

Brian Patchett – Testimony

Mr. Chairman and members of the Subcommittee on Higher Education, Lifelong Learning and Competitiveness, my name is Brian Patchett. I am currently the President/CEO of Easter Seals Southern Nevada, a non-profit organization serving children and adults with disabilities. I have spent much of my life working with the Vocational Rehabilitation system. I was first a client of these services as a young man and later a professional in the field of rehabilitation. Today, I would like to share with you some of my personal experiences in conjunction with addressing some of the key issues that need attention when looking at the reauthorization of the Workforce Investment Act (WIA), specifically in the area of Vocational Rehabilitation. Within that context I will identify important improvements that can be made that will provide greater access to employment for people with disabilities.

Some of the areas where improvements can be made include: universal design, supported employment, school to work transition, and access to assistive technology. I would also like to discuss our proposal related to employment opportunity for people with disabilities in the field weatherization and green jobs.

As I said above, my experience with Voc Rehab has been both as a client and as a professional. I became legally blind at age seven when blood vessels burst across the macula leaving a residue of scar tissue that impaired my vision. As a child after my vision loss, it became very important to me to not be perceived as having a disability. I did everything I could to prove I was a typical boy from playing sports including soccer, football and track and field to attending public school with my peers. I discovered I could do many things well and also found my limitations. For example, I found I couldn't play baseball.

When I turned 18, I had my first experience with Vocational Rehabilitation services. I was asked to sit in a room and put together nuts and bolts. I was then given an IQ test. This path would have led me to a sheltered workshop. Thankfully, I left that situation, went to college and eventually earned Masters' Degrees in Rehabilitation Counseling and Public Administration from Syracuse University.

My professional career related to disability services began when I started working as an undergraduate through a university affiliated program with the Tech Act Grant in the field of Assistive Technology. I became an expert in assistive technology and legislation regarding persons with disabilities. In addition to working on disability innovation at the state level, I also got a world wide view of disability issues when I traveled with Mobility International USA to the former Soviet Union. The two summers I spent as a student ambassador in Russia becoming fluent in the language and promoting disability awareness were remarkable and deeply impacted my philosophy and understanding of disability on a global scale.

When I reached graduate school, I was prepared to continue my expertise in assistive technology and co-taught the course on assistive technology to my peers. Upon graduation from Syracuse University and the Maxwell School of Citizenship and Public Affairs, I became a Certified Rehabilitation Counselor (CRC). I was hired by Easter Seals Washington as their Eastern Washington Regional Director and Director of Assistive Technology and have continued, for the past 13 years, to work for positive change and greater independence for persons with disabilities within the framework of Easter Seals. I left Easter Seals Washington to take the position of Vice-President of Programs for Easter Seals Arizona. And for the last five years, I have served as President/CEO for Easter Seals Southern Nevada.

During all these years, as a student and professional, I have worked closely with Vocational Rehabilitation programs in several states. I have watched the evolution of the Rehab Act to today when it has been reauthorized as WIA Title IV or the Rehab Act. And, I have been directly involved in serving thousands of people with disabilities.

I know what it is for a person with a disability to run into barriers in finding employment and even in barricades within the Voc Rehab system. My undergraduate studies were in Political Science and International Studies and, at one point; I was applying for a job as a congressional intern in Washington D.C. During my interview, the hirer from the congressman's office asked me about my disability. When I explained my disability, the individual then asked how I ever thought I could work in a congressional office given my disability, and even wondered out loud why I had even applied for the job. This experience was a powerful and personal representation of discrimination and has motivated me to want to change the perceptions people with disabilities endure and help create more effective service delivery for persons with disabilities.

Easter Seals Southern Nevada

Easter Seals Southern Nevada (ESSN) is a non-profit Nevada corporation dedicated to providing the highest quality services to persons with disabilities and their families. Easter Seals nationally believes in full participation of persons with disabilities in our communities and throughout society. Our mission and vision are specific: To create solutions that help people with disabilities become self sufficient through education, community partnerships and direct services. Our services include the following:

EARLY INTERVENTION:

We offer services for children with special needs, ages birth to three, in their natural family environment. Our goal is to help them develop and learn so they can reach developmental milestones and become more successful when entering school.

WONDERS OF OUR WORLD CHILD DEVELOPMENT CENTER:

We offer child care for children of all abilities, ages 6 weeks to 8 years of age. Our child care uses Creative Curriculum, develops family plans for all children, and focuses on the strengths in every child to create a fun place to learn and grow.

AUTISM SERVICES:

We provide in-home ABA instruction and social skills training to children with autism, ages 3 to 8. We also offer parent training and support to help families learn about autism, accept the challenges ahead and become more educated and independent advocates for their child.

