



MAINE JOBS COUNCIL

COMMISSION ON DISABILITY AND EMPLOYMENT

2006 ANNUAL REPORT

Submitted to Legislature: January 2007

TABLE OF CONTENTS

Letter from the Chair

EXECUTIVE SUMMARY

A. PRIORITIES

- 1. Employer Outreach and Education**
- 2. Maine State Government as Model Employer**
- 3. Youth in Transition from School to Work**
- 4. Vocational Rehabilitation Services**
- 5. Benefits Counseling**
- 6. Data Collection**

B. SPECIAL EVENTS IN 2006

C. RECOMMENDATIONS AND ACTION AREAS FOR 2007

Attachments

- a. Commission Membership**
- b. Commission Historical Timeline**
- c. Executive Order #13**
- d. Public Law 570**
- e. CHOICES CEO Project Information**
- f. MJC Organizational Chart**
- g. “Special Appointment Process” for state positions**



MAINE JOBS COUNCIL
19 UNION STREET
AUGUSTA, MAINE 04330



December 2006

To Whom It May Concern:

The Commission on Disability and Employment, a committee of the Maine Jobs Council, is pleased to present its 2006 annual report. This has been a very productive year for the Commission, with achievements in a better understanding of the needs and untapped resources of workers with disabilities, strategic planning, program development, and educational outreach. These exciting developments are detailed in the attached report.

The Commission is working toward a future in which people with disabilities are employed in jobs that meet their personal and economic needs. A recent survey shows that only 38 percent of Mainers with disabilities are employed and over half are living at poverty level or below. Yet, Maine is facing a severe workforce shortage in the next decade. Giving more people with disabilities an opportunity to enter the workforce is a win-win proposition for the state.

We are committed to working with all interested parties and all branches of the state government to increase employment of persons with disabilities in Maine. Over the next year, we foresee many opportunities to further our vision while helping Maine contend with its workforce shortage and expand its economy.

We look forward to talking with you about the work of the Commission in the coming months.

Sincerely,

Mel R. Clarrage, Chair
Maine Jobs Council
Commission on Disability and Employment

EXECUTIVE SUMMARY

The Maine Jobs Council's Commission on Disability and Employment (Commission) is pleased to report that 2006 was a very productive year. The Commission was established by the legislature in 1997. It promotes collaboration with the public and private sectors to increase awareness and to influence policy related to employment for people with disabilities. Its members envision a Maine workforce that includes all people with disabilities employed in jobs, which meet both their economic and personal needs.

This year, the Commission intensified its leadership activities on issues pertaining to persons with disabilities and successfully moved recommendations through the Maine Jobs Council process. In January 2006, *Working Together: Maine's Strategic Plan to Maximize the Employment of People with Disabilities* was released. Throughout the rest of the year, the Commission worked closely with its many partners to implement the plan. Six priorities were identified:

1. Create an employer outreach and education plan.
2. Ensure that Maine state government is a model employer for people with disabilities.
3. Better support young people with disabilities who are transitioning from school to work.
4. Improve and expand vocational rehabilitation services.
5. Expand benefits counseling to people with disabilities who work, or who want to work.
6. Enhance data collection about workers with disabilities and ensure that data can be shared by relevant service agencies.

Progress has been made on all six priorities as is detailed later in this Annual Report.

The Commission was active in the planning and execution of two major actions by the state in 2006, which significantly advanced several of the six priority areas.

These actions were:

- 1) Executive Order #13 signed by Governor John E. Baldacci, which calls for the state government to be a model employer for people with disabilities (see Attachment C); and
- 2) Public Law 570, which was passed by the Legislature in April 2006 (See Attachment D). One section of this law expands on Executive Order #13 related to state government as a model employer.

ABOUT THE COMMISSION

The Commission on Disability and Employment was established by law in 1997 with the following responsibilities:

- (1) Advise, consult and assist Maine state government on activities that affect the employment of people with disabilities;
- (2) Serve as an advocate on behalf of Maine residents with disabilities by promoting and assisting efforts to further equal opportunity for people with disabilities;
- (3) Conduct educational programs that promote public understanding of the needs and abilities of Maine residents with disabilities;
- (4) Provide information, training and technical assistance to promote greater employer acceptance of workers with disabilities;
- (5) Advise and assist employers and other organizations interested in developing employment opportunities for people with disabilities; and
- (6) Inform the public of the benefits of making buildings accessible to and usable by people with disabilities; monitor the enforcement of state and federal laws regarding architectural accessibility; and advise and assist building owners by disseminating information about accessibility and by making technical assistance available when appropriate.

The Commission is a standing subcommittee of the Maine Jobs Council. Its members meet monthly, and coordinate all activities and action with the Jobs Council and its Policy Committee. The Commission's vision and mission statements are as follows:

- Vision:** A workforce that includes all people with disabilities employed in jobs, which meet their economic and personal needs.
- Mission:** The Commission on Disability and Employment promotes collaboration with the public and private sectors to increase awareness and to influence policy related to employment for people with disabilities.

The Commission at present has no paid staff and no separate operational budget. It receives staffing support and very limited funding through the Maine Jobs Council and Department of Labor.

In 2005, the Commission entered into a strategic partnership with the CHOICES Comprehensive Employment Opportunity (CEO) project. This partnership creates a close alliance between the Commission, the Jobs Council, and two other key partners: the Department of Health and Human Services, and the Muskie School of Public Service at the University of Southern Maine.

Other sections of the Public Law require studies to be undertaken by the Commission and Departments of Labor, Health and Human Services, and Economic and Community Development. They will address the employment of people with developmental disabilities, and the type of resources needed to implement an effective public awareness and employer outreach campaign. Reports on these studies are to be delivered by January 2007 to the Legislature.

Additional Commission accomplishments for 2006 include finalizing Commission by-laws and working on increasing membership representation. The Commission was also a visible participant in the “Future of Maine’s Economy” conference held in September 2006. The conference focused on workforce development. The Commission sponsored one of the keynote speakers, Denise Bissonnette, who is nationally recognized for her work with employees with disabilities.

