

States as Model Employers: Strategies for Moving People with Disabilities into Careers in State Government

by Savannah Barnett and Kathy Krepcio

Over the past decade, states have implemented many programs to increase the employment of people with disabilities in private-sector jobs. Recently, a number of governors have recognized the importance of increasing employment and work opportunities for people with disabilities within state government as well as other county and municipal agencies. State government agencies nationwide employ more than five million full- and part-time workers and are one of the largest employers in numerous communities. In many instances, these jobs pay competitive wages, ranging from entry-level positions to high-level professional opportunities, and provide good benefits. This brief examines the practices that states are using to become “model employers,” including strategies being implemented to expand the recruitment and hiring of people with disabilities within state government agencies.

Introduction

Nationwide, state governments employ more than five million full- and part-time workers and are large regional employers.¹ Today, an increasing number of states, counties, and cities, as well as the federal government, are paying greater attention to the goal of promoting diversity and inclusion through more proactive measures to recruit, hire, and provide public-sector career opportunities for a multi-cultural, multi-lingual, and multi-generational workforce. For most American corporations and government agencies, a focus on diversity has historically meant the inclusion of people in terms of race and gender, as well as age, ethnicity, religion, national origin, and sexual orientation. Yet, for a growing number of government agencies, the desire to examine their services, programs, and recruitment, hiring, and other personnel policies to remove barriers to work for people with disabilities is part of a larger effort to promote greater employment opportunities both in the private sector and the public realm. In order to advance the employment of people with disabilities, a number of states are looking to lead by example in making employment for people with disabilities a reality by becoming “model employers.”

State as Model Employer (SAME) Practices

In an effort to remove barriers to employment, as well as retain and advance qualified employees with disabilities in careers in state government, states that are engaged in model employer efforts have in common several practices:

- *Improving organizational readiness and creating a more welcoming environment for employees with disabilities through declaration of a goal or state initiative to increase hiring. Efforts may also include proactively incorporating into state equal employment opportunity or affirmative action language references to people with disabilities as integral to the concept and practice of diversity within the state. Model states also work to improve*

their working environments by instituting education and awareness training of senior leaders, managers, supervisors, and other staff.

- *Proactive and targeted recruitment and outreach efforts* to better inform the disability community of state positions for which applications are being accepted. In addition to job recruitment, these practices may also include establishing internship programs in state agencies. Model states also make a special effort to partner with trusted community-based organizations that serve people with disabilities in an effort to expand their recruitment pool.
- *Improving the accessibility of the employment application and hiring process* to make learning about job openings and applying for a job opening easier and more accessible to job seekers with a wide range of learning styles, languages, educational levels, and abilities.
- *Improving access to reasonable workplace accommodations* not only to job seekers in the hiring process but also to enhance access to reasonable accommodations for existing state employees with disabilities.

Improving Organizational Readiness and Creating a More Welcoming Environment

A clearly stated desire to increase workforce diversity, including workers with disabilities, is fundamental to any state diversity and model employer effort. Strong leadership from the top, in the form of an executive order or legislation to include people with disabilities as a source for recruiting and hiring, is an important element of a SAME initiative. Such documents can prescribe hiring practices at the state level that benefit people with disabilities, require specific interagency collaboration (for example, between state human resources, vocational rehabilitation, and other state agencies that are hiring), and increase public awareness of employment options for people with disabilities. These actions send strong signals that top government officials are making employment of people with disabilities a priority. For example:

- In August 2010, Governor Parkinson of *Kansas* issued Executive Order 10-10, which encourages the employment of people with disabilities by state agencies, with the goal of parity in competitive employment of people with and without disabilities.²
- *California* passed the Workforce Inclusion Act³ in 2002, and Governor Schwarzenegger signed Executive Order S-4-05,⁴ which directs state agencies to improve hiring practices for people with disabilities. As stated in the legislation, the Act “requires the California Health and Human Services Agency and the Labor and Workforce Development Agency, using existing resources, to create a sustainable, comprehensive strategy to accomplish various goals aimed at bringing persons with disabilities into state employment.”⁵
- In *New Mexico*, then Governor Richardson “charged state administrators in 2006 with developing a proposal that would facilitate the hiring of employees with disabilities in New Mexico state government.”⁶
- Former *Commonwealth of Virginia* Governor Kaine issued Executive Directive 8 in 2007, which directs all Virginia state agencies to actively recruit qualified applicants with disabilities for employment opportunities.⁷
- Governor Baldacci of *Maine* signed an executive order in 2006 titled “Maine State Government as a Model Employer of Workers with Disabilities.” The order called for Maine to promote state employment for people with disabilities, identify difficult-to-fill jobs, and survey state workers about their disability and experiences with state government.⁸

