ASAN
AUTISTIC SELF ADVOCACY NETWORK

YOUTH POWER!

SARTAC
Self Advocacy and Beyond

*Easy Read Edition*

# Real Work For Real Pay:

## A Self-Advocate's Guide to Employment Policy

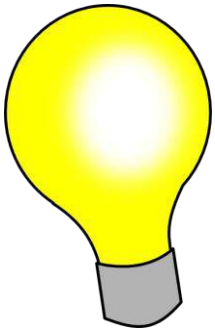
### Part 1:

### Introduction

# 1. Introduction

## What is this toolkit?

**This toolkit is about** Employment First**.**



**Employment First is an idea.**

**Employment First is an idea about how to help people with disabilities get good jobs.**

## Employment First means that:

- people with disabilities should be able to get the same kind of jobs as people without disabilities.

- workers with disabilities should get paid the same for the same work as workers without disabilities.

## This toolkit will explain:

- **What Employment First is**

- **Why Employment First happened**

- **What** sheltered workshops **are**

- **Why it is hard to get rid of sheltered workshops**

- **How we can solve problems people with disabilities have with employment**

- **Why** work requirements **are a bad idea**

# Why is this toolkit important?

**Many people with disabilities want to work.**

**Many things make it hard for people with disabilities to get good jobs.**

- **Bosses might not think people with disabilities can do a job well**

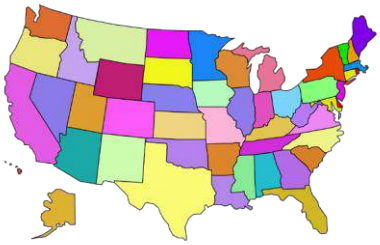
**People with disabilities should be able to do** real work for real pay**. Real work for real pay is what Employment First is all about.**

**People with disabilities might have problems when we look for good jobs. This toolkit will talk about those problems.**

**The toolkit will explain how we can fix those problems.**

**You can use the information you learn in this toolkit.**

- **You can use it to explain what kind of job you want.**



- **You can use it to understand employment programs in your state.**

# How can I use this toolkit?

**You can read this toolkit from beginning to end. Or you can go straight to the parts that you want to know more about.**

## Glossary words

**You'll see some words in this guide that are bolded. We explain these words in the Glossary at the end of each section.**

**There is also a Glossary at the end of the toolkit. The Glossary at the end has words from every section.**

# Examples

**This toolkit uses examples to show how things work in real life. To make it clearer, examples will look like this:**

**For example, ASAN published a toolkit called Real Work For Real Pay: A Self-Advocate's Guide to Employment Policy. The toolkit uses an Easy Read format with large text and plain language.**

**ASAN designed this toolkit so that any person with any disability can use it and learn from it.**

# Glossary

## employment

**Employment means that you work at a job and get paid for the work you do.**

## Employment First

**Employment First is the idea that people with disabilities should be able to get real work for real pay.**

## policy

**Policy means the laws and rules that the government makes.**

## real work for real pay

**“Real work” means that people with disabilities can get the same kinds of jobs as people without disabilities. “Real pay” means workers with disabilities are paid the same amount as a worker without disabilities doing the same work.**

## sheltered workshop

**Sheltered workshops are places that give people with disabilities jobs. But, these jobs do not help workers gain skills. Workers often have to do the same task over and over. For example, putting together a toy in a factory. The people with disabilities that work in sheltered workshops do not make much money. They are usually paid less than minimum wage for their work.**

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# Real Work For Real Pay:

## A Self-Advocate's Guide to Employment Policy

### Part 2:

### Overview: Employment First

# 2. Overview: Employment First

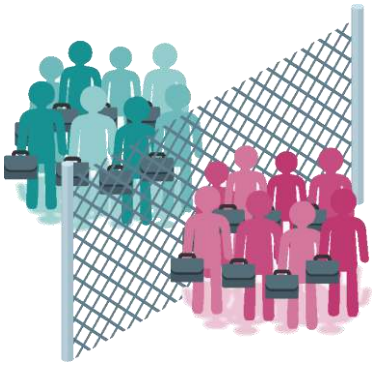
## What is employment?

Employment **means that you work at a job and get paid for the work you do.**

**The money you get from your job is called your "wage."**

**There are different kinds of employment.**

## Segregated employment



**Some jobs make people with disabilities work apart from people without disabilities. This is** segregated employment**. Another name for this is congregate employment.**

## Competitive employment

Competitive employment **means that workers with disabilities get the same amount of money as a worker without disabilities doing the same work.**

# Integrated employment

Integrated employment **means that people with disabilities work in the same place as people without disabilities. Workers with disabilities do the same kind of work as the workers without disabilities.**

**A job does not count as integrated employment unless it is also "competitive" employment. Sometimes this is called "Competitive Integrated Employment." To keep things simple, we will usually just say "integrated employment."**

# Supported employment

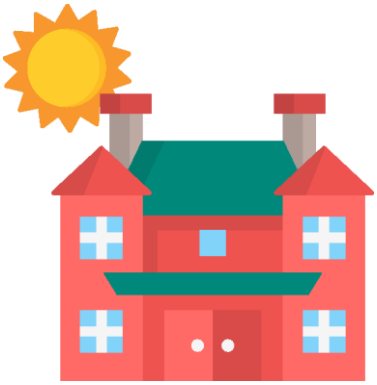
Supported employment **gives workers with disabilities support at our jobs. Supports help people with disabilities succeed at work.**