A. PRIORITIES

The Commission has six strategic priorities. These were adopted in January 2006 and presented in *Working Together: Maine’s Strategic Plan to Maximize Employment for People with Disabilities*.¹

1. **Employer Outreach and Education**: An overwhelming majority of Maine businesses do not employ people with disabilities. This is possibly due to a perception by some business people that workers with disabilities cannot do the work. There is a need to provide information to Maine employers about:

- The value of hiring people with disabilities;

¹ Full and abridged versions of *Working Together* can be found at: <http://www.choicesceo.org/stratplan.htm>

- Resources employers can use to make accommodations;
- Requirements of the Americans with Disabilities Act; and
- Concerns regarding liability issues.

These concerns have begun to be addressed by Public Law 570, “An Act to Create Employment Opportunities for People with Disabilities,” enacted on April 10, 2006. The Act directs the Commission, along with the Departments of Labor and Economic and Community Development, to identify the resources needed for a media campaign that reaches out to employers and increases public awareness of employment issues for people with disabilities.

The Commission and the CHOICES CEO project sponsored part of a major survey conducted by Critical Insights in 2006, entitled *Minding Maine’s Business*, which yielded information about hiring activities of Maine employers, both in general and in relation to workers with disabilities.²

Preliminary findings include:

- Fifty-two percent of Maine companies responding to the survey reported hiring new employees in the past year.
- However, there has been only a slight increase in the proportion of companies that reported employing people with physical or mental disabilities.
 - Fifteen percent of companies surveyed indicated that they employ people with disabilities (up from 12 percent the previous year).
 - Companies with more than 100 employees are more likely to employ people with disabilities.

² Findings from a similar effort in 2005 are presented in “*Employer Practices and Attitudes Regarding Employing People with Disabilities*,” which is available at http://www.choicesceo.org/ProductsEvents/emp_practices.doc

- Thirty-seven percent, or nearly four-in-ten, employers reported that they would feel either nervous (29 percent) or would be unwilling (8 percent) to hire a qualified person with a disability.

The Commission is also working with the CHOICES CEO project in the development and implementation of an employer outreach plan that will include:

- Information on experience and attitudes of Maine employers, particularly success stories related to the employment of workers with disabilities. This information will be used to facilitate business-to-business communication. Outreach methods will include:
 - A web site for employers that provides helpful information and tools for employers presented in a business-friendly manner.
 - Print materials to be used in targeted mailings, presentations at conferences and business meetings.
 - Brief video presentations of success stories hosted by Maine businesspeople. These will be used in conjunction with live presentations and be viewable on the Internet.
- A marketing plan that promotes the employment of workers with disabilities to both business leaders and the public. This plan will include a strategy for using broadcast media, including television and radio.

2. Maine State Government as Model Employer: State government is one of the largest employers in Maine. It has multiple interests in the successful employment of workers with disabilities, not the least of which is for its own workforce planning, given that Maine has the oldest workforce in the nation. Among various industry sectors in Maine, public administration

has the highest percentage of workers aged 55+ (24.9 percent), far higher than the overall Maine industry average of 18.4 percent. Governor John E. Baldacci issued an Executive Order on February 24, 2006 directing the state government to ensure that the State of Maine is a model employer for people with disabilities. This Executive Order was subsequently supported by Public Law 570, titled "An Act to Create Employment Opportunities for People with Disabilities," which requires each agency within the state government to:

- Review its hiring and promotional practices for workers with disabilities; expand outreach efforts; increase efforts to accommodate workers with disabilities; and
- Issue a report and plan by January 1, 2007 (and update annually) to increase the number of workers with disabilities in the state government.

In addition, Public Law 570 included a requirement that *“The Department of Administrative and Financial Services, Bureau of Human Resources, based on the availability of financial resources, shall reinstate the activities and functions previously associated with the position of Disability Employment Services Coordinator.”* Funds to reinstate this position were not included within the Public Law and the Department stated it does not have the funds to implement this requirement. The Commission through the Maine Jobs Council requested that the Governor include funds in his supplemental budget request for 2006-07, as well as in the proposed budget for 2007-08. At the time of this report, the Commission did not know whether these funds were in fact included in these budgets.

Both the Executive Order and Public Law 570 were significant accomplishments under this priority area for the Commission.

Expanding partnerships among state agencies are creating results for workers with disabilities.

The Commission has been working closely together with the Departments of Labor, Health and Human Services, and Economic and Community Development to improve employment opportunities for workers with disabilities. Activities have included:

- Creating and distributing a brochure titled, “*Have You Considered Work with the Maine State Government?*” that includes reference to the current “Special Appointment Process” for state positions (see Attachment G);
- Marketing state employment opportunities at Career Center Job Fairs in Augusta, Wilton, Lewiston and Bangor; and
- Conducting a survey of current state employees regarding the prevalence of disability.

As of December 1, 2006, over nineteen hundred state workers, selected at random, completed a confidential online survey. Respondents were asked what type of work they did, how long they had been doing this work, and whether or not they have a disability. If respondents reported a disability, they were asked if job accommodations were needed and requested and if they experienced discrimination on the job. Lastly, they were asked for suggestions to improve the state’s recruitment and retention of workers with disabilities. The survey is being completed by the Muskie School of Public Service at the University of Southern Maine, and results should be available in early 2007.

3. Youth in Transition from School to Post-School Activities: There is a critical problem in the transition from mandated school-based programs to adult services, which are often not as comprehensive as children services. Helping youth identify needs and wend their way through

the often confusing array of adult services, can greatly affect whether or not the recipient of these services is able to find and keep a job, and continue their education and training. Both the funding of adult services and the types of services offered need to be fully examined to ensure resources are being spent in the most effective way.

