Creativity at Work

I always dreamed I’d have a real job of my choice with a decent salary and benefits.
Like gender and ethnicity, disability is simply one of many characteristics of being human.

One out of every five Americans is a person with a disability.

The Colorado Developmental Disabilities Council (CDDC) advocates in collaboration with and on behalf of people with developmental disabilities for the establishment and implementation of public policy that furthers independence, community employment, and full inclusion into every aspect of life.
When Clarence Miller thought of what his future held, he refused to go to the human services menu, but rather followed his dreams. Clarence really enjoys status, power, politics, gossip, and drama. Without the aid of a job developer, he intuitively placed himself daily at the Capitol building. Over time, relationships were built that have led to both paid work delivering bills to lobbyists as well as true friendships.
The most recent Census Bureau data show that only about 30% of working-age adults with significant disabilities are working—
a 70% unemployment rate (Colorado Developmental Disabilities Council, *Between the Lines*, Summer 2002).
You may never have pondered where individuals with disabilities go during the day. Unfortunately, many go to large, segregated, warehouse-like workshops in which they are paid by the piece to do things such as put nuts and bolts together over and over. At times, the supervisor at the end of the line takes apart the paired nuts and bolts and puts the task in front of the workers once again. Workers may not be paid an hourly wage, based on a clause in the Fair Labor and Standards Act that exempts them, and their income may depend on how quickly they work or on an unfairly low piece-rate. The same person could easily complete the same task meaningfully at the neighborhood hardware store.

You will notice this publication is in the format of a marketing brochure. Environments make a huge difference in whether a person’s experience can be defined as day wasting vs. days spent in a meaningful way. For example, many individuals with disabilities are trained from very early ages to stuff envelopes at school, and then move on as adults to segregated sheltered workshops where they stuff envelopes and get paid far less than minimum wage with no benefits and no prospects for a real job. If we stay with the same activity, but change the environment, the day can be transformed from day wasting to day meaning. The same person could stuff marketing envelopes at a local marketing firm for a respectable wage, saving the firm money by freeing marketing personnel to perform their primary jobs. And, the person would have the opportunity to meet others in the same place we all meet people—at work! It just makes more sense to have a person with a disability contributing to the productivity of a local marketing firm, rather than engaging in mind-numbing, pointless work within a segregated environment.
Integration is the law...

- "The New Freedom Initiative will help tear down barriers to the workplace, and help promote full access and integration."

- Federal law mandates equal access, inclusion, choice, anti-discrimination, and control by individuals with disabilities over their own lives.\(^2\)

- The U.S. Supreme Court held that unnecessary segregation of people with disabilities is a form of discrimination.\(^3\)

- "Integrated employment should be considered as the primary option for all persons receiving Day Habilitation Services and Supports."\(^4\)

Integration makes sense...

- A large body of research shows that integrated employment for people with significant disabilities costs less than other adult day programs, and generates savings for taxpayers. Customizing employment to meet individual needs can decrease dependency on federal benefit programs, reduce the need for costly alternatives such as workshops, and increase the taxes paid by workers with disabilities.\(^5\)

- The primary appeal of supported employment to taxpayers is its ability to generate long-term, increasing benefits while producing fundamentally short-term costs.\(^6\)

- If an additional 1 million people with disabilities were to become employed:
  - SSI would decrease by $1.8 billion;
  - use of federal food stamps would drop by $286 million;
  - taxable earned income would increase by $21.2 billion, an average of $21,000.\(^7\)

- Across the country, as in Colorado, states are realizing that the numbers of people in supported employment are decreasing. Colorado is looking at providing increased incentives for customized employment in an attempt to reverse the trend.

- In Colorado between 1997 and 2003, the percentage of individuals with developmental disabilities who were engaged in integrated work declined from 53% to 34%.\(^8\)

but segregation is too often the reality.

- A considerable gap exists between what can be achieved and what has been achieved in employment for people with disabilities.

- National labor force participation for adults with disabilities actually declined, from 44% of men and 37.5% of women in 1987 to 35.5% and 31.9%, respectively, in 1997. The mean number of hours worked during each week has declined from 34.6 hours/week in 1985 to 28 hours/week in 1998.

- While the number of individuals in supported employment has grown to approximately 140,000 as of 1995, an estimated 1.3 million individuals remain in segregated services.

