

**UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES
REHABILITATION SERVICES ADMINISTRATION
WASHINGTON, DC 20202**

**TECHNICAL ASSISTANCE CIRCULAR
RSA-TAC-98-02**

DATE: February 6, 1998
(Revised Date: April 30, 1998)

**ADDRESSEES: STATE VOCATIONAL REHABILITATION AGENCIES
(GENERAL)
STATE VOCATIONAL REHABILITATION AGENCIES (BLIND)
STATE REHABILITATION ADVISORY COUNCILS
CLIENT ASSISTANCE PROGRAMS
PROTECTION AND ADVOCACY OF INDIVIDUAL RIGHTS
COMMUNITY REHABILITATION PROGRAMS
RSA SENIOR MANAGEMENT TEAM
VOCATIONAL REHABILITATION SERVICES PROJECTS FOR
AMERICAN INDIANS WITH DISABILITIES**

SUBJECT: Establishing and continuing working relationships between State Vocational Rehabilitation Agencies and Community Rehabilitation Programs

CITATIONS: Sections 101 (a)(1)&(28), 103(b)(1)(2) of the Rehabilitation Act of 1973, as amended; 34 CFR, '361.5(b)(18)

CONTENT Section 101 of the Rehabilitation Act of 1973, as amended, (Act) addresses the significance of community rehabilitation programs (CRPs) to the State Vocational Rehabilitation Services program in providing employment-related services to individuals with disabilities. CRPs have been especially effective in providing services through programs authorized under the Javits-Wagner-O'Day Act.

In 1938, President Franklin D. Roosevelt signed into law the Wagner-O'Day Act to provide employment through the sale of products to the Federal government for persons who were blind. Congress amended this Act in 1971 as the Javits-Wagner-O'Day Act (JWOD) to also include Federal contracts for products and services and expanded the Act to provide employment opportunities for other persons with severe disabilities. Under JWOD, CRPs provide employment, often above the

minimum wage, and with benefits, to thousands of individuals with severe disabilities.

The purpose of this Technical Assistance Circular (TAC) is to identify ways in which State VR agencies can coordinate with CRPs that administer JWOD programs in providing employment opportunities for eligible individuals under the State VR service program. State VR agencies and CRPs are urged to establish working relationships through various means, including cooperative agreements. Specifically, State VR agencies are encouraged to:

- contract with CRPs, including those that administer JWOD programs, to identify available competitive employment positions for individuals with severe disabilities;
- share information with, and receive input from, CRPs regarding vocational rehabilitation policies, practices and procedures;
- utilize CRP staff to conduct initial assessment of individuals with severe disabilities at integrated sites to determine whether such individuals may be placed in competitive, integrated employment;
- provide assistance to CRPs in their annual review of severely disabled individuals in extended employment within CRPs, to determine whether such individuals may move on to competitive employment;
- support the implementation of the establishment authority which promotes the employment of individuals with severe disabilities in competitive employment in integrated settings, as outlined in the Policy Directive concerning assistance to community rehabilitation programs by State VR agencies (RSA-PD-96-01 of October 23, 1995); and
- consult with CRP officials regularly and develop additional working relationships that advance informed choice, independence, employment opportunities, and incomes of individuals with severe disabilities.

The 1992 Amendments to the Act emphasize the need to assist individuals with disabilities, including individuals with severe disabilities, to achieve competitive employment in integrated settings. CRPs can assist VR agencies in responding to this need by providing VR services that lead to competitive employment. Moreover, many CRPs are developing new and

innovative employment opportunities through their programs that further broaden the competitive employment options for persons with disabilities.

The following are actual examples of employment outcomes established by CRPs under the JWOD programs which would be considered competitive employment outcomes. These jobs are located in integrated settings, offer compensation at or above the minimum wage, provide health and other compensation benefits, and the potential for advancement:

- Telecommunications and computerized switchboard operations: wages range from \$6-\$12 an hour, work is performed at a federal agency site requiring ongoing contact and communication with the general public.
- Customer service representative: wages range from \$7.50-\$12 an hour; work is performed at various federal installations, primarily with the General Services Administration, and requires constant contact and communication with customers and suppliers.
- Administrative and secretarial support staff: wages range from \$7-\$11 an hour; work is performed at a number of federal office locations. Staff experience the same type and degree of interaction with the public as their non-disabled colleagues.
- Commissary shelf stockers: wages range from \$8.50-\$12 an hour; order writing and warehousing work is performed at military commissaries throughout the United States. Contact with military employees and commercial vendors occurs regularly.
- Grounds keepers: wages range from \$6.50-\$14 an hour. Work sites are located at military installations and federal agencies throughout the country. Contact with federal employees and the general public occurs daily.
- Patient escorts: wages range from \$6.50-\$8.50 an hour. Employees provide escort services to patients at various Veteran's Administration Hospitals nationwide. Continual contact and communication with the general public is required.

In each of the examples cited, employees are paid through the CRP payroll. For a more complete listing of the competitive employment outcomes available at CRPs, you may contact the National Industries for the Blind (NIB) and NISH (formerly known as the National Industries for the Severely Handicapped) as follows:

National Industries for the Blind
703-998-9770
Rehabilitation Services Department
1901 N. Beauregard Street, Suite 200
Alexandria, VA 22311- 1727

NISH
703-560-6800
Office of Workforce Development
2235 Cedar Lane
Vienna, VA 22182-5200

CRPs and the JWOD programs can continue to serve as an excellent resource for VR agencies, not only for providing extended employment opportunities, but as direct preparation for competitive and integrated employment. This role is consistent with that envisioned under the definition of "extended employment" in 34 CFR '361.5(b)(1 8): "work in a non-integrated or sheltered setting for a public or private nonprofit agency that provides compensation in accordance with the Fair Labor Standards Act, and any needed support services to an individual with a disability to enable the individual *to continue to train or otherwise prepare for competitive employment*, unless the individual through informed choice chooses to remain in extended employment [emphasis added]@.

INQUIRIES: RSA Regional Offices

Fredric K. Schroeder
Commissioner

CC: RSA Regions II, IV, V, VIII & X
CSAVR
NAPAS