The Commission is supporting the following activities:

- **Curriculum Development:** The CHOICES CEO project has awarded a grant to the Interdepartmental Committee on Transition (COT) and the Maine Transition Network (MTN) to develop a *411 Disability Disclosure* Curriculum. An existing adult-focused curriculum is being adapted for youth by youth. The resulting curriculum will help young people to recognize personal strengths and limitations as they seek employment. It will also prepare them to ask for accommodations in employment, education, and community settings. Revisions to the curriculum were made with the input of young people from all areas of Maine.
- **Mission Transition** is a collaborative venture between the COT Regional Coordination Committees and the Department of Labor. At daylong events, the program helps youth learn more about the process of transitioning into adulthood after graduation, connect with employers, learn about post-secondary educational opportunities and develop self-advocacy skills. Those involved in education and employment have teamed up with the COT to deliver individualized Mission Transition programming throughout the state. This year, Mission Transition took part in most of the six COT transition regions of Maine, with a long-term goal of expanding statewide.

- **The Governor’s Task Force to Engage Youth:** The Commission, the Department of Labor, the CHOICES CEO project and the COT all participate on this Task Force, which first met this summer. The group is addressing the problem of the thousands of Maine youth who are neither in school nor employed. Outcomes of the task force will include the following:
 - Draft legislation by December 1, 2006 addressing the need for statutory language awarding credit and competency of standards for students experiencing disruption in their education.
 - A plan for implementation of statewide policy and legislation by July 1, 2007 that ensures that students experiencing disruption in their educational program receive credits or competency of standards that meet Maine state graduation requirements based on demonstrated skill acquisition.

4. Vocational Rehabilitation Services: Despite many improvements in the vocational rehabilitation system, many people with disabilities do not receive vocational rehabilitation (VR) services, or do not receive them in a timely manner. Thus, the Commission’s work in this area is evolving as a partnership with the Department of Labor (DOL) and Bureau of Rehabilitation Services (BRS) leadership to address broader cross-system vocational service improvements. The Commission, the Maine Jobs Council, and other groups can work to ensure public engagement as appropriate in this process. It is also critical to develop adequate resources and a supportive policy environment for improvements to the VR service system.

This year, many improvements were made to Maine's VR services for people with disabilities. Internally, the DOL continued its efforts to improve efficiency and encourage intradepartmental collaboration while meeting customer needs. BRS initiated several system improvement efforts and consequently, its Division of Vocational Rehabilitation was able to reduce the wait for services from 12 months in April 2005 to four months in September 2006. Improvements were also made to the BRS financial management system and programmatic high cost areas addressed. In addition, as part of a pilot project, BRS established Career Exploration Workshops and Job Clubs, and collaborated with the Bureau of Employment Services on Interview Skills Training and Resume Writing training.

Collaboration between the DOL and the Department of Health and Human Services (DHHS) greatly improved this year. Regularly scheduled joint management and regional meetings focus on coordination of policy, resources and services, and on providing quality services to people served by both systems. A formal Memorandum of Understanding between the BRS and Office of Adult Mental Health Services has been signed. This memorandum outlines current and future areas of collaboration between the organizations. As a result of the consent decree, *Bates v. DHHS*, additional resources have been directed to vocational services for adults with severe and persistent mental illness. Specifically, funds have been allocated both for additional employment specialists and for training of case managers regarding the importance of employment in recovery and community participation.

Additionally, the Bureau of Rehabilitation Services (BRS) is participating in the National VR-Business Network initiative through the Council of State Administrators of Vocational

Rehabilitation. The initiative seeks to increase employment of people with disabilities through interstate business partnerships. It includes effective communication and marketing strategies, staff training and evidence-based practices. Employers currently involved include H&R Block, Bank of America and Energy East.

5. Benefits Counseling: Benefits counseling services are intended to move people with disabilities into the workforce and out of poverty. These services help workers with disabilities understand how earnings can increase without risking overall financial status or access to key benefits such as health insurance. As such, these services should be expanded in a way that is significant and sustainable. Workers with disabilities need accurate and timely information about benefits to make quick and informed decisions regarding job offers and advancement. Maine's system of benefits counseling services experienced a number of important changes in 2006, resulting in increased service capacity. The Commission was an active participant in many public-planning sessions throughout the year related to these important system developments, which include the following:

- The Social Security Administration (SSA) benefits counseling support changed in Maine, resulting in a new initiative called Work Incentives Planning and Assistance (WIPA). Maine Medical Center's Department of Vocational Services was awarded funding under the new initiative, effective October 2006 and running for the next three years.
- In the fall of 2006, the DHHS Adult Mental Health service system adopted Vocational Recommendations to comply with the Mental Health Consent Decree, including support for two additional benefits specialists to provide services to underserved regions of Maine.

- The Bureau of Rehabilitation Services (BRS) extended its current commitment to support two benefits specialists.
- With these commitments, Maine Medical Center has hired four additional benefits specialists — now called Community Work Incentives Coordinators (CWICs). The expansion of these WIPA services, as well as their consolidation into one service provider, is expected to improve service delivery and employment outcomes.
- In 2007, the six CWICs will be providing outreach and direct services statewide. The Commission and the various system funding partners will collaborate with Maine Medical Center in the development of an outreach and implementation plan for Maine beneficiaries/recipients. This plan will include a public awareness campaign, advanced benefits counseling training to stakeholders, and better access to WIPA services for those SSA beneficiaries who are working or are on a direct path to work.

6. Data Collection: There has been a lack of actionable information about demographics and programs related to the employment of people with disabilities in the state of Maine. Maine needs a thorough set of employment indicators to track the experiences of people with disabilities. It also needs a central repository of publicly available employment and service data that can be used by policymakers and others to evaluate existing systems and plan future improvements.

In October 2006, staff from BRS and the CHOICES CEO project attended a national conference called, “The Future of Disability Statistics: What We Know and Need to Know.” The conference host, the Disability Demographics and Statistics Center at Cornell University, is a

critical resource of data on Maine, the New England region and the nation. The Commission is reviewing the information from this conference to inform its ongoing work.