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\(^1\) President Bush’s New Freedom Initiative; Olmstead v. L.C., 1999 U.S. Supreme Court ruling.


\(^3\) Olmstead v. L.C., 1999 U.S. Supreme Court ruling.


\(^7\) From a recent Rutgers University study.

\(^8\) Colorado Division for Developmental Disabilities.
<table>
<thead>
<tr>
<th>What We Used To Think</th>
<th>Now We Know</th>
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<tbody>
<tr>
<td>People with disabilities want to be with their own kind.</td>
<td>Everyone wants to be included in life, including regular workplaces.</td>
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<tr>
<td>People with disabilities cannot be gainfully employed.</td>
<td>We all want real work for real pay with benefits, and creative accommodations can make that a reality for everyone.</td>
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<td>People with disabilities are recipients of services, not contributing citizens.</td>
<td>All of us can contribute to our communities through work, social interaction, volunteering, and being a part of everyday life.</td>
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<td>Only job coaches would promote skill development and inclusion in the workplace.</td>
<td>Co-workers can very easily function as “natural supports” at the time and place in which they are needed.</td>
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<tr>
<td>Starting work in a segregated setting or sheltered workshop would allow a person to prepare to be employed in a job on the outside.</td>
<td>Unfortunately, people who start in segregated workshops rarely move to integrated employment.</td>
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<tr>
<td>It is easiest to have people with disabilities fill current jobs that job coaches have in their available pools.</td>
<td>Everyone deserves a chance to dream about, plan for, and secure individualized work.</td>
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<tr>
<td>People with disabilities are clients and are significantly different from you and me.</td>
<td>People with disabilities are citizens, like you and I. Nearly all of us experience disability at some point in our lives.</td>
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I have spent over half of my life living in group homes and working in sheltered workshops. Since November 2001 I've been employed by the Mann Theaters at the Southwest Plaza. My life has improved in all aspects and I want as many people as possible to know it!

My life while working at the workshop was grueling. I had to be awake by 6:00 AM to catch a bus for an hour and 15-minute ride. Work consisted of packaging candies. It wasn't a good match for me and sometimes my paycheck, which was dependent on piecework, was a mere pittance—as little as $3.60 for the 47 hours I worked one month. I was tired as all get out. It was too hard—the same routine five days a week until the program was cut to four days a week.

For 18 years I made it clear in my annual Individualized Plan (I.P.) session that I wanted to have an outside job in the community. For all those years the response from the local service agency was that I could not, that I wouldn't be accepted, that there wasn't any hope. By November 23, 2001, I had started to work at the Mann Theaters with the simple accommodation of a ticket cutter. Since day one in my new job, I've been very happy and also pleased with both my employer and guests of the theater. I tear tickets and direct people to the movie they've chosen, the restrooms, or drinking fountains.

In a March 2002 employee evaluation at the theater, I received top ratings in all categories. Many theatergoers know and greet me and I recognize people when I’m out in the community. When I work 45 hours a month I receive a paycheck of $271. Having disposable income for the first time means so much. Recently I upgraded my computer with my own money and I’m looking into taking more computer classes. I earn more in a day than I used to earn in a month (adapted from Wallach, 2002).
Mike Nelson

I am a very independent kind of person and very proud of it. I’m too independent to be told what to do. I can handle a situation on my own. People underestimate me all the time just because I’m in a scooter.

I worked in a sheltered workshop while I was in school... and in a sheltered workshop for 12 years after school. Then I moved to Greeley and volunteered with the Greeley Police Department. [Over the next 10 years, Mike alternated between sheltered workshops, unemployment, and community employment. In 2003, he was hired by Hollywood Video as a customer service representative.] It was my idea to call video stores.

There is no contest between supported employment and workshops. I would give supported employment an A+ rating. Anybody who puts somebody down and says that they can do nothing but be in a sheltered workshop should have their head examined.

I think everybody should be included in supported employment; no one should be excluded even though they have difficult disabilities. The biggest thing is that the support comes from the people you work with at your job. People need to be open about hiring people with disabilities. My supervisor and my co-workers appreciate my loyalty and what I bring to the business. (Nelson, 2003)
Jason was frustrated by continually being laid off from low-paying jobs in his small town in southern Colorado. He was unable to plan to buy a house with his girlfriend and couldn’t plan for the future. One night, Jason and some of his friends and former employers got together and decided that self-employment provided the stability he would need to plan for his future. Jason is now self-employed, taking care of a range of jobs for the entire town, including snow and leaf removal, window cleaning for Main Street businesses, as well as street cleaning. His source of income? All of the businesses were able to contribute to his now-stable salary and now-stable future due to creativity at work.
“People who are vulnerable, exploited, excluded, or labeled do not always ‘need’ human services. They need justice, income, and community.”

