Employment First

Pathway to Employment
Pathway to Integration
Pathway out of Poverty

"Working together to build a more prosperous Wyoming."

Wyoming Department of Health

Commit to your health.

BEHAVIORAL HEALTH DIVISION

Employment First Planning Guide

For adults ages 16+ with Intellectual Disabilities, their families, and the Circle of support.

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Developmental Disabilities Section
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Introduction

The influence that parents, family, friends, teachers, and providers have on people with disabilities can be both influential and powerful. When it comes to setting expectations about work, those involved in the lives of people with disabilities need to convey the expectation that people with disabilities can work, can contribute, and can find great satisfaction in being part of the world of work.

People WORK for many reasons. For some, it provides a sense of self or meaning in one's life; for others, it is the social context of meeting and associating with others in a common effort or goal; and for still others, it is the means by which to gain status, either personal or economic, which allows for choice and discretion in determining one's "quality of life."

What Makes Life Good?

When asked, ***"What makes life good?"*** almost all people identify the same core components. While different people will use different words to describe a component or more highly value one component over another, the list of components is consistently the same:

- Freedom of choice and ease of access to the community;
- Positive, interdependent relationships with family and friends;
- A safe, comfortable home in a safe neighborhood;
- Being respected, included in and a member of your culture and community;
- Good health and access to good health care;
- Enjoying one's personal choice of hobbies, recreation, and leisure activities; and
- Satisfying employment and the economic benefits of contributing through work.

Although employment outcomes for individuals with disabilities still lag behind those compared to individuals without disabilities, it is clear that enormous barriers to employment are being overcome. It is far more common now to see people with disabilities in a wide range of jobs throughout the community than it was even a decade ago.

Supported employment is an alternative to traditional sheltered and competitive employment approaches. It is an attempt to meet the specific needs of individuals with disabilities and is based on fundamentally different principles and assumptions. The supported work model assumes that all individuals, regardless of the nature or extent of their disabilities, should have the opportunity and support to work in the community. There are no pre-requisite skills needed for community job success. Therefore, the task is not to identify and place "work ready" individuals, but rather to locate and/or modify meaningful jobs in the community and provide training and supports at the job site.

Supported employment will often take the form of "customized" employment. Customized employment is a flexible process designed to personalize the employment relationship between a job candidate and an employer in a way that meets the needs of both. It is based on an individualized match between the strengths, conditions, and interests of job candidate and the identified business needs of an employer. Customized employment utilizes an individualized approach to employment planning and job development – one person at a time, and one employer at a time.

This Employment Planning Guide is designed to help parents, participants, and providers start the process of finding competitive work for people with disabilities; learn about the resources, services, and the programs available to help people with disabilities in Wyoming pursue their own unique path to work, a career, and participate in community life.

"Given the choice between work and idleness, people will almost always choose work. Regardless of our station in life, the condition of our bodies and minds, or the amount of money in our bank accounts, the need to work remains one of our strongest drives. Work is central to our lives, and as such, gives a large measure of structure to our days. Common sense tells us that we feel better about ourselves when we are working regularly."

~Robert Drake, M.D.,

Meet Jane

Let's look at an example of what the new employment pathway might do for a participant.

We want to introduce a fictional waiver participant, Jane, who is a based upon people we know in Wyoming receiving services. We want to describe how the new employment pathway can realistically work for someone and change his or her life.

Jane has been going to day services and working in an enclave at the recycling center, and she receives group supported employment. Jane's team of family and providers encouraged her to start looking for other employment opportunities with the new employment services on the waiver.

At her team meeting, Jane and her team discuss what type of work she would like and want to do if she did not work at the recycling center. They ask her where in town she would like to work. They find out she likes flowers and gardening centers in stores, so they make a plan to set up mentor sites at flower shops and garden centers in department stores using the Employment Discovery and Customization service.

As Jane continues to work at the recycling center, her direct care staff start working with her on non-job-specific, work-related tasks that she might need for competitive employment at a flower shop through Prevocational Services. They also work with her on learning specific tasks in Group Supported Employment that would assist her in working with customers from the public.

Jane's staff helps her meet with the local Department of Vocational Rehabilitation office (DVR) and make an employment plan. After DVR opens a case and pays for job development, a job coach helps Jane fill out employment applications and assists her with interviewing for jobs.

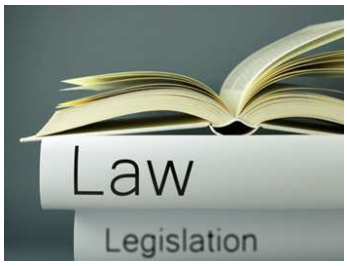
Finally, Jane finds a job working in a flower shop four days a week. DVR pays for supported employment for the time that she needs to obtain and maintain her job. Once she is successful and no longer needs a full-time job coach, DVR puts her case into "Status 22 – Employed." If during this time she needs a job coach,

the waiver will then pay for this service. ***(Please note: DVR cannot close a case successfully when services are still being offered. DVR must go three months or 90 days without paying for any services before they are able to close out a case successfully.)*** Participants, providers, and parents, must be aware of this DVR requirement.

Due to difficulty in learning all of her job tasks, Jane uses Individual Supported Employment through the waiver, which provides her with a job coach for a longer period of time. A job coach can assist her until she can perform the job fairly independently and begins receiving the help she needs from her co-workers, instead of the job coach. After a few months, Jane switches to Transportation Services to get to and from work and Jane's provider switches to Supported Employment Follow Along to check in on Jane's progress each month. Jane continues to learn and grow in her position. Occasionally the provider will provide job coaching to assist Jane and address any concerns that she or her employer has.

Jane now works four days a week and makes triple the money every month than she did at the recycling center. She has three new friends, who are also her co-workers! She also likes having extra money, which allows her to spend more time bowling and hanging out with her boyfriend.

2014 Employment First Legislation



An Act relating to persons with disabilities, which established employment first as a state policy to support competitive employment in an integrated setting, was enacted by the Wyoming Legislature in 2014. This Act requires agencies to support competitive and integrated employment; requires state agencies working with home and community based waiver service providers to implement employment first policies; requires state agencies to report on employment data; provides definitions; and provides for an effective date.

House Enrolled Act 53:

9-2-1002. Definitions; powers generally; duties of governor; provisions construed; cooperation with legislature and judiciary; divisions enumerated.

(xiii) **"Competitive employment"** means work in the competitive labor market that is performed on a fulltime or part-time basis in an integrated setting, and for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled;

(xiv) **"Employment first"** means a concept to facilitate the full inclusion of individuals with disabilities in the workplace and community. Under the employment first approach, community based, integrated employment is the first option for employment services for children and adults with disabilities. Employment first includes competitive employment in an integrated setting;

(xv) **"Integrated setting"** means with respect to an employment outcome, a setting typically found in the community in which applicants or eligible individuals interact with individuals who do not have disabilities, other than nondisabled individuals who are providing services to those applicants or eligible individuals, to the same extent that individuals who do not have disabilities interact with other persons in comparable positions.

9-2-1022. Duties of department performed through human resources division.

(n) In carrying out the duties of the division under this section, employment first shall be the policy of the state that competitive and integrated employment shall be considered its first option when serving persons with disabilities who are of working age to obtain employment. Employment first applies to programs and services that provide services and support to help obtain employment for persons with disabilities. All state agencies shall follow this policy and ensure that it is effectively implemented in their hiring and in all programs and services administered or funded by the agencies. Nothing in this section shall be construed to require any employer to give preference to hiring people with a disability. All state agencies shall coordinate efforts and shall collaborate within and among the agencies to ensure that state programs, policies, procedures and funding support competitive and integrated employment of individuals with disabilities. All state agencies shall, whenever feasible, share data and information across systems in order to track progress toward full implementation of this subsection.

Nothing in this section shall be construed as eliminating any supported employment services as an option when appropriate.

42-4-120. Contracts for waiver services; authority of department; emergency case services; cost based payments; training and certification of specialists.

(m) The department shall ensure that state agencies working with service providers receiving funds pursuant to this section shall have established employment first policies, including competitive employment in an integrated setting, consistent with the requirements of W.S. 9-2-1022.

Employment Talking Points

Employment means a job in the community that the person wants and can perform, with or without accommodation and support.

- When we talk about employment today, we mean having a job or vocation in the community that pays at least minimum wage.

Employment is an essential part of self-determination for many people.

- Employment is a way for people to achieve their personal dream of success, respect, and control.
- Having community employment can be an important part of one's self-identity and value in society today.

People with disabilities are successful workers.

- Thanks to new technology, new laws, and better teaching methods, jobs that were out of reach in the past for people with disabilities are accessible today.
- Job coaches are available to assist people who need assistance in locating, preparing for and successfully managing the job of their choice.
- Success is also supported by government programs, which provide real incentives for people with disabilities to work, keep more earned income for their personal use, and retain their needed benefits.

Some questions to get the employment process started.

- Does the participant need help figuring out the types of jobs and careers he/she would like and be good at doing?
- Will his/her support needs change over time? Are there times when more help will be needed?
- What is most important to the participant? Pay and benefits, fun people to work with, or safety and security?
- Will help be needed to manage benefits, such as Social Security and Medicaid?
- Will job coaching services be needed on the job and if so, how often and for how long?
- Will help be needed to identify activities for when he/she is not working?

Best Practices

Experience has shown that when certain principles are followed while supporting people with disabilities in their employment efforts, the most meaningful and successful outcomes are achieved. These principles are sometimes referred to as "best practices" in community employment services and they include:

- Focusing on individual jobs in the community, paid directly by the employer;
- Using a ***"person-centered planning"*** approach, where job placement is based on the individual's interests, needs and preferences, and the individual is supported to take control of his/her job planning process;
- Emphasizing ***"job matching"*** – searching for employment that closely matches what the job seeker wants, is good at doing, and where he or she will fit in and be comfortable;
- ***Thinking broadly*** about where the individual can work by not being limited to the ideas of traditional workplaces such as supermarkets and fast food chains;
- Taking advantage of personal networks – tapping into family and staff contacts to gather information, resources, and potential job leads;
- Using ***"natural supports"*** including family, friends, co-workers, and mentors to meet the needs of the individual on the job; and
- ***Fading out paid staff supports*** as the individual becomes more settled, comfortable, and independent in the workplace.

Person-Centered Planning is Best Practice

How Employment Affects My Benefits

While earned income can affect a person's eligibility for Social Security, food stamps, public housing and medical assistance benefits, State and Federal programs make it feasible for people to retain much more of their earnings than they could in the past without losing needed health care benefits and services. When taking advantage of State and Federal work incentives, people must report their earnings and assets or savings.

It is important to track your earnings each month and be familiar with the effects that it may have on other benefits you may be receiving.

Earned income WILL affect how much you receive in food stamps and public housing, BUT the amount you earn by becoming competitively employed far outweighs the reduction in food stamps and public housing assistance. You will be moving in the right direction to self-sufficiency!

Department of Health, Community Waiver Programs

The Comprehensive and Supports waivers offer five new employment services with better supports to help you gain and keep employment that match your strengths, needs, and interests. The two new waivers offer an employment pathway service overview with various employment support services to support and assist a participant who, because of their disability, needs intensive support to find and maintain a job in competitive, integrated work settings.

A range of supported employment services are available with varying levels of support and intensity to assist the participant in attaining and maintaining the highest level of paid, community integrated employment. Consistent with the *Olmstead Decision* and with person-centered planning, a participant's plan of care regarding employment services shall be constructed in a manner that reflects individual choice and goals related to employment and ensures provision of services in the most integrated setting appropriate.

Prevocational Services

Prevocational services are services designed to create a path to integrated community based employment for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals without disabilities.

Prevocational services should enable each individual to attain the highest level of work in the most integrated setting with a job matched to the individual's interests, strengths, priorities, abilities, and capabilities, while following applicable federal wage guidelines. These services provide learning and work experiences, including volunteer work where the individual can develop general, non-job-task-specific strengths and skills that contribute to employability through paid employment in an integrated community setting.

Prevocational services are time-limited, not to exceed 12 consecutive months and cannot be repeated during the subsequent plan year.

Employment Discovery and Customization

Employment Discovery and Customization is the individualized determination of the strengths, needs, and interests of the participant and is designed to meet the specific needs of the employee and employer relationship.

Employment discovery and customization includes employment developed through job carving, self-employment or entrepreneurial initiative, or other job development or restructuring strategies that result in job responsibilities being customized and individually negotiated to fit the needs of participants. Employment discovery and customization presumes the provision of reasonable accommodations and supports necessary to perform functions of a job that is individually negotiated and developed.

Supported Employment

- ***Small Group Supported Employment***

Small Group Supported Employment services consist of intensive, on-going supports that enable a participant, for whom competitive employment is at or above the minimum wage is unlikely absent the provision of supports; and who, because of his/her disability, need supports to perform in a regular work setting, including mobile work crews or enclaves. These services are conducted in a variety of settings, particularly work-sites where persons without disabilities are employed.

Services include activities needed to sustain paid work, which includes supervision and training. When supported employment services are provided at a work-site where persons without disabilities are employed, payment is only made for the adaptations, supervision, and training that is required by a participant receiving waiver services as a result of their disability. It does not include payment for supervisory activities rendered as a normal part of the business setting.

- ***Individual Supported Employment***

Individual Supported Employment services are the 1:1 supports available to a participant who, because of their disability, needs intensive or on-going support to obtain and maintain an individual job in competitive or customized employment, or self-employment, in an integrated work setting, in the general workforce for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by an individual without a disability.

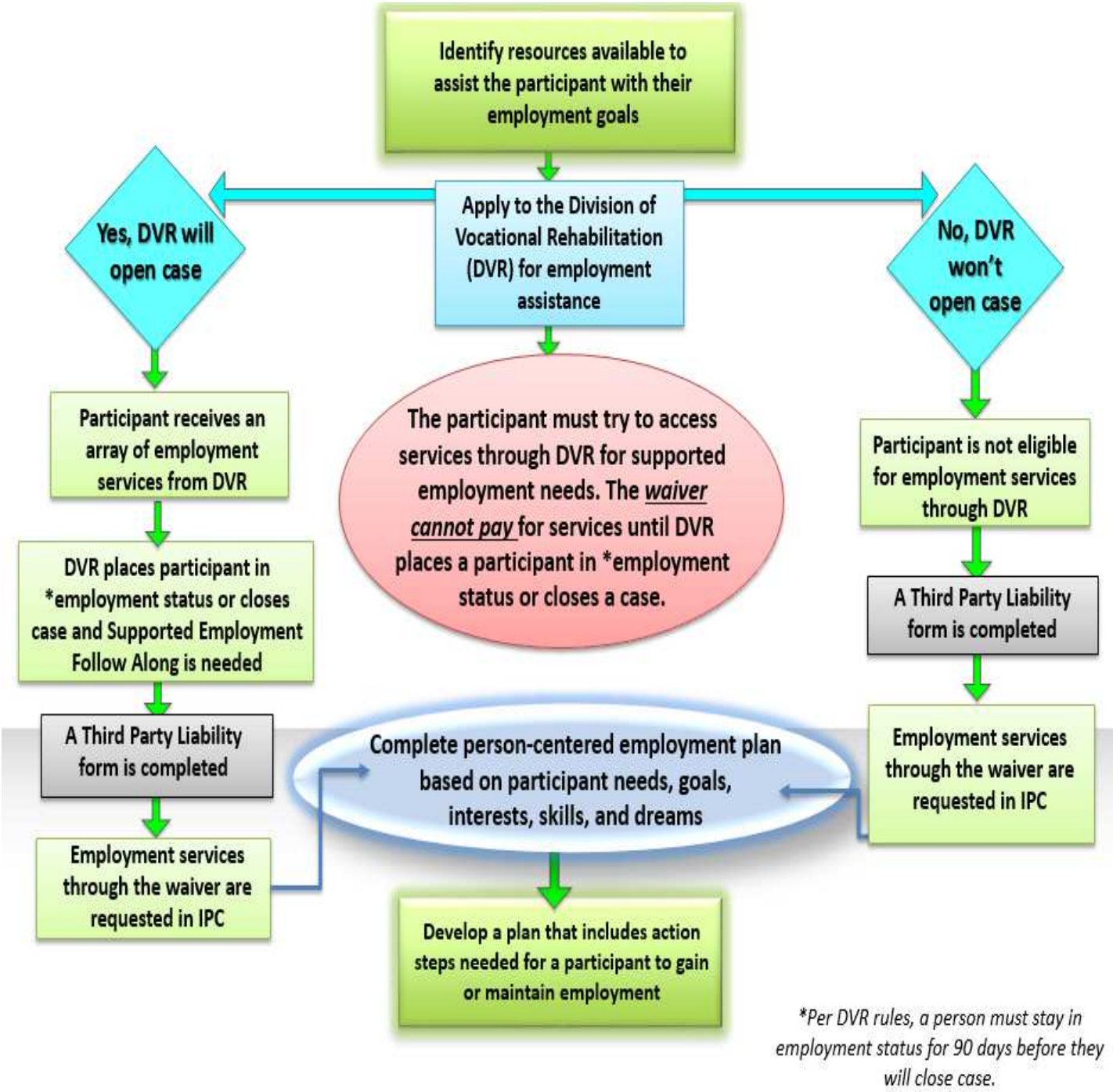
Services are conducted in a variety of settings, particularly work-sites where persons without disabilities are employed. Services include activities needed to sustain paid work by a participant, including supervision and training. When supported employment services are provided at a work-site where persons without disabilities are employed, payment is made only for the adaptations, supervision, and training required by participants receiving waiver services as a result of their disabilities, but does not include payment for the supervisory activities rendered as a normal part of the business setting.

