

## Guideposts for Success

### States Engaging Employers through Policy

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First released by the U.S. Department of Labor's Office of Disability Employment Policy (ODEP) in 2005, the [Guideposts for Success](#) sought to answer the central question, "What do all youth need to make a successful transition to adulthood?" This first-of-its-kind policy framework provided policymakers and practitioners with an evidence-based guide to foster improved education and employment outcomes for youth and young adults with disabilities (Y&YADs).

The initial Guideposts for Success did not address how states can engage employers; a subsequent framework, "Guideposts for Employer Success," did.

However, successful transitions rely on employers to provide work-based learning experiences, offer mentorship and support, and hire Y&YADs. Now, a decade after its publication and three years after the COVID-19 pandemic, with the employment landscape dramatically altered, it is imperative to reassess the role states can play in supporting employers and promoting successful transitions for Y&YADs. To this end, "States Engaging Employers through Policy" offers policy considerations to assist entities such as employer organizations, state and regional business councils, and state and local governments in increasing employers' engagement with Y&YADs. These policy considerations include:

- a. Developing structures for states to become model employers of Y&YADs.**
- b. Simplifying current incentives and introducing new incentives to encourage employers to develop inclusive workplace practices.**
- c. Facilitating telework to adapt to changes in the world of work.**
- d. Educating employers about the business case for their participation in and support of Y&YADs in work preparation programs.**
- e. Assembling tools guided and developed in partnership with national centers and employer organizations and disseminating them at the state and local levels.**
- f. Enhancing existing state workforce systems to foster equitable access.**

# Policy Considerations

## a. Developing Structures for States to Become Model Employers of Y&YADs

Policymakers have a unique opportunity to set standards for establishing inclusive workplace practices, both within state agencies and among state government contractors. Section 501 of the Rehabilitation Act of 1973 requires federal executive branch agencies, as employers, to adopt and implement affirmative action plans for the employment of people with disabilities. These plans can serve as models for states to follow when developing goals for increasing the employment of people with disabilities within state service. The [State Exchange on Employment and Disability](#) (SEED), an initiative of ODEP, provides guidance to states on becoming model employers. Specifically, the “State as a Model Employer of People with Disabilities” guidance includes:

- **Promoting diversity, equity, inclusion and accessibility initiatives**, including affirmative/positive action efforts focused specifically on people with disabilities.
- **Introducing a fast-track or other affirmative hiring system** to enable employment of people with disabilities such as specialized appointment lists for noncompetitive hiring, hiring preferences and public sector apprenticeships.
- **Promoting advancement and retention policies and procedures** related to reasonable accommodations, centralized accommodation programs, telework, stay-at-work and return-to-work.
- **Developing accessible websites**, online systems, mobile apps and other forms of information and communication technology.
- **Offering workplace personal assistance services** to support employees with disabilities with performing activities of daily living on the job.
- **Providing disability awareness training** of state personnel.
- **Adopting formal mechanisms**, including legislation and executive orders, to commit states to become model employers of people with disabilities.
- **Creating cabinet positions**, task forces, working groups and advisory committees to elevate and address issues affecting people with disabilities served by state government agencies.
- **Cultivating comprehensive government-wide strategic plans** to advance employment of people with disabilities.



## b. Simplifying Current Incentives and Introducing New Incentives to Encourage Employers to Develop Inclusive Workplace Practices

In recent years, research, such as Accenture's, "[Getting to Equal: The Disability Inclusion Advantage](#)," demonstrates that employers who implement disability inclusion best practices have 28 percent higher revenue, double the net income and 30 percent higher economic profit margins than their peers. In addition, these employers exhibit improved innovation, productivity, reputation and increased market share. What's more, having a focus on inclusion can open doors to the \$490 billion disposable income of working-age persons with disabilities.

Many employers, however, do not know where to access appropriate information to increase workplace inclusion, and, in some instances, find conflicting information. One area of confusion is the [Work Opportunity Tax Credit](#) (WOTC), a federal tax credit available to employers for hiring individuals from certain target groups who have consistently faced significant barriers to employment, including people with disabilities. While one study highlighted the positive effects of the WOTC among veterans with disabilities, some employers still express misgivings about it and other [federal tax incentives](#). Both Accenture and the Government Accountability Office have found the WOTC to be of limited use and effect. Studies in countries like Sweden and Switzerland also failed to substantiate the positive effects of 'employers' use of government-provided wage subsidies. Further, the limited evidence of the effectiveness of these incentives may be hindered by prevailing myths about utilizing tax credits, including:

- **The perceived limited value of the WOTC.**
- **The low retention of WOTC hires that limit the value of the tax credits.**
- **The rigorous paperwork requirements.**

Considering the differing perspectives on tax incentives, two potential considerations states can use to incentivize businesses to engage in inclusive hiring practices emerge:

1. Policymakers may consider introducing state level policy and tax-incentives similar, or complementary to, the WOTC involving the establishment of goals to hire people with disabilities and simplify reporting for tax purposes. Employers could report either quarterly or annually to their state tax department the percentage of people who voluntarily self-identify as having a qualifying disability within their workforce to receive an automatic tax credit. However, legal requirements concerning confidentiality and the parameters of disclosure under the Americans with Disabilities Act (ADA) must be understood by employers. Businesses should remain diligent in protecting the privacy of employees and obtaining consent for inclusion in the incentive program.
2. Policymakers may explore funding state-level employer resource centers to offer tools and information to employers to encourage employment of people with disabilities. Using information from the [Employer Assistance and Resource Network on Disability Inclusion](#) (EARN), these centers could work with local employer organizations to expand knowledge and implement inclusive workplace practices and collaborate to scale practices to small-, medium- and large-sized employers.





## C. Facilitating Telework to Adapt to Changes in the World of Work

While the COVID-19 pandemic disrupted the world of work, increased telework options have the potential to open opportunities that previously were not available for many individuals with disabilities, including those with significant disabilities. The new world of work offers Y&YADs:

- **An option to telework.** For some Y&YADs, telework limits transportation barriers and provides time to address health care needs, such as medical treatment and assistance with personal hygiene.
- **Opportunities to reimagine position requirements** through flexible work schedules, hybrid work schedules and condensed workweeks.
- **Work environments prioritizing technology skills**, where “digital native” youth may have extensive experience.

There is also an increasingly competitive market for teleworking jobs among the general workforce. A report by LinkedIn in 2022 indicated remote jobs received 50 percent of all submitted applications, but only 20 percent of the jobs were posted as remote (Lewis, 2022). As a result, employers need to be encouraged to maintain these remote working options, not only as flexibilities for increasing access to talent generally, but also as [a reasonable accommodation](#) under the ADA when not offered broadly (Equal Employment Opportunity Commission, 2021).

One way policymakers can facilitate equitable access to telework and careers for Y&YADs within the state

is by implementing State as a Model Employer Initiatives. For instance, [Oklahoma](#) and [Maryland](#) established strong policies to support telework opportunities for individuals with disabilities to obtain state employment. States can emulate these efforts by considering how to form new policy and legislation to increase employment of Y&YADs.



### [Oklahoma HB 2062 \(2013\)](#)

established a statewide assistance telework program to make telework accessible for state employees with disabilities. Under this legislation, state agencies are required to use accessible information technology platforms and to comply with the requirements of Section 508 of the Rehabilitation Act. This program also gave state agencies access to support and resources about accessible telework. States can seek to replicate, expand or enhance this model by establishing telework assistance programs that not only provide access to resources about accessible telework to state agencies but also to private businesses as well, thereby broadening the reach of such a policy.



### [Maryland HB 73 \(2021\)](#) established an Office of Telework Assistance and a Business Telework Assistance grant

program to assist businesses in implementing telework policies. In addition, this legislation required state and local government agencies to establish telework programs, policies, and guidelines. Prior to this, in 2019, Maryland created a [telework manual](#) to highlight opportunities to leverage telework to employ individuals with disabilities.



## d. Educating Employers About the Business Case for their participation and support of Y&YADs in Work Preparation Programs

Across the U.S., state and local workforce programs assist employers in accessing the pipeline of Y&YADs. Policymakers can support youth in achieving positive employment outcomes by providing access to programming premised on key indicators of post-school success, including participation in school-based transition programs, paid employment experiences, work-study programs and career and technical education programs (Mazzotti et al., 2020). However, strong employer relationships are critical to effective work-based learning experiences.

To encourage employers to support youth in work-based learning, it is important that employers understand how work-based learning benefits their interests. Jobs for the Future, a national nonprofit that drives change in the American workforce and education systems, highlighted the business case for work-based learning opportunities, which included improved productivity, increased innovation, improved employee engagement and enhanced diversity and inclusion (Seleznow & Ward, 2020). In addition, the Partnership on Inclusive Apprenticeship, a project funded by ODEP that advances policies and practices to drive inclusive apprenticeship programs in high-growth/high-demand fields and industries, identified the benefits of disability-inclusive apprenticeships, including higher productivity, reduced training costs, lowered turnover and an expanded talent pool. Given that many employers may not be aware of these benefits, policymakers can educate employers about the advantages associated with their participation in and support of work-based learning, and about

opportunities and strategies for engaging with community partners to implement them.