In December 2006, the Commission and the CHOICES CEO project released *Snapshot 2006: Maine Workers with Disabilities*.³ This data book, which is updated annually, reports on eleven topics within three major categories: Employment Participation, Economic Well-Being, and Employment Services. The report describes both the need and the challenge of collecting and reporting accurate data. It also analyzes the strengths and weaknesses of the data behind the eleven topics.

The eleven topics covered in *Snapshot 2006* report are being adapted for presentation on the CHOICES CEO web site. This first edition of Snapshot will form the foundation for a more extensive analysis of information that will describe the current and past performance of services for Maine workers with disabilities. Information will be presented by using graphics and plain language, so that all stakeholders — business leaders, consumers, service providers and others — can understand the successes, as well as the continuing needs, related to employment and disability.

³ Available online at <http://choices.muskie.usm.maine.edu/datasnapshot.htm>

D. SPECIAL EVENTS IN 2006

1. **Press Conference: Release of *Working Together* strategic plan and signing of Executive Order- February 24, 2006.** This event had two purposes, the release of *Working Together: Maine's Strategic Plan to Maximize Employment for People with Disabilities*, and the signing of Executive Order #13 proclaiming Maine state government as a model employer of people with disabilities by Governor Baldacci, which launched the Commission's efforts on the first of the six strategic priority areas. More information on this event can be found at:

http://choices.muskie.usm.maine.edu/ProductsEvents/products_events_execorder.htm

2. **Conference: "The Future of Maine's Economy II" – September 21-22, 2006.** The Commission on Disability and Employment was a partner in planning and running this important conference. The conference was attended by several hundred business and program leaders in Maine. The Commission sponsored the participation of Denise Bissonnette, the keynote speaker. She spoke about engaging employers and creating jobs; assisting people who have barriers to employment; identifying opportunities in the "invisible job market;" assessing potential employers; and resolving employer concerns about workers with disabilities.

3. **Governor's Proclamation: October 2006 is Employment of Workers with Disabilities Awareness Month.** The Commission worked with the Governor and his staff to commemorate the importance of workers with disabilities by designating October 2006 "Disability Employment Awareness Month" in Maine. At the October 13th event,

the governor cited his commitment to expanding opportunities for workers with disabilities. The text of this proclamation can be found at:

<http://choices.muskie.usm.maine.edu/Resources/GovernorProclamation101306.doc>

- 4. Statewide Event: Disability Mentoring Day 2006 - October 18, 2006.** Job seekers with disabilities, employers and vocational service providers were involved in events around the state that encouraged both job shadowing and education about workplace adaptive technology. Coastal Enterprises, Alpha One, Maine Mentoring Partnership, and Maine's Division of Vocational Rehabilitation played significant roles in the organization of activities. DMD is sponsored by the American Association of People with Disabilities. Participating employers help young people with disabilities build confidence about their own employability, and employers gain access to a new pool of emerging talent.

E. RECOMMENDATIONS AND ACTION AREAS FOR 2007

The Commission will continue to monitor, evaluate and recommend progress on the six priority areas that directly affect the employment of people with disabilities in Maine. The Commission will seek ways to expand its collaborative role in shaping outcomes directly tied to employment, which include but are not limited to transportation, education, and workforce development.

ATTACHMENT A

**Member Listing for the Maine
Commission on Disability and Employment
2006**

<p>Mel Clarrage, Chair Disability Rights Center P.O. Box 2007 Augusta, ME 04338-2007</p>	<p>Julia Bell Maine Developmental Disabilities Council 139 State House Station Augusta, ME 04333-0139</p>
<p>Tom Broussard Career Prospects 643D Lewiston Road Topsham, ME 04086</p>	<p>Ray Fongemie 2344 US Rt. 202 Winthrop, ME 04364</p>
<p>Norman Fournier County Commissioners' Office 144 Sweden Street Suite 1 Caribou, ME 04736-2137</p>	<p>Larry Glantz Muskie School of Public Service, USM 509 Forest Ave, 2nd floor P.O. Box 9300 Portland, ME 04104-9300</p>
<p>Jennifer Kimble Maine Medical Center Dept. of Vocational Rehabilitation 22 Bramhall St. Portland, ME 04102</p>	<p>Mary Redmond Luce Council on Transition (ACOT) 1355 Auburn Road – Suite 4 Turner, ME 04282 225-5005</p>
<p>Susan Percy Creative Work Systems 443 Congress Street Portland, ME 04101</p>	<p>Sharon White 32 Getchell Corner Road Vassalboro, ME 04989</p>
<p>Jill Duson, Liaison Department of Labor Bureau of Rehabilitation Services 150 State House Station Augusta, ME 04333</p>	<p>Jim Braddick Department of Health and Human Services Office of Adult Mental Health Services 11 State House Station Augusta, ME 04333</p>
<p>Karen Fraser, Staff Department of Labor Bureau of Rehabilitation Services 150 State House Station Augusta, ME 04333</p>	

Maine's Commission on Disability and Employment 1947 - 2006

Historical Timeline of Maine and National Events Related to The Commission, its Predecessor Groups, and Overall Employment of People with Disabilities

<i>DATE</i>	<i>EVENT/ACTIVITY</i>
1947	The first meeting of The President's Committee on National Employ the Physically Handicapped Week is held in Washington, D.C. Its publicity campaigns, coordinated by state and local committees, emphasize the competence of people with disabilities, and use movie trailers, billboards, radio and television ads to convince the public that it's "good business to hire the handicapped."
1952	The President's Committee on National Employ the Physically Handicapped Week becomes the President's Committee on Employment of the Physically Handicapped, a permanent organization reporting to the President and Congress.
1962	The President's Committee on Employment of the Physically Handicapped is renamed the President's Committee on Employment of the Handicapped, reflecting its increased interest in employment issues affecting people with cognitive disabilities and mental illness.
1964	Joint Resolution passes requesting the State Government, when planning for public buildings, to provide certain facilities for handicapped citizens. 10/9/64 – articles in 4 Maine newspapers placed by Governor's Committee with the Department of Education and the VR agency, which read in part "More than 6500 people have been restored to gainful employment by the state vocational rehabilitation program since it was started, Governor Reed said Thursday."
1965	Stanley Jones is Secretary of the Maine Governor's Committee on Employment of the Handicapped, working out of the Employment Security Commission on Union Street in Augusta 10/5/65 – full page ad in Waterville Morning Sentinel to recognize the 20 th anniversary of the National Employment the Physically Handicapped Week. 52 businesses sponsored the ad, which said in part "Study after study has shown the