FAMILY RESPITE:

We provide qualified families with a voucher each month to help assist with the cost of obtaining respite services for their child with a disability. Parents choose a provider they know and trust and Easter Seals assists with voucher reimbursement to help cover the cost.

ADULT DAY SERVICES:

We give adults with significant disabilities the opportunity to experience community activities that maximize their self help, socialization and daily living skills in a safe, age appropriate daily program.

SUPPORTED LIVING ASSISTANCE:

We provide support to people with disabilities in all aspects of independent living to ensure they can remain active, contributing members of their community. Our goal is to assist each person in reaching the highest level of independence that they are able to achieve, while living in their own home.

ASSISIVE TECHNOLOGY:

We provide evaluations, workplace assessments, training and any other tool necessary to assist people with disabilities to be successful in employment, education, recreation and independent living. We provide services in the home and also in our state of the art assistive technology lab.

EMPLOYMENT AND REHABILITATION:

We offer a full employment program for adults with disabilities, providing work skills training and pre-employment assessment. Individuals work within our warehouse facility or at one of our community worksites, doing real work and earning a paycheck which furthers their ultimate goal of independence.

Employment and the Rehab Act

This year, the United States Bureau of Labor Statistics reported that the official unemployment rate for people with disabilities, meaning those who have lost their jobs and those who are actively seeking employment, for the first quarter of 2009 was hovered

between 13 and 14%, 5 to 6 percentage points higher than the non-disabled population. While this statistic is alarming, even more troubling is the lack of labor force participation by people with disabilities. BLS reported that for the same time period only 23% of all adults with disabilities participated in the labor force as compared with 71% of the non-disabled population. Further, those individuals with disabilities who can find jobs are more likely to have less job experience and are more likely to earn lower incomes than individuals without disabilities.

In Nevada, we have historically not provided adequate rehabilitation services for many reasons. Our challenges have ranged from leaving federal money on the table because of our unwillingness to match the dollars and now our inability to do so because of the economic situation. There are too few rehabilitation counselors to meet the needs in Nevada. Recruiting qualified rehabilitation counselors has been difficult especially with the state not having a university program which prepares individuals to sit for the CRC Exam. Additionally, the state is not adequately able to contract out for job development and assistive technology services, leaving potential workers in the ranks of the unemployed..

These challenges along with those I will outline in the next sections are what continue to keep individuals with disabilities from employment at the same level as their non-disabled peers. Furthermore, many rehabilitation programs across the country lack appropriate philosophical leadership, in other words, the leadership may not be people with disabilities or people who truly understand the challenges facing those of us with disabilities.

Universal Design

Creating universally designed systems for access to jobs, job information, career planning, and general person-centered services is one of the greatest challenges facing persons with disabilities in Nevada and throughout the country. Imagine a person who has significant physical disabilities and uses a wheelchair. He or she is unable to access a standard computer work station including standard keyboard, mouse at a workforce development site, (called Job Connects in Nevada). Not only is the computer station inaccessible but the staff members who are there help the individual in finding employment have not received proper training on how to assist a person with a disability. Success for this individual at Job Connects is all but impossible and he or she leaves the site frustrated, deflated, and unable to pursue employment.

Unfortunately, this example is the case too many times and even though WIA seems to address this issue, it has not been addressed strongly enough. A workforce development site should be required to meet the standards of universal design. The term “universal design for the workforce development system” means the design of environments, products and communication practices as well as the delivery of programs, services and activities to meet the needs of all customers of the workforce development system.

Staff should be adequately trained to work with individuals with disabilities as a facet of any professional development activity. A work station or stations should contain appropriate assistive technology hardware and software such as the work stations Easter Seals Southern Nevada has designed for libraries. The technology would be there to serve virtually every individual with a disability and available staff would be trained on how to assist those who need to access these assistive technologies. Such technologies would benefit not only job seekers with disabilities, but also individuals who may have age related vision impairments or hearing loss as well as any number of other challenges to using computers.

I have attached supporting documents that outline of what we at Easter Seals Southern Nevada can do to assist in creating universal design. Additionally, every WIA Jobs Connects or workforce development site should be required to meet the standards of universal design. Any vendor operating such a site would be expected to make sure their site is programmatically and physically accessible to persons with disabilities and their contract would indicate that they would be audited on an annual basis to ensure that they meet the standards of universal design.

Supported Employment

After a person is determined to be eligible for Vocational Rehabilitation, he or she develops an Individualized Plan for Employment or an IPE. This IPE is to be person-center which means the person with the disability determines the career path and together with the rehabilitation counselor outlines goals and supports needed to achieve the employment outcomes desired. These supports might include: career counseling, job training, education, job shadowing, job coaching, and career exploration accessing assistive technology services and devices.