Alaska as a Model Employer

Alaska launched a SAME initiative as part of its Medicaid Infrastructure Grant,⁹ with a performance goal to increase the hiring of people with disabilities by 10% to 15% before the end of the grant in December 2011. State efforts have included:

- Conducting a survey of state employees to gain a better understanding of the representation of people with disabilities in the state workforce, accommodations that have been made, and suggestions about making a more supportive workplace.¹⁰
- Improving the state provisional hire system that provides employment supports and allows people with disabilities to participate in situational assessments through the Division of Vocational Rehabilitation and/or be hired for a period of trial work to not exceed four months without the obligation to the hiring agency to make the worker's employment permanent.¹¹
- Holding job summits and job fairs to bring stakeholders together.

According to one state official, “Good job matches and vocational rehabilitation [agency staff] support have been instrumental in successful job placements for people with disabilities within Alaska state government.”¹²

For more information about Alaska's efforts, visit <http://hss.state.ak.us/gcdse/>.

- In 2009, Governor Patrick of the *Commonwealth of Massachusetts* unveiled a “Strategic Plan to Make Massachusetts a Model Employer for People with Disabilities,” which includes specific suggestions for increasing the number of people with disabilities employed by the executive branch, ensuring worker retention, and fostering a supportive environment.¹³ This plan followed the issuance of Executive Order 478 in 2007, which included disability in diversity and affirmative action initiatives and recommitted the Commonwealth to the recruitment and retention of underrepresented groups.¹⁴

In tandem with strong directives from governors, a number of states have launched their model employer initiatives by holding a summit to bring together a wide variety of stakeholders such as private-sector hiring managers, state agency hiring managers, community service providers, and people with disabilities. These events serve to raise awareness about new state efforts and the employment needs of people with disabilities, dispel myths, and share promising human resources strategies and practices across both public- and private-sector agencies.

Other organizational readiness practices conducted by states include providing education and training to cabinet-level, managerial, and supervisory staff and other state workers on such topics as Americans with Disabilities Act employment requirements, reasonable accommodation policies, and disability etiquette. For example, *California* has used American Recovery and Reinvestment Act funds to augment existing state funds to develop an online curriculum for disability awareness and policy training for state hiring managers as well as disability awareness training for state personnel engaged in customer service (such as staff in the One-Stop Career Centers and the Department of Motor Vehicles).¹⁵ *Iowa* has created a guidebook for state supervisors and managers that details the hiring and retention of employees with disabilities, and provides information on reasonable accommodation.¹⁶

Targeting Outreach and Recruitment to the Disability Community

Corporations and businesses have routinely used targeted strategies to recruit and hire a more representative workforce. To create a pipeline of qualified job seekers with disabilities, model states are putting in place similar targeted outreach and recruitment practices to reach job seekers with disabilities. For example:

- *Maryland* established a Coordinator for Special Employment and Outreach Programs in its Department of Budget and Management to assist state agencies in targeting diverse applicants for state positions. In addition, Maryland has created the Governor's QUEST Internship Program for Persons with Disabilities, which places interns in Maryland state agencies. The internships serve as a mechanism to help individuals with disabilities develop valuable work experience and job skills that will lead them to full-time work in the public or private sector.²¹
- The *Washington State* Department of Personnel's Web site includes a recruitment sourcing directory²² to help state agency recruiters source diverse applicants, including people with disabilities. The Department of Personnel also established a Supported Employment Program²³ to help individuals with severe disabilities gain successful employment and work with state agency teams.²⁴
- *Minnesota* has established a paid internship program in state government. This program is designed to teach skills, driven by government agency needs, and to help individuals with disabilities develop better skills and stronger qualifications. The goal of the program is to prepare these interns for work in the competitive labor market as well as for careers in state agencies, including state workforce centers.²⁵