**Supported employment helps people with disabilities get jobs in our communities.**

# Employment First is an idea

**Employment First is an idea about how to help people with disabilities get good jobs.**

**Employment First means a state should help everyone who wants to work, find real work for real pay.**



**Before a state tries other services, like day habilitation, they should try** *employment first*.

## Here's what Employment First means:

- **People with disabilities should get real work for real pay as a first choice.**

- **People with disabilities should have the same opportunities as everyone else to find and keep a job.**

- **People with disabilities should be able to work in our communities. We should be able to work in the same place as people without disabilities.**

- **People with disabilities should be able to get the supports we need to work. We should be able to get the supports we need if we need a lot of support, or if we only need a little.**

- **People with disabilities should get the same wage that people without disabilities do.**

# Real work for real pay

**"Real work for real pay" means the same thing as "competitive and integrated employment."**

**"Real work" means people with disabilities work in the same place as people without disabilities.**

**"Real work" also means people with disabilities do the same kind of work as our non-disabled coworkers.**

**“Real pay” means workers with disabilities get paid the same amount as a worker without disabilities doing the same job.**

**Right now, there are some jobs where workers with disabilities get paid much less than workers without disabilities. We’ll talk about that more later.**

**Employment First means that people with disabilities can get real work for real pay.**

# Why is Employment First important?

## Too many people with disabilities are ending up in segregated employment

**Some people think that people with disabilities who need a lot of support cannot work.**

**Some people think that people with disabilities who need a lot of support will not be good enough at a job.**

**Because of these wrong ideas, some companies do not give people with disabilities a chance.**

**Instead, people with disabilities end up working in segregated places like sheltered workshops.**

## Working in our communities is better than working in segregated jobs

**People with disabilities in segregated work cannot choose what kind of job they do.**

**Segregated jobs hurt people with disabilities.**

- **Segregated jobs keep people with disabilities away from our communities.**

- **People with disabilities in segregated work might get paid less than people without disabilities.**

- **Low wages make it hard to pay for basic things like food and rent.**

**It is good for people with disabilities to work in our communities. It is better than working in segregated places.**

**When we work in our communities, we:**

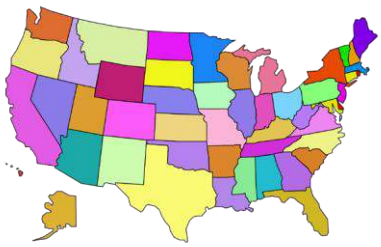
- **make more money**

- **learn more skills**

- **have better lives**

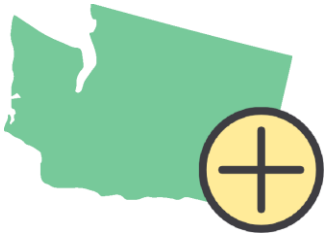
**People can use the Employment First idea to help more people with disabilities get work in our communities.**

# Employment First helps people with disabilities get real work for real pay



**Every state has its own government. A state government makes laws and programs for their own state.**

**Some states have their own Employment First laws.**



**The laws help states make new programs and services.**

**The new programs and services help people with disabilities get real work for real pay.**

## *Example: Illinois Employment First*

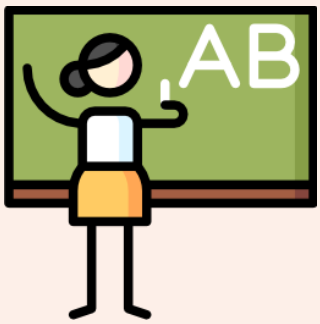
**In 2013, Illinois passed a law called the Employment First Act.**

**The law makes Illinois an Employment First state. That means real work for real pay has to be the first choice for people with disabilities in Illinois.**

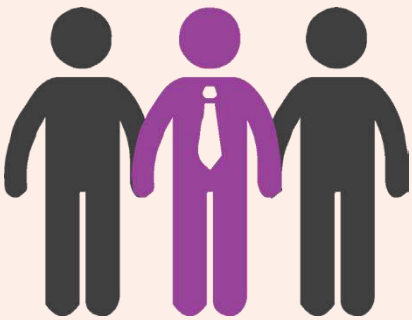
**The state government made changes because of the new law. They started trying lots of ways to help people with disabilities get real work for real pay.**

**Some of these ways were:**

- **Giving more money to programs that help people with disabilities in Illinois find jobs they want to do**




- **Teaching service providers how to give better job supports to workers with disabilities**



- **Training big companies to hire people with disabilities and give them the supports they need**

**Employment First programs help people with disabilities get integrated employment.**

**Some people with disabilities need supports to help us get a job.**

**Some examples of these supports are:**

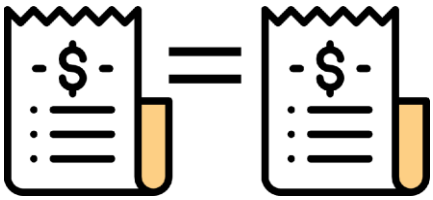
- **someone who works with you to help you find out what kind of job you want**