- ***Supported Employment Follow Along***

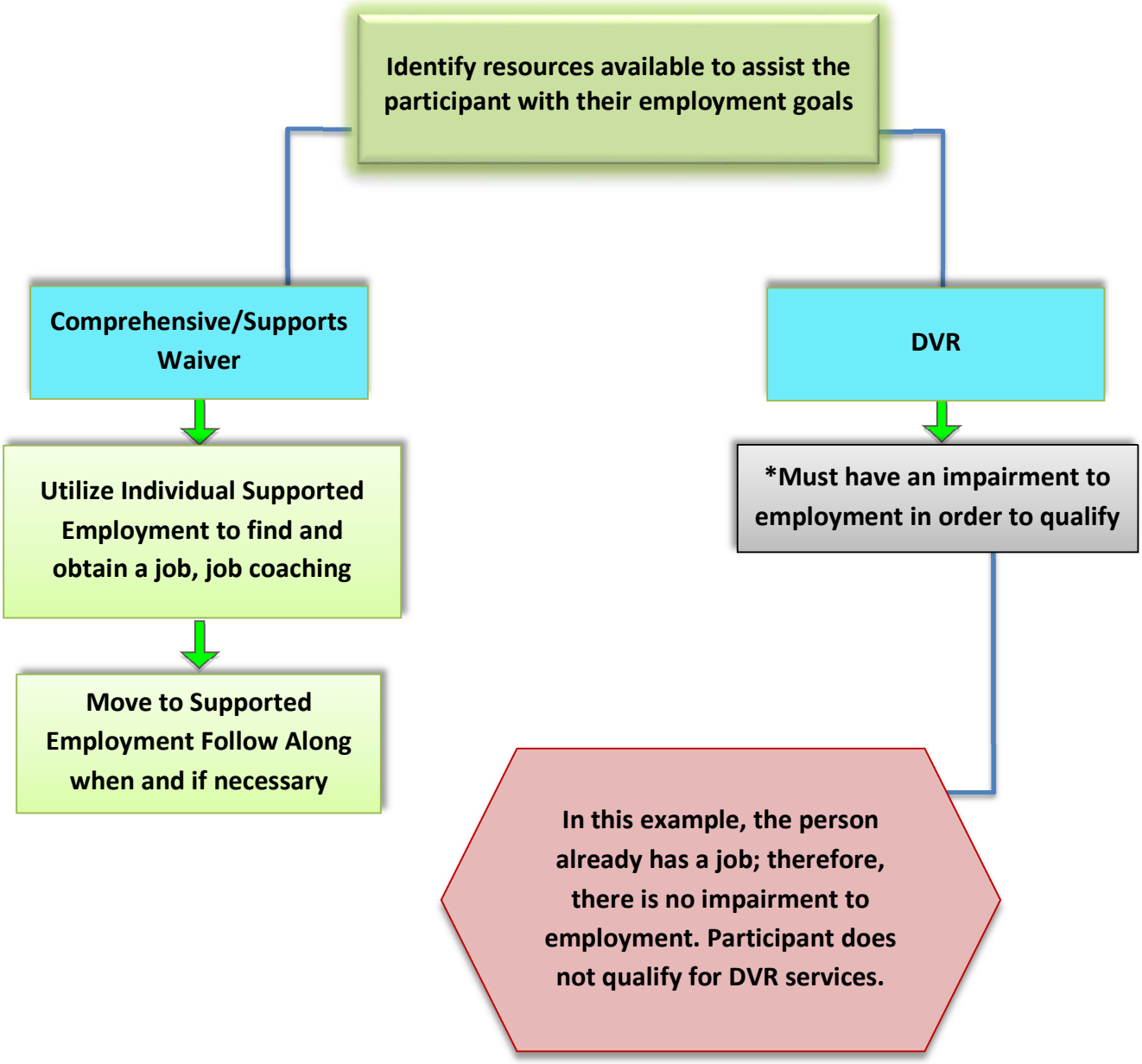
Supported Employment Follow Along are services and supports that enable a participant who is paid at or above the federal minimum wage to maintain employment in an integrated community setting. Service is provided for or on behalf of the participant through intermittent and occasional job support, communicating with the participant's supervisor or manager, whether in the presence of the participant or not.

DVR and Waiver Assistance on Your Employment Pathway

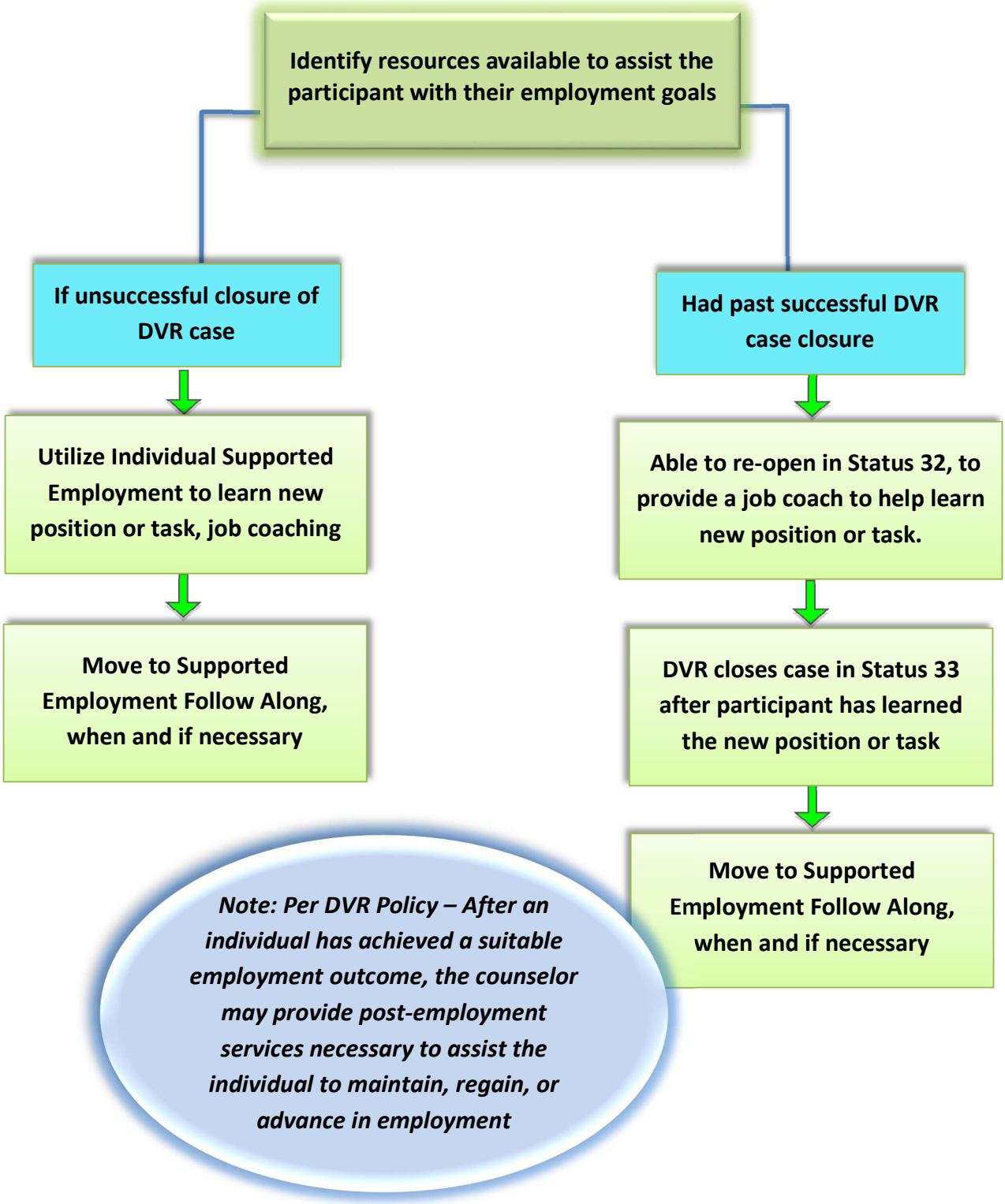
1. No community integrated job before



2. Currently have a job and looking to change jobs



3. Currently have a job and learning a new position or task



4. Currently have a part-time job and looking to obtain a 2nd part-time job

Volunteering

Volunteerism is an avenue that allows individuals to assist with improving their communities, gain marketable skills that could eventually lead to paid employment, test out interests and possible career paths, and develop personal and professional meaningful social connections. It also allows the individual to experience the pleasure and satisfaction of the activity itself and make a difference in the lives of others. Given the social isolation of many people with developmental disabilities, volunteering is important and one of the most useful ways for really getting to know other community members. Volunteering provides many opportunities to learn and practice skills that can be useful in paid employment.

There is value in volunteering and community service. An opportunity to learn, acquire work experience, and a sense of belonging.

Family and Friends

Family and friends of the participant are an important resource that is often overlooked. In many situations, employment opportunities can be found through the participant's family or friends, their school, or their business contacts. Support in finding and keeping a job can be provided informally, by a participant's friends or co-workers, without relying on a funded service. Even when employment services are provided by a community program, relatives and friends play a key role in contributing to the participant's job success by helping in areas of reporting income, preparation for work, transportation, etc.

Transportation

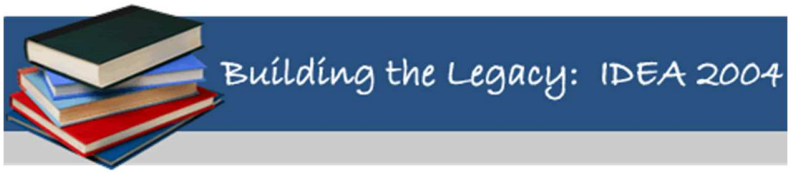
Planning for transportation is an essential part of the job planning process. Job seekers, families, and providers need to work together from the beginning to identify transportation options.

Here is a list of transportation issues to consider:

- Are any public transportation routes accessible?
  - If so, are they available on the days and hours the individual will be travelling to and from work?
- Are transportation services available from the provider and waiver service?
- Is carpooling or shared-ride transportation an option?
- What will the costs be, whether by private or public transportation?
- Are there health, behavior or risk issues that should be considered when selecting the means of transportation?
- Will the individual be able to use public transportation or other shared transit with proper training and support?

When planning transportation, "thinking outside the box" can result in a creative solution. For example, maybe your town's senior bus program can be helpful. Or perhaps your town's taxi company might negotiate a special discounted rate. Consider approaching relatives, co-workers and neighbors about carpooling options.

A plan for transportation is essential when planning for employment.



Employment Transition Planning for School Aged Individuals

Individuals with Disabilities Improvement Education Act

According to the Individuals with Disabilities Education Act (IDEA), special education means specially designed instruction, provided at no cost to the parent, to meet the unique needs of a child with a disability. This specially designed instruction involves adapting, as appropriate to the needs of an eligible student, the content, methodology or delivery of instruction:

- To address the unique needs of the child that result from his/her disability; and
- To ensure access of the child to the general curriculum, so that the child can meet the educational standards within the district that apply to all children.

In Wyoming, children who are eligible for special education are entitled to a free appropriate public education (FAPE) in the least restrictive environment (LRE) from the age of three through the school year in which the student turns 21 years old. School districts ensure the provision of FAPE in the LRE for each eligible child through the development and implementation of an Individualized Education Program (IEP), which is updated at least annually.

Transition Planning Form

In Wyoming, school districts are required by IDEA to include transition planning in the Individual Education Plan (IEPs) of students with disabilities by the time they are 16 (some states require transition planning to begin earlier). Transition planning is a coordinated set of activities that are designed within a results-oriented process, focused on improving academic and functional achievement to facilitate the student's movement from school to post-school activities. The IEP team, including the student, work to develop a plan that is based on age-appropriate transition assessments and individualized to address each child's unique needs.

Transition services and activities incorporated into the plan might include:

- ***Career Interest Inventories*** – these paper and pencil assessments can help the student identify work interest and preferences. The results of these assessments can help to create specific employment goals.
- ***Job Shadowing*** – the student follows an employee during a typical day on the job.
- ***Mentoring*** – the student is matched to an adult mentor who serves as an advisor and offers guidance.
- ***Apprenticeship*** – an adult professional teaches the student a specific trade.
- ***Workplace visits and tours*** – the student observes different work settings.
- ***Career Fairs and Career Days*** – local community members' visit a school to share career experiences with an interested group of students.
- ***Mock job interviews*** – partner with your local Workforce Center to set up mock interviews for students so that they can gain experience.
- ***Job Clubs*** – if available through your local school, job clubs can be great for peer level mentoring and encouragement in employment efforts and on-the-job issues.
- ***After-school and summer job placements*** – arranged and supported by school staff.
- ***Internships*** – paid or unpaid work experience for students.

Resources

Division of Vocational Rehabilitation (DVR)

The Division of Vocational Rehabilitation is a federal-state program that works with people who have physical or mental disabilities to prepare for, gain or retain employment.

Eligibility Criteria:

1. Individual has a physical or mental impairment.
2. Impairment poses a substantial impediment to employment.
3. Individual requires services from DVR to prepare for, gain, or retain employment.

Services that VR provides:

- As part of their core services, DVR provides to all clients eligibility assessments, counseling and guidance, information and referral services, and job search and job placement services. Any additional services that a person with a disability may need are individualized to their specific disability and employment goal.

Call 1-866-804-3678 or visit VR's website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Workforce Investment Act Program (WIA) (For Adults)

The Wyoming Department of Workforce Services uses Workforce Investment Act funding to help adults, dislocated workers and youth find employment that leads to self-sufficiency through various services available at its local Workforce Centers.

Eligibility Criteria:

- For individuals who are 18 years of age or older.
- Individuals who are unemployed and are unable to obtain employment through core services and have been determined to be in need of more intensive services in order to obtain employment; or
- Are employed and have been determined to be in need of services in order to obtain or retain employment that allows for self-sufficiency.
- Meet certain income guidelines.

Services that WIA provides:

- Occupations skills training;
- On-the-job training;
- Programs that combine workplace training with related instruction;
- Training programs operated by the private sector;
- Skills upgrading and retraining;
- Entrepreneurial training;
- Job readiness training;
- Adult Basic Education activities in conjunction with these activities; and
- Customized training with a commitment to employ trainees.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Workforce Investment Act Program (WIA)
(For Youth)

The Wyoming Department of Workforce Services uses Workforce Investment Act funding to help adults, dislocated workers and youth find employment that leads to self-sufficiency through varies services available at its local Workforce Centers.

Eligibility Criteria:

- For individuals aged 14-21.
- Services provided to eligible youth seeking assistance in achieving academic and employment success.

Services that WIA provides:

- Tutoring, study skills training and instruction leading to completion of secondary school, including dropout prevention strategies;
- Alternative secondary school services;
- Summer employment opportunities that are directly linked to academic and occupational learning;
- Paid or unpaid work experiences, including internships and job shadowing;
- Occupational skill training;

- Leadership development opportunities, which may include community service and peer-centered activities encouraging responsibility and other positive social behaviors during non-school hours;
- Supportive services;
- Adult mentoring for the period of participation and a subsequent period, for a total of not less than 12 months;
- Follow-up services for not less than 12 months after the completion of participation; and
- Comprehensive guidance and counseling which may include drug and alcohol abuse counseling and referral.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Department of Workforce Services (DWS)
Career Exploration and Aptitude Testing

The Wyoming Department of Workforce Services understands the need for students, parents, schools, job-seekers and others to explore their career aptitude and development. With this need in mind, the Wyoming Department of Workforce Services provides the following tools to further facilitate such career exploration:

- Start exploring career options with CareerOneStop, whether you are in high school, have graduated, have a vocational certificate, have a 2-year or 4-year college degree or have knowledge and skills acquired through training centers, on-the-job training, or work experience.
- The Wyoming Department of Workforce Services' local Workforce Centers have publicly-accessible computers with resume writing software, various books and videos on resume writing and interviewing, college catalogs, typing, spelling tests, and other resource materials.
- Wyoming at Work Career Services (https://www.wyomingatwork.com) is available. With it, a person can complete, through Wyoming at Work, occupational skills assessments to assist in career development and job placement.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Wyoming Services for Independent Living is a registered non-profit human service agency established to enable persons with significant disabilities to live as independently as possible in the community of their choice.

Eligibility Criteria:

- Presence of a significant disability that interferes with living independently
- Not determined by income levels
- Person motivated to maintain and/or increase levels of independence.

Services that WSIL provides:

- Individual and systems advocacy;
- Information and referral;
- Peer counseling;
- Independent Living Skills Training;
- ADA technical advice;
- Adaptive equipment;
- Home modification;
- Loan closet;
- Nursing Home Transition and Diversion; and
- Transportation Voucher.

Call 1-800-266-3061 to find an office near you or to learn more about their services.

wilr wyoming independent living rehabilitation

Wyoming Independent Living Rehabilitation educates and empowers Wyoming citizens with disabilities by providing the necessary tools to live with independence and dignity. All services are provided on a "consumer-driven" basis. You decide what you need to live independently.

Eligibility Criteria:

- Each program has different criteria to be eligible. Please contact WILR for more information and to see if you qualify.

Programs that WILR offers:

- Independent Living Services
  - Services to help people regain or maintain independence in their lives.
- Visually Impaired Program
  - Services for older adults who are blind or severely visually impaired.
- Consumer Directed Care
  - To provide the option of obtaining personal attendant care services provided by an individual of the consumer's choice, who is not necessarily medically trained to provide such services.
- Project Out
  - To transition consumers from nursing homes back into communities.
- ADA Consultant
  - To provide information to individuals, organizations, businesses and municipalities regarding the ADA and accessibility issues.
- Transportation Check Program
  - To provide transportation to consumers with disabilities
- Wyoming Technology Access Program (WYTAP)
  - Offers persons with disabilities an opportunity to finance assistive technology devices and services through low – or no – interest loans.
- Making Homes Accessible
  - A conditional block grant program to help low to moderate income people with disabilities to make their homes accessible.

Call 1-800-735-8322 or 266-6956 (in Casper) to find an office near you or to learn more about their services.

Job Accommodation Network (JAN)

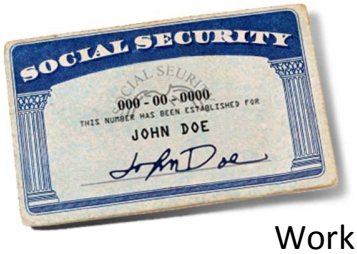
Identifying and arranging necessary accommodations and supports is a key part of assisting people with disabilities to find and keep employment – and is legally reinforced by the Americans with Disabilities Act. A job accommodation means that a job, workplace or way a job is done is modified to help the person with a disability do his/her job. There are several general types of job accommodations:

- Job restructuring, such as a change in work schedule or a decrease in the number of job duties
- Assistive devices – item, device or piece of equipment that is used to help the person with a disability perform a task.
- Training/teaching methods, such as an extended orientation period or audio version of a training manual
- Modification to the building, such as ramps, electronic door opener or flashing lights.

The Job Accommodation Network (JAN) is the leading source of free, expert, and confidential guidance on workplace accommodations and disability employment issues. Working toward practical solutions that benefit both employer and employee, JAN helps people with disabilities enhance their employability, and shows employers how to capitalize on the value and talent that people with disabilities add to the workplace.

JAN provides free, confidential technical assistance about job accommodations and the Americans with Disabilities Act (ADA). Call 1-800-526-7234 to get more information.

Appendix A: Social Security Work Incentive Information



Because many people with disabilities fear losing the SSA benefits and related health care due to being able to work and earn an income, they choose not to work. The SSA has made efforts to reduce this fear by creating and implementing programs known as SSA Work Incentives. Work incentives allow people who receive SSA benefits to work and earn an income while maintaining their benefits and their health insurance. There are specific conditions and requirements for each work incentive, and people must understand how the programs work, including the reporting requirements, in order to ensure proper implementation. Listed below are some of the work incentives offered by Social Security.

For complete information on all SSA's work incentives please visit their website at www.ssa.gov, call 1-800-772-1213 or contact your local Social Security Office.

Social Security Disability Insurance Program (SSDI)

The Social Security Disability Insurance Program (SSDI) provides a monthly benefit to individuals under full retirement age, who have enough quarters paid into the system, have worked five out of the last ten years, and meet the Social Security Administration's (SSA) definition of disability. These SSDI benefit payments will continue as long as the person is unable to engage in "substantial gainful activity" (SGA). A person who is earning more than a certain monthly amount in gross earnings is considered to be engaging in SGA. The SGA amount generally changes when the national average wage index changes. In 2015, the monthly SGA amount is $1090 for a non-blind individual and $1820 for a blind individual. There are work incentives that allow people to go to work after becoming eligible for SSDI. These work incentives allow a person to return to work, but have a safety net, allowing them to continue receiving their SSDI monthly benefit and Medicare coverage for a specific amount of time. Many people can work and keep their SSDI payments and Medicare if they are aware of the work incentives for SSDI.

Supplemental Security Income (SSI)

Supplemental Security Income (SSI) is based upon financial need. It provides monthly benefits to low income individuals who are disabled, blind, or over the age of 65 who are unable to engage in SGA and meet SSA's non-medical criteria for eligibility. The monthly benefit is based on the federal benefit rate (FBR) and generally changes annually based on cost of living increases. In 2015, the monthly FBR is $733.