Job fairs and mentoring days that include information about job openings in the public as well as the private sector (and available internships in state agencies) are also common ways states are publicizing the virtues of state employment and current job openings. Adopting private-sector recruitment and outreach practices, working with trusted community-based organizations (including independent living centers, community rehabilitation providers, and faith-based organizations) to assist with outreach efforts, and offering on-the-job training through internship programs are just a few of the ways states are working to increase the employability of adults with disabilities and increase the representation of people with disabilities in state government at the same time.

California as a Model Employer

California's SAME initiative, backed by the 2002 Workforce Inclusion Act and Executive Order S-4-05, directs state agencies to improve hiring practices for people with disabilities. The executive order calls for parity between the percentage of Californians with disabilities in the general population and those employed by the state government. It also allows agencies to use the Limited Examination and Appointment Program (LEAP) database when hiring people with disabilities. LEAP is an alternate process designed to facilitate the recruitment and hiring of persons with disabilities through a readiness evaluation and job examination period. Once applicants successfully complete the readiness evaluation, they are added to an eligible referral list that state departments can consult when hiring.¹⁷

Interagency collaboration is an important part of the California SAME initiative, as evidenced by the diverse membership of the Governor's Committee on Employment of People with Disabilities.¹⁸ The SAME initiative is a specific goal of the California Comprehensive Strategy for the Employment of People with Disabilities, developed by the Governor's Committee.¹⁹

A 2008 study by the Association of California State Employees with Disabilities noted that from 1996 to 2004, California achieved 68% of its goal of employment parity for people with disabilities, and from 2004 to 2008, it achieved 52% of the parity goal.²⁰

For more information about California's efforts, see:

http://www.edd.ca.gov/Jobs_and_Training/GC_on_Employment_of_People_with_Disabilities.htm

Maine as a Model Employer

Maine's SAME initiative was guided by the governor's Model Employer Task Group with support from the state's CHOICES CEO (Comprehensive Employment Opportunities) project, which seeks to create more opportunities for people with disabilities who want to enter the workplace, and enhance the experience of those who are part of the workforce. According to the State of Maine, its initial planned short-term activities included:

- Developing a training curriculum drawn from best practices and current rules about the employment of individuals with disabilities, and
- Establishing a centralized staff position responsible for coordinating Maine's efforts to expand employment opportunities. Unfortunately, due to economic constraints brought about by the current economic downturn, a centralized staff position was not feasible. However, the Bureau of Human Resources and the Bureau of Rehabilitation Services are working together to coordinate the state's Special Appointment Program and bring together liaisons from state agencies to increase employment of people with disabilities in Maine state government.

Maine's long-term outcome goals include:

- The successful employment of more individuals with disabilities, and
- Recognition by private-sector employers of the state as a resource for the hiring and retention of workers with disabilities.

For more information about Maine's efforts, visit <http://choices.muskie.usm.maine.edu/doing/government-as-model.html>.

Improving Access to the Employment (Hiring) Process

In addition to targeted outreach and recruitment efforts, model states are also working to minimize barriers to state employment by making the application and hiring process more universally accessible. For example:

- States, such as *New Hampshire*, have worked to make their electronic resources more accessible to all users. This has involved designing the state's Web site to be more universally accessible, including making the state's Web-based employment application processes more accessible to people with all types of disabilities, adopting Web accessibility standards, and providing for special testing arrangements for people with disabilities.²⁶
- *Maine* has examined its state Web site, especially its homepage and its human resources pages, to ensure that content includes emphasizing the state's efforts and interest in hiring workers with disabilities for state employment.²⁷ Maine also has dedicated policies in place to promote better Web site accessibility.²⁸
- *Illinois* has implemented several programs and services for people with disabilities through a dedicated disabled workers initiative. This initiative includes the Successful Disability Opportunities program, which helps customers of the state's Division of Rehabilitation Services test for open competitive state positions, and the Accommodated Testing Program, which provides persons with disabilities the opportunity to schedule accommodated testing in five assessment centers around the state.²⁹

In some states, job descriptions are being reviewed and rewritten to emphasize the essential functions of a job, maximizing the flexibility and opportunity for all applicants, including people with disabilities, or reviewing job bulletins to identify and correct language that would discourage job applicants with disabilities from applying.³⁰ Alternatives to specific civil-service testing requirements for individuals with disabilities exist in some states such as *New York*³¹ and *California*.