- **someone who can drive you to your job or teach you how to take the bus**

- **a job coach who goes with you to your job and helps you stay on track**

**Employment First programs help people with disabilities get supports to work in our communities.**

**Employment First programs can also help people leave sheltered workshops and get new jobs.**



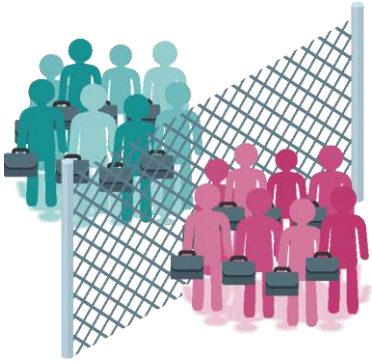
**Integrated employment services are not expensive. They cost about the same as segregated employment services.**

# Integrated or Segregated Employment?

**Here are some examples of integrated and segregated employment. Can you tell the difference?**

## Example 1: Mark

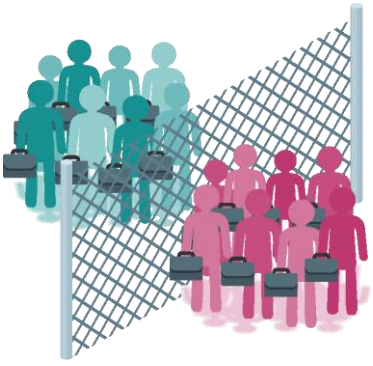
**Mark has an** intellectual disability**. He works four hours a day, five days a week in a factory that makes clothes. All of Mark's co-workers also have intellectual disabilities. Mark makes 1 dollar an hour for his work.**



This is segregated employment. **This is a good example of what a sheltered workshop looks like.**

## Example 2: Beth

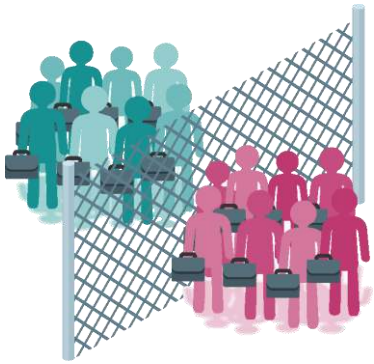
**Beth is deaf and has a** developmental disability**. She works 3 days a week making car parts. Most of Beth's co-workers were her classmates in high school. Her co-workers also have disabilities and have high support needs. Beth makes 8 dollars an hour for her work, which is the minimum wage in her state.**



This is segregated employment. **Beth is making the minimum wage. But, her job is still segregated employment. That is because Beth only works with other people with disabilities, separate from people without disabilities.**

## Example 3: Joe

**Joe and his friends all have Down Syndrome. They are all janitors at the local elementary school. When classes are going on, they go around the school and clean. They also clean the classrooms after school is over. They make minimum wage for their work.**



This is segregated employment. **Joe and his friends are working in the same building as people without disabilities. But, they are doing a different job. They still do not get to be around people without disabilities that much.**

**This type of work is also called an** enclave. **That is when people with disabilities are in the same space as people without disabilities, but are still separated.**

## Example 4: Sally

**Sally works in a fast-food restaurant on weekday afternoons. She started out making the salads. Now, her co-worker without a disability is teaching her how to use the fryer. Sally makes the same amount of money as all of her other co-workers.**

This is integrated employment. **Sally is doing the same work as her co-workers without disabilities. That means it is a "real job." Sally is making the same amount of money as her co-workers. "that means she gets "real wages."**

## Example 5: Harold

**Harold is blind and has an intellectual disability. He gets distracted easily. Harold needs a lot of job training and someone to help him stay on-track. He works in the laundry section of a hotel folding towels and sheets.**

**A job coach helps Harold set up his work station each day and keeps him on-task. Harold works five days a week for three hours each day for minimum wage pay.**

This is integrated employment. **This is an example of what supported employment might look like.**

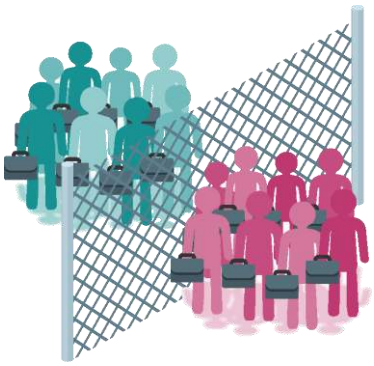
# Glossary

## competitive and integrated employment

**Employment where people with disabilities work in the same place as people without disabilities. Workers with disabilities do the same kind of work as the workers without disabilities. Workers with disabilities are paid the same amount as a worker without disabilities doing the same work.**

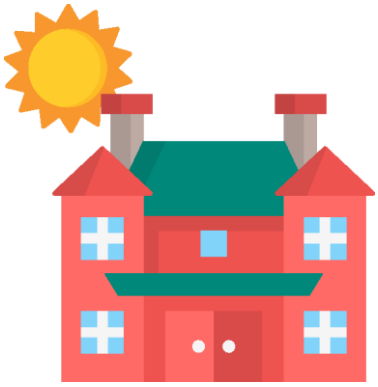
## competitive employment

**Competitive employment means that workers with disabilities are paid the same amount as a worker without disabilities doing the same work.**