SSI recipients are automatically eligible for Medicaid, a government health insurance program, and often are eligible for other federal programs such as SNAP, the food assistance program.

The definition of "disability" is the same for SSI and the SSDI programs. To qualify for SSI, a person must have a medically determinable physical or mental impairment that prevents them from engaging in substantial gainful activity. The impairment must have lasted for a continuous period of 12 months, be expected to last for a continuous period of 12 months, or be expected to result in death. In order to be eligible for SSI, the person with a qualifying disability must meet age requirements, residency, legal involvement, living arrangements, and resource and income requirements.

How Property and Assets are Treated Under SSI

Resource and income include, but are not limited to, real estate or real property other than the applicant's residence, vehicles (one car or truck is excluded), bank accounts, cash, stocks, bonds, or other investments. Cash value of life insurance policies, burial spaces, expense funds, certain trusts, and any money or property sold, transferred, or disposed of within 36 months prior to the application. To be eligible for SSI, total counted resources cannot exceed $2,000 per person or $3000 per couple. Income counted includes any earned or unearned income, rental income, child support, alimony, TANF, EITC's, self-employment wages, unemployment compensation, and any other income sources.

The following items DO NOT count as assets or resources for purposes of SSI eligibility:

- The applicant's home and the land it is on, provided that it is the primary residence.
- Household goods, personal property, and one car or truck, if it is necessary for daily activities.
- Life insurance with a face value less than $1500.
- Burial spaces and expense funds up to $1500.

As laws and policies change often, make certain that if there are additional options for keeping assets, such as special needs trusts, that these assets have been approved by the Social Security Administration.

How Income May Impact SSI Eligibility

Countable income can include both earned income and unearned income. This means that income which may impact the amount of the SSI payment includes money that is paid by an employer, Social Security payments, private pension payments, or some items of value that are received as gifts to pay for food, shelter, or utilities.

If a person is considered disabled under SSA rules and plans to work, his or her countable income can be reduced by special programs known as "work incentives." These programs allow a person receiving SSI and/or SSDI to work and continue to receive all or part of their disability payments as well as maintain eligibility for Medicare and/or Medicaid.

Employed Individuals with Disabilities (EID) Program
Medicaid Buy-in Coverage

The EID program provides work incentives for individuals with disabilities. Individuals with disabilities who work and have no health-care coverage, or who may lose their Medicaid coverage, should apply if they obtain employment, increase their work hours, or increase their rate of pay. People with disabilities who work will pay a monthly premium to receive Medicaid health-care coverage. The premium is (7.5%) of their monthly earned income and their yearly unearned income that is in excess of $600.

You may be eligible if you:

- Are employed
- Have a disability based on Social Security Administration guidelines
- Are a U.S. citizen or lawful permanent resident who has lived in the U.S. for at least five years
- A Wyoming resident
- Are 16 through 64 years of age
- Meet income guidelines (earned income is exempt)

Know your options. The Medicaid Buy In (EID program) allows you to work and have Medicaid health-care coverage for only 7.5% of your monthly earned income.

Benefits of the EID program:

- You will have Medicaid health-care coverage.
- You can work in the community.
- You can earn and save more money without the risk of losing health-care coverage.

Call the Wyoming Department of Health, Customer Service Center at 1-855-294-2127 to find out about the application process.

Impairment Related Work Expense (IRWE)

This work incentive applies to both SSI and SSDI at different times. An IRWE is an out of pocket cost that a person must pay that 1) is related to their disability and 2) is needed in order for them to work. The out of pocket costs reduce the income that SSA counts. Receipts must be sent into SSA monthly.

Examples of IRWE:

- Cost of taxis or drivers needed to travel to work because your disability prevents use of public transportation.
- Modified vehicles needed because of disability, e.g., special steering/braking equipment.
- Ramps, railings, or other modifications to the outside of your home that allow you to leave and go to work.
- Routine medication costs that help keep your disability related symptoms under control.

Subsidies and Special Conditions

A subsidy only applies to SSDI and is defined as the value of extra support a person receives on the job. The subsidy is provided by the employer and the worker must earn the same pay as other workers doing the same job. Examples include a job coach, mentor, extra supervision, or a reduced workload. The value of the subsidy is determined by the employer. Special conditions apply when the individual is not fully earning his or her wages because the work is performed under special conditions such as on-the-job coaching or substitution in which the job coach performs part or all of the individual's job duties. SSA will deduct the wages that are not considered "earned" by the individual.

Examples of subsidies:

- You receive more supervision than other workers doing the same or a similar job for the same pay.
- You have fewer or simpler tasks to complete than other workers who are doing the same job for the same pay.
- Job coach assistance.

Examples of special conditions:

- You receive close and continuous supervision.
- You receive on the job coaching and the job coach performs part or all of your tasks.

Unincurred Business Expense

"Unincurred business expenses" refers to self-employment business support that someone provides to you at no cost. In deciding whether you are working at the SGA level, SSA deducts unincurred business expenses from your net earnings from self-employment. Examples of unincurred business expenses are (1) a Vocational Rehabilitation agency gives you a computer that is used in a graphic arts business; and (2) a friend works for your business as unpaid help.

For an item or service to qualify as an unincurred business expense:

- It must be an item or service that the IRS would allow as a legitimate business expense if you had paid for it; and
- Given to you free of charge.

Unsuccessful Work Attempt

An unsuccessful work attempt is an effort by a disabled individual to do substantial work that either stopped or produced earnings below the SGA level after a short amount of time, no more than 6 months because of:

- The individual's disabling condition; or
- Elimination of the special conditions or assistance that the individual needed in order to work.

Trial Work Period

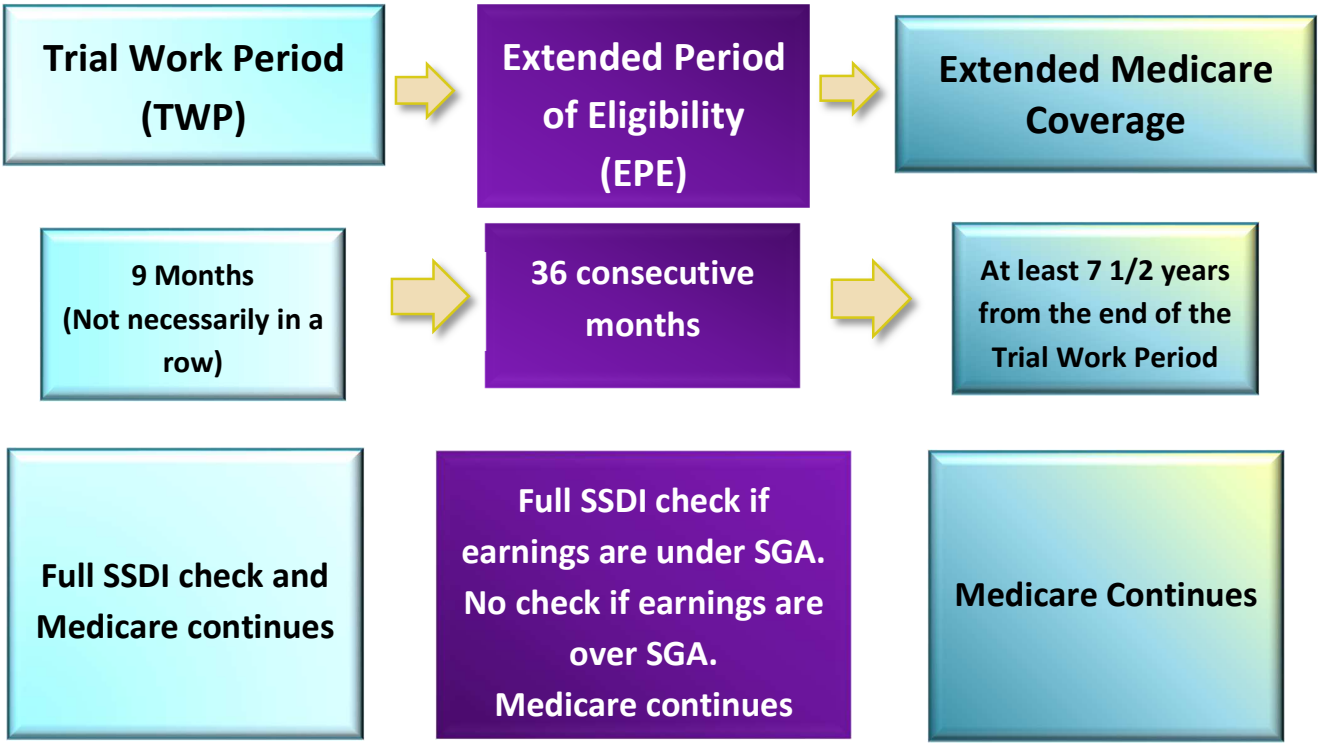
Applies to SSDI only – the Trial Work Period (TWP) allows you to test your ability to work by providing a period of nine (9) months of gross earnings during which your SSDI check is not affected. A month does not count towards your trial work period unless your gross earnings meet or exceed an amount set each year by SSA. In 2015, the TWP amount is $780. During your TWP, you will receive your full disability benefit regardless of how much you earn. You must report your work activity to SSA and continue to have a disabling impairment. The nine (9) months does not need to be consecutive, they are counted within a five-year period. Certain other rules apply. Medicare coverage will continue for ninety-three (93) months after the last month of the TWP.

If you are on SSDI, don't be afraid to work. You get a 9 month trial work period to test the waters of employment.

Extended Period of Eligibility

Applies to SSDI only – the Extended Period of Eligibility (EPE) begins after you have completed your trial work period and have gross earnings at or above the SGA level. The EPE lasts for thirty-six (36) months and allows an individual to receive their SSDI check in any month that their earnings fall below SGA. If work is discontinued during the EPE, the individual simply needs to contact SSA to reinstate benefits. You must continue to have a disabling impairment.

36 month extended period of eligibility AFTER your 9 trial work period months.



Earned Income Exclusion

Applies to SSI only – all SSI recipients receive a $20 general income exclusion. If SSI is the person's only income prior to working, he or she also gets an earned income exclusion of $65. After deducting the $85 in exclusions from your earned income, SSA then only considers half of your remaining earnings.

When you are on SSI, the Social Security Administration only counts $1 for every $2 you earn while working.

Example:

- John is receiving $733 in SSI each month.
- He returns to work and earns $500 in gross monthly earnings.
- Because John was only receiving SSI prior to working, he receives both income exclusions:

  $500 (*Earnings*) minus $85 (*Exclusions*) = $415
- SSA only counts half of the remaining earnings:

  $415 (*Considered earnings after exclusions*) divided by 2 = $207.50
- SSA will only count $207.50 of John's total earnings.
- His SSI check will then be reduced by $207.50.
- His new SSI amount will be **$525.50** (*$733-$207.50=$525.50*).
- **Johns total monthly income is now $500 (*earnings*) plus $525.50 (*SSI benefit*) = $1025.50.**
- John continues to receive Medicaid because his SSI benefit is at least $1.

Plan to Achieve Self-Support (PASS)

Applies to SSI only – a plan to achieve self-support allows you to set aside income or assets of a set amount of money for an established period of time towards a specific employment or vocational goal. Funds can be used for education, equipment, or starting a business, etc. Goals must generally be obtainable within three years, but some exceptions are possible. Funds must be used for a designated purpose or a person could be in overpayment and have to pay back to SSA. A PASS plan can help a person achieve their work or vocational goal. Your goal should be a job that allows you to earn enough to reduce or eliminate your need for benefits provided under the Social Security and Supplemental Security Income programs. SSA does not count the money or resources you set aside under an approved PASS plan when they decide your initial or continuing eligibility for SSI. Having a PASS may help you qualify for SSI or may increase the amount of your SSI payment.

Property Essential to Self-Support (PESS)

Applies to SSI only – SSA does not count some resources that are essential to your means of self-support when they decide if you are eligible for SSI. For example, they do not count property such as tools or equipment that you use for work. If you have a trade or business, they do not count property such as inventory. A person must be using the property that SSA is excluding under PESS, or be expected to start using it in a reasonable amount of time, typically within 12 months.

Federal Rule 1619(b)

Applies to SSI only – Section 1619(b) allows a person who is receiving SSI and working to continue to receive Medicaid at no cost, even when their earnings reduce their SSI benefit to $0. There are earnings threshold requirements. In 2014, for Wyoming, the threshold amount is $36,447. A person who meets the requirements of 1619(b) will receive full medical coverage under Medicaid.

To qualify:

- A person must have been eligible for an SSI cash payment for at least one month prior to accessing 1619(b).
- SSI benefit must have been reduced because of earnings.
- Must continue to meet SSA disability requirements.
- Continue to meet resource requirements for SSI.
- Need the medical assistance to work.
- Have gross earned income that is insufficient to replace the cost of medical assistance needed.

For assistance planning for employment, use our "Employment Pathway Planning Packet"

http://health.wyo.gov/DDD/cmforms.html

Start Your Employment Planning Now

If you are not employed now, but would like to pursue ***employment in the next year*** or ***employment in the next two (2) years***, ask yourself the following questions to begin your planning:

1. Have you ever volunteered in the community?
2. Do you want to learn a new skill?
3. When you are out in the community, are there jobs that you see people doing that you would like to know more about?
4. Do you want to learn about different types of jobs available?
5. If you could have any job, what would it be?
6. What interests you about your dream job?
7. Are there jobs that you don't want to do?
8. How much money will you need to make to meet your living expenses?
9. How much money will you need to buy things you want?
10. What is your greatest fear when you think about working?
11. Is there anything that worries you about getting a job?
12. What motivates you?
13. Will you need prevocational or employment discovery and customization services?
14. What supports will you need to begin competitive employment?
15. Who will help you set up the supports you need to gain and maintain competitive, integrated, and meaningful employment?
16. What is your employment goal date?

SSDI Trial Work Period (TWP) Tracking Chart

You are allowed nine (9) TWP months in a rolling sixty (60) month period

2015 Amount TWP= $780 SGA=$1090

Month	Gross Earned Income	Trial Work Month Yes or No	SSDI Cash Benefit	Total Income
Example: January	$800	Yes= TWP Month 1	$1000	$1800

Notes

Employment First

Pathway to Employment
Pathway to Integration
Pathway out of Poverty

"Working together to build a more prosperous Wyoming."

Wyoming Department of Health

Commit to your health.

BEHAVIORAL HEALTH DIVISION

Employment First Planning Guide

For adults ages 16+ with Intellectual Disabilities, their families, and the Circle of support.

Behavioral Health Division
Developmental Disabilities Section
6101 Yellowstone Road, Suite 220
Cheyenne, WY 82002
www.health.wyo.gov/ddd
800-510-0280 | 307-777-6494

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Introduction

The influence that parents, family, friends, teachers, and providers have on people with disabilities can be both influential and powerful. When it comes to setting expectations about work, those involved in the lives of people with disabilities need to convey the expectation that people with disabilities can work, can contribute, and can find great satisfaction in being part of the world of work.

People WORK for many reasons. For some, it provides a sense of self or meaning in one's life; for others, it is the social context of meeting and associating with others in a common effort or goal; and for still others, it is the means by which to gain status, either personal or economic, which allows for choice and discretion in determining one's "quality of life."

What Makes Life Good?

When asked, ***"What makes life good?"*** almost all people identify the same core components. While different people will use different words to describe a component or more highly value one component over another, the list of components is consistently the same:

- Freedom of choice and ease of access to the community;
- Positive, interdependent relationships with family and friends;
- A safe, comfortable home in a safe neighborhood;
- Being respected, included in and a member of your culture and community;
- Good health and access to good health care;
- Enjoying one's personal choice of hobbies, recreation, and leisure activities; and
- Satisfying employment and the economic benefits of contributing through work.

Although employment outcomes for individuals with disabilities still lag behind those compared to individuals without disabilities, it is clear that enormous barriers to employment are being overcome. It is far more common now to see people with disabilities in a wide range of jobs throughout the community than it was even a decade ago.

Supported employment is an alternative to traditional sheltered and competitive employment approaches. It is an attempt to meet the specific needs of individuals with disabilities and is based on fundamentally different principles and assumptions. The supported work model assumes that all individuals, regardless of the nature or extent of their disabilities, should have the opportunity and support to work in the community. There are no pre-requisite skills needed for community job success. Therefore, the task is not to identify and place "work ready" individuals, but rather to locate and/or modify meaningful jobs in the community and provide training and supports at the job site.

Supported employment will often take the form of "customized" employment. Customized employment is a flexible process designed to personalize the employment relationship between a job candidate and an employer in a way that meets the needs of both. It is based on an individualized match between the strengths, conditions, and interests of job candidate and the identified business needs of an employer. Customized employment utilizes an individualized approach to employment planning and job development – one person at a time, and one employer at a time.

This Employment Planning Guide is designed to help parents, participants, and providers start the process of finding competitive work for people with disabilities; learn about the resources, services, and the programs available to help people with disabilities in Wyoming pursue their own unique path to work, a career, and participate in community life.

"Given the choice between work and idleness, people will almost always choose work. Regardless of our station in life, the condition of our bodies and minds, or the amount of money in our bank accounts, the need to work remains one of our strongest drives. Work is central to our lives, and as such, gives a large measure of structure to our days. Common sense tells us that we feel better about ourselves when we are working regularly."

~Robert Drake, M.D.,

Meet Jane

Let's look at an example of what the new employment pathway might do for a participant.

We want to introduce a fictional waiver participant, Jane, who is a based upon people we know in Wyoming receiving services. We want to describe how the new employment pathway can realistically work for someone and change his or her life.

Jane has been going to day services and working in an enclave at the recycling center, and she receives group supported employment. Jane's team of family and providers encouraged her to start looking for other employment opportunities with the new employment services on the waiver.

At her team meeting, Jane and her team discuss what type of work she would like and want to do if she did not work at the recycling center. They ask her where in town she would like to work. They find out she likes flowers and gardening centers in stores, so they make a plan to set up mentor sites at flower shops and garden centers in department stores using the Employment Discovery and Customization service.

As Jane continues to work at the recycling center, her direct care staff start working with her on non-job-specific, work-related tasks that she might need for competitive employment at a flower shop through Prevocational Services. They also work with her on learning specific tasks in Group Supported Employment that would assist her in working with customers from the public.

Jane's staff helps her meet with the local Department of Vocational Rehabilitation office (DVR) and make an employment plan. After DVR opens a case and pays for job development, a job coach helps Jane fill out employment applications and assists her with interviewing for jobs.

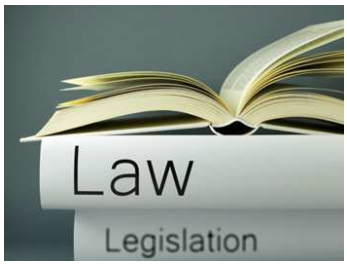
Finally, Jane finds a job working in a flower shop four days a week. DVR pays for supported employment for the time that she needs to obtain and maintain her job. Once she is successful and no longer needs a full-time job coach, DVR puts her case into "Status 22 – Employed." If during this time she needs a job coach,

the waiver will then pay for this service. ***(Please note: DVR cannot close a case successfully when services are still being offered. DVR must go three months or 90 days without paying for any services before they are able to close out a case successfully.)*** Participants, providers, and parents, must be aware of this DVR requirement.