Finally, state officials have noticed that having a dedicated staff member to establish relationships with various state hiring departments and managers, advocate for people with disabilities, and spread the word about job openings is helpful to the success of SAME initiatives. For example, the *Minnesota* Vocational Rehabilitation Services, in partnership with Pathways to Employment (the Medicaid Infrastructure Grant program) and the Minnesota Management and Budget office, funds a full-time recruiter within state government to work with cabinet-level officials to improve the recruitment and employment of people with disabilities to fill open state government jobs. Minnesota is currently updating its succession plan, and this recruiter is part of a team working to incorporate disability employment efforts into the state's long-term human resources succession planning process.

Improving Workplace Accommodations

In most, if not all, SAME efforts, states are working to improve access to reasonable accommodations required by the Americans with Disabilities Act (ADA). For people with disabilities, accommodations may include reasonable physical, environmental, or technical changes that allow someone to apply for, get access to, or perform a job. Accommodations may also include a need to change some workplace or personnel policies and practices.

Minnesota as a Model Employer

The Minnesota SAME initiative has been operating for four years, and arose out of the governor's Workforce Development Council in September 2006. The Minnesota Department of Employee Relations and the Department of Employment and Economic Development (DEED), with administrative and financial help from Pathways to Employment (the state's Medicaid Infrastructure Grant initiative) in the Department of Human Services, and Rehabilitation Services in DEED, developed an action plan to integrate people with disabilities more fully into the executive branch of Minnesota state government.

Efforts to date have included:

- Integrating people with disabilities into Seeds/MnDOT, a successful competitive paid internship program that provides internship opportunities for individuals with disabilities in high-demand areas within the Minnesota Department of Transportation. In 2009, MnDOT hosted 13 interns with disabilities.
- Placing 23 interns at 22 Minnesota "Resource Rooms" within workforce centers and other state agencies in 2009, including 8 interns who transitioned to full employment.
- Educating state hiring officials and sharing "best practices" and lessons learned from the Resource Room and Seeds models.³²

For more information about Minnesota's efforts, visit:

http://www.positivelyminnesota.com/All_Programs_Services/Pathways_to_Employment/index.aspx.

States, such as *Alaska*, are working to establish a centralized reasonable accommodations fund for equipment and services needed for employees with disabilities that can be accessed by state departments to cover the cost of such accommodations.³³ In addition, states such as *Maine* are working to establish a statewide ADA accommodations database to document and track information about the provision of reasonable accommodations. Voluntary surveys of state workers, such as those conducted in *Alaska*, *Maine*, and *Vermont*, have been used to determine the extent of retention of people with disabilities and the accessibility of accommodations.³⁴

Challenges and Opportunities

While some states have made great strides toward parity in state government employment for people with disabilities, many challenges still exist. People with disabilities are not always considered prominently in state agency affirmative action language on hiring, and many states continue to face resource constraints to making the necessary changes that would improve access. While states today face significant budget problems, including hiring freezes, layoffs, and staff furloughs, state agencies continue to fill critical positions and remain prominent employers in many communities with jobs that pay good wages and offer good benefits. As noted in this brief, states with SAME efforts believe that state government can serve as an example and a resource to other employers interested in diversifying their workforces by hiring people with disabilities. States with limited resources can still make progress to expand and diversify their labor pools by pursuing several low- and no-cost activities. These short-term strategies include:

- Examining existing state hiring policies and practices to incorporate more inclusive language.
- Establishing internship opportunities in state agencies through partnerships between state agency hiring managers, vocational rehabilitation, community-based organizations, and secondary and postsecondary educational institutions.
- Reviewing state application and testing processes, both online and in person, and putting in place strategies to improve the accessibility of both, if needed.
- Engaging in proactive and targeted marketing of job openings to job seekers with disabilities, including but not limited to partnering with community-based organizations to reach out to job seekers so they are aware of and apply for job openings.
- Developing and implementing stronger education, awareness, accommodation, and etiquette training of senior leaders, managers, supervisors, and other staff to create a more welcome environment for an increasingly diverse workforce.