<i>DATE</i>	<i>EVENT/ACTIVITY</i>
	handicapped to be on a par with – or slightly better than – unimpaired workers in productivity, attendance, job stability, safety and cost of employment.”
October 1966	Governor’s Committee on Employment of the Handicapped announced the fourth annual “Ability Counts” contest for high school juniors and seniors. The theme is “Handicapped Workers.....Community Assets.” Prizes include savings bond plus a trip to Washington DC to attend the annual meeting of the President’s Committee on Employment of the Handicapped
Throughout 1966	Much communication in Maine archives from Harold Russell, chair of the President’s Committee on Employment of the Handicapped. 40 members of the Governor’s Committee listed, including Bureau of Social Welfare, Portland Goodwill Industries, Disabled American Veterans, Maine Teachers Association, Maine Rehab Association, a Professor of Human Development at Colby, the Division of Eye Care and Special Services, the Union Mutual Life Insurance Company, the Department of Education, and many others
June 1967	June - Picture of Governor Curtis signing “An Act Requiring Constructed Public Buildings be made Accessible to the Physically Handicapped.” Pine Tree Society for Crippled Children and Adults is involved in this effort 7/18/67 – Article in the Waterville Morning Sentinel reporting that Harold Russell, Chairman of the President’s Committee on Employment of the Handicapped visited Maine and said “From what I’ve heard, Maine is doing a pretty good job with the handicapped.” Russell lost both hands in WW II combat, and won an Academy Award in 1946 as best male supporting actor in the movie “The Best Years of Our Lives.”
1969	LD 277, P.L. Chap. 478, Approved 7/2/69 – “An Act to Establish the Governor’s Committee on Employment of the Handicapped”
1970	10/22/70 – Article and picture in the Lewiston Daily Sun, describing a survey conducted jointly by the L/A Chamber of Commerce and the Governor’s Committee during National Employ the Physically Handicapped Week – Lawrence & Co. received an award for employment the most handicapped people (20).

<i>DATE</i>	<i>EVENT/ACTIVITY</i>
1971	1/22/71 – Article in the Kennebec Journal that read, in part “The state committee at the moment has no funding and Stan [Jones, Executive Secretary] has drafted a bill to this legislature to that end. His aim is for a permanent committee with a continuing program. The program was started in 1947 and its primary principle is promoting employment opportunities.”
1974	9/11/74 – Stanley Jones is appointed Executive Secretary of the Governor’s Committee, becoming the first full-time Executive Secretary since the position was authorized by the 1969 legislation.
1977	Maine Governor’s Committee is active with the passage of “An Act to Create Accessible Polling Places for the Physically Handicapped and the Elderly.”
Early 1980’s	Christine Gianopoulos is identified as the Executive Secretary for the Governor’s Committee, with the office address being Winthrop Street in Augusta
1983	The Job Accommodation Network (JAN) is founded by the President’s Committee on Employment of the Handicapped to provide information to businesses with disabled employees.
1984 - 1991	Annual Teas in honor of disability issues are held at the Blaine House.
1986	The Employment Opportunities for Disabled Americans Act is passed, allowing recipients of SSI and SSDI to retain benefits, including medical coverage, even after they obtain work. The Rehabilitation Act Amendments of 1986 define supported employment as a "legitimate rehabilitation outcome."
1989	The President's Committee on Employment of the Handicapped is renamed the President's Committee on Employment of People with Disabilities.
1990	The Americans with Disabilities Act is signed into law
1991	Legislative Awareness Day is held in the Maine Capitol Rotunda on May 7.
1993	A Quality of Life Awards Program is developed to recognize Maine employers

<i>DATE</i>	<i>EVENT/ACTIVITY</i>
1998	Chap. 683, Maine Laws of 1997, passed in the second session of the Legislature enacts the current language in statute referred to as the “Standing Committee on Employment of People with Disabilities” to perform the duties of the former Governor's Committee on Employment of People with Disabilities
November 2002	Commission on Disability and Employment issues a report to the Maine Jobs Council, with Commission members identified as Kevin Baack, Denise Dix, William Cooper, Richard Sprague and Susan Percy, with Art Jacobson as staff.
January 2005	The Commission on Disability and Employment begins a collaborative venture with the CHOICES CEO Medicaid Infrastructure Grant (MIG)
October 2005	The Commission and the CHOICES CEO project co-sponsor a day-long forum held at the Maine State House entitled “We Want to Work: New Opportunities for People with Disabilities”
January 2006	The Commission is one of four leadership groups that releases “Working Together: Maine's Strategic Plan to Maximize Employment for People with Disabilities”
February 2006	Governor Baldacci issues an Executive Order to establish Maine State Government as a model employer of people with disabilities; the Commission is named as a key implementation resource working with various agencies within the Maine State Government

AN ORDER REGARDING MAINE STATE GOVERNMENT AS A MODEL EMPLOYER OF PEOPLE WITH DISABILITIES

Office of the Governor

Number 13 FY 06/07

February 24, 2006

WHEREAS, Maine people with disabilities offer a valuable asset for promoting Maine's future workforce and economic growth; and

WHEREAS, Maine people with disabilities are underemployed; and

WHEREAS, Maine State Government has been a recognized leader for affirmative efforts to hire qualified workers with disabilities in state positions; and

WHEREAS, Maine State Government has an opportunity to become a model for all employers seeking to improve their workforce and raise the skills and incomes of Maine people;

NOW, THEREFORE, I, John E. Baldacci, Governor of the state of Maine, by the authority vested in me, do hereby order that:

1. The Maine Department of Labor, in cooperation with the Maine Bureau of Human Resources, implement a promotional outreach campaign for people with disabilities that emphasizes the benefits of working for Maine State Government, including a state-wide job recruitment and career fair focused on workers with disabilities.