Through targeted policy, tools and technical assistance, policymakers can encourage employers to offer work-based learning, apprenticeship and other career and technical education programs to meet their workforce needs, now and into the future. One example policymakers can look to is the [Ohio Department of Education's Career Connections portal](#), which promotes business engagement in work-based learning through [business advisory councils](#) and other promising practices for businesses.

While a myriad of apprenticeship programs exists across the U.S., apprenticeship systems are also finding new ways to facilitate inclusive practices. For example, [Michigan](#) and [Oregon](#) have developed return-on-investment calculators for employers to explore the impact of inclusive apprenticeships. In [California](#), AB 1019 (2019) expanded the Subcommittee on Apprenticeships to include people with disabilities, the Director of Rehabilitation, and the Executive Director of the State Council on Developmental Disabilities, with the goal of increasing opportunities for the development of inclusive apprenticeships. [Ohio's](#) Opportunities for Ohioans with Disabilities Vocational Apprenticeship Program develops apprenticeships within state government for people with disabilities, providing an inclusive approach for other states to follow.



## e. Assembling Tools Guided and Developed in Partnership with National Centers and Employer Organizations and Disseminating Them at the State and Local Levels

While policymakers in some states have paved a road between the talent of Y&YADs and the labor market, the potential for increasing the number and types of these connections remains high. Many employers are seeking to access the full labor force, but they lack information about how to make their workplaces accessible for employees with disabilities (Lindsey et al., 2015). While models exist to facilitate greater inclusion and accessibility, a comprehensive model that supports employers in promoting disability inclusion across all levels of their organization is needed. (Lindsey et al., 2015). Effective policy considers how to influence all these levels. State policymakers can work with and utilize

information and tools disseminated by EARN, the [Job Accommodation Network](#), SEED, regional [ADA](#) centers, the [Center for Advancing Policy on Employment for Youth](#) (CAPE-Youth), and other national resources as catalysts to drive state and local level initiatives with employers. To date, CAPE-Youth has provided direct technical assistance to 36 states in support of this goal. In addition, other centers, like the [National Technical Assistance Center on Transition – The Collaborative](#) (NTACT-C) are engaging states through universal, targeted and intensive technical assistance efforts to support the successful transition of Y&YADs into adulthood.

## f. Enhancing Existing State Workforce Systems to Foster Equitable Access

Section 504 of the Rehabilitation Act requires entities receiving federal financial assistance, such as programs and activities funded by the Workforce Innovation and Opportunity Act (WIOA) of 2014, to be accessible to individuals with disabilities. While these provisions do not require entities to employ a certain percentage of people with disabilities, they do prohibit discrimination by state workforce systems based on disability, support disability inclusion and promote access to equal opportunity. To support states in implementing these provisions, the U.S. Department of Labor published the [“Promising Practices in Achieving Nondiscrimination and Equal Opportunity: A Section 188 Disability Reference Guide.”](#) Section 188 is the WIOA provision that addresses disability nondiscrimination. WIOA partners at the state level can leverage this guide to initiate needed changes within their programs and services to increase inclusion of Y&YADs in state workforce systems, including youth-focused programs implemented in coordination with employers.

New York took steps to support Section 188 implementation through the [New York Systems Change and Inclusive Opportunities Network](#) (SCION). Specifically, in 2021, New York committed \$11.1 million in federal workforce development funds to expand its already successful network of Disability Resource Coordinators (DRCs) to serve as the frontline in helping people with disabilities navigate workforce and other systems to secure gainful employment. The ODEP and Employment and Training Administration-funded Disability Employment Initiative initially funded DRCs in select areas, and SCION expands this to all 33 local workforce development areas to better serve individuals with disabilities in American Job Centers (AJCs).



## Conclusion

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Increasing employment opportunities for Y&YADs is a complex, multi-faceted challenge requiring systemic change on a variety of levels, with special relevance at the state level due to the state-based structure of workforce development systems and services. Because employers are key partners in the employment equation, “Engaging Employers through Policy” provides state policymakers with strategies to encourage, incentivize, educate and support employers in hiring and providing work-based learning opportunities to Y&YADs. These include:

- Developing strong structures to establish states as model employers.
- Offering and simplifying tax incentives.
- Assisting and supporting employers to capitalize on the advantages of telework.
- Educating employers about the business case for participation in and support of work-based learning, apprenticeships and career and technical education programs.
- Leveraging technical assistance resources to drive state and local employer initiatives.



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