



Department of Justice

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**REMARKS AS PREPARED FOR DELIVERY BY ACTING ASSISTANT ATTORNEY
GENERAL JOCELYN SAMUELS AT PRESS CONFERENCE REGARDING
EMPLOYMENT SERVICES FOR RHODE ISLANDERS WITH DISABILITIES**

PROVIDENCE, R.I.

Good morning. Thank you for joining us today as we announce a landmark settlement agreement between the United States and the state of Rhode Island, vindicating the civil rights of approximately 3,250 individuals across the state with intellectual or developmental disabilities (I/DD).

This case constitutes the nation's first statewide settlement involving the unnecessary segregation of people with disabilities in segregated sheltered workshops and day facilities, in violation of the Americans with Disabilities Act.

- As a result of this settlement, for the first time, Rhode Islanders with I/DD across the state will have opportunities to work at real jobs at competitive wages.
- For the first time, state dollars that fund people with I/DD to participate in segregated, separate day programs will be re-directed to provide integrated, community-based options for non-work hours.
- And for the first time, students with I/DD will get a package of transition services starting at age 14 so that when they leave school, they can land real jobs at competitive wages.

Work is a fundamental part of adult life for people with and without disabilities. It provides a sense of purpose, shaping who we are and how we fit into our community. Meaningful work – being a contributing part of society – is essential to people's economic self-sufficiency, as well as self-esteem and well-being. We are here today to release a settlement that provides for just that – meaningful work – for thousands of Rhode Islanders with disabilities.

This settlement emerges from a nearly year-long process. Last June, my colleague Eve Hill, Deputy Assistant Attorney General of the Civil Rights Division, stood here in Providence and told you the story of the Birch Vocational Program at Providence High School, where we found students with I/DD who spent much of their school days separated from their nondisabled peers, doing tasks like sorting buttons – instead of being taught or prepared for work life after graduation. We told you how the Birch program created a direct pipeline from the segregated high school program to a segregated work setting.

We also told you the story of Steven, who earned less than \$2.00 an hour in a large adult sheltered workshop setting – for over 30 years. We told you how Steven kept asking if he could go back to working at a regular job in the community, to no avail.

Today, however, we're here to tell you a different kind of story. It is the story of opportunity, transformation, and new choices for individuals like Steven and thousands of people like him in sheltered workshops and day programs. It's the promise of the Americans with Disabilities Act, to open the doors of the American workplace to people with disabilities and to abolish the low expectations that have kept people with disabilities shut out of their communities for decades. And it's the promise of the state of Rhode Island to become a national model of integrated services for people with disabilities.

It's also very much the story of the future. It's the story of how a state's commitment to systems change – aligned with the intent and purpose of the ADA – can transform lives. It is the story of sustained commitment to transformation.

And, you will note, it is a story that cannot be told without two essential partners who are with us here today: the state and the business community. I want to commend the state and Governor Chafee for the cooperative spirit that the state brought to the negotiations resulting in this groundbreaking agreement. I also want to commend members of the business community here today for their equally affirmative response to the interim settlement agreement that was reached last summer, and for pledges already made by business to get people with disabilities out working in regular jobs at competitive wages in the community.

What does sustained commitment to integrated work options for people with disabilities look like?

First and foremost, sustained commitment means that a state commits to real job placements for people with disabilities.

Under today's agreement, the state of Rhode Island pledges to help 2,000 people with intellectual or developmental disabilities who are now in sheltered workshops or day programs, or who have recently left high school, find, get, keep and succeed in real jobs with real wages – typical jobs out in the community, the kind of jobs available to people without disabilities: jobs that pay a competitive wage, jobs that are individual jobs (not “group” employment, as we see sometimes with respect to people with IDD), and jobs that allow people to work as many hours as they can.

Importantly, under this agreement, the state pledges to help another 1,250 students with IDD get the transition services they need – including internships, job site visits and mentoring – that will lead to real jobs with real wages.

Second, sustained commitment is when a state guarantees quality services. Every requirement in this agreement contains quality indicators – ways in which services will be measured and reported. Under this agreement, supported employment placements will meet three critical quality indicators:

- They are individual, typical jobs in the community;
- They pay at least minimum wage;
- And they offer employment for the maximum hours consistent with the person's abilities and preferences, amounting to an average of at least 20 hours a week across the whole target population.

Finally, sustained commitment is when a state ensures funding. Not just funding this year, and not just lip service to the idea of future funding. Under this agreement, Rhode Island commits to significant funding sustained over a ten-year period that re-directs funds currently used to support services in segregated settings to those that incentivize services in integrated settings. And in the long run, we expect costs of services for individuals in competitive integrated jobs to be equivalent to, or even less than, the cost of segregated workshops and day programs – because those individuals may reduce their reliance on employment supports and on public benefits, and may even start giving back to the state in the form of taxes and participation in the greater economy.