2. The Maine Department of Labor, in cooperation with the Maine Bureau of Human Resources, identify state jobs that are difficult to fill today and that are projected to be difficult to fill in future years.

3. The Maine Commission on Disability and Employment, in cooperation with the Maine Bureau of Human Resources, conduct a survey of current state employees who volunteer such information to determine the prevalence of workers with disabilities.

4. The Bureau of Rehabilitation Services and the Bureau of Human Resources partner to lead efforts to facilitate the employment of people with disabilities in all state agencies.

5. The Maine Job Council, in cooperation with the Bureau of Human Resources and the Department of Labor, develop a plan to promote the employment of people with disabilities. This plan will be submitted to the Maine Commission on Disability and Employment by September 1, 2006.

6. The Maine Jobs Council, in cooperation with the Bureau of Human Resources and the Department of Labor, report to the Governor and Legislature on the results of these efforts by March 1, 2007.

The implementation costs associated with this Executive Order shall be covered by existing resources within participating agencies.

The provisions of this Executive Order are not intended to supersede existing collective bargaining agreements or State and Federal Law.

Effective Date

The effective date of this Executive Order is February 24, 2006.

John E. Baldacci, Governor

CHAPTER 570

H.P. 1351 - L.D. 1910

**An Act To Create Employment Opportunities for People
with Disabilities**

Be it enacted by the People of the State of Maine as follows:

PART A

Sec. A-1. 5 MRSA Pt. 29 is enacted to read:

PART 29

EMPLOYMENT OF INDIVIDUALS WITH DISABILITIES

CHAPTER 611

DUTIES OF THE STATE

§23001. Duties of State

In order to provide equal opportunity in all aspects of State Government to qualified individuals with disabilities, each department, agency and instrumentality of the State shall:

1. Periodic review. Review, on a periodic basis, the adequacy of hiring, placement and advancement practices within that department, agency or instrumentality of the State with respect to individuals with disabilities;

2. Plan. Develop by January 1, 2007 and update annually thereafter a plan to increase the opportunities for individuals with disabilities to be employed by that department, agency or instrumentality of the State. This plan must include a description of the extent to which the special needs of employees who are individuals with disabilities are being met;

3. Outsourcing; leases. In its contracts governing functions and duties that are outsourced and in its contracts governing leased space, include provisions that encourage the employment of individuals with disabilities;

4. Outreach. Expand its outreach efforts, using both traditional and nontraditional methods, to make qualified individuals with disabilities aware of available employment opportunities within that department, agency or instrumentality of the State; and

5. Accommodate. Increase its efforts to accommodate individuals with disabilities.

Sec. A-2. Disability employment services activities and functions. The Department of Administrative and Financial Services, Bureau of Human Resources, based on the availability of financial resources, shall reinstate the activities and functions previously associated with the position of Disability Employment Services Coordinator to provide oversight and facilitation of the duties of the State relative to the employment of workers with disabilities in all state agencies and to continue certification and appointment policies for such employees pursuant to existing state policies and rules.

PART B

Sec. B-1. Report. The Department of Labor jointly with the Department of Health and Human Services shall submit, no later than January 1, 2007, to the joint standing committee of the Legislature having jurisdiction over labor matters a report regarding employment opportunities for individuals with developmental disabilities. The departments shall produce the report in consultation with the Maine Jobs Council's Standing Committee on Employment of People with Disabilities, established in the Maine Revised Statutes, Title 26, section 2006; Speaking Up For Us of Maine; the Maine Developmental Disabilities Council; the Disability Rights Center of Maine; the Maine Association of Community Service Providers; the Brain Injury Association of Maine; and other interested parties. The report must address the following issues:

1. Ways to enhance access to employment opportunities for adults with developmental disabilities and a strategy to make supportive employment services the primary form of support services available to adults with developmental disabilities, especially when they graduate from high school;
2. Data on the number of individuals who receive freestanding day habilitation funding versus supportive employment funding and the amount of funding involved, including state grant funds, state seed funds and federal funds. The report also must address data on the number of newly graduating high school students who received services through the freestanding day habilitation entitlement in each of the past 2 years, the cost associated with this entitlement, the projected cost of this entitlement in fiscal year 2006-07 and fiscal year 2007-08 and the location within the budget where funds for this entitlement are located;
3. The possibility of using currently earmarked freestanding day habilitation funds for supportive employment, including the possibility of converting the state match for the current day habilitation services to a new jobs program under a new Medicaid waiver;
4. The relative merits of administering state supportive employment services to individuals with developmental disabilities through the Department of Labor as opposed to the Department of Health and Human Services;
5. The extent to which individuals who receive supportive employment services have a plan for achieving self-support approved by the Social Security Administration;
6. A review of other states' policies regarding supportive employment, including the State of Washington;
7. The reasons for and against implementing a new state policy modeled after the State of Washington policy that mandates supportive employment services for the class of 2007 high school graduates; and
8. The resources that need to be available to existing providers of supportive employment and day habilitation services in order to successfully shift their emphasis to job development for adults with developmental disabilities.