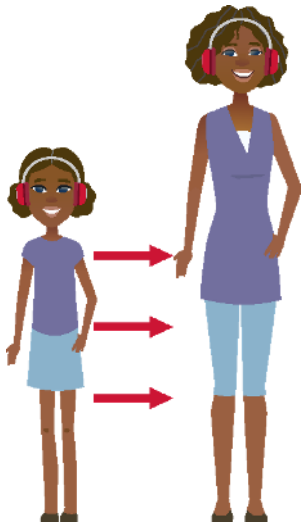
## congregate employment

**Some jobs make people with disabilities work separate from people without disabilities. This is congregate employment. Segregated employment is another name for congregate employment.**



## day habilitation center

**A daytime program for adults with disabilities. "Day programs" and "adult day care" are other names for day habilitation. These places might offer social activities and skill building activities. But, they do not offer employment.**



## developmental disability

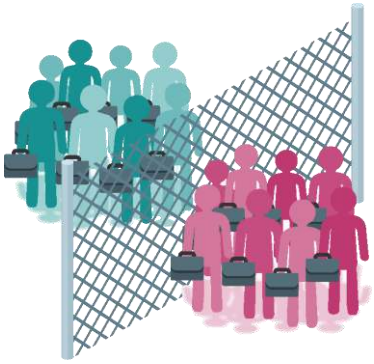
**A lifelong disability that can begin from ages 0-21.**

## employment

**Employment means that you work at a job and get paid for the work you do.**

## Employment First

**Employment First is the idea that people with disabilities should be able to get real work for real pay.**



## enclave

**A type of segregated employment. People with disabilities work in the same space as people without disabilities, but are not doing the same kind of work. Instead, the workers without disabilities supervise the workers with disabilities.**

## integrated employment

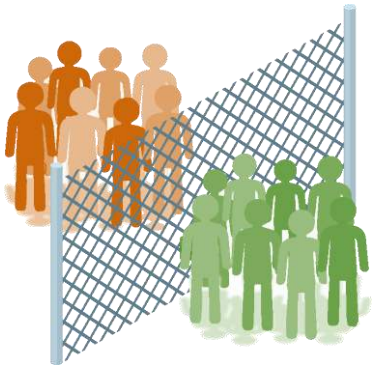
**Integrated employment means that people with disabilities work in the same place as people without disabilities. Workers with disabilities do the same kind of work as the workers without disabilities. A job doesn't count as integrated employment unless it is also "competitive" employment.**

## intellectual disability

**Intellectual disabilities are disabilities that affect everyday life skills. People with intellectual disabilities might learn in a different way. They might say things in a different way. Or, they might need support with things like cooking and house cleaning.**

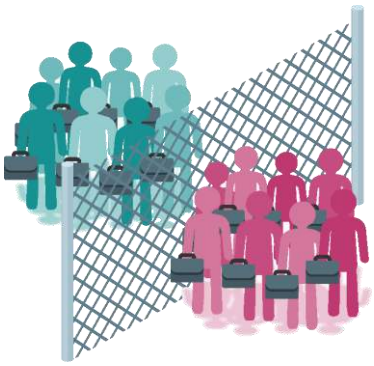
## real work for real pay

**“Real work” means that people with disabilities can get the same kinds of jobs as people without disabilities. “Real pay” means workers with disabilities are paid the same amount as a worker without disabilities doing the same work.**



## segregated

**When groups of people are segregated, they are kept apart from each other.**



## segregated employment

**Some jobs make people with disabilities work separate from people without disabilities. This is segregated employment.**

## sheltered workshop

**Sheltered workshops are places that give jobs to people with disabilities. But, these jobs do not help workers gain skills. Workers often have to do the same task over and over. For example, putting together a toy in a factory. The people with disabilities that work in sheltered workshops do not make much money. They are usually paid less than minimum wage for their work.**

## supported employment

**Supported employment is a kind of integrated employment. Supported employment gives workers with disabilities support at their job. Supports help people with disabilities succeed at work.**

# wages

**Wages are the money you get from working at your job.**

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# Real Work For Real Pay:

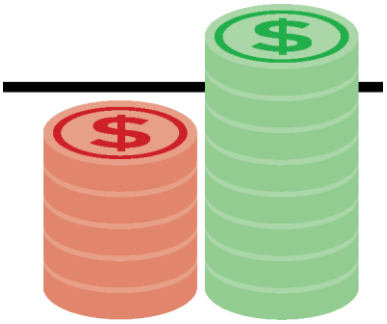
## A Self-Advocate's Guide to Employment Policy

### Part 3: Why do we need Employment First?

# 3. Why do we need Employment First?

## Fair Labor Standards Act Section 14(c)

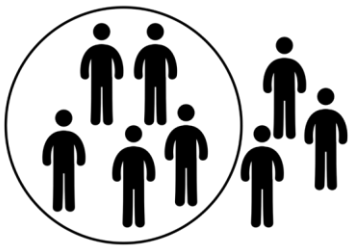
**The Fair Labor Standards Act is a law passed in 1938.**



**The Fair Labor Standards Act did some helpful things. The law made a minimum wage for everyone in the United States.**

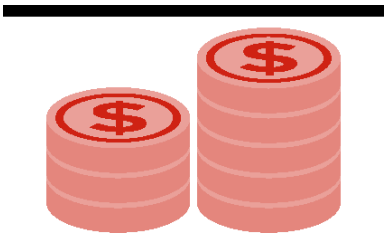
**The minimum wage is the smallest amount that your boss is allowed to pay you for your work.**