And what about the business partners here today -- what difference does it make to business if a state demonstrates sustained commitment to integrated employment settings for people with disabilities?

For business, this commitment provides certainty -- that services necessary to support individuals with I/DD in competitive, integrated jobs will not disappear, come the next administration, or the next legislature; that the array of job developers, job coaches, and other professionals necessary for this support won't shrink; and that the infrastructure of partnership with state agencies won't all be for naught.

Business is here with us today because of the sustained commitment demonstrated by Rhode Island. Well-meaning directives to underfunded and overburdened state agencies -- without established outcomes, quality measures, or sustained long-term funding -- do not result in effective systems change. Under this agreement, Rhode Island is committing to hold itself accountable for results and for being a full partner with business and the disability community.

This agreement also expands choice regarding non-work activities. Under this agreement, people with I/DD will get opportunities to pursue the same kinds of activities out in the larger community – whether educational, leisure or volunteer activities – that nondisabled people choose to pursue. Instead of funding providers to house people with disabilities together at a single facility all day, the agreement requires that integrated options be offered. To ensure informed choice, individuals with I/DD may also remain in sheltered programs if they request a variance after they have received a vocational assessment, a trial work experience, outreach information and benefits counseling.

All of these factors demonstrate the state's sustained commitment to transformation. And it's why the United States Business Leadership Network is here. It's why Walgreens is here. And it's why companies like Gregg's Restaurant, TJ Maxx and CVS are already working to get Rhode Islanders with I/DD great job opportunities.

How powerful can such a partnership be? In June 2013, the Department of Justice entered into an interim settlement agreement with the state of Rhode Island and the city of Providence, requiring the state and city to provide the employment services necessary to help workers at one large adult workshop and students at a school-based workshop move into integrated, competitive-wage jobs. Both the state and business stepped up to the plate. The change in individual lives has been remarkable – you can read about a few of them in the profiles in the press packet. Some of the individuals who already received relief under the interim settlement and are working in the community are here today.

Steven, the man mentioned at the start of my remarks who was earning \$2.00 an hour for decades now earns minimum wage at Alternative Business Solutions, a small business headquartered in Warwick, and is pursuing computer training.

Pedro, a student at the Birch School sheltered workshop, was earning just 48 cents an hour. Pedro now makes minimum wage working in the kitchen at Gregg's Restaurant, an employer in the community who is here with us today. Pedro is known at the restaurant for his positive work ethic and his commitment to teamwork, and just a few months after starting work at the restaurant, Pedro was selected as Employee of the Month. His manager said that Pedro "has changed the culture of the company by inspiring everyone around him to reach higher; he has led by example."

Peter, another former sheltered workshop service recipient who was earning approximately \$1.50 an hour, now has a job earning more than minimum wage working for the state of Rhode Island as a custodian at a hospital. Peter points out that janitorial work is a great fit for him because he is "good with his hands and loves to clean," and that he has a great relationship with his supervisors, who trust him to accomplish his work independently. Peter has recently completed driving lessons, received his driver's license and just last week purchased his first car. He is most excited about cruising around in spring weather with his sunroof open. He has a 401(a) retirement savings account and puts money away each pay period for the future. In response to his SSI benefits decreasing because of his increased salary, Peter said: "I'm not worried about it too much – getting off benefits is what I want." Peter has been together with his fiancée Laurie for almost five years. They met at sheltered workshops, but she is now in a training program at Hampton Inn, and they are both working in the community. Although Lori was in a sheltered workshop for almost 30 years, she has a talent for organization and orderliness, and truly enjoys her responsibilities at the hotel. She said: "I couldn't wait to get out of the workshop. All we did was sit around all day and wait for the day to end. But now I'm so busy and the time flies by...I love it."

Louis has gone from rote tasks at the sheltered workshop to a full time position at Eleanor Slater Hospital, where he uses his strong computer skills and passion for mathematics to generate Excel reports, record timesheets and complete other office tasks. He drives to and from his job, and his mother says that in just a short time in his new job, "Louis has come out of his shell and his confidence levels are through the roof."

This year, we are celebrating the 50th anniversary of the Civil Rights Act of 1964, the landmark legislation that outlawed discrimination on the basis of race, color, religion, sex and national origin. It ended segregation in schools, at the workplace, and by facilities that served the general public. Similarly, the ADA calls for an end to segregation based on disability. Yet, approximately 450,000 people with intellectual or developmental disabilities across our nation spend their days in segregated sheltered workshops or in segregated day programs.

Unnecessary segregation of people with disabilities is harmful to people with disabilities and to our communities. We cannot wait another day to change. And we won't. Because today, the Justice Department, the state of Rhode Island and the business community, together, embrace real integration of people with disabilities – committing to make Rhode Island a model for other states to follow.