PART C

Sec. C-1. Report. No later than January 31, 2007, the Maine Jobs Council's Standing Committee on Employment of People with Disabilities, working jointly with the Department of Labor and the Department of Economic and Community Development, shall submit to the joint standing committee of the Legislature having jurisdiction over labor matters a report identifying the resources necessary for the development and implementation of a media campaign designed to increase statewide awareness of employment-related issues affecting individuals with disabilities and an employer outreach campaign designed to engage employers in discussions and information exchange about issues, services and support systems related to the employment of individuals with disabilities, including, but not limited to, the following:

1. Presentations to business groups and associations, including chambers of commerce. These presentations must include participation by individuals with disabilities who are successfully employed and local service provider agencies that can assist employers in recruiting, training and retaining individuals with disabilities in employment;

2. Information sessions and training workshops presented at conferences and other meetings where employers are in attendance and employment issues are addressed;

3. The planning and convening of other business-oriented events that focus on the needs, benefits, supports and opportunities related to the employment of individuals with disabilities; and

4. The development of a library of business-oriented promotional materials to be used in public information and awareness sessions and available to employers by request at any time.

The report shall include recommendations for funding and implementing the 2 campaigns.

Attachment E

CHOICES Comprehensive Employment Opportunity (CEO) Project

Maine's Department of Health and Human Services, and its Department of Labor, are working in partnership with a broad-based coalition of stakeholders and project partners on the design and implementation of a comprehensive new statewide effort to support individuals with disabilities who work, or who wish to work. The **CHOICES Comprehensive Employment Opportunity (CEO)** project is, for Maine, undertaking activities aimed at the following goals:

- Maine is implementing a comprehensive strategic plan, completed in January 2006, that identifies opportunities, resources and strategies for systems change to maximize the competitive employment of Maine people with disabilities.
- Maine will engage employers to identify barriers to hiring and retention of workers with disabilities and include employer priorities in the statewide strategic plan.
- Maine will improve consumer access to existing programs and improve the coordination of existing policies, services and programs that support competitive employment for people with disabilities.

UPDATED INFORMATION CAN BE FOUND AT THE PROJECT WEBSITE:

[HTTP://WWW.CHOICESCEO.ORG](http://www.choicesceo.org)

The strategic plan identified six strategic priorities, and action steps under these six areas are now underway. The six strategic priorities for Maine are:

1. **Create an employer outreach and education plan**
2. **Ensure that Maine state government is a model employer for people with disabilities**
3. **Better support young people with disabilities who are transitioning from school to work**
4. **Improve and expand vocational rehabilitation services**
5. **Expand benefits counseling to people with disabilities who work, or who want to work**
6. **Enhance data collection about workers with disabilities and ensure that data can be shared by relevant agencies providing services**

The strategic plan is being implemented in partnership with Governor John Baldacci, and particularly Maine's new "Workforce Cabinet," created by the Governor in 2003 to "expand business awareness, provide a catalyst for action, and foster changes." Key elements of the plan are also being implemented in collaboration with the Maine Legislature, the general public, and many stakeholder groups - the key state agencies noted above, people with disabilities, service providers, employers, advocacy groups, and other public and private sector representative

Attachment E

The PDF version of the CDE Annual Plan has a graphic showing the Strategic Plan Implementation Activities for Years 2-4 (2006 – 2008) of Maine's 'CHOICES CEO' Project. Below is a text description of that narrative:

The University of Southern Maine's Muskie School provides staffing and research support (group facilitation, technical assistance, research analysis, document and data clearing house, survey research, outreach and education, and State-to-State technical assistance) to the Department of Health and Human Services (DHHS), the Department of Labor (DOL), and Other Contractors including Maine Medical Center, Alpha One, and Disability Rights Center. DHHS and DOL are the CEO Co-lead agencies, with DHHS holding the grantee fiscal and oversight role.

The aforementioned groups work closely with the Commission on Disability and Employment to implement the Strategic Priority Activities along with a broad involvement of agencies and other stakeholders.

Strategic Priority 1: Create an employer outreach and education plan.

Strategic Priority 2: Ensure that Maine state government is a model employer for people with disabilities.

Strategic Priority 3: Post-secondary Education and Employment Services for Youth Transitioning from School to Work.

Strategic Priority 4: Improvement of Vocational Rehabilitation Service System.

Strategic Priority 5: Benefits Counseling System Development.

Strategic Priority 6: Enhance data collection about workers with disabilities and ensure that data can be shared by relevant agencies providing services.

Other Strategic Areas: MaineCare Workers with Disabilities Option (Medicaid Buy-In); Ticket to Work; Medicare (including Prescription Services).

The Commission on Disability and Employment is the lead group for implementing the Strategic Plan activities. The Commission will inform the Maine Jobs Council (Maine's Statewide Workforce Investment Board) who will then work with the Governor (including the Workforce and Children's Cabinets), the Maine Legislature, and the Public (including the media) to help implement the Strategic Priority Areas

Attachment F

ATTACHMENT F – MJC ORGANIZATIONAL CHART – TO BE INSERTED HERE

Attachment F

ATTACHMENT G

Bureau of Human Resources
Department of Administrative and Financial Services
CIVIL SERVICE RULES
Chapter 8 Section 6

SPECIAL APPOINTMENT AND SUPPORTED EMPLOYMENT PROGRAMS

A. Purpose and Objective

The purpose of the Special Appointment and Supported Employment Programs is to provide persons with severe disabilities increased access to positions in the classified service. Persons who are selected for these programs will be matched to job classifications that they have the potential to learn and appointed to these classifications on an acting capacity basis for a trial employment period. The trial employment period will be in lieu of the established examination. Participants will be provided support services and training on an as needed basis during the trial employment period, and those who satisfactorily complete this alternative examination will be transferred from acting appointment to Civil Service appointment status.

B. Definition of Programs

1. Special Appointment

Participants in the Special Appointment Program will be appointed to standard State of Maine job classifications and will be required to meet the minimum qualification requirements for these classifications. Participants must be certified by a qualified vocational rehabilitation professional to have the capability to attain or exceed the entrance-level productivity requirement of the classification used for their employment. Participants in the Special Appointment Program will require less support and training during the trial employment period than participants in the Supported Employment Program and, with only few exceptions, support services will not be needed once the trial employment period is completed.