Due to difficulty in learning all of her job tasks, Jane uses Individual Supported Employment through the waiver, which provides her with a job coach for a longer period of time. A job coach can assist her until she can perform the job fairly independently and begins receiving the help she needs from her co-workers, instead of the job coach. After a few months, Jane switches to Transportation Services to get to and from work and Jane's provider switches to Supported Employment Follow Along to check in on Jane's progress each month. Jane continues to learn and grow in her position. Occasionally the provider will provide job coaching to assist Jane and address any concerns that she or her employer has.

Jane now works four days a week and makes triple the money every month than she did at the recycling center. She has three new friends, who are also her co-workers! She also likes having extra money, which allows her to spend more time bowling and hanging out with her boyfriend.

2014 Employment First Legislation



An Act relating to persons with disabilities, which established employment first as a state policy to support competitive employment in an integrated setting, was enacted by the Wyoming Legislature in 2014. This Act requires agencies to support competitive and integrated employment; requires state agencies working with home and community based waiver service providers to implement employment first policies; requires state agencies to report on employment data; provides definitions; and provides for an effective date.

House Enrolled Act 53:

9-2-1002. Definitions; powers generally; duties of governor; provisions construed; cooperation with legislature and judiciary; divisions enumerated.

(xiii) **"Competitive employment"** means work in the competitive labor market that is performed on a fulltime or part-time basis in an integrated setting, and for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled;

(xiv) **"Employment first"** means a concept to facilitate the full inclusion of individuals with disabilities in the workplace and community. Under the employment first approach, community based, integrated employment is the first option for employment services for children and adults with disabilities. Employment first includes competitive employment in an integrated setting;

(xv) **"Integrated setting"** means with respect to an employment outcome, a setting typically found in the community in which applicants or eligible individuals interact with individuals who do not have disabilities, other than nondisabled individuals who are providing services to those applicants or eligible individuals, to the same extent that individuals who do not have disabilities interact with other persons in comparable positions.

9-2-1022. Duties of department performed through human resources division.

(n) In carrying out the duties of the division under this section, employment first shall be the policy of the state that competitive and integrated employment shall be considered its first option when serving persons with disabilities who are of working age to obtain employment. Employment first applies to programs and services that provide services and support to help obtain employment for persons with disabilities. All state agencies shall follow this policy and ensure that it is effectively implemented in their hiring and in all programs and services administered or funded by the agencies. Nothing in this section shall be construed to require any employer to give preference to hiring people with a disability. All state agencies shall coordinate efforts and shall collaborate within and among the agencies to ensure that state programs, policies, procedures and funding support competitive and integrated employment of individuals with disabilities. All state agencies shall, whenever feasible, share data and information across systems in order to track progress toward full implementation of this subsection.

Nothing in this section shall be construed as eliminating any supported employment services as an option when appropriate.

42-4-120. Contracts for waiver services; authority of department; emergency case services; cost based payments; training and certification of specialists.

(m) The department shall ensure that state agencies working with service providers receiving funds pursuant to this section shall have established employment first policies, including competitive employment in an integrated setting, consistent with the requirements of W.S. 9-2-1022.

Employment Talking Points

Employment means a job in the community that the person wants and can perform, with or without accommodation and support.

- When we talk about employment today, we mean having a job or vocation in the community that pays at least minimum wage.

Employment is an essential part of self-determination for many people.

- Employment is a way for people to achieve their personal dream of success, respect, and control.
- Having community employment can be an important part of one's self-identity and value in society today.

People with disabilities are successful workers.

- Thanks to new technology, new laws, and better teaching methods, jobs that were out of reach in the past for people with disabilities are accessible today.
- Job coaches are available to assist people who need assistance in locating, preparing for and successfully managing the job of their choice.
- Success is also supported by government programs, which provide real incentives for people with disabilities to work, keep more earned income for their personal use, and retain their needed benefits.

Some questions to get the employment process started.

- Does the participant need help figuring out the types of jobs and careers he/she would like and be good at doing?
- Will his/her support needs change over time? Are there times when more help will be needed?
- What is most important to the participant? Pay and benefits, fun people to work with, or safety and security?
- Will help be needed to manage benefits, such as Social Security and Medicaid?
- Will job coaching services be needed on the job and if so, how often and for how long?
- Will help be needed to identify activities for when he/she is not working?

Best Practices

Experience has shown that when certain principles are followed while supporting people with disabilities in their employment efforts, the most meaningful and successful outcomes are achieved. These principles are sometimes referred to as "best practices" in community employment services and they include:

- Focusing on individual jobs in the community, paid directly by the employer;
- Using a ***"person-centered planning"*** approach, where job placement is based on the individual's interests, needs and preferences, and the individual is supported to take control of his/her job planning process;
- Emphasizing ***"job matching"*** – searching for employment that closely matches what the job seeker wants, is good at doing, and where he or she will fit in and be comfortable;
- ***Thinking broadly*** about where the individual can work by not being limited to the ideas of traditional workplaces such as supermarkets and fast food chains;
- Taking advantage of personal networks – tapping into family and staff contacts to gather information, resources, and potential job leads;
- Using ***"natural supports"*** including family, friends, co-workers, and mentors to meet the needs of the individual on the job; and
- ***Fading out paid staff supports*** as the individual becomes more settled, comfortable, and independent in the workplace.

Person-Centered Planning is Best Practice

How Employment Affects My Benefits

While earned income can affect a person's eligibility for Social Security, food stamps, public housing and medical assistance benefits, State and Federal programs make it feasible for people to retain much more of their earnings than they could in the past without losing needed health care benefits and services. When taking advantage of State and Federal work incentives, people must report their earnings and assets or savings.

It is important to track your earnings each month and be familiar with the effects that it may have on other benefits you may be receiving.

Earned income WILL affect how much you receive in food stamps and public housing, BUT the amount you earn by becoming competitively employed far outweighs the reduction in food stamps and public housing assistance. You will be moving in the right direction to self-sufficiency!

Department of Health, Community Waiver Programs

The Comprehensive and Supports waivers offer five new employment services with better supports to help you gain and keep employment that match your strengths, needs, and interests. The two new waivers offer an employment pathway service overview with various employment support services to support and assist a participant who, because of their disability, needs intensive support to find and maintain a job in competitive, integrated work settings.

A range of supported employment services are available with varying levels of support and intensity to assist the participant in attaining and maintaining the highest level of paid, community integrated employment. Consistent with the *Olmstead Decision* and with person-centered planning, a participant's plan of care regarding employment services shall be constructed in a manner that reflects individual choice and goals related to employment and ensures provision of services in the most integrated setting appropriate.

Prevocational Services

Prevocational services are services designed to create a path to integrated community based employment for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals without disabilities.

Prevocational services should enable each individual to attain the highest level of work in the most integrated setting with a job matched to the individual's interests, strengths, priorities, abilities, and capabilities, while following applicable federal wage guidelines. These services provide learning and work experiences, including volunteer work where the individual can develop general, non-job-task-specific strengths and skills that contribute to employability through paid employment in an integrated community setting.

Prevocational services are time-limited, not to exceed 12 consecutive months and cannot be repeated during the subsequent plan year.

Employment Discovery and Customization

Employment Discovery and Customization is the individualized determination of the strengths, needs, and interests of the participant and is designed to meet the specific needs of the employee and employer relationship.

Employment discovery and customization includes employment developed through job carving, self-employment or entrepreneurial initiative, or other job development or restructuring strategies that result in job responsibilities being customized and individually negotiated to fit the needs of participants. Employment discovery and customization presumes the provision of reasonable accommodations and supports necessary to perform functions of a job that is individually negotiated and developed.

Supported Employment

- ***Small Group Supported Employment***

Small Group Supported Employment services consist of intensive, on-going supports that enable a participant, for whom competitive employment is at or above the minimum wage is unlikely absent the provision of supports; and who, because of his/her disability, need supports to perform in a regular work setting, including mobile work crews or enclaves. These services are conducted in a variety of settings, particularly work-sites where persons without disabilities are employed.

Services include activities needed to sustain paid work, which includes supervision and training. When supported employment services are provided at a work-site where persons without disabilities are employed, payment is only made for the adaptations, supervision, and training that is required by a participant receiving waiver services as a result of their disability. It does not include payment for supervisory activities rendered as a normal part of the business setting.

- ***Individual Supported Employment***

Individual Supported Employment services are the 1:1 supports available to a participant who, because of their disability, needs intensive or on-going support to obtain and maintain an individual job in competitive or customized employment, or self-employment, in an integrated work setting, in the general workforce for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by an individual without a disability.

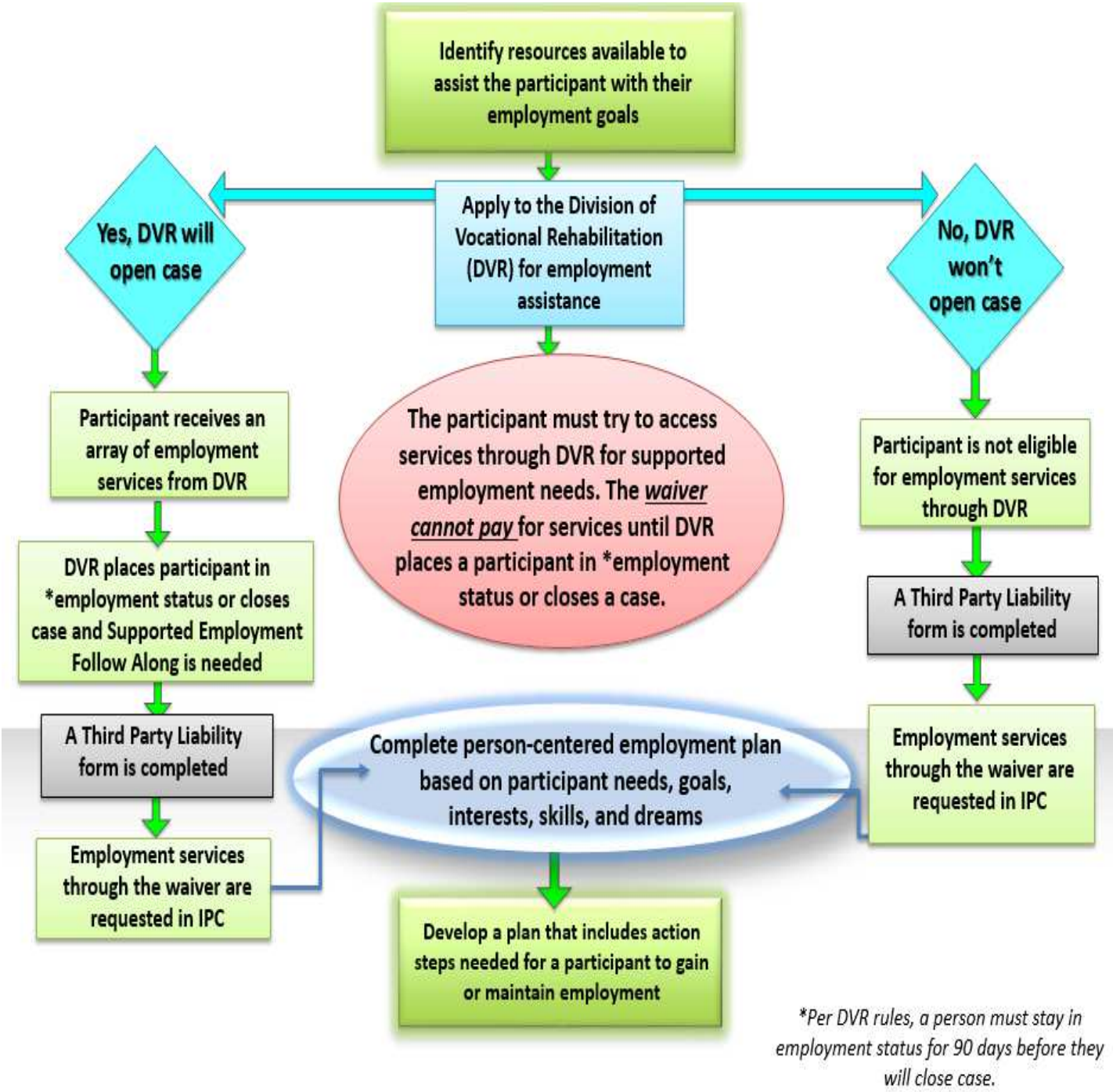
Services are conducted in a variety of settings, particularly work-sites where persons without disabilities are employed. Services include activities needed to sustain paid work by a participant, including supervision and training. When supported employment services are provided at a work-site where persons without disabilities are employed, payment is made only for the adaptations, supervision, and training required by participants receiving waiver services as a result of their disabilities, but does not include payment for the supervisory activities rendered as a normal part of the business setting.

- ***Supported Employment Follow Along***

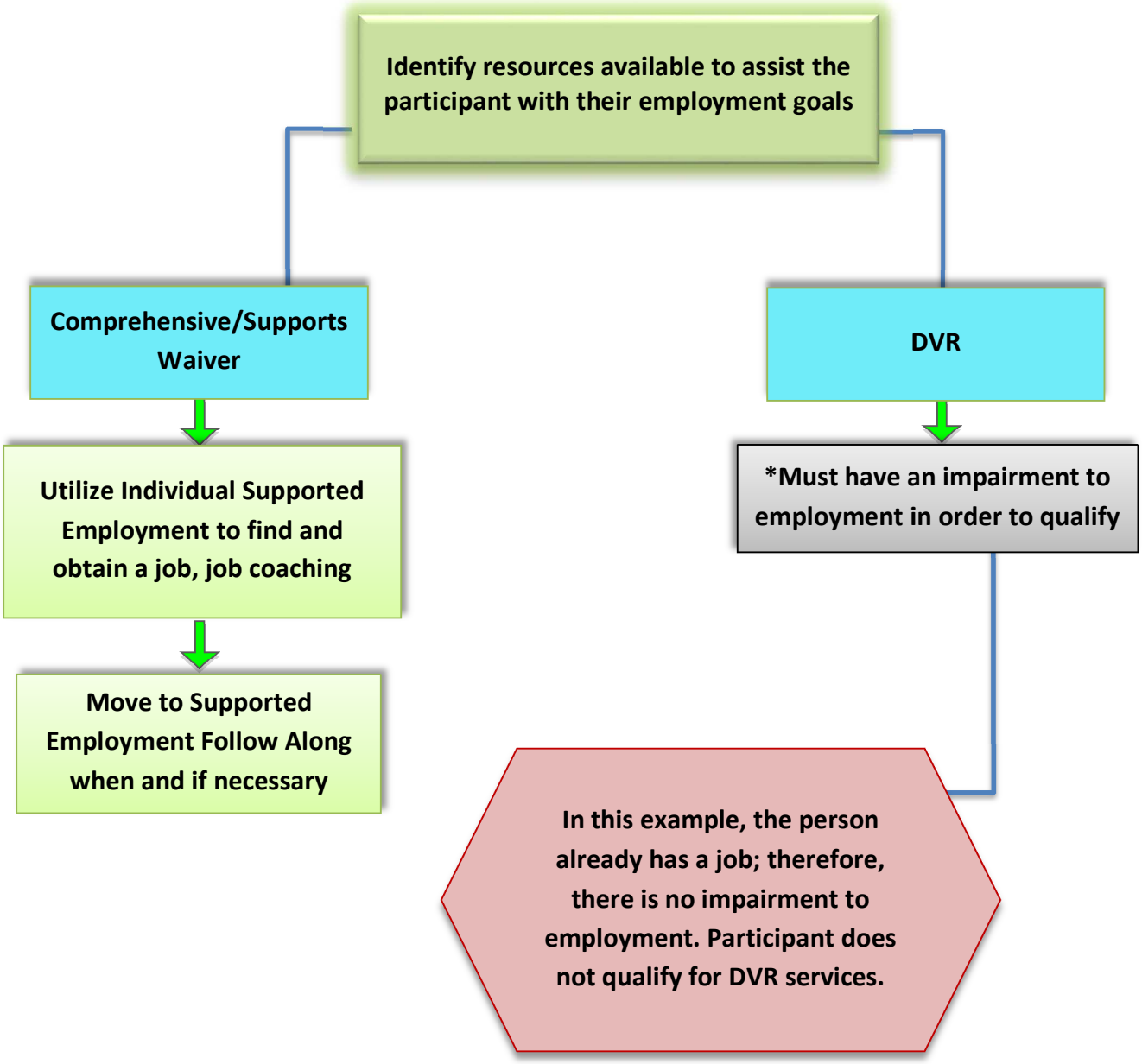
Supported Employment Follow Along are services and supports that enable a participant who is paid at or above the federal minimum wage to maintain employment in an integrated community setting. Service is provided for or on behalf of the participant through intermittent and occasional job support, communicating with the participant's supervisor or manager, whether in the presence of the participant or not.

DVR and Waiver Assistance on Your Employment Pathway

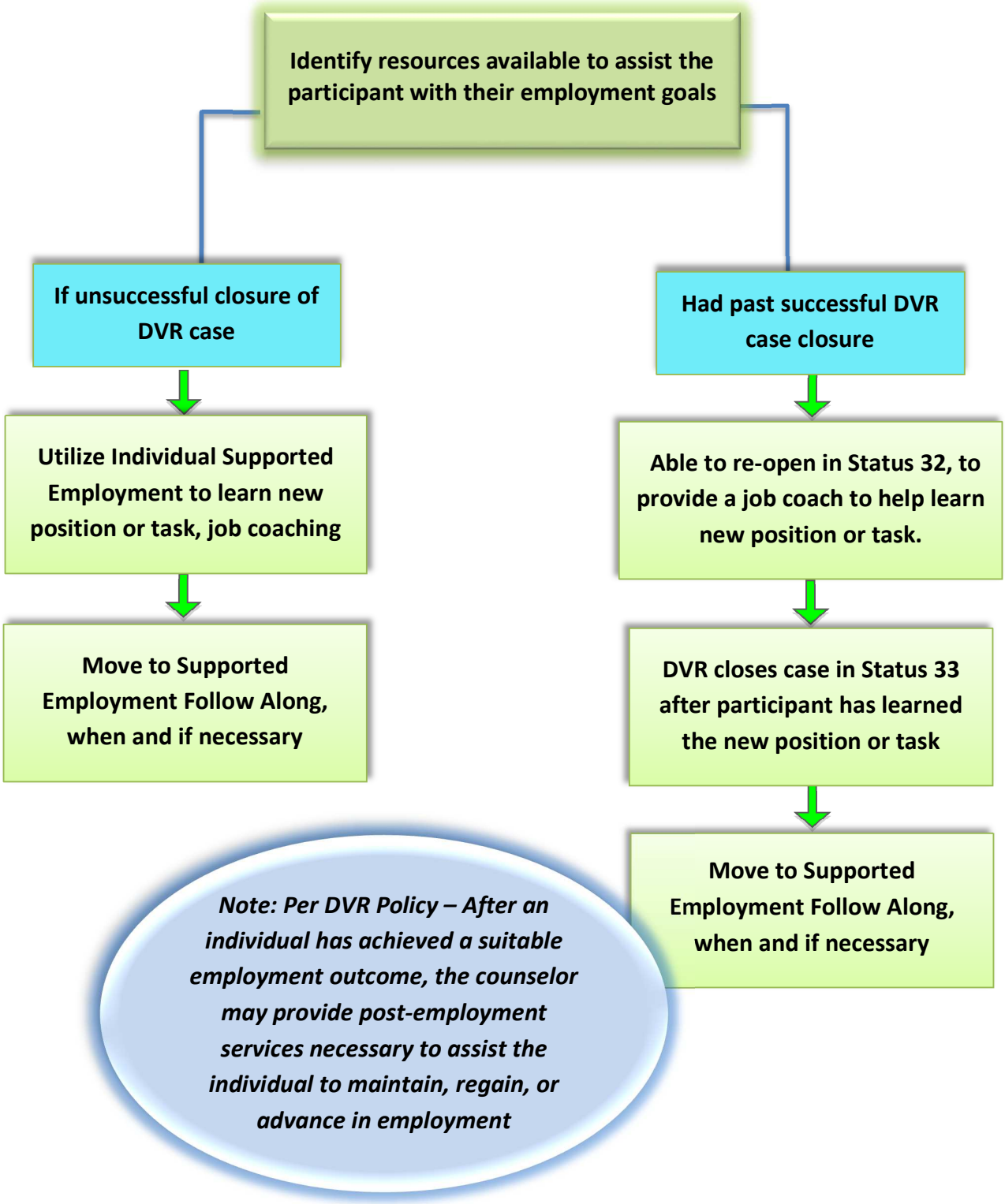
1. No community integrated job before



2. Currently have a job and looking to change jobs



3. Currently have a job and learning a new position or task



4. Currently have a part-time job and looking to obtain a 2nd part-time job

Volunteering

Volunteerism is an avenue that allows individuals to assist with improving their communities, gain marketable skills that could eventually lead to paid employment, test out interests and possible career paths, and develop personal and professional meaningful social connections. It also allows the individual to experience the pleasure and satisfaction of the activity itself and make a difference in the lives of others. Given the social isolation of many people with developmental disabilities, volunteering is important and one of the most useful ways for really getting to know other community members. Volunteering provides many opportunities to learn and practice skills that can be useful in paid employment.

