



**House Labor and Industry Committee Public Hearing on  
House Bill 2130, The Employment First Act  
September 13, 2016  
Harrisburg, Pennsylvania**

**Testimony of Disability Rights Pennsylvania (DRP)  
Presented by: Peri Jude Radecic  
Chief Executive Officer**

Good morning Mr. Chair and members of the Committee.

Thank you for inviting me to give testimony today on House Bill 2130 an act to establish Pennsylvania as an Employment First state.

My name is Peri Jude Radecic. I am the Chief Executive Officer of Disability Rights Pennsylvania, the federally mandated and state designated Protection and Advocacy system for persons with disabilities in Pennsylvania.

Disability Rights Pennsylvania has been providing legal and advocacy services to persons with disabilities in Pennsylvania for nearly 40 years.

Our staff at Disability Rights Pennsylvania have had the opportunity to work with the issue of employment for persons with disabilities from many angles. Our staff provides advice and guidance with respect to allegations of employment discrimination and reasonable accommodations. We offer benefits counseling to persons who receive social security disability insurance so persons with disability can go back to work. We help people with disabilities on social security overcome barriers to work to regain their independence. Our staff provides parents with support and representation in special education so that their child's IEP is implemented and a transition plan is followed, which includes employment.

Disability Rights Pennsylvania is also an employer of persons with disabilities. I can tell you first hand that hiring and accommodating persons with disabilities can be easily addressed.

People with disabilities comprise about one in six residents in Pennsylvania, totaling about 1.8 million people.<sup>i</sup> This includes about 1 million adults ages 21 to 64,<sup>ii</sup> including about 181,000 SSI beneficiaries.<sup>iii</sup> This also includes 60,000 transition-age youth ages 16 to 20.<sup>iv</sup>

Many people with disabilities want to work in the community and earn a living wage, but the employment rate for people with disabilities remains dire. From 2008 to 2012, about 34% of people with disabilities ages 16 to 64 were in the labor force, compared to about 75% of those without disabilities.<sup>v</sup> In 2012, only about 33% of individuals with disabilities ages 16 to 64 were employed (only 20% employed full time, full year).<sup>vi</sup> Only about 21% of youth with disabilities ages 16 to 20 were employed in 2012.<sup>vii</sup> “[I]t is estimated that 75% of the people with intellectual and developmental disabilities remain in segregated, sheltered work or day programs with the numbers in segregated employment actually on the rise.”<sup>viii</sup>

The Americans with Disabilities Act intended for there to be competitive and integrated employment. Congress spent a good deal of time taking testimony from the community on the rate of poverty and unemployment for persons with disabilities. As a result, reasonable accommodation and integration are set forth in Titles I and II of the Americans with Disabilities Act. The very purpose of Title I reflects that “(1) physical or mental disabilities in no way diminish a person's right to fully participate in all aspects of society, yet many people with physical or mental disabilities have been precluded from doing so because of discrimination; others who have a record of a disability or are regarded as having a disability also have been subjected to discrimination; (2) Historically, society has tended to isolate and segregate individuals with disabilities, and, despite some improvements, such forms of discrimination against individuals with disabilities continue to be a serious and pervasive social problem. . .”<sup>ix</sup>

There is a growing movement to increase competitive integrated employment opportunities. Thirteen (13) states now have Employment First legislation. More states have Executive Orders. The Workforce Innovation and Opportunities Act requires competitive integrated employment opportunities for youth and adults.<sup>x</sup>

House Bill 2130 is consistent with the federal Americans with Disabilities Act and an important first step to increase the opportunities for integrated competitive employment for people with disabilities. The legislation has all of the critical elements for a successful program. The legislation creates Employment First as the official policy of the State of Pennsylvania. The legislation establishes Employment First Oversight Commission and The Employment First State Coordinating Council. It also includes an assessment of the Employment First Program by requiring annual reporting by various agencies and information sharing across agencies to implement the program.

Additionally, House Bill 2130 means real jobs with real wages at real places for Pennsylvanians with disabilities.

If those jobs come with health insurance, then Medicaid is the secondary health insurance.

Every dollar the person with a disability earns is a dollar that she or he will pay taxes on.

Not only is Employment First better for persons with disabilities in terms of integration and self-sufficiency, it is better for the state.

Pennsylvania has a proud history of leading the country with respect to expanding community-based opportunities for persons with disabilities.

People with disabilities want and deserve full lives in the community. House Bill 2130 makes great progress toward this end. This legislature has opened many doors for people with disabilities. You have opened up community living choices. You have opened the classroom doors to children with disabilities. Although we have come a long way in some aspects of community participation, the employment picture for Pennsylvanians with disabilities remains bleak. Youth and adults with disabilities need more employment opportunities. House Bill 2130 will help to solve this problem. I ask you to open up the door to more employment option for people with disabilities. Please make Employment First a reality in Pennsylvania.

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- <sup>i</sup> Local Disability Data for Planners, Disability Population Statistics for Pennsylvania (2005-2007), [http://disabilityplanningdata.com/site/state\\_population\\_table.php?state=pennsylvania](http://disabilityplanningdata.com/site/state_population_table.php?state=pennsylvania); Disability Statistics, <http://www.disabilitystatistics.org/reports/acs.cfm?statistic=1>; Pennsylvania State Data Center Research Brief (Sept. 9, 2014), [http://pasdc.hbg.psu.edu/sdc/pasdc\\_files/researchbriefs/Disability\\_RB.pdf](http://pasdc.hbg.psu.edu/sdc/pasdc_files/researchbriefs/Disability_RB.pdf).
- <sup>ii</sup> Local Disability Data for Planners, supra note 1; Disability Statistics, supra note 1; Pennsylvania State Data Center, supra note 1; U.S. Census 2000, Disability Status: 2000, Census 2000 Brief (March 2003), <http://www.census.gov/prod/2003pubs/c2kbr-17.pdf>.
- <sup>iii</sup> Disability Statistics, supra note 1.
- <sup>iv</sup> Local Disability Data for Planners, supra note 1; Disability Statistics, supra note 1; Pennsylvania State Data Center, supra note 1; U.S. Census 2000, supra note 2.
- <sup>v</sup> Pennsylvania State Data Center Research Brief, supra note 1.
- <sup>vi</sup> Disability Statistics, supra note 1.
- <sup>vii</sup> Id.; see also Butterworth et al., Institute for Community Inclusion, Trends in Employment Outcomes of Young Adults with Intellectual and Developmental Disabilities, 2004–2012 (June 14, 2014).
- <sup>viii</sup> Bryan Dague, Sheltered employment, sheltered lives: family perspectives of conversion to community-based employment, Journal of Vocational Rehabilitation at 1 (2012).
- <sup>ix</sup> 42 U.S.C. § 12101 et seq.
- <sup>x</sup> Public Law 113-128 (July 22, 2014); see David Hoff, APSE, “WIA and Rehabilitation Act Reauthorization: Finally Done!” (July 2014), <http://www.apse.org/wp-content/uploads/2014/07/WOIA-APSE-Final-Bill-Summary-7-22-14.pdf>.

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