**Right now (in September 2018), the minimum wage is $7.25. The law says that workers have to be paid at least $7.25 for every hour of work they do.**



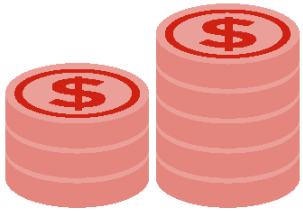
**But the Fair Labor Standards Act leaves out some people.**

**The part of the law that leaves out people with disabilities is called** Section 14(c).

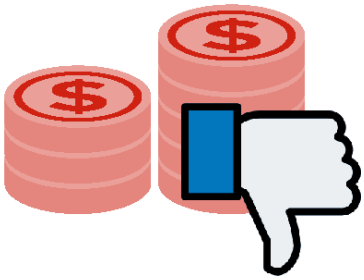


**Section 14(c) lets companies pay people with disabilities less than the minimum wage.**

**Companies get a special piece of paper called a 14(c) certificate. The certificate says that the company is allowed to pay people with disabilities less than the minimum wage.**



**Today, about 141,000 workers with disabilities in the U.S. make less than the minimum wage.[1] This is because of Section 14(c).**



**It is wrong to pay workers with disabilities less than minimum wage.**

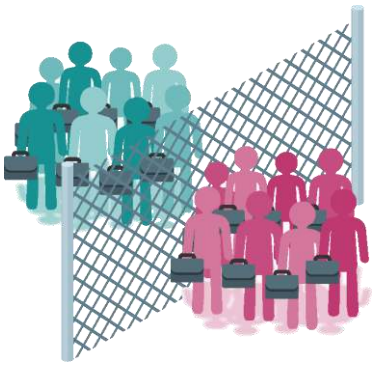
1 https://www.dol.gov/whd/specialemployment/ accessed July 2018

**Because of Section 14(c), many workers with disabilities do not make enough money to survive.**

**Workers with disabilities should be paid fairly.**

# Sheltered workshops

**Most of the companies that have 14(c) certificates run** sheltered workshops. **"Work centers" are another name for sheltered workshops.**

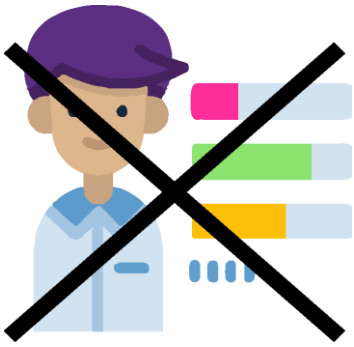


**Sheltered workshops are a kind of** segregated employment**.**

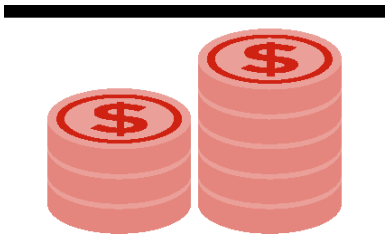
**Only people with disabilities work at sheltered workshops. They work apart from the rest of the community.**

**People in sheltered workshops often have to do the same task over and over.**

**For example, someone working in a sheltered workshop might put paperclips in boxes all day.**



**Working at sheltered workshops does not help workers learn new skills.**

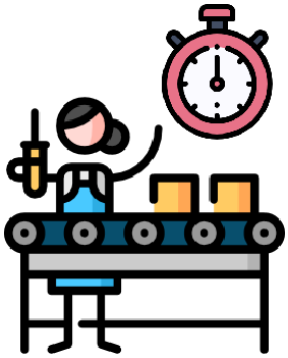


**The people with disabilities that work in sheltered workshops do not make much money. They usually get paid less than minimum wage for their work.**

**Some sheltered workshops pay their workers less than $1 for an hour of work.**

**Even if the sheltered workshop pays the minimum wage, it is still a sheltered workshop. It is still a sheltered workshop because it is segregated work.**

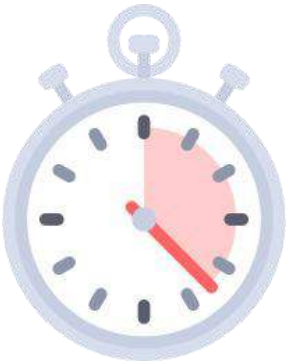
## Sheltered workshops use productivity tests



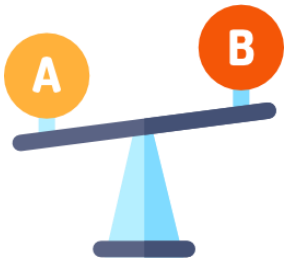
**Sheltered workshops use a test to decide how much money to pay someone. It is called a** productivity test.