There is value in volunteering and community service. An opportunity to learn, acquire work experience, and a sense of belonging.

Family and Friends

Family and friends of the participant are an important resource that is often overlooked. In many situations, employment opportunities can be found through the participant's family or friends, their school, or their business contacts. Support in finding and keeping a job can be provided informally, by a participant's friends or co-workers, without relying on a funded service. Even when employment services are provided by a community program, relatives and friends play a key role in contributing to the participant's job success by helping in areas of reporting income, preparation for work, transportation, etc.

Transportation

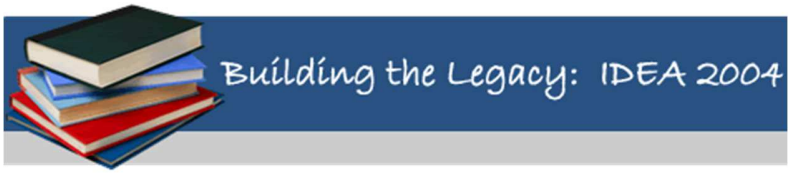
Planning for transportation is an essential part of the job planning process. Job seekers, families, and providers need to work together from the beginning to identify transportation options.

Here is a list of transportation issues to consider:

- Are any public transportation routes accessible?
  - If so, are they available on the days and hours the individual will be travelling to and from work?
- Are transportation services available from the provider and waiver service?
- Is carpooling or shared-ride transportation an option?
- What will the costs be, whether by private or public transportation?
- Are there health, behavior or risk issues that should be considered when selecting the means of transportation?
- Will the individual be able to use public transportation or other shared transit with proper training and support?

When planning transportation, "thinking outside the box" can result in a creative solution. For example, maybe your town's senior bus program can be helpful. Or perhaps your town's taxi company might negotiate a special discounted rate. Consider approaching relatives, co-workers and neighbors about carpooling options.

A plan for transportation is essential when planning for employment.



Employment Transition Planning for School Aged Individuals

Individuals with Disabilities Improvement Education Act

According to the Individuals with Disabilities Education Act (IDEA), special education means specially designed instruction, provided at no cost to the parent, to meet the unique needs of a child with a disability. This specially designed instruction involves adapting, as appropriate to the needs of an eligible student, the content, methodology or delivery of instruction:

- To address the unique needs of the child that result from his/her disability; and
- To ensure access of the child to the general curriculum, so that the child can meet the educational standards within the district that apply to all children.

In Wyoming, children who are eligible for special education are entitled to a free appropriate public education (FAPE) in the least restrictive environment (LRE) from the age of three through the school year in which the student turns 21 years old. School districts ensure the provision of FAPE in the LRE for each eligible child through the development and implementation of an Individualized Education Program (IEP), which is updated at least annually.

Transition Planning Form

In Wyoming, school districts are required by IDEA to include transition planning in the Individual Education Plan (IEPs) of students with disabilities by the time they are 16 (some states require transition planning to begin earlier). Transition planning is a coordinated set of activities that are designed within a results-oriented process, focused on improving academic and functional achievement to facilitate the student's movement from school to post-school activities. The IEP team, including the student, work to develop a plan that is based on age-appropriate transition assessments and individualized to address each child's unique needs.

Transition services and activities incorporated into the plan might include:

- ***Career Interest Inventories*** – these paper and pencil assessments can help the student identify work interest and preferences. The results of these assessments can help to create specific employment goals.
- ***Job Shadowing*** – the student follows an employee during a typical day on the job.
- ***Mentoring*** – the student is matched to an adult mentor who serves as an advisor and offers guidance.
- ***Apprenticeship*** – an adult professional teaches the student a specific trade.
- ***Workplace visits and tours*** – the student observes different work settings.
- ***Career Fairs and Career Days*** – local community members' visit a school to share career experiences with an interested group of students.
- ***Mock job interviews*** – partner with your local Workforce Center to set up mock interviews for students so that they can gain experience.
- ***Job Clubs*** – if available through your local school, job clubs can be great for peer level mentoring and encouragement in employment efforts and on-the-job issues.
- ***After-school and summer job placements*** – arranged and supported by school staff.
- ***Internships*** – paid or unpaid work experience for students.

Resources

Division of Vocational Rehabilitation (DVR)

The Division of Vocational Rehabilitation is a federal-state program that works with people who have physical or mental disabilities to prepare for, gain or retain employment.

Eligibility Criteria:

1. Individual has a physical or mental impairment.
2. Impairment poses a substantial impediment to employment.
3. Individual requires services from DVR to prepare for, gain, or retain employment.

Services that VR provides:

- As part of their core services, DVR provides to all clients eligibility assessments, counseling and guidance, information and referral services, and job search and job placement services. Any additional services that a person with a disability may need are individualized to their specific disability and employment goal.

Call 1-866-804-3678 or visit VR's website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Workforce Investment Act Program (WIA) (For Adults)

The Wyoming Department of Workforce Services uses Workforce Investment Act funding to help adults, dislocated workers and youth find employment that leads to self-sufficiency through various services available at its local Workforce Centers.

Eligibility Criteria:

- For individuals who are 18 years of age or older.
- Individuals who are unemployed and are unable to obtain employment through core services and have been determined to be in need of more intensive services in order to obtain employment; or
- Are employed and have been determined to be in need of services in order to obtain or retain employment that allows for self-sufficiency.
- Meet certain income guidelines.

Services that WIA provides:

- Occupations skills training;
- On-the-job training;
- Programs that combine workplace training with related instruction;
- Training programs operated by the private sector;
- Skills upgrading and retraining;
- Entrepreneurial training;
- Job readiness training;
- Adult Basic Education activities in conjunction with these activities; and
- Customized training with a commitment to employ trainees.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Workforce Investment Act Program (WIA)
(For Youth)

The Wyoming Department of Workforce Services uses Workforce Investment Act funding to help adults, dislocated workers and youth find employment that leads to self-sufficiency through varies services available at its local Workforce Centers.

Eligibility Criteria:

- For individuals aged 14-21.
- Services provided to eligible youth seeking assistance in achieving academic and employment success.

Services that WIA provides:

- Tutoring, study skills training and instruction leading to completion of secondary school, including dropout prevention strategies;
- Alternative secondary school services;
- Summer employment opportunities that are directly linked to academic and occupational learning;
- Paid or unpaid work experiences, including internships and job shadowing;
- Occupational skill training;

- Leadership development opportunities, which may include community service and peer-centered activities encouraging responsibility and other positive social behaviors during non-school hours;
- Supportive services;
- Adult mentoring for the period of participation and a subsequent period, for a total of not less than 12 months;
- Follow-up services for not less than 12 months after the completion of participation; and
- Comprehensive guidance and counseling which may include drug and alcohol abuse counseling and referral.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Department of Workforce Services (DWS)
Career Exploration and Aptitude Testing

The Wyoming Department of Workforce Services understands the need for students, parents, schools, job-seekers and others to explore their career aptitude and development. With this need in mind, the Wyoming Department of Workforce Services provides the following tools to further facilitate such career exploration:

- Start exploring career options with CareerOneStop, whether you are in high school, have graduated, have a vocational certificate, have a 2-year or 4-year college degree or have knowledge and skills acquired through training centers, on-the-job training, or work experience.
- The Wyoming Department of Workforce Services' local Workforce Centers have publicly-accessible computers with resume writing software, various books and videos on resume writing and interviewing, college catalogs, typing, spelling tests, and other resource materials.
- Wyoming at Work Career Services (https://www.wyomingatwork.com) is available. With it, a person can complete, through Wyoming at Work, occupational skills assessments to assist in career development and job placement.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Wyoming Services for Independent Living is a registered non-profit human service agency established to enable persons with significant disabilities to live as independently as possible in the community of their choice.

Eligibility Criteria:

- Presence of a significant disability that interferes with living independently
- Not determined by income levels
- Person motivated to maintain and/or increase levels of independence.

Services that WSIL provides:

- Individual and systems advocacy;
- Information and referral;
- Peer counseling;
- Independent Living Skills Training;
- ADA technical advice;
- Adaptive equipment;
- Home modification;
- Loan closet;
- Nursing Home Transition and Diversion; and
- Transportation Voucher.

Call 1-800-266-3061 to find an office near you or to learn more about their services.

wilr wyoming independent living rehabilitation

Wyoming Independent Living Rehabilitation educates and empowers Wyoming citizens with disabilities by providing the necessary tools to live with independence and dignity. All services are provided on a "consumer-driven" basis. You decide what you need to live independently.

Eligibility Criteria:

- Each program has different criteria to be eligible. Please contact WILR for more information and to see if you qualify.

Programs that WILR offers:

- Independent Living Services
  - Services to help people regain or maintain independence in their lives.
- Visually Impaired Program
  - Services for older adults who are blind or severely visually impaired.
- Consumer Directed Care
  - To provide the option of obtaining personal attendant care services provided by an individual of the consumer's choice, who is not necessarily medically trained to provide such services.
- Project Out
  - To transition consumers from nursing homes back into communities.
- ADA Consultant
  - To provide information to individuals, organizations, businesses and municipalities regarding the ADA and accessibility issues.
- Transportation Check Program
  - To provide transportation to consumers with disabilities
- Wyoming Technology Access Program (WYTAP)
  - Offers persons with disabilities an opportunity to finance assistive technology devices and services through low – or no – interest loans.
- Making Homes Accessible
  - A conditional block grant program to help low to moderate income people with disabilities to make their homes accessible.

Call 1-800-735-8322 or 266-6956 (in Casper) to find an office near you or to learn more about their services.

Job Accommodation Network (JAN)

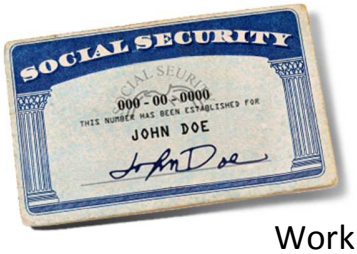
Identifying and arranging necessary accommodations and supports is a key part of assisting people with disabilities to find and keep employment – and is legally reinforced by the Americans with Disabilities Act. A job accommodation means that a job, workplace or way a job is done is modified to help the person with a disability do his/her job. There are several general types of job accommodations:

- Job restructuring, such as a change in work schedule or a decrease in the number of job duties
- Assistive devices – item, device or piece of equipment that is used to help the person with a disability perform a task.
- Training/teaching methods, such as an extended orientation period or audio version of a training manual
- Modification to the building, such as ramps, electronic door opener or flashing lights.

The Job Accommodation Network (JAN) is the leading source of free, expert, and confidential guidance on workplace accommodations and disability employment issues. Working toward practical solutions that benefit both employer and employee, JAN helps people with disabilities enhance their employability, and shows employers how to capitalize on the value and talent that people with disabilities add to the workplace.

JAN provides free, confidential technical assistance about job accommodations and the Americans with Disabilities Act (ADA). Call 1-800-526-7234 to get more information.

Appendix A: Social Security Work Incentive Information



Because many people with disabilities fear losing the SSA benefits and related health care due to being able to work and earn an income, they choose not to work. The SSA has made efforts to reduce this fear by creating and implementing programs known as SSA Work Incentives. Work incentives allow people who receive SSA benefits to work and earn an income while maintaining their benefits and their health insurance. There are specific conditions and requirements for each work incentive, and people must understand how the programs work, including the reporting requirements, in order to ensure proper implementation. Listed below are some of the work incentives offered by Social Security.

For complete information on all SSA's work incentives please visit their website at www.ssa.gov, call 1-800-772-1213 or contact your local Social Security Office.

Social Security Disability Insurance Program (SSDI)

The Social Security Disability Insurance Program (SSDI) provides a monthly benefit to individuals under full retirement age, who have enough quarters paid into the system, have worked five out of the last ten years, and meet the Social Security Administration's (SSA) definition of disability. These SSDI benefit payments will continue as long as the person is unable to engage in "substantial gainful activity" (SGA). A person who is earning more than a certain monthly amount in gross earnings is considered to be engaging in SGA. The SGA amount generally changes when the national average wage index changes. In 2015, the monthly SGA amount is $1090 for a non-blind individual and $1820 for a blind individual. There are work incentives that allow people to go to work after becoming eligible for SSDI. These work incentives allow a person to return to work, but have a safety net, allowing them to continue receiving their SSDI monthly benefit and Medicare coverage for a specific amount of time. Many people can work and keep their SSDI payments and Medicare if they are aware of the work incentives for SSDI.

Supplemental Security Income (SSI)

Supplemental Security Income (SSI) is based upon financial need. It provides monthly benefits to low income individuals who are disabled, blind, or over the age of 65 who are unable to engage in SGA and meet SSA's non-medical criteria for eligibility. The monthly benefit is based on the federal benefit rate (FBR) and generally changes annually based on cost of living increases. In 2015, the monthly FBR is $733.

SSI recipients are automatically eligible for Medicaid, a government health insurance program, and often are eligible for other federal programs such as SNAP, the food assistance program.

The definition of "disability" is the same for SSI and the SSDI programs. To qualify for SSI, a person must have a medically determinable physical or mental impairment that prevents them from engaging in substantial gainful activity. The impairment must have lasted for a continuous period of 12 months, be expected to last for a continuous period of 12 months, or be expected to result in death. In order to be eligible for SSI, the person with a qualifying disability must meet age requirements, residency, legal involvement, living arrangements, and resource and income requirements.

How Property and Assets are Treated Under SSI

Resource and income include, but are not limited to, real estate or real property other than the applicant's residence, vehicles (one car or truck is excluded), bank accounts, cash, stocks, bonds, or other investments. Cash value of life insurance policies, burial spaces, expense funds, certain trusts, and any money or property sold, transferred, or disposed of within 36 months prior to the application. To be eligible for SSI, total counted resources cannot exceed $2,000 per person or $3000 per couple. Income counted includes any earned or unearned income, rental income, child support, alimony, TANF, EITC's, self-employment wages, unemployment compensation, and any other income sources.

The following items DO NOT count as assets or resources for purposes of SSI eligibility:

- The applicant's home and the land it is on, provided that it is the primary residence.
- Household goods, personal property, and one car or truck, if it is necessary for daily activities.
- Life insurance with a face value less than $1500.
- Burial spaces and expense funds up to $1500.

As laws and policies change often, make certain that if there are additional options for keeping assets, such as special needs trusts, that these assets have been approved by the Social Security Administration.

How Income May Impact SSI Eligibility

Countable income can include both earned income and unearned income. This means that income which may impact the amount of the SSI payment includes money that is paid by an employer, Social Security payments, private pension payments, or some items of value that are received as gifts to pay for food, shelter, or utilities.

If a person is considered disabled under SSA rules and plans to work, his or her countable income can be reduced by special programs known as "work incentives." These programs allow a person receiving SSI and/or SSDI to work and continue to receive all or part of their disability payments as well as maintain eligibility for Medicare and/or Medicaid.

Employed Individuals with Disabilities (EID) Program
Medicaid Buy-in Coverage

The EID program provides work incentives for individuals with disabilities. Individuals with disabilities who work and have no health-care coverage, or who may lose their Medicaid coverage, should apply if they obtain employment, increase their work hours, or increase their rate of pay. People with disabilities who work will pay a monthly premium to receive Medicaid health-care coverage. The premium is (7.5%) of their monthly earned income and their yearly unearned income that is in excess of $600.

You may be eligible if you:

- Are employed
- Have a disability based on Social Security Administration guidelines
- Are a U.S. citizen or lawful permanent resident who has lived in the U.S. for at least five years
- A Wyoming resident
- Are 16 through 64 years of age
- Meet income guidelines (earned income is exempt)

Know your options. The Medicaid Buy In (EID program) allows you to work and have Medicaid health-care coverage for only 7.5% of your monthly earned income.

Benefits of the EID program:

- You will have Medicaid health-care coverage.
- You can work in the community.
- You can earn and save more money without the risk of losing health-care coverage.

Call the Wyoming Department of Health, Customer Service Center at 1-855-294-2127 to find out about the application process.

Impairment Related Work Expense (IRWE)

This work incentive applies to both SSI and SSDI at different times. An IRWE is an out of pocket cost that a person must pay that 1) is related to their disability and 2) is needed in order for them to work. The out of pocket costs reduce the income that SSA counts. Receipts must be sent into SSA monthly.

Examples of IRWE:

- Cost of taxis or drivers needed to travel to work because your disability prevents use of public transportation.
- Modified vehicles needed because of disability, e.g., special steering/braking equipment.
- Ramps, railings, or other modifications to the outside of your home that allow you to leave and go to work.
- Routine medication costs that help keep your disability related symptoms under control.

Subsidies and Special Conditions

A subsidy only applies to SSDI and is defined as the value of extra support a person receives on the job. The subsidy is provided by the employer and the worker must earn the same pay as other workers doing the same job. Examples include a job coach, mentor, extra supervision, or a reduced workload. The value of the subsidy is determined by the employer. Special conditions apply when the individual is not fully earning his or her wages because the work is performed under special conditions such as on-the-job coaching or substitution in which the job coach performs part or all of the individual's job duties. SSA will deduct the wages that are not considered "earned" by the individual.

Examples of subsidies:

- You receive more supervision than other workers doing the same or a similar job for the same pay.
- You have fewer or simpler tasks to complete than other workers who are doing the same job for the same pay.
- Job coach assistance.

Examples of special conditions:

- You receive close and continuous supervision.
- You receive on the job coaching and the job coach performs part or all of your tasks.

Unincurred Business Expense

"Unincurred business expenses" refers to self-employment business support that someone provides to you at no cost. In deciding whether you are working at the SGA level, SSA deducts unincurred business expenses from your net earnings from self-employment. Examples of unincurred business expenses are (1) a Vocational Rehabilitation agency gives you a computer that is used in a graphic arts business; and (2) a friend works for your business as unpaid help.