The activities described in this brief can begin to make a significant difference in providing access to good state jobs for every job seeker with disabilities. Every state should commit to becoming a model employer using the information here as a starting point. New or modified legislation, regulations, policies, and practices will enable state governments to make and keep an ongoing commitment to including people with disabilities in their diverse workforces.

Useful Resources

Disability.gov contains information about federal, state, and local private and public employment-related resources. See <http://www.disability.gov/employment> for more information.

U.S. Office of Personnel Management (OPM). The federal government recently announced measures to significantly increase opportunities for people with disabilities in the federal government under a renewed “federal government as a model employer” initiative. Efforts include sponsoring federal government-wide hiring expos, training for federal human resources professionals, marketing to dispel myths about hiring people with disabilities, and initiating a task force to report on innovative practices.³⁵

For information about the federal government as a model employer initiative, visit OPM’s Web site at <http://www.opm.gov/DISABILITY/>.

Information on the federal hiring initiative can also be found at the U.S. Department of Labor, Office of Disability Employment Policy’s Web site: http://www.dol.gov/odep/categories/employer/fed_model.htm.

The *U.S. Equal Employment Opportunity Commission (EEOC)* is responsible for enforcing federal laws that make it illegal to discriminate against a job applicant or employee because of the person’s race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability, or genetic information. Information about the Americans with Disabilities Act, employment discrimination, and best practices in state government employment can be found at http://www.eeoc.gov/facts/final_states_best_practices_report.html. For more information, visit <http://www.eeoc.gov> or call 1-800-669-4000 (Voice) or 1-800-669-6820 (TTY).

EEOC also publishes guidelines on Schedule A authority hiring. Federal agencies use Schedule A authority to hire qualified job seekers with significant disabilities into the federal government. The document “The ABCs of Schedule A” is a useful resource for hiring managers, human resources professionals, disability program managers, service providers, and applicants with disabilities. The “ABCs of Schedule A” is available at http://www.eeoc.gov/eeoc/initiatives/lead/abcs_of_schedule_a.cfm.

The *Office on Disability Employment Policy* has information about all aspects of hiring people with disabilities, including a guide for creating a workforce that includes people with disabilities titled *Diversifying Your Workforce: A Four-Step Reference Guide to Recruiting, Hiring, and Retaining Employees with Disabilities*. The guide is available at:

<http://www.dol.gov/odep/pubs/20100727.doc> (Microsoft Word version of the guide)

<http://www.dol.gov/odep/pubs/20100727.pdf> (PDF version of the guide)

The *Job Accommodation Network (JAN)* also provides information on job accommodations and the employment provisions of the Americans with Disabilities Act, including information specifically for federal hiring managers (<http://askjan.org/empl/index.htm#fed>) and state and local hiring managers (<http://askjan.org/empl/index.htm#sta>).

For more information about JAN, visit: <http://www.jan.wvu.edu/> or call 1-800-526-7234 (Voice) or 1-877-781-9403 (TTY).

The *Employer Assistance and Resource Network (EARN)* provides public- and private-sector employers with free, expert consulting services and resources to support the recruitment and retention of people with disabilities. The Web site also contains information specifically targeted to federal employers. For more information about what EARN offers, visit <http://www.earnworks.com>.

End Notes

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About ODEP

The Office of Disability Employment Policy (ODEP) provides national leadership on disability employment policy by developing and influencing the use of evidence-based disability employment policies and practices, building collaborative partnerships, and delivering authoritative and credible data on employment of people with disabilities.

About the NTAR Leadership Center

Founded in 2007 under a grant/contract with the Office of Disability Employment Policy at the U.S. Department of Labor, the NTAR Leadership Center's mission is to build capacity and leadership at the federal, state, and local levels to enable change across workforce development and disability-specific systems that will increase employment and economic self-sufficiency for adults with disabilities.

Consortium Partners

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