Unfortunately, my experience has been that this doesn't always occur. In fact, many who become employed often are not adequately prepared for that employment and do not receive all of the supports needed to be successful long term. Job coaching and especially assistive technology are areas that are usually lacking in this process – both of which are critical components of job maintenance.

Additionally, the VR system counts a person as having a successful outcome if they have been placed into a job and continue at that job for ninety days. At that point services from Voc Rehab stop. This has often been referred to as “the 26” or case closure. Unfortunately, evidence shows that many people end up losing that job within 20 days of that closure because supports have ended. I ask the question: “How many of us, after three months of a job really have a grasp of what we are doing?” I think most of us would say that it takes at least six months to a year for us to become comfortable with a new position. Thus, I believe we should change the Voc Rehab system to allow for longer supports.

Access to Assistive Technology

“John” is a 35 year old. He has cerebral palsy and uses a wheel chair for mobility. He was able to find a job as a Customer Service representative in a call center, but John’s rehabilitation counselor did not authorize assistive technology services prior to employment and as John was nearing the end of his probationary 90 days at work – his employer expressed concerns regarding his productivity level. Easter Seals was contacted to respond to the crisis and identify technology that could save John’s job. After completing the evaluation, voice input software and adaptations to his work station were recommended. However, prior to the authorizations and approvals being completed, John lost his job.

This true story demonstrates challenges faced by the vast majority of persons with significant disabilities in the Voc Rehab system. Receiving adequate assistive technology services and devices is consistently the place Voc Rehab here in NV falls down the most. Voc Rehab is intended to be a system designed to help persons with disabilities find employment. But the fact is that many states limit those they serve to the most significantly disabled because of funding restraints. And, persons with the most significant disabilities are most likely to need assistive technology devices in order to perform the essential functions of a job.

Assistive technology is a device or service which helps a person to access some part of life. Assistive technology may be an adapted keyboard for someone who has difficulty typing or voice input for someone who is unable to type at all; software that enlarges characters and images on a screen for an individual who is visually impaired; Braille output for persons who are blind; adjustable desks for persons using mobility devices such as a wheelchair; and, augmentative communication devices that allow a person who is non-verbal to communicate.

To be a successful user of assistive technology, one must be given access to the evaluation and exploration process which includes learning about and selecting appropriate technology which will help one to be successful. In the case of employment, it is necessary to become successful at using assistive technology in order to perform the essential functions of a job.

The assistive technology evaluation should take place as early as possible. Once the IPE is established, this should be one of the first priorities. The person should then receive the technology recommended in the assistive technology evaluation and sufficient training should follow on the device or devices.

With this preparation, the person will then be able to confidently talk with employers about how they can perform the essential functions of a job and be confident in performing that job with their assistive technology. In fact, the individual would then become the expert on the technology they use.

Using screen enlargement and voice output software has completely changed my life and made it possible for me to be successful academically and in my career as a CEO of a significant non-profit organization.

The following outline again the important components of any successful assistive technology process:

1. Person center assistive technology evaluation, including exploration and hands on trying the technology.
2. Acquisition of assistive technology.
3. Adequate training on use of assistive technology.
4. Follow-up and assistance in implementation at job site (this may also include a through jobsite analysis).

If this process is followed, the person may be expected to be more successful in their career. I do want to emphasis that a person needs to have adequate time prior to job interviewing and actual employment to be come expert on their technology. Just like being proficient on a computer or having appropriate education before entering a job, a person must have expertise, experience and confidence in using their assistive technology before they become employed.

School to Work Transition

Preparing high school students with disabilities for the world of work has been one of the great challenges for the Voc Rehab system. My experience as a consumer of VR services and as a program partner in several states, including here in NV, has led me to conclude that few states provide this service in any meaningful way.

Four years ago, I had the opportunity of working with Karla Macomb, a wonderful disability advocate and leader in Nevada for many years, on a proposal to the Voc Rehab system four years ago for transition services. This proposal was initially accepted and Easter Seals Southern Nevada was asked to begin the process to provide services in Nevada. Unfortunately, the program we envisioned was watered down significantly and Easter Seals no longer provides these services. The state continues to provide some transition services in conjunction with the schools, but some of the critical components are completely non-existent.