For an item or service to qualify as an unincurred business expense:

- It must be an item or service that the IRS would allow as a legitimate business expense if you had paid for it; and
- Given to you free of charge.

Unsuccessful Work Attempt

An unsuccessful work attempt is an effort by a disabled individual to do substantial work that either stopped or produced earnings below the SGA level after a short amount of time, no more than 6 months because of:

- The individual's disabling condition; or
- Elimination of the special conditions or assistance that the individual needed in order to work.

Trial Work Period

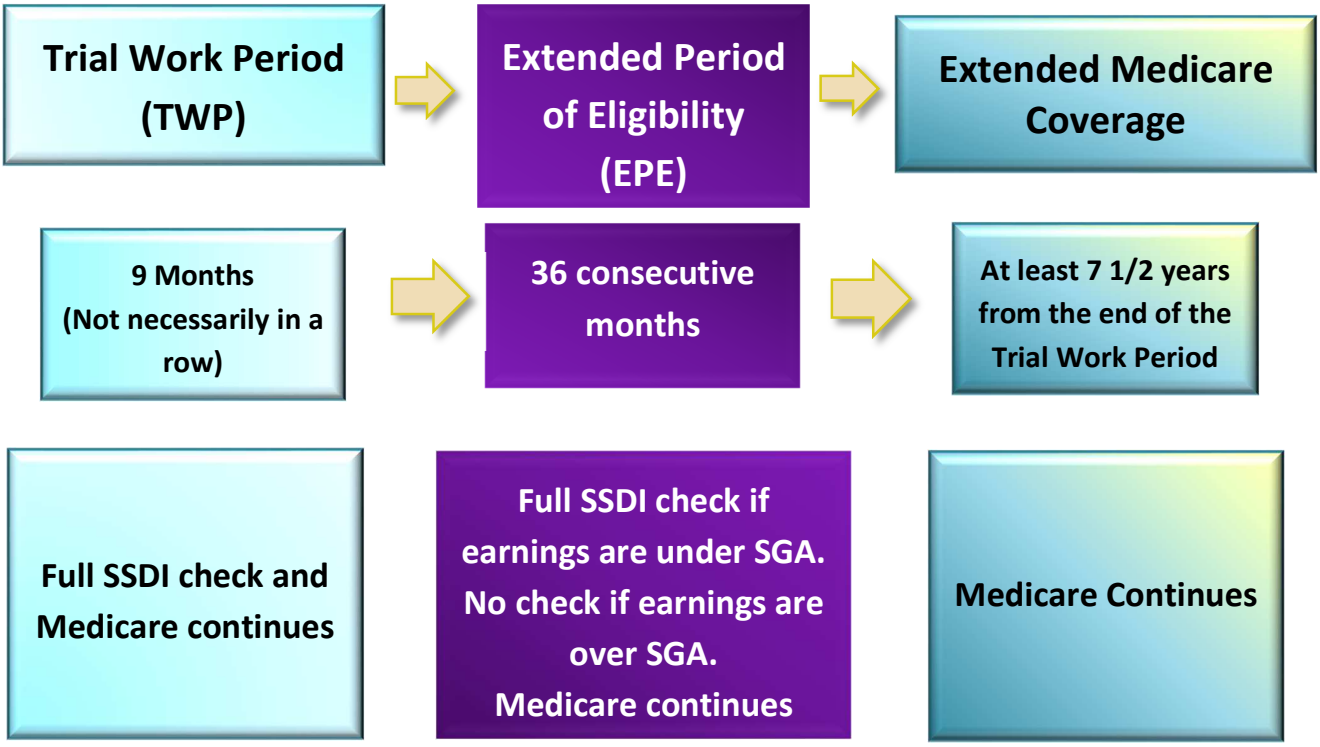
Applies to SSDI only – the Trial Work Period (TWP) allows you to test your ability to work by providing a period of nine (9) months of gross earnings during which your SSDI check is not affected. A month does not count towards your trial work period unless your gross earnings meet or exceed an amount set each year by SSA. In 2015, the TWP amount is $780. During your TWP, you will receive your full disability benefit regardless of how much you earn. You must report your work activity to SSA and continue to have a disabling impairment. The nine (9) months does not need to be consecutive, they are counted within a five-year period. Certain other rules apply. Medicare coverage will continue for ninety-three (93) months after the last month of the TWP.

If you are on SSDI, don't be afraid to work. You get a 9 month trial work period to test the waters of employment.

Extended Period of Eligibility

Applies to SSDI only – the Extended Period of Eligibility (EPE) begins after you have completed your trial work period and have gross earnings at or above the SGA level. The EPE lasts for thirty-six (36) months and allows an individual to receive their SSDI check in any month that their earnings fall below SGA. If work is discontinued during the EPE, the individual simply needs to contact SSA to reinstate benefits. You must continue to have a disabling impairment.

36 month extended period of eligibility AFTER your 9 trial work period months.



Earned Income Exclusion

Applies to SSI only – all SSI recipients receive a $20 general income exclusion. If SSI is the person's only income prior to working, he or she also gets an earned income exclusion of $65. After deducting the $85 in exclusions from your earned income, SSA then only considers half of your remaining earnings.

When you are on SSI, the Social Security Administration only counts $1 for every $2 you earn while working.

Example:

- John is receiving $733 in SSI each month.
- He returns to work and earns $500 in gross monthly earnings.
- Because John was only receiving SSI prior to working, he receives both income exclusions:

  $500 (*Earnings*) minus $85 (*Exclusions*) = $415
- SSA only counts half of the remaining earnings:

  $415 (*Considered earnings after exclusions*) divided by 2 = $207.50
- SSA will only count $207.50 of John's total earnings.
- His SSI check will then be reduced by $207.50.
- His new SSI amount will be **$525.50** (*$733-$207.50=$525.50*).
- **Johns total monthly income is now $500 (*earnings*) plus $525.50 (*SSI benefit*) = $1025.50.**
- John continues to receive Medicaid because his SSI benefit is at least $1.

Plan to Achieve Self-Support (PASS)

Applies to SSI only – a plan to achieve self-support allows you to set aside income or assets of a set amount of money for an established period of time towards a specific employment or vocational goal. Funds can be used for education, equipment, or starting a business, etc. Goals must generally be obtainable within three years, but some exceptions are possible. Funds must be used for a designated purpose or a person could be in overpayment and have to pay back to SSA. A PASS plan can help a person achieve their work or vocational goal. Your goal should be a job that allows you to earn enough to reduce or eliminate your need for benefits provided under the Social Security and Supplemental Security Income programs. SSA does not count the money or resources you set aside under an approved PASS plan when they decide your initial or continuing eligibility for SSI. Having a PASS may help you qualify for SSI or may increase the amount of your SSI payment.

Property Essential to Self-Support (PESS)

Applies to SSI only – SSA does not count some resources that are essential to your means of self-support when they decide if you are eligible for SSI. For example, they do not count property such as tools or equipment that you use for work. If you have a trade or business, they do not count property such as inventory. A person must be using the property that SSA is excluding under PESS, or be expected to start using it in a reasonable amount of time, typically within 12 months.

Federal Rule 1619(b)

Applies to SSI only – Section 1619(b) allows a person who is receiving SSI and working to continue to receive Medicaid at no cost, even when their earnings reduce their SSI benefit to $0. There are earnings threshold requirements. In 2014, for Wyoming, the threshold amount is $36,447. A person who meets the requirements of 1619(b) will receive full medical coverage under Medicaid.

To qualify:

- A person must have been eligible for an SSI cash payment for at least one month prior to accessing 1619(b).
- SSI benefit must have been reduced because of earnings.
- Must continue to meet SSA disability requirements.
- Continue to meet resource requirements for SSI.
- Need the medical assistance to work.
- Have gross earned income that is insufficient to replace the cost of medical assistance needed.

For assistance planning for employment, use our "Employment Pathway Planning Packet"

http://health.wyo.gov/DDD/cmforms.html

Start Your Employment Planning Now

If you are not employed now, but would like to pursue ***employment in the next year*** or ***employment in the next two (2) years***, ask yourself the following questions to begin your planning:

1. Have you ever volunteered in the community?
2. Do you want to learn a new skill?
3. When you are out in the community, are there jobs that you see people doing that you would like to know more about?
4. Do you want to learn about different types of jobs available?
5. If you could have any job, what would it be?
6. What interests you about your dream job?
7. Are there jobs that you don't want to do?
8. How much money will you need to make to meet your living expenses?
9. How much money will you need to buy things you want?
10. What is your greatest fear when you think about working?
11. Is there anything that worries you about getting a job?
12. What motivates you?
13. Will you need prevocational or employment discovery and customization services?
14. What supports will you need to begin competitive employment?
15. Who will help you set up the supports you need to gain and maintain competitive, integrated, and meaningful employment?
16. What is your employment goal date?

SSDI Trial Work Period (TWP) Tracking Chart

You are allowed nine (9) TWP months in a rolling sixty (60) month period

2015 Amount TWP= $780 SGA=$1090

Month	Gross Earned Income	Trial Work Month Yes or No	SSDI Cash Benefit	Total Income
Example: January	$800	Yes= TWP Month 1	$1000	$1800

Notes

Employment First

Pathway to Employment
Pathway to Integration
Pathway out of Poverty

"Working together to build a more prosperous Wyoming."

Wyoming Department of Health

Commit to your health.

BEHAVIORAL HEALTH DIVISION

Employment First Planning Guide

For adults ages 16+ with Intellectual Disabilities, their families, and the Circle of support.

Behavioral Health Division
Developmental Disabilities Section
6101 Yellowstone Road, Suite 220
Cheyenne, WY 82002
www.health.wyo.gov/ddd
800-510-0280 | 307-777-6494

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Introduction

The influence that parents, family, friends, teachers, and providers have on people with disabilities can be both influential and powerful. When it comes to setting expectations about work, those involved in the lives of people with disabilities need to convey the expectation that people with disabilities can work, can contribute, and can find great satisfaction in being part of the world of work.

People WORK for many reasons. For some, it provides a sense of self or meaning in one's life; for others, it is the social context of meeting and associating with others in a common effort or goal; and for still others, it is the means by which to gain status, either personal or economic, which allows for choice and discretion in determining one's "quality of life."

What Makes Life Good?

When asked, ***"What makes life good?"*** almost all people identify the same core components. While different people will use different words to describe a component or more highly value one component over another, the list of components is consistently the same:

- Freedom of choice and ease of access to the community;
- Positive, interdependent relationships with family and friends;
- A safe, comfortable home in a safe neighborhood;
- Being respected, included in and a member of your culture and community;
- Good health and access to good health care;
- Enjoying one's personal choice of hobbies, recreation, and leisure activities; and
- Satisfying employment and the economic benefits of contributing through work.

Although employment outcomes for individuals with disabilities still lag behind those compared to individuals without disabilities, it is clear that enormous barriers to employment are being overcome. It is far more common now to see people with disabilities in a wide range of jobs throughout the community than it was even a decade ago.

Supported employment is an alternative to traditional sheltered and competitive employment approaches. It is an attempt to meet the specific needs of individuals with disabilities and is based on fundamentally different principles and assumptions. The supported work model assumes that all individuals, regardless of the nature or extent of their disabilities, should have the opportunity and support to work in the community. There are no pre-requisite skills needed for community job success. Therefore, the task is not to identify and place "work ready" individuals, but rather to locate and/or modify meaningful jobs in the community and provide training and supports at the job site.

Supported employment will often take the form of "customized" employment. Customized employment is a flexible process designed to personalize the employment relationship between a job candidate and an employer in a way that meets the needs of both. It is based on an individualized match between the strengths, conditions, and interests of job candidate and the identified business needs of an employer. Customized employment utilizes an individualized approach to employment planning and job development – one person at a time, and one employer at a time.

This Employment Planning Guide is designed to help parents, participants, and providers start the process of finding competitive work for people with disabilities; learn about the resources, services, and the programs available to help people with disabilities in Wyoming pursue their own unique path to work, a career, and participate in community life.

"Given the choice between work and idleness, people will almost always choose work. Regardless of our station in life, the condition of our bodies and minds, or the amount of money in our bank accounts, the need to work remains one of our strongest drives. Work is central to our lives, and as such, gives a large measure of structure to our days. Common sense tells us that we feel better about ourselves when we are working regularly."

~Robert Drake, M.D.,

Meet Jane

Let's look at an example of what the new employment pathway might do for a participant.

We want to introduce a fictional waiver participant, Jane, who is a based upon people we know in Wyoming receiving services. We want to describe how the new employment pathway can realistically work for someone and change his or her life.

Jane has been going to day services and working in an enclave at the recycling center, and she receives group supported employment. Jane's team of family and providers encouraged her to start looking for other employment opportunities with the new employment services on the waiver.

At her team meeting, Jane and her team discuss what type of work she would like and want to do if she did not work at the recycling center. They ask her where in town she would like to work. They find out she likes flowers and gardening centers in stores, so they make a plan to set up mentor sites at flower shops and garden centers in department stores using the Employment Discovery and Customization service.

As Jane continues to work at the recycling center, her direct care staff start working with her on non-job-specific, work-related tasks that she might need for competitive employment at a flower shop through Prevocational Services. They also work with her on learning specific tasks in Group Supported Employment that would assist her in working with customers from the public.

Jane's staff helps her meet with the local Department of Vocational Rehabilitation office (DVR) and make an employment plan. After DVR opens a case and pays for job development, a job coach helps Jane fill out employment applications and assists her with interviewing for jobs.

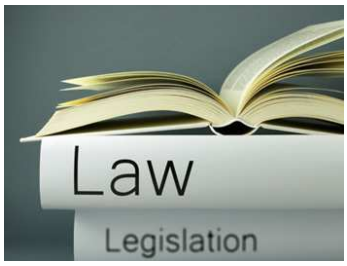
Finally, Jane finds a job working in a flower shop four days a week. DVR pays for supported employment for the time that she needs to obtain and maintain her job. Once she is successful and no longer needs a full-time job coach, DVR puts her case into "Status 22 – Employed." If during this time she needs a job coach,

the waiver will then pay for this service. ***(Please note: DVR cannot close a case successfully when services are still being offered. DVR must go three months or 90 days without paying for any services before they are able to close out a case successfully.)*** Participants, providers, and parents, must be aware of this DVR requirement.

Due to difficulty in learning all of her job tasks, Jane uses Individual Supported Employment through the waiver, which provides her with a job coach for a longer period of time. A job coach can assist her until she can perform the job fairly independently and begins receiving the help she needs from her co-workers, instead of the job coach. After a few months, Jane switches to Transportation Services to get to and from work and Jane's provider switches to Supported Employment Follow Along to check in on Jane's progress each month. Jane continues to learn and grow in her position. Occasionally the provider will provide job coaching to assist Jane and address any concerns that she or her employer has.

Jane now works four days a week and makes triple the money every month than she did at the recycling center. She has three new friends, who are also her co-workers! She also likes having extra money, which allows her to spend more time bowling and hanging out with her boyfriend.

2014 Employment First Legislation



An Act relating to persons with disabilities, which established employment first as a state policy to support competitive employment in an integrated setting, was enacted by the Wyoming Legislature in 2014. This Act requires agencies to support competitive and integrated employment; requires state agencies working with home and community based waiver service providers to implement employment first policies; requires state agencies to report on employment data; provides definitions; and provides for an effective date.

House Enrolled Act 53:

9-2-1002. Definitions; powers generally; duties of governor; provisions construed; cooperation with legislature and judiciary; divisions enumerated.

(xiii) **"Competitive employment"** means work in the competitive labor market that is performed on a fulltime or part-time basis in an integrated setting, and for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled;

(xiv) **"Employment first"** means a concept to facilitate the full inclusion of individuals with disabilities in the workplace and community. Under the employment first approach, community based, integrated employment is the first option for employment services for children and adults with disabilities. Employment first includes competitive employment in an integrated setting;

(xv) **"Integrated setting"** means with respect to an employment outcome, a setting typically found in the community in which applicants or eligible individuals interact with individuals who do not have disabilities, other than nondisabled individuals who are providing services to those applicants or eligible individuals, to the same extent that individuals who do not have disabilities interact with other persons in comparable positions.

9-2-1022. Duties of department performed through human resources division.

(n) In carrying out the duties of the division under this section, employment first shall be the policy of the state that competitive and integrated employment shall be considered its first option when serving persons with disabilities who are of working age to obtain employment. Employment first applies to programs and services that provide services and support to help obtain employment for persons with disabilities. All state agencies shall follow this policy and ensure that it is effectively implemented in their hiring and in all programs and services administered or funded by the agencies. Nothing in this section shall be construed to require any employer to give preference to hiring people with a disability. All state agencies shall coordinate efforts and shall collaborate within and among the agencies to ensure that state programs, policies, procedures and funding support competitive and integrated employment of individuals with disabilities. All state agencies shall, whenever feasible, share data and information across systems in order to track progress toward full implementation of this subsection.

Nothing in this section shall be construed as eliminating any supported employment services as an option when appropriate.

42-4-120. Contracts for waiver services; authority of department; emergency case services; cost based payments; training and certification of specialists.

(m) The department shall ensure that state agencies working with service providers receiving funds pursuant to this section shall have established employment first policies, including competitive employment in an integrated setting, consistent with the requirements of W.S. 9-2-1022.

Employment Talking Points

Employment means a job in the community that the person wants and can perform, with or without accommodation and support.

- When we talk about employment today, we mean having a job or vocation in the community that pays at least minimum wage.

Employment is an essential part of self-determination for many people.

- Employment is a way for people to achieve their personal dream of success, respect, and control.
- Having community employment can be an important part of one's self-identity and value in society today.

People with disabilities are successful workers.

- Thanks to new technology, new laws, and better teaching methods, jobs that were out of reach in the past for people with disabilities are accessible today.
- Job coaches are available to assist people who need assistance in locating, preparing for and successfully managing the job of their choice.
- Success is also supported by government programs, which provide real incentives for people with disabilities to work, keep more earned income for their personal use, and retain their needed benefits.

Some questions to get the employment process started.

- Does the participant need help figuring out the types of jobs and careers he/she would like and be good at doing?
- Will his/her support needs change over time? Are there times when more help will be needed?
- What is most important to the participant? Pay and benefits, fun people to work with, or safety and security?
- Will help be needed to manage benefits, such as Social Security and Medicaid?
- Will job coaching services be needed on the job and if so, how often and for how long?
- Will help be needed to identify activities for when he/she is not working?

Best Practices

Experience has shown that when certain principles are followed while supporting people with disabilities in their employment efforts, the most meaningful and successful outcomes are achieved. These principles are sometimes referred to as "best practices" in community employment services and they include:

- Focusing on individual jobs in the community, paid directly by the employer;
- Using a ***"person-centered planning"*** approach, where job placement is based on the individual's interests, needs and preferences, and the individual is supported to take control of his/her job planning process;
- Emphasizing ***"job matching"*** – searching for employment that closely matches what the job seeker wants, is good at doing, and where he or she will fit in and be comfortable;
- ***Thinking broadly*** about where the individual can work by not being limited to the ideas of traditional workplaces such as supermarkets and fast food chains;
- Taking advantage of personal networks – tapping into family and staff contacts to gather information, resources, and potential job leads;
- Using ***"natural supports"*** including family, friends, co-workers, and mentors to meet the needs of the individual on the job; and
- ***Fading out paid staff supports*** as the individual becomes more settled, comfortable, and independent in the workplace.