**The test is not fair.**

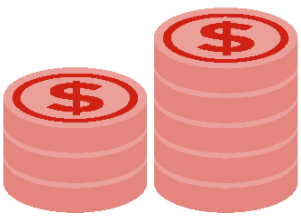
**The test looks at how much work a person with disabilities does in an hour.**



**Then it looks at how much work a person without disabilities does in an hour.**



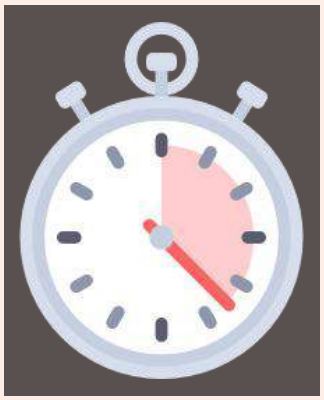

**The test compares how much work both people did.**



**If the person with disabilities did less work, the sheltered workshop can pay them less money. They can even pay them less than minimum wage.**

**Here is an example of how this test works:**

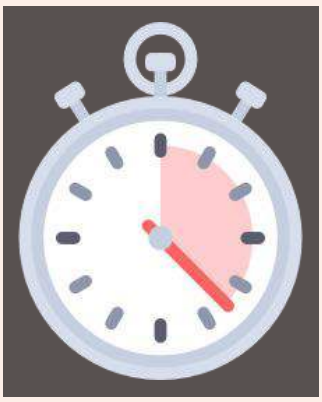
**Mr. Bossman runs a sheltered workshop where workers make toys. All of the workers are people with disabilities.**



**Mr. Bossman times himself making toys for one hour.**

**Mr. Bossman makes 100 toys. He decides this is the right number of toys for 1 person to make in 1 hour.**

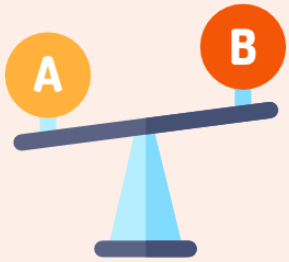
Gemma has a disability. She makes toys at the sheltered workshop. Gemma has to take a test to find out how much money she will get.



Mr. Bossman watches Gemma make toys for an hour.

Gemma is nervous about taking the test. That makes it hard for her to focus.

In one hour, Gemma makes 50 toys. Mr. Bossman writes that number down.




Mr. Bossman compares the number of toys Gemma made, to the number of toys Mr. Bossman made when he took the test.

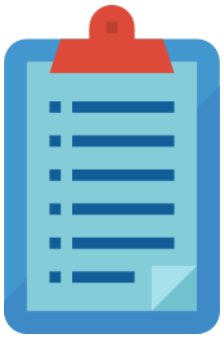
Gemma made 50 toys. Mr. Bossman made 100 toys.

Because Gemma made less toys, Mr. Bossman will pay her less.

## *Productivity tests do not work*

**Companies use productivity tests to decide how much money a worker with disabilities can get.**

**The tests do not really tell companies how good a worker is at their job.**



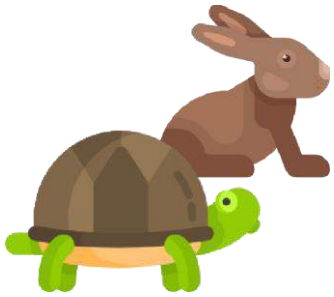
**There are lots of reasons someone might do badly on the test. They might do badly on the test even if they usually work very fast.**

**For example, they might be nervous about the test, like Gemma was. She could not focus very well because she was worried about the test.**

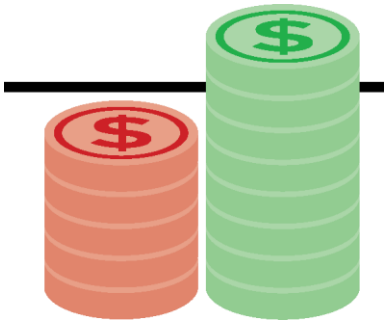
**Companies might use one test to decide how much someone gets paid for many years.**

**Someone could get better at their job but still get paid the same amount. This is a problem.**

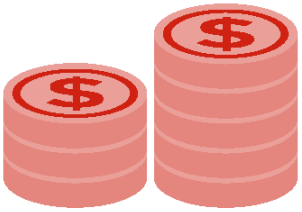
**Productivity tests are unfair because companies do not treat workers without disabilities this way.**



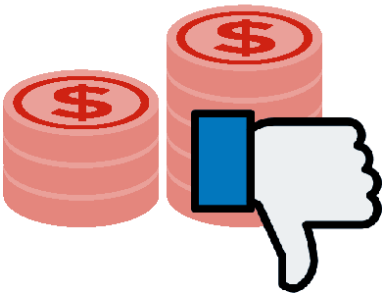
**In any job where a lot of people work together, some people work slower. Some people work faster.**



**Companies still have to pay all their workers at least minimum wage. They have to pay minimum wage no matter how fast or slow the workers are.**

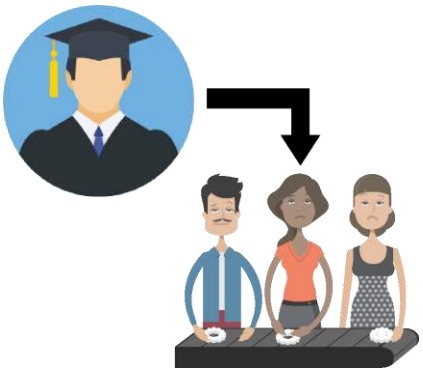


**But if the workers have disabilities and the company has a 14c certificate, the rules change. Their bosses can pay them less than minimum wage.**



