing I can tell you in relation to that is my own experience customizing a job with United Cerebral Palsy Associations for years and years and years all during the '90s. My relationship was customized. I always negotiated my job description and the time and the only way we found to make it work around the whole issue of, I guess in essence, I would have been exempt, but when you customize and then target a percentage which is what I did, a percentage of my time, I actually then in essence became nonexempt. Now not in an official status, but in an unofficial -- like for instance, if I went to a conference that another person would be expected to go to and spend five days away from home and it's part of their

salary. When I go, the workdays were counted, not the times so I guess in a sense I still had that exempt status going. I only counted the work days. I didn't count the time I left all the way until the time I came back, although even with a nonexempt person, you might have that -- there might be different ways to solve that I guess I'm saying. So, but just know that in all of my experience, I have yet to assist or work with anybody else who has assisted a customized outcome for a salary position. They've all been wage and hour positions. And I think that's the best I can answer it, I wish I could answer it better but that's my experience.

[Robb Sewell] Mike, actually the person that asked that question, Tammy, wants to get on the line and clarify something.

[Michael Callahan] Great.

[Robb Sewell] So Tammy all you need to do is just press star seven on your telephone keypad and you'll be unmuted.

[Tammy Amsbaugh] Okay, am I here?

[Robb Sewell] Yes, you are.

[Michael Callahan] And I can hear you.

[Tammy Amsbaugh] All right. Thank you very much. This is Tammy Amsbaugh from Iowa and I have worked in the HR setting in quite a number of businesses and so that's sort of where I come from the employer side of this question, because I know that an employer will need to document this job for all kinds of internal reasons like my salary scaling internally, not whether it's subminimum or not.

[Michael Callahan] Yes.

[Tammy Amsbaugh] And also other things like not with his person with a disability or this particular job, but for a fair employment and fair pay type of analysis. That kind of stuff. So, you know, at some point the employer has to write down what this job is, and I know --

[Michael Callahan] I see what you're -- yes.

[Tammy Amsbaugh] I know what that resistance to that is and so I just wondered what experiences have been with that because the resistance to documenting that is now if that person goes away, and then the knee-jerk reaction is to put another ad in the paper and now that is a real job in the company.

[Michael Callahan] Yes, yes, and I ...

[Tammy Amsbaugh] And so that's what I'm ...

[Michael Callahan] And, you know, Tammy, you're asking just the sort of question that -- you're at the point in customized that we need to answer that question. Three, four, five years ago that was just theory that we would say, well, we'll get to that when we come to it. I do know that in a similarly complex situation like in a union relationship in a bargaining agreement.

[Tammy Amsbaugh] That was what I was going to say next, union.

[Michael Callahan] They have in actually negotiations between management and the union, they have arrived at a customized place holder based on a kind of a -- I've heard customized referred to and I'm not telling you that it is, I've heard it kind of referred to as extra legal, not illegal, but beyond the typical way that business is done. And that's really how the union and management in the cases I've dealt with have seen it. They've tried to keep it just outside the central

bargaining agreement, and let it exist in a position that is seen and, again, I know without having the authority to pronounce on this, you've got your fingers crossed here as an employer, but not seeing is setting a precedent, I think you know where I'm going with that.

[Tammy Amsbaugh] Right, right. No, I get you.

[Michael Callahan] But allowing that to occur for reasons of innovation and virtually experimentation within the company and when I've seen it then pulled back in like in the union situation, the union held in one situation that I'm aware of, held the guy out. He was working within a department that was organized by a union, but he wasn't allowed to come into the union because of this kind of outside status. But as his years increased, then they wanted him in. And he actually came in as a placeholder of one into, there's one position and it is a customized position and the union and management agreed that we would negotiate the demands of that position each time that the contract was renegotiated and allowed for the dimensions of the job to be renegotiated in the meantime. Now I know that doesn't solve the rehire situation that you had brought up, but at least it kind of gave both entities some cover and some way of understanding this. But you are the very edge of the issues now that we need to be getting into.

[Chris Putnam] Mike and Tammy, this is Chris Putnam in the Department of Labor, can you hear me?

[Michael Callahan] Yes.

[Tammy Amsbaugh] Yes.

[Chris Putnam] Okay. I was just going to agree with Mike, Tammy, in terms of your right at the new frontier. We've gotten up to this point. We're now beginning to explore the very area that you've raised. We have talked with employers who, for

example, have created within their business the equivalent of what we have in the federal government as a special hiring authority to bring on people in different ways, which allows for customization. We also have a trial going over actually in Maryland, in Montgomery County, government of customized internships that have been brought on through the county within their internship program. So it's an area that we're exploring. It needs further exploration and, as I said, it's really new frontier stuff that we need to move forward on.

[Michael Callahan] Tammy, I think maybe you may have had another comment?

[Tammy Amsbaugh] I do.

[Robb Sewell] Actually, Mike, we're going to have to close now.

[Michael Callahan] Sorry, Tammy.

[Tammy Amsbaugh] Okay, that's okay.

[Robb Sewell] Actually, Tammy, if you want to you can e-mail us the question and we'll relay it to Mike, and then we'll send out the answers to the questions.

[Tammy Amsbaugh] Okay, well I've got it on the presenter; I've got it on the deal there already.

[Robb Sewell] Okay, excellent, thank you. Nanette, are you on the line at this point?

[Nanette Relave] Yes, I am. And I want to thank Mike so much for his willingness to take time to talk with us and provide this really sort of clear laying out of customized employment. As I mentioned at the beginning of our webinar, this is one of the five targeted goal areas that we are looking at as a project. Because of that, I want to encourage all of our listeners

particularly those whose states are part of our state peer leaders network. If there are more resources that you would like on this topic, even some technical assistance, I'd love to hear from you. That may be something that we may be able to help facilitate for you. And especially, you know, Tammy as well, if there's some additional questions that you have, feel free to forward those to me or directly to our speaker. Additionally, if there are questions that haven't been answered we'll forward those to Mike and then get the answers out to you, all the folks who are on the webinar with us today. I also want to mention that ODEP does have a community of practice project around customized employment that may also be able to offer some very sort of useful resources for listeners as well that really want to drill more in depth on this topic. And one of the last slides on our webinar has contact information for myself and my colleagues at the NTAR Leadership Center, so that you will know how to reach us if you have more questions or would like some further information. Also, this webinar has been recorded and the audio and PowerPoint will be available on the NTAR Leadership Center Web site in case there is portions that you would like to check out again, or there are colleagues that you would like to direct to listen to this webinar through the recording. And I would also like to thank Rob and my colleagues at Rutgers for, as always, helping us to run a very smooth webinar and, again, thank you to Mike and to Chris Button at the Office of Disability Employment Policy for enabling us to make this project possible and to all of our listeners. So I want to wish everyone a very good afternoon and be sure to join us on Thursday, April 2nd, for the second in our conference call series on the American Recovery and Reinvestment Act, and you can find more information on the conference call series on our NTAR Leadership Center Web site right on the home page. So, again, I want to thank everyone and wish all of you a good afternoon.