(John McKnight, 1989)

Pre-employment and job readiness programs most often prepare people for long-term segregated work. The vast majority of people in vocational programs obtain a real job. Often people may practice job readiness skills until they retire at 65. Students can start wiping tables in the lunchroom cafeteria at the age of 12, continue their prevocational skill on the tables at a sheltered workshop as adults, and retire, never having had a real job.

The human service is a sheltered workshop in which people may watch the day room TV if there is “down time” because the workshop has no contracts, or get paid piece-rate for rote work. There is no opportunity for interaction with the real community as there is no real community present. Change the environment to greeting people at your local coffee shop (hair salon, hardware store, convenience store, or let your minds wander) as you spend the day in the real community and increase the opportunity for interactions with everyday people in real places. It’s easy to develop more meaning just by changing the people who surround you from human service staff and “clients” to people in the community in search of a place to hang out and drink coffee over conversation.
An enclave/work crew of up to eight individuals is a group of persons, each with a disability, who go to a business after hours and in a segregated setting to perform a task away from public interaction. Folding towels in a hospital or cleaning an office building are typical examples of work performed by an enclave or work crew.

Instead, each person could go individually to a local health club or public recreation center and hand out towels to customers. This would result in being paid real wages for real work in a real place.

“Enclaves create islands in the mainstream.”

“Earnings of the supported employment group were 250% greater than those in the sheltered employment, $18,945 vs. $8,364, across a seven-year post-program period.” (Kugel and Dean, 2003)
There are two major statutory disincentives to people with disabilities being employed in real jobs for real pay.

In 1938, the Wagner-O’Day Act was passed to provide employment opportunities for people who are blind by allowing them to manufacture mops and brooms to sell to the federal government. In 1971, Senator Jacob Javits introduced amendments to the Act, and it is now known as the JWOD Act (Javits-Wagner-O’Day Act). The amendments changed the Act in three ways: 1) the Act was expanded to include people with significant disabilities; 2) the Act expanded the types of services and products the federal government would purchase; and 3) the amendments created the Committee for Purchase From People Who are Blind or Severely Disabled, an independent federal entity whose 15 members are appointed by the President. The Committee oversees two nonprofit agencies: NIB (National Industries for the Blind) and NISH (National Industries for the Severely Handicapped). In Colorado, as is true elsewhere across the country, sheltered workshops hold NISH contracts to provide various products to the federal government.

Fair Labor Standards Act

The Fair Labor Standards Act (FLSA), originally enacted into law in 1938, established the minimum wage. However, a provision in the FLSA allowed workers with disabilities to be paid at a rate lower than the minimum wage set for workers without disabilities. In 1938 the special minimum wage provision was instituted to cover blind workers, as they were the primary recipients of workshop services. In 1971, the special minimum wage provisions were amended to include all disabilities. This change dramatically increased the number of people in sheltered workshops, and the majority of the workers were people labeled with cognitive disabilities. The theory and practice today is that people can learn skills in a workshop setting and, when they are ready, can transfer these skills to community jobs. However, most people are never deemed ready, and instead spend their lives in segregation making far less than a livable wage.

(http://www.dol.gov)
Annotated Website List

Benefit Planning
Use 1619 waiver to keep from losing income and benefits when going to work.
www.socialsecurity.gov

Access PASS: Plan to Achieve Self-Sufficiency—www.socialsecurity.gov, www.nls.org/pass-art.htm. Allows you to set aside money for a certain amount of time for a work goal (e.g., start a business, go to school and get training). This money is exempt from SSA formulas in figuring out your benefits.


Life Planning

Self-Advocacy

Promote the meaningful participation of representatives from vocational/technical schools in the high school transition process.


Inspiration/Ideas
Shop at businesses that hire people with disabilities.


Learn about Individual Development Accounts (matched savings accounts) that can be used for education and transportation—www.disabilityworld.org/01-03_02/il/ida.shtml.

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