**This is wrong. People with disabilities should have the same rights at our jobs as everyone else.**

# Workers with disabilities get pushed into sheltered workshops

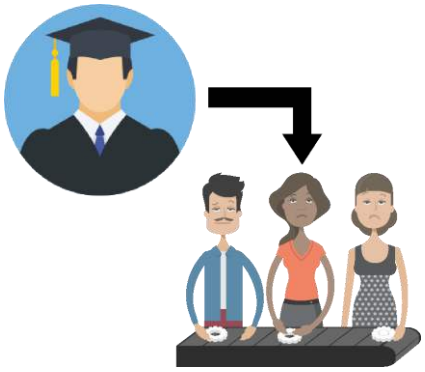


**Many people with disabilities get pushed into sheltered workshops. They go straight from being in school to working in a sheltered workshop.**

**While they are at school, their teachers teach them how to work in a sheltered workshop.**

**Their teachers do not teach them about jobs in the community.**

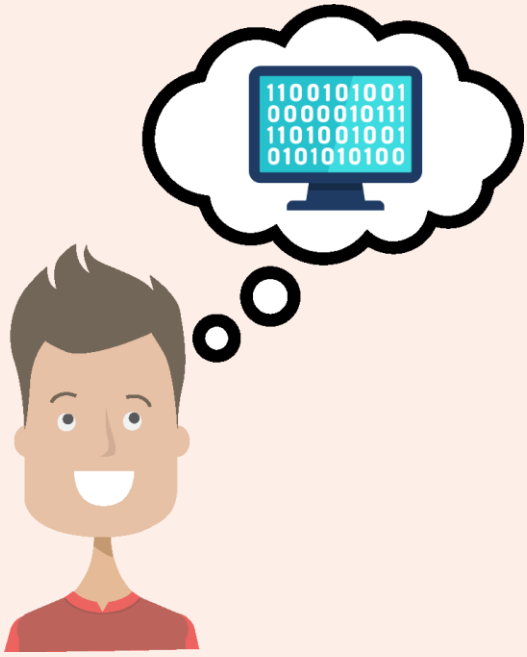
**The students do not get a chance to try real work for real pay.**



**When they leave school, they are sent to sheltered workshops.**

**People will not help them find jobs in the community.**

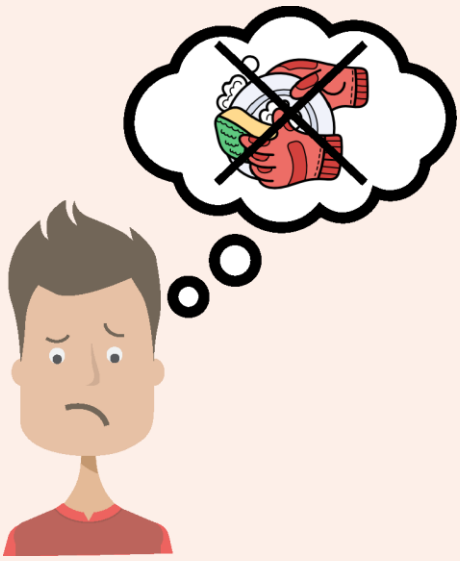
## Here's an example:




**Jamie has a** developmental disability. **He is a senior in high school. Jamie wants to work with computers when he leaves school.**

**Jamie's teachers talk to him about getting ready for a job. For a month, Jamie has to spend time traveling to a sheltered workshop. Working at the sheltered workshop is part of his classes.**

Jamie does different kinds of work at the sheltered workshop. Sometimes he washes dishes. Sometimes he cleans up messes. The sheltered workshop pays Jamie $5 a week.



When Jamie leaves school, he starts getting training to be a dishwasher. He does not really want to be a dishwasher.

The sheltered workshop offers Jamie a job as a dishwasher. The job does not pay very much money. But Jamie feels like it is the only job he knows how to do.

He does not feel like there is another choice if he wants to have a job.

# Integrated employment is the best choice

**Some people think working in a sheltered workshop helps people with disabilities. They think it helps the people with disabilities get integrated employment later. They are wrong.**

**People have done a lot of research about sheltered workshops. They did research to find out if working in a sheltered workshop helps people with disabilities get jobs in the community.**

**They talked to people with disabilities.**

**All of the people had jobs in the community.**

**Some of them went straight to integrated employment.**

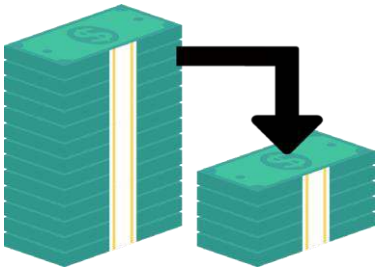
**Some of them worked in sheltered workshops first.**

**Here's what the researchers found out. Working in a sheltered workshop does not help people with disabilities get more jobs.**

**People who never worked in a sheltered workshop did better:**[2]

- **They got more money.**

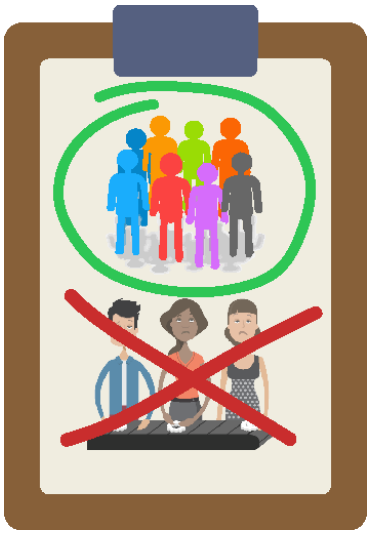
- **They worked more hours.**



- **It cost less money to support them.**

2 Cimera, R. E. (2011). Does being in sheltered workshops improve the employment outcomes of supported employees with intellectual dis- abilities? Journal of Vocational Rehabilitation, 35, 21-27.