2. Supported Employment

Participants in the Supported Employment Program will be appointed to special job classifications that will be established for the specific purpose of this program. A special pay scale will be established for each Supported Employment classification. Participants must be certified by a qualified vocational rehabilitation professional to have the capability to attain an acceptable level of productivity for the special classification used for their employment. Participants in the Supported Employment Program will require more support, and support for a longer period, than is needed for participants in the Special Appointment Program. Some participants may require support and/or training throughout their employment.

ATTACHMENT G

C. Acting Capacity Appointment

Persons who are selected to participate in the Special Appointment and Supported Employment Programs will be appointed on an acting capacity basis for a trial employment period. Normally, the trial employment period will not exceed one year.

D. Extensions to Acting Capacity Appointment

Acting Capacity appointments for the Special Appointment and Supported Employment Programs maybe extended beyond the normal one-year period when the final evaluation indicates that the participant has not quite attained a level for job productivity that is acceptable by the appointing authority but is expected to reach this level of productivity within a reasonable extension period. The length of the extension will be the joint decision of those providing support services, the appointing authority and the Director of Human Resources.

E. Program Selection and Placement Requirements

The following conditions shall be required for each acting appointment to the Special Appointed and Supported Employment Programs:

1. The person to be appointed has been determined by a qualified professional to have a severe disability.
2. The person to be appointed has been evaluated by a qualified professional and the professional has certified that the person to be appointed has the capability to learn or achieve the knowledges and skills required to perform the work required at a level of productivity that is acceptable for the type of program involved.
3. The environment where the work will be performed has been evaluated by a qualified professional and the professional has certified that the person to be appointed can, with proper support and training, learn to perform the required work in this environment without injury to self or others.
4. The person to be appointed has been interviewed by the employing agency and found to be acceptable.

F. On-the-Job Support Services

Participants in the Special Appointment and Supported Employment Programs will be provided ongoing or as-needed support services during the trial employment period to guide them toward their maximum productivity level. The need and extent of support services that are provided during the trial employment period will be decided by a qualified professional or a team of qualified professionals. Examples of support services include counseling, job coaching and on-the-job instruction. Decisions with respect to the support services that are

ATTACHMENT G

needed will be made at time of appointment and at regular intervals during the trial employment period. Support services for participants in the Supported Employment Program will be continued after transfer to Civil Services Status for as long as these services are needed.

G. Evaluation Requirements for Participants

The performance of participants shall be evaluated 30 days after the initial acting capacity appointment, with additional evaluations at 90 days, 180 days, 270 days and the end of the appointment year. If participants are appointed to their positions with Civil Services status prior to any of these review dates, the remaining review dates will be voided and the standard probationary review process will apply.

H. Transition From acting Appointment to Civil Service

Participants who attain the level of productivity that is acceptable for their program type will be transferred from acting appointment to Civil Service appointment status as soon as this level of productivity is reached. The transfer to Civil Service appointment status may occur at any time during the trial employment period. Each transition to Civil Service appointment status must be supported by a written performance evaluation that states that the level of productivity that has been attained is acceptable by the appointing authority. Participants who are transferred to Civil Service appointment status will be required to serve a six-month probationary period, starting with the date that the Civil Service appointment is made. This six-month probationary period may be extended up to a maximum of one year.

I. Termination of Acting Appointment and Trial Employment

The participant's acting appointment will be terminated and a Civil Service appointment will not be made if the participant is unable to attain a level of productivity that is acceptable by the appointing authority.

J. Compensation

1. Special Appointment Program

- a. Trial Employment Period. During the Trial employment period, participants will be compensated at the minimum step rate of the Civil Service pay grade and salary schedule in effect for their job classification.
- b. Civil Service Appointment, Participants who are granted Civil Service appointment status will continue to be compensated at the minimum step rate of the Civil Service pay grade and salary schedule unless the level of productivity

ATTACHMENT G

attained warrants the next higher rate. Evaluations of productivity at time of Civil Service appointment will be made by a qualified professional and the starting rate of pay will be jointly determined by the professional and the Director of Human Resources. Subsequent annual step increases will be the responsibility of the appointing authority.

2. Supported Employment Program

- a. During the trial employment period, participants will be appointed to a special job classification and compensated from a special pay scale that is established for the classification. The special pay scale will have minimum, maximum and intermediate step rates. Participants will be paid the step rate that is commensurate with their capability in relation to the job to be learned. Evaluations of capability will be made by a qualified professional, and the step rate of pay for the trial employment period will be jointly determined by the professional and the Director of Human Resources. The determined rate of pay will remain in effect for the duration of the trial employment period.
- b. Participants who transfer to Civil Service status will continue to be compensated from the special pay scale established for their trial employment period. The step rate of pay selected for Civil Service appointment will be commensurate with the level of productivity attained. Evaluations of productivity will be made by a qualified professional and the starting rate of pay will be jointly determined by the professional and the Director of Human Resources. The special pay scale will continue to be used for subsequent annual step increases as long as the employee's productivity level remains below the entrance-level productivity requirement of a standard State of Maine job classification. Annual step increases will be the responsibility of the appointing authority. If an employee in the Supported Employment Program attains the entrance-level productivity requirement of a standard State of Maine job classification after Civil Service appointment, the employee must be transferred to the Special Appointment Program and compensated accordingly.

AUTHORITY: 5 MRSA, Chapter 372, §7034 and §7036

EFFECTIVE DATE: November 15, 1992

This document is available on the Internet, in several formats at
<http://www.choicesceo.org/cde/annreport06/>

Available in alternative formats upon request by calling (207) 228-8031;
toll-free TTY (866) 783-6461; or email lpohl@usm.maine.edu

UNIVERSITY OF SOUTHERN MAINE
Muskie School of Public Service

This document was supported in part by the CHOICES CEO project, funded by the Centers for Medicare and Medicaid Services through a grant to Maine's Department of Health and Human Services (grant #11-P-92409/1-02). CHOICES CEO activities are staffed out of the Muskie School of Public Service at the University of Southern Maine. Views expressed do not represent official policy of the Maine Department of Health and Human Services, the Maine Department of Labor, or the University of Southern Maine.