According to the Rehab Act, transition from school to work should begin at age sixteen and may begin as early as age fourteen. To be successful, Voc Rehab and the schools should work together to create a system that begins the transition process for students with disabilities by age sixteen. Ideally, these students would receive the following services:

- Career exploration
- Career counseling
- Assistive technology
- Job shadowing
- Summer employment
- Mobility training (i.e. access to buses, etc.)
- Resume building
- College exploration
- Eventual employment

Most of us growing up, held summer jobs and had our first experience with work while in high school. Some of us even received work experience at an earlier age. I personally began delivering newspapers when I was 8 years old and continued this job into my teens. I subsequently held other valuable summer jobs that prepared me for the adult work force. If WIA Title IV could focus more on transition and helping teenagers with disabilities in conjunction with the school to have positive job shadowing and work experiences, I believe we would see more than the 23% of persons with disabilities in the work force.

Weatherization and Green Jobs and People with Disabilities

Easter Seals Southern Nevada is proposing to utilize persons from the vocational rehabilitation system and individuals with intellectual disabilities to provide weatherization of homes and manufacturing of solar panels. This is a wonderful win-win opportunity where we can combine the desire to create a green economy along with entering persons with disabilities into green jobs at the outset and creation of these new markets. Thus we have proposed the following:

Easter Seals Southern Nevada (ESSN) has proposed developing partnerships with companies that manufacture “green” products, establishing a weatherization program, and allowing workers to be trained in skills that will be valuable in emerging markets. For example, Sea Group Ltd. is a manufacturing company specializing in solar energy applications and is interested in working with people with disabilities through Easter Seals Southern Nevada to assemble, package, ship/deliver and install energy-saving products.

In partnership with Sea Group, ESSN is in negotiations with the City of Las Vegas to provide homes with a pressurized water heater system, including installation, via government subsidization funding to homeowners. In addition, the City of Las Vegas has an interest in implementing cost saving energy heating consumption at its community pools and other buildings under their jurisdiction with the products provided via Easter Seals from Sea Group. Sea Group Ltd. specializes in solar energy applications and will provide the raw materials for individuals with disabilities to assemble, package, ship/deliver, and install solar thermal panels and other energy saving products. Through Sea Group, ESSN is proposing to provide 1,000 homes, via government subsidies, with

pressurized water heater systems, including installation. In addition, the City of Las Vegas is interested in implementing cost saving by reducing energy heating consumption at its municipal pools and buildings through products provided by ESSN via Sea Group Ltd. This project will involve a partnership with the State Use Program (Preferred Purchase) to contract directly with ESSN to purchase these products.

This “green” job initiative is among the many projects we have developed that will allow us to train dislocated workers for opportunities and careers.

As mentioned above, Easter Seals already has excellent partnerships with BVR, DETR, DRC, BSB, and Mental Health as a pool from which dislocated workers can be referred to our services. Easter Seals also has established relationships with other local businesses that provide work opportunities to individuals in our warehouse setting, such as Berry Plastics and Caesar’s Palace. Individuals are trained on and paid for completed specific warehouse related tasks for these large companies, such as assembly, packaging and forklift operation.

Conclusion

With a 10.4% unemployment rate in Nevada, the highest in two decades, higher than the 8.9% national average, Easter Seals is positioned to be instrumental in skills training and job placement to address the needs of both dislocated workers and Nevada’s economy.

U.S. soldiers deployed in Iraq and Afghanistan who have returned to civilian life face an unemployment rate three (3) times the national average – with 1 in every 5 returning Operation Enduring Freedom and Operation Iraqi Freedom service members expressing indicators for posttraumatic stress disorder and 1 in every 5 had some level of traumatic brain injury. For those receiving Temporary Assistance for Needy Families, research has shown that over half of the current caseload today can be assumed to have learning disabilities, mental retardation, psychiatric or addictive disorders, or a combination thereof.

We strongly advocate for system wide supports to be in place that address these core issues for clients and wrap them with the supports and services they need to be successful. For us, the link between poverty, unemployment, unsuccessful job placements, and hidden disabilities is clear and compelling. We are uniquely positioned to respond to the needs of the vast number of dislocated workers that have such hidden disabilities as listed above, which are at the root of poverty, unemployment, and homelessness.

Easter Seals workforce development services provide an individualized approach to assisting dislocated workers to make informed choices and attain their employment aspirations. Easter Seals’ approach includes an array of services and supports that ultimately lead to employment. This approach is designed to identify goals, objectives, and planning needs, and providing the supports a person needs to achieve and maintain employment.

Rehabilitation services have greatly improved since the Rehab Act was first passed into law in 1973. However, there continue to be significant challenges of access to employment as I have outline and as we move into the future, these challenges will become greater especially in the areas of technology and mobility. With more and more reliance on technology and increasing mobility between jobs and the complete changing of the traditional work place, we will need to emphasize universal design for services, long-term supports, assistive technology and transition services in order to prepare those of us with disabilities for the future.