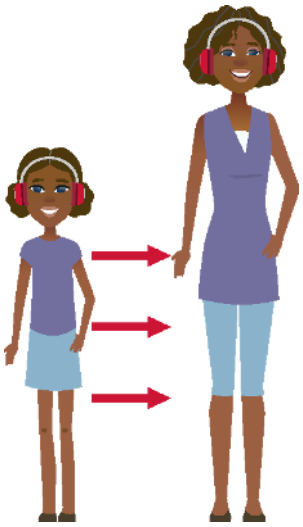
**Researchers asked people who had been in both kinds of jobs which kind they liked better.**



**Most people said they like integrated employment better than being in a sheltered workshop.[3]**

3 Kober, R. & Eggleton, I. R. C. (2005). The effect of different types of employment on quality of life. Journal of Intellectual Disability Research, 49 (10), 756-760; Migliore, A., Mank, D., Grossi, T., & Rogan, P. (2007). Integrated employment or sheltered workshops: Preference of adults with intellectual disabilities, their families and staff. Journal of Vocational Re- habilitation, 26, 5-19; Petrovski, P. & Gleeson, G. (1997). The relationship between job satisfaction and psychological health in people with intel- lectual disability in competitive employment. Journal of Intellectual and Developmental Disability, 22(3), 199-211.

# Glossary



## developmental disability

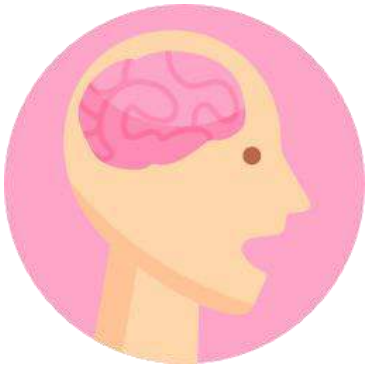
**A lifelong disability that can begin from ages 0-21.**

## Fair Labor Standards Act

**The Fair Labor Standards Act is a law about employment. The Fair Labor Standards Act did some helpful things. For example, the law made a minimum wage for everyone in the United States.**

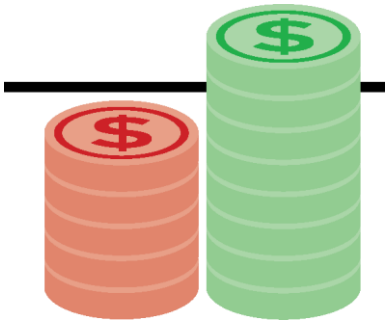
## integrated employment

**Integrated employment means that people with disabilities work in the same place as people without disabilities. Workers with disabilities do the same kind of work as the workers without disabilities. A job doesn't count as integrated employment unless it is also "competitive" employment.**



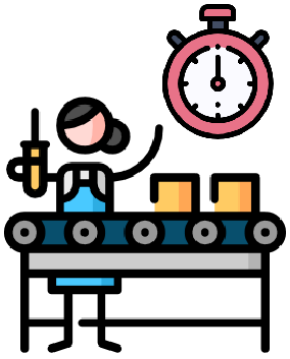
## intellectual disability

**A disability that makes it harder for someone to learn and apply new skills, including communication, social, and self-care skills.**



## minimum wage

**The minimum wage is the smallest amount that your boss can pay you for your work. Right now, the minimum wage is $7.25. The law says that workers have to be paid at least $7.25 for every hour of work they do. It is illegal to pay somebody less than $7.25 for an hour of work.**



## productivity test

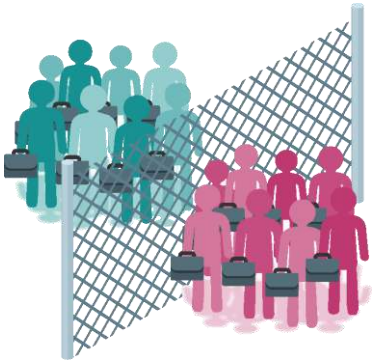
**Sheltered workshops use a productivity test to decide how much money somebody gets. The test looks at how much work a person with disabilities does in an hour. Then, it looks at how much work a person without disabilities does in an hour. The test compares how much work both people did.**

## real work for real pay

**“Real work” means that people with disabilities can get the same kinds of jobs as people without disabilities. “Real pay” means workers with disabilities are paid the same amount as a worker without disabilities doing the same work.**

## Section 14(c)

**Section 14(c) is part of the Fair Labor Standards Act. Section 14(c) lets companies pay people with disabilities less than the minimum wage. Companies get a special piece of paper called a 14(c) certificate. The certificate says that company is allowed to pay people with disabilities less than the minimum wage.**



## segregated employment

**Some jobs make people with disabilities work separate from people without disabilities. This is segregated employment.**

## sheltered workshop

**Sheltered workshops are places that give people with disabilities jobs. But, these jobs do not help workers gain skills. Workers often have to do the same task over and over. For example, putting together a toy in a factory. The people with disabilities that work in sheltered workshops do not make much money. They are usually paid less than minimum wage for their work.**

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