Person-Centered Planning is Best Practice

How Employment Affects My Benefits

While earned income can affect a person's eligibility for Social Security, food stamps, public housing and medical assistance benefits, State and Federal programs make it feasible for people to retain much more of their earnings than they could in the past without losing needed health care benefits and services. When taking advantage of State and Federal work incentives, people must report their earnings and assets or savings.

It is important to track your earnings each month and be familiar with the effects that it may have on other benefits you may be receiving.

Earned income WILL affect how much you receive in food stamps and public housing, BUT the amount you earn by becoming competitively employed far outweighs the reduction in food stamps and public housing assistance. You will be moving in the right direction to self-sufficiency!

Department of Health, Community Waiver Programs

The Comprehensive and Supports waivers offer five new employment services with better supports to help you gain and keep employment that match your strengths, needs, and interests. The two new waivers offer an employment pathway service overview with various employment support services to support and assist a participant who, because of their disability, needs intensive support to find and maintain a job in competitive, integrated work settings.

A range of supported employment services are available with varying levels of support and intensity to assist the participant in attaining and maintaining the highest level of paid, community integrated employment. Consistent with the *Olmstead Decision* and with person-centered planning, a participant's plan of care regarding employment services shall be constructed in a manner that reflects individual choice and goals related to employment and ensures provision of services in the most integrated setting appropriate.

Prevocational Services

Prevocational services are services designed to create a path to integrated community based employment for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals without disabilities.

Prevocational services should enable each individual to attain the highest level of work in the most integrated setting with a job matched to the individual's interests, strengths, priorities, abilities, and capabilities, while following applicable federal wage guidelines. These services provide learning and work experiences, including volunteer work where the individual can develop general, non-job-task-specific strengths and skills that contribute to employability through paid employment in an integrated community setting.

Prevocational services are time-limited, not to exceed 12 consecutive months and cannot be repeated during the subsequent plan year.

Employment Discovery and Customization

Employment Discovery and Customization is the individualized determination of the strengths, needs, and interests of the participant and is designed to meet the specific needs of the employee and employer relationship.

Employment discovery and customization includes employment developed through job carving, self-employment or entrepreneurial initiative, or other job development or restructuring strategies that result in job responsibilities being customized and individually negotiated to fit the needs of participants. Employment discovery and customization presumes the provision of reasonable accommodations and supports necessary to perform functions of a job that is individually negotiated and developed.

Supported Employment

- ***Small Group Supported Employment***

Small Group Supported Employment services consist of intensive, on-going supports that enable a participant, for whom competitive employment is at or above the minimum wage is unlikely absent the provision of supports; and who, because of his/her disability, need supports to perform in a regular work setting, including mobile work crews or enclaves. These services are conducted in a variety of settings, particularly work-sites where persons without disabilities are employed.

Services include activities needed to sustain paid work, which includes supervision and training. When supported employment services are provided at a work-site where persons without disabilities are employed, payment is only made for the adaptations, supervision, and training that is required by a participant receiving waiver services as a result of their disability. It does not include payment for supervisory activities rendered as a normal part of the business setting.

- ***Individual Supported Employment***

Individual Supported Employment services are the 1:1 supports available to a participant who, because of their disability, needs intensive or on-going support to obtain and maintain an individual job in competitive or customized employment, or self-employment, in an integrated work setting, in the general workforce for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by an individual without a disability.

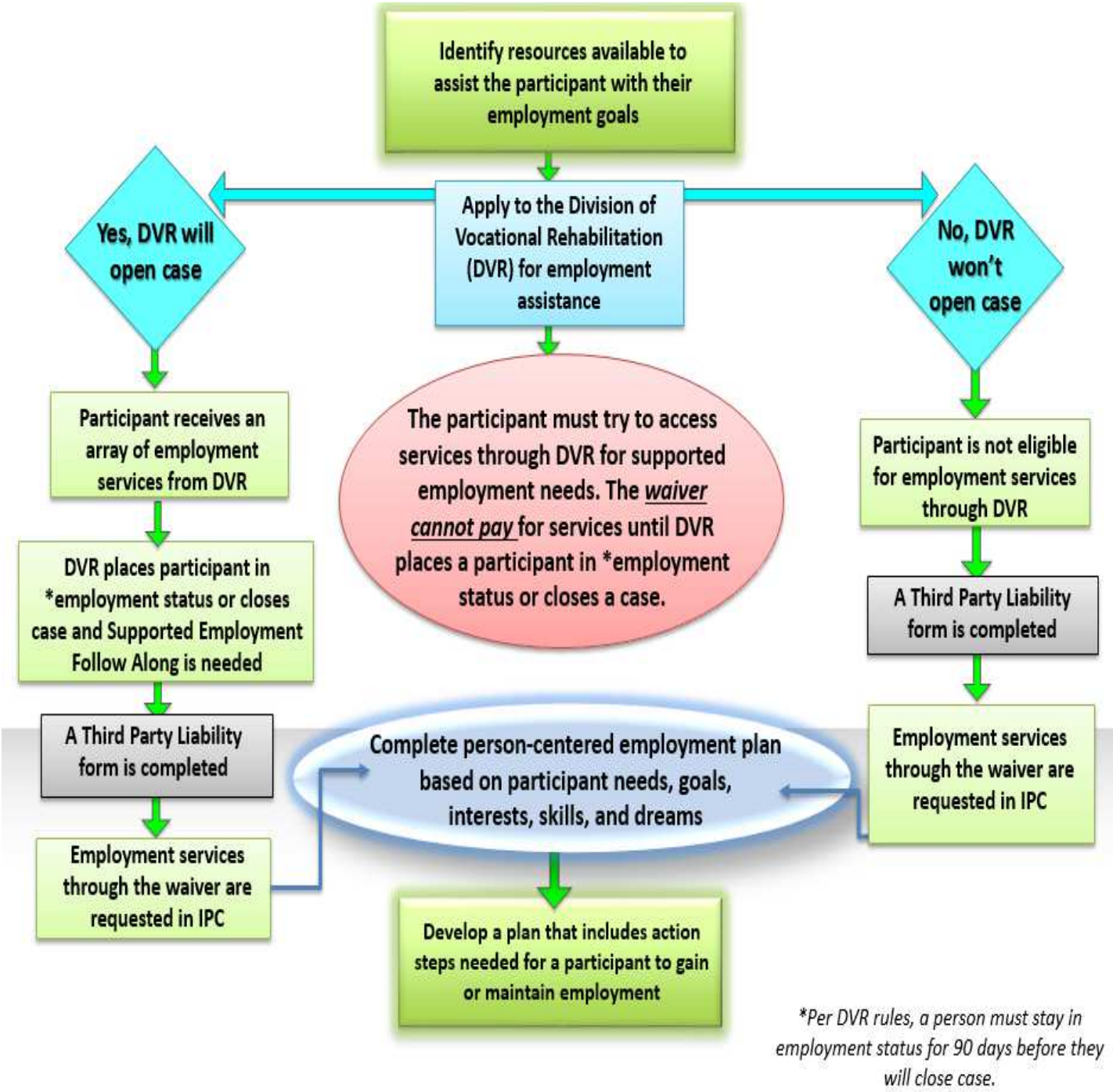
Services are conducted in a variety of settings, particularly work-sites where persons without disabilities are employed. Services include activities needed to sustain paid work by a participant, including supervision and training. When supported employment services are provided at a work-site where persons without disabilities are employed, payment is made only for the adaptations, supervision, and training required by participants receiving waiver services as a result of their disabilities, but does not include payment for the supervisory activities rendered as a normal part of the business setting.

- ***Supported Employment Follow Along***

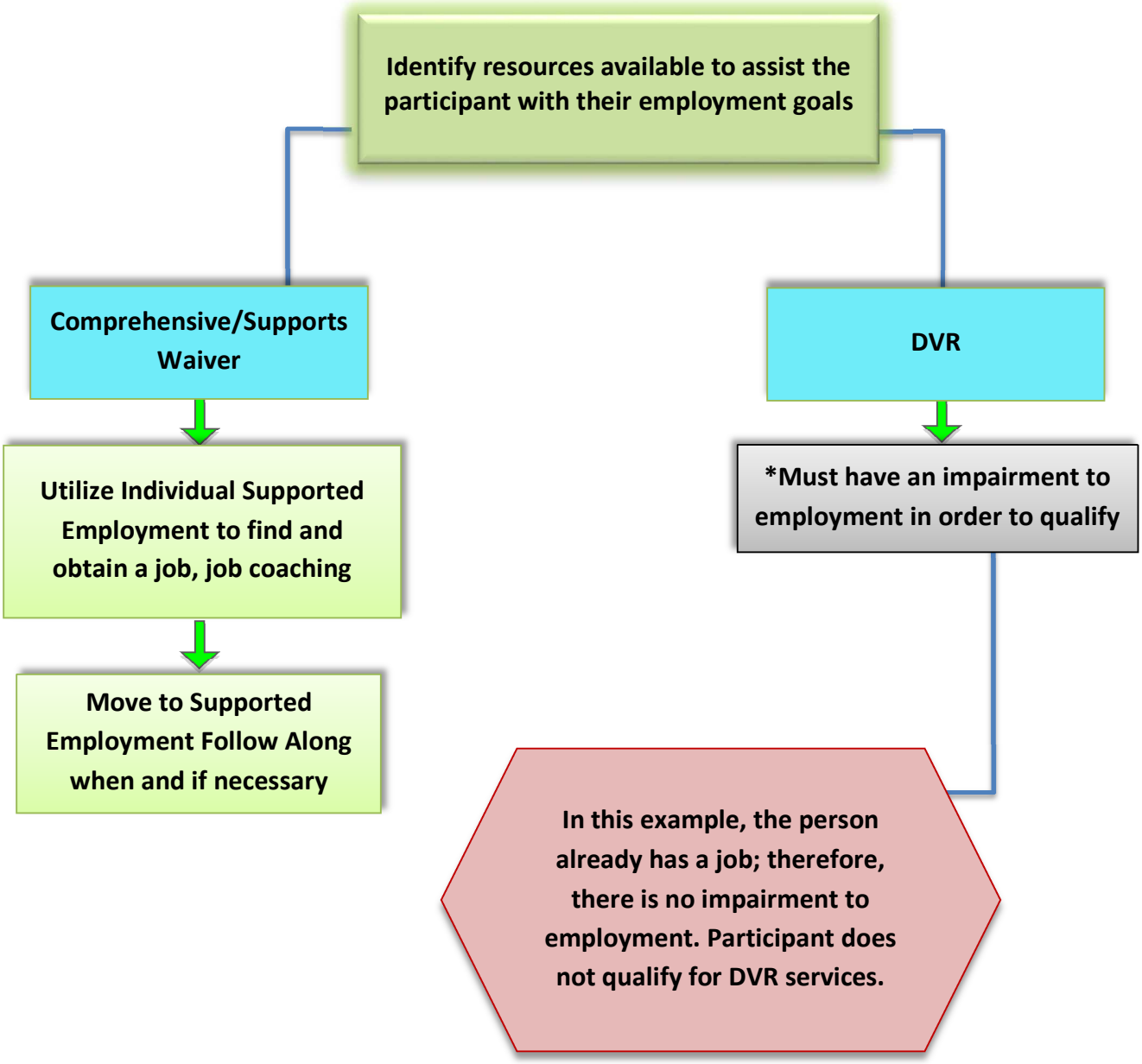
Supported Employment Follow Along are services and supports that enable a participant who is paid at or above the federal minimum wage to maintain employment in an integrated community setting. Service is provided for or on behalf of the participant through intermittent and occasional job support, communicating with the participant's supervisor or manager, whether in the presence of the participant or not.

DVR and Waiver Assistance on Your Employment Pathway

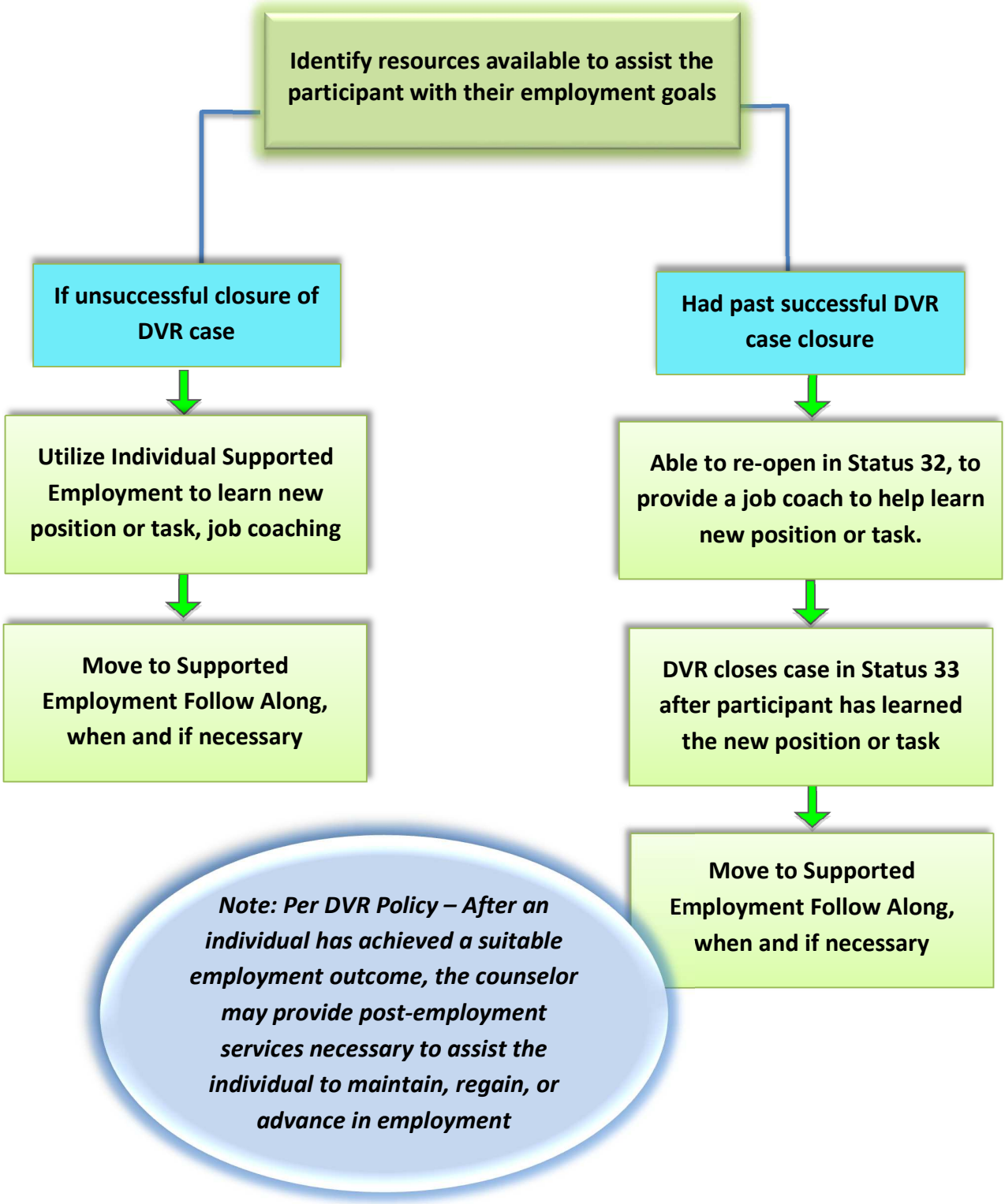
1. No community integrated job before



2. Currently have a job and looking to change jobs



3. Currently have a job and learning a new position or task



4. Currently have a part-time job and looking to obtain a 2nd part-time job

Volunteering

Volunteerism is an avenue that allows individuals to assist with improving their communities, gain marketable skills that could eventually lead to paid employment, test out interests and possible career paths, and develop personal and professional meaningful social connections. It also allows the individual to experience the pleasure and satisfaction of the activity itself and make a difference in the lives of others. Given the social isolation of many people with developmental disabilities, volunteering is important and one of the most useful ways for really getting to know other community members. Volunteering provides many opportunities to learn and practice skills that can be useful in paid employment.

There is value in volunteering and community service. An opportunity to learn, acquire work experience, and a sense of belonging.

Family and Friends

Family and friends of the participant are an important resource that is often overlooked. In many situations, employment opportunities can be found through the participant's family or friends, their school, or their business contacts. Support in finding and keeping a job can be provided informally, by a participant's friends or co-workers, without relying on a funded service. Even when employment services are provided by a community program, relatives and friends play a key role in contributing to the participant's job success by helping in areas of reporting income, preparation for work, transportation, etc.

Transportation

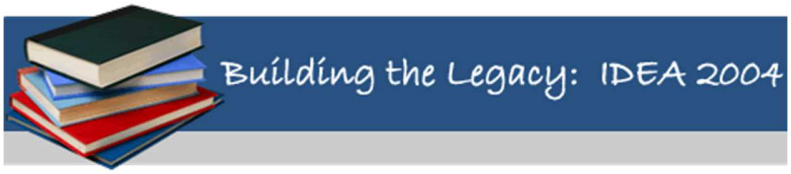
Planning for transportation is an essential part of the job planning process. Job seekers, families, and providers need to work together from the beginning to identify transportation options.

Here is a list of transportation issues to consider:

- Are any public transportation routes accessible?
  - If so, are they available on the days and hours the individual will be travelling to and from work?
- Are transportation services available from the provider and waiver service?
- Is carpooling or shared-ride transportation an option?
- What will the costs be, whether by private or public transportation?
- Are there health, behavior or risk issues that should be considered when selecting the means of transportation?
- Will the individual be able to use public transportation or other shared transit with proper training and support?

When planning transportation, "thinking outside the box" can result in a creative solution. For example, maybe your town's senior bus program can be helpful. Or perhaps your town's taxi company might negotiate a special discounted rate. Consider approaching relatives, co-workers and neighbors about carpooling options.

A plan for transportation is essential when planning for employment.



Employment Transition Planning for School Aged Individuals

Individuals with Disabilities Improvement Education Act

According to the Individuals with Disabilities Education Act (IDEA), special education means specially designed instruction, provided at no cost to the parent, to meet the unique needs of a child with a disability. This specially designed instruction involves adapting, as appropriate to the needs of an eligible student, the content, methodology or delivery of instruction:

- To address the unique needs of the child that result from his/her disability; and
- To ensure access of the child to the general curriculum, so that the child can meet the educational standards within the district that apply to all children.

In Wyoming, children who are eligible for special education are entitled to a free appropriate public education (FAPE) in the least restrictive environment (LRE) from the age of three through the school year in which the student turns 21 years old. School districts ensure the provision of FAPE in the LRE for each eligible child through the development and implementation of an Individualized Education Program (IEP), which is updated at least annually.

Transition Planning Form

In Wyoming, school districts are required by IDEA to include transition planning in the Individual Education Plan (IEPs) of students with disabilities by the time they are 16 (some states require transition planning to begin earlier). Transition planning is a coordinated set of activities that are designed within a results-oriented process, focused on improving academic and functional achievement to facilitate the student's movement from school to post-school activities. The IEP team, including the student, work to develop a plan that is based on age-appropriate transition assessments and individualized to address each child's unique needs.

Transition services and activities incorporated into the plan might include:

- ***Career Interest Inventories*** – these paper and pencil assessments can help the student identify work interest and preferences. The results of these assessments can help to create specific employment goals.
- ***Job Shadowing*** – the student follows an employee during a typical day on the job.
- ***Mentoring*** – the student is matched to an adult mentor who serves as an advisor and offers guidance.
- ***Apprenticeship*** – an adult professional teaches the student a specific trade.
- ***Workplace visits and tours*** – the student observes different work settings.
- ***Career Fairs and Career Days*** – local community members' visit a school to share career experiences with an interested group of students.
- ***Mock job interviews*** – partner with your local Workforce Center to set up mock interviews for students so that they can gain experience.
- ***Job Clubs*** – if available through your local school, job clubs can be great for peer level mentoring and encouragement in employment efforts and on-the-job issues.
- ***After-school and summer job placements*** – arranged and supported by school staff.
- ***Internships*** – paid or unpaid work experience for students.

Resources

Division of Vocational Rehabilitation (DVR)

The Division of Vocational Rehabilitation is a federal-state program that works with people who have physical or mental disabilities to prepare for, gain or retain employment.

Eligibility Criteria:

1. Individual has a physical or mental impairment.
2. Impairment poses a substantial impediment to employment.
3. Individual requires services from DVR to prepare for, gain, or retain employment.

Services that VR provides:

- As part of their core services, DVR provides to all clients eligibility assessments, counseling and guidance, information and referral services, and job search and job placement services. Any additional services that a person with a disability may need are individualized to their specific disability and employment goal.

Call 1-866-804-3678 or visit VR's website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Workforce Investment Act Program (WIA) (For Adults)

The Wyoming Department of Workforce Services uses Workforce Investment Act funding to help adults, dislocated workers and youth find employment that leads to self-sufficiency through various services available at its local Workforce Centers.

Eligibility Criteria:

- For individuals who are 18 years of age or older.
- Individuals who are unemployed and are unable to obtain employment through core services and have been determined to be in need of more intensive services in order to obtain employment; or
- Are employed and have been determined to be in need of services in order to obtain or retain employment that allows for self-sufficiency.
- Meet certain income guidelines.

Services that WIA provides:

- Occupations skills training;
- On-the-job training;
- Programs that combine workplace training with related instruction;
- Training programs operated by the private sector;
- Skills upgrading and retraining;
- Entrepreneurial training;
- Job readiness training;
- Adult Basic Education activities in conjunction with these activities; and
- Customized training with a commitment to employ trainees.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Workforce Investment Act Program (WIA)
(For Youth)

The Wyoming Department of Workforce Services uses Workforce Investment Act funding to help adults, dislocated workers and youth find employment that leads to self-sufficiency through varies services available at its local Workforce Centers.

Eligibility Criteria:

- For individuals aged 14-21.
- Services provided to eligible youth seeking assistance in achieving academic and employment success.

Services that WIA provides:

- Tutoring, study skills training and instruction leading to completion of secondary school, including dropout prevention strategies;
- Alternative secondary school services;
- Summer employment opportunities that are directly linked to academic and occupational learning;
- Paid or unpaid work experiences, including internships and job shadowing;
- Occupational skill training;

- Leadership development opportunities, which may include community service and peer-centered activities encouraging responsibility and other positive social behaviors during non-school hours;
- Supportive services;
- Adult mentoring for the period of participation and a subsequent period, for a total of not less than 12 months;
- Follow-up services for not less than 12 months after the completion of participation; and
- Comprehensive guidance and counseling which may include drug and alcohol abuse counseling and referral.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Department of Workforce Services (DWS)
Career Exploration and Aptitude Testing

The Wyoming Department of Workforce Services understands the need for students, parents, schools, job-seekers and others to explore their career aptitude and development. With this need in mind, the Wyoming Department of Workforce Services provides the following tools to further facilitate such career exploration:

- Start exploring career options with CareerOneStop, whether you are in high school, have graduated, have a vocational certificate, have a 2-year or 4-year college degree or have knowledge and skills acquired through training centers, on-the-job training, or work experience.
- The Wyoming Department of Workforce Services' local Workforce Centers have publicly-accessible computers with resume writing software, various books and videos on resume writing and interviewing, college catalogs, typing, spelling tests, and other resource materials.
- Wyoming at Work Career Services (https://www.wyomingatwork.com) is available. With it, a person can complete, through Wyoming at Work, occupational skills assessments to assist in career development and job placement.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Wyoming Services for Independent Living is a registered non-profit human service agency established to enable persons with significant disabilities to live as independently as possible in the community of their choice.

Eligibility Criteria:

- Presence of a significant disability that interferes with living independently
- Not determined by income levels
- Person motivated to maintain and/or increase levels of independence.

Services that WSIL provides:

- Individual and systems advocacy;
- Information and referral;
- Peer counseling;
- Independent Living Skills Training;
- ADA technical advice;
- Adaptive equipment;
- Home modification;
- Loan closet;
- Nursing Home Transition and Diversion; and
- Transportation Voucher.

Call 1-800-266-3061 to find an office near you or to learn more about their services.

wilr wyoming independent living rehabilitation

Wyoming Independent Living Rehabilitation educates and empowers Wyoming citizens with disabilities by providing the necessary tools to live with independence and dignity. All services are provided on a "consumer-driven" basis. You decide what you need to live independently.

Eligibility Criteria:

- Each program has different criteria to be eligible. Please contact WILR for more information and to see if you qualify.

Programs that WILR offers:

- Independent Living Services
  - Services to help people regain or maintain independence in their lives.
- Visually Impaired Program
  - Services for older adults who are blind or severely visually impaired.
- Consumer Directed Care
  - To provide the option of obtaining personal attendant care services provided by an individual of the consumer's choice, who is not necessarily medically trained to provide such services.
- Project Out
  - To transition consumers from nursing homes back into communities.
- ADA Consultant
  - To provide information to individuals, organizations, businesses and municipalities regarding the ADA and accessibility issues.
- Transportation Check Program
  - To provide transportation to consumers with disabilities
- Wyoming Technology Access Program (WYTAP)
  - Offers persons with disabilities an opportunity to finance assistive technology devices and services through low – or no – interest loans.
- Making Homes Accessible
  - A conditional block grant program to help low to moderate income people with disabilities to make their homes accessible.

Call 1-800-735-8322 or 266-6956 (in Casper) to find an office near you or to learn more about their services.

Job Accommodation Network (JAN)

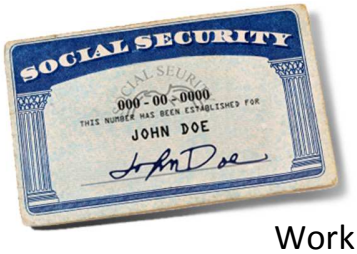
Identifying and arranging necessary accommodations and supports is a key part of assisting people with disabilities to find and keep employment – and is legally reinforced by the Americans with Disabilities Act. A job accommodation means that a job, workplace or way a job is done is modified to help the person with a disability do his/her job. There are several general types of job accommodations:

- Job restructuring, such as a change in work schedule or a decrease in the number of job duties
- Assistive devices – item, device or piece of equipment that is used to help the person with a disability perform a task.
- Training/teaching methods, such as an extended orientation period or audio version of a training manual
- Modification to the building, such as ramps, electronic door opener or flashing lights.

The Job Accommodation Network (JAN) is the leading source of free, expert, and confidential guidance on workplace accommodations and disability employment issues. Working toward practical solutions that benefit both employer and employee, JAN helps people with disabilities enhance their employability, and shows employers how to capitalize on the value and talent that people with disabilities add to the workplace.

JAN provides free, confidential technical assistance about job accommodations and the Americans with Disabilities Act (ADA). Call 1-800-526-7234 to get more information.

Appendix A: Social Security Work Incentive Information



Because many people with disabilities fear losing the SSA benefits and related health care due to being able to work and earn an income, they choose not to work. The SSA has made efforts to reduce this fear by creating and implementing programs known as SSA Work Incentives. Work incentives allow people who receive SSA benefits to work and earn an income while maintaining their benefits and their health insurance. There are specific conditions and requirements for each work incentive, and people must understand how the programs work, including the reporting requirements, in order to ensure proper implementation. Listed below are some of the work incentives offered by Social Security.

For complete information on all SSA's work incentives please visit their website at www.ssa.gov, call 1-800-772-1213 or contact your local Social Security Office.

Social Security Disability Insurance Program (SSDI)

The Social Security Disability Insurance Program (SSDI) provides a monthly benefit to individuals under full retirement age, who have enough quarters paid into the system, have worked five out of the last ten years, and meet the Social Security Administration's (SSA) definition of disability. These SSDI benefit payments will continue as long as the person is unable to engage in "substantial gainful activity" (SGA). A person who is earning more than a certain monthly amount in gross earnings is considered to be engaging in SGA. The SGA amount generally changes when the national average wage index changes. In 2015, the monthly SGA amount is $1090 for a non-blind individual and $1820 for a blind individual. There are work incentives that allow people to go to work after becoming eligible for SSDI. These work incentives allow a person to return to work, but have a safety net, allowing them to continue receiving their SSDI monthly benefit and Medicare coverage for a specific amount of time. Many people can work and keep their SSDI payments and Medicare if they are aware of the work incentives for SSDI.

Supplemental Security Income (SSI)

Supplemental Security Income (SSI) is based upon financial need. It provides monthly benefits to low income individuals who are disabled, blind, or over the age of 65 who are unable to engage in SGA and meet SSA's non-medical criteria for eligibility. The monthly benefit is based on the federal benefit rate (FBR) and generally changes annually based on cost of living increases. In 2015, the monthly FBR is $733.

SSI recipients are automatically eligible for Medicaid, a government health insurance program, and often are eligible for other federal programs such as SNAP, the food assistance program.

The definition of "disability" is the same for SSI and the SSDI programs. To qualify for SSI, a person must have a medically determinable physical or mental impairment that prevents them from engaging in substantial gainful activity. The impairment must have lasted for a continuous period of 12 months, be expected to last for a continuous period of 12 months, or be expected to result in death. In order to be eligible for SSI, the person with a qualifying disability must meet age requirements, residency, legal involvement, living arrangements, and resource and income requirements.

How Property and Assets are Treated Under SSI

Resource and income include, but are not limited to, real estate or real property other than the applicant's residence, vehicles (one car or truck is excluded), bank accounts, cash, stocks, bonds, or other investments. Cash value of life insurance policies, burial spaces, expense funds, certain trusts, and any money or property sold, transferred, or disposed of within 36 months prior to the application. To be eligible for SSI, total counted resources cannot exceed $2,000 per person or $3000 per couple. Income counted includes any earned or unearned income, rental income, child support, alimony, TANF, EITC's, self-employment wages, unemployment compensation, and any other income sources.

The following items DO NOT count as assets or resources for purposes of SSI eligibility:

- The applicant's home and the land it is on, provided that it is the primary residence.
- Household goods, personal property, and one car or truck, if it is necessary for daily activities.
- Life insurance with a face value less than $1500.
- Burial spaces and expense funds up to $1500.

As laws and policies change often, make certain that if there are additional options for keeping assets, such as special needs trusts, that these assets have been approved by the Social Security Administration.

How Income May Impact SSI Eligibility

Countable income can include both earned income and unearned income. This means that income which may impact the amount of the SSI payment includes money that is paid by an employer, Social Security payments, private pension payments, or some items of value that are received as gifts to pay for food, shelter, or utilities.

If a person is considered disabled under SSA rules and plans to work, his or her countable income can be reduced by special programs known as "work incentives." These programs allow a person receiving SSI and/or SSDI to work and continue to receive all or part of their disability payments as well as maintain eligibility for Medicare and/or Medicaid.

Employed Individuals with Disabilities (EID) Program
Medicaid Buy-in Coverage

The EID program provides work incentives for individuals with disabilities. Individuals with disabilities who work and have no health-care coverage, or who may lose their Medicaid coverage, should apply if they obtain employment, increase their work hours, or increase their rate of pay. People with disabilities who work will pay a monthly premium to receive Medicaid health-care coverage. The premium is (7.5%) of their monthly earned income and their yearly unearned income that is in excess of $600.

You may be eligible if you:

- Are employed
- Have a disability based on Social Security Administration guidelines
- Are a U.S. citizen or lawful permanent resident who has lived in the U.S. for at least five years
- A Wyoming resident
- Are 16 through 64 years of age
- Meet income guidelines (earned income is exempt)

Know your options. The Medicaid Buy In (EID program) allows you to work and have Medicaid health-care coverage for only 7.5% of your monthly earned income.

Benefits of the EID program:

- You will have Medicaid health-care coverage.
- You can work in the community.
- You can earn and save more money without the risk of losing health-care coverage.

Call the Wyoming Department of Health, Customer Service Center at 1-855-294-2127 to find out about the application process.

Impairment Related Work Expense (IRWE)

This work incentive applies to both SSI and SSDI at different times. An IRWE is an out of pocket cost that a person must pay that 1) is related to their disability and 2) is needed in order for them to work. The out of pocket costs reduce the income that SSA counts. Receipts must be sent into SSA monthly.

Examples of IRWE:

- Cost of taxis or drivers needed to travel to work because your disability prevents use of public transportation.
- Modified vehicles needed because of disability, e.g., special steering/braking equipment.
- Ramps, railings, or other modifications to the outside of your home that allow you to leave and go to work.
- Routine medication costs that help keep your disability related symptoms under control.

Subsidies and Special Conditions

A subsidy only applies to SSDI and is defined as the value of extra support a person receives on the job. The subsidy is provided by the employer and the worker must earn the same pay as other workers doing the same job. Examples include a job coach, mentor, extra supervision, or a reduced workload. The value of the subsidy is determined by the employer. Special conditions apply when the individual is not fully earning his or her wages because the work is performed under special conditions such as on-the-job coaching or substitution in which the job coach performs part or all of the individual's job duties. SSA will deduct the wages that are not considered "earned" by the individual.

Examples of subsidies:

- You receive more supervision than other workers doing the same or a similar job for the same pay.
- You have fewer or simpler tasks to complete than other workers who are doing the same job for the same pay.
- Job coach assistance.

Examples of special conditions:

- You receive close and continuous supervision.
- You receive on the job coaching and the job coach performs part or all of your tasks.

Unincurred Business Expense

"Unincurred business expenses" refers to self-employment business support that someone provides to you at no cost. In deciding whether you are working at the SGA level, SSA deducts unincurred business expenses from your net earnings from self-employment. Examples of unincurred business expenses are (1) a Vocational Rehabilitation agency gives you a computer that is used in a graphic arts business; and (2) a friend works for your business as unpaid help.

For an item or service to qualify as an unincurred business expense:

- It must be an item or service that the IRS would allow as a legitimate business expense if you had paid for it; and
- Given to you free of charge.

Unsuccessful Work Attempt

An unsuccessful work attempt is an effort by a disabled individual to do substantial work that either stopped or produced earnings below the SGA level after a short amount of time, no more than 6 months because of:

- The individual's disabling condition; or
- Elimination of the special conditions or assistance that the individual needed in order to work.

Trial Work Period

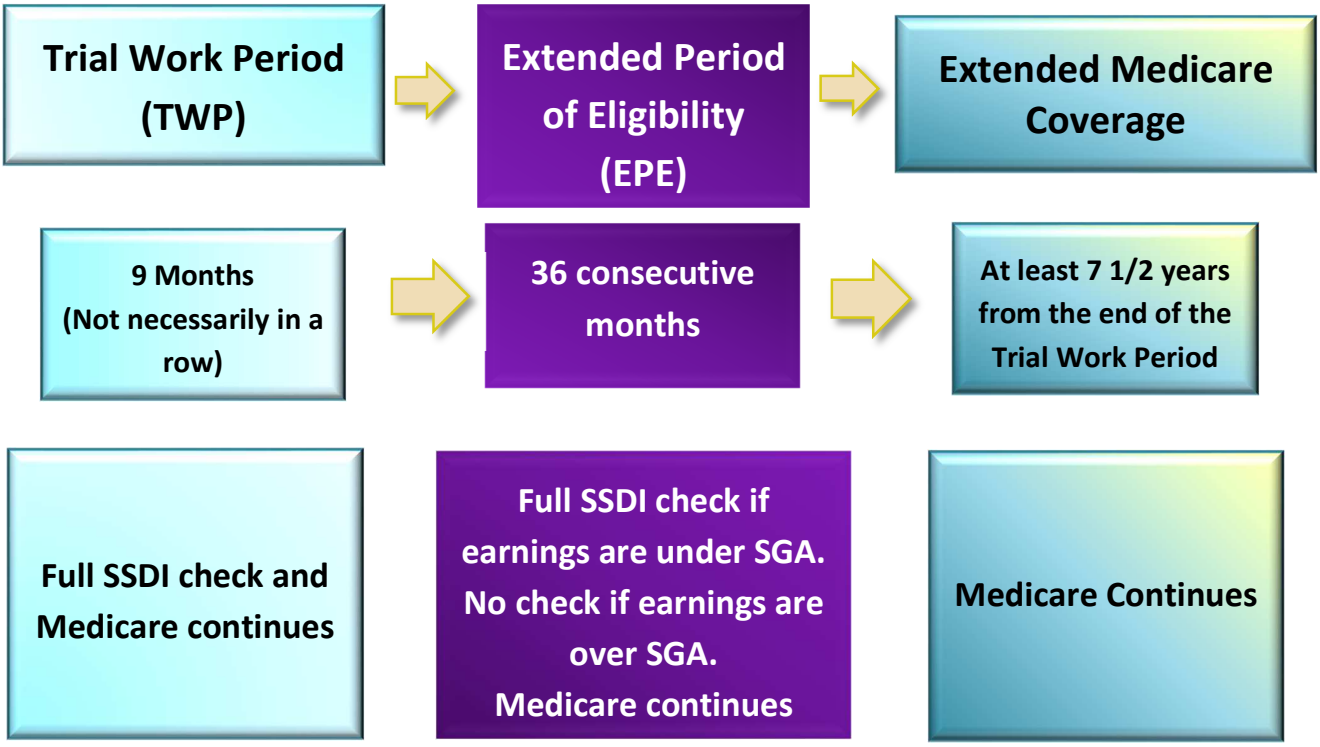
Applies to SSDI only – the Trial Work Period (TWP) allows you to test your ability to work by providing a period of nine (9) months of gross earnings during which your SSDI check is not affected. A month does not count towards your trial work period unless your gross earnings meet or exceed an amount set each year by SSA. In 2015, the TWP amount is $780. During your TWP, you will receive your full disability benefit regardless of how much you earn. You must report your work activity to SSA and continue to have a disabling impairment. The nine (9) months does not need to be consecutive, they are counted within a five-year period. Certain other rules apply. Medicare coverage will continue for ninety-three (93) months after the last month of the TWP.

If you are on SSDI, don't be afraid to work. You get a 9 month trial work period to test the waters of employment.

Extended Period of Eligibility

Applies to SSDI only – the Extended Period of Eligibility (EPE) begins after you have completed your trial work period and have gross earnings at or above the SGA level. The EPE lasts for thirty-six (36) months and allows an individual to receive their SSDI check in any month that their earnings fall below SGA. If work is discontinued during the EPE, the individual simply needs to contact SSA to reinstate benefits. You must continue to have a disabling impairment.

36 month extended period of eligibility AFTER your 9 trial work period months.



Earned Income Exclusion

Applies to SSI only – all SSI recipients receive a $20 general income exclusion. If SSI is the person's only income prior to working, he or she also gets an earned income exclusion of $65. After deducting the $85 in exclusions from your earned income, SSA then only considers half of your remaining earnings.

When you are on SSI, the Social Security Administration only counts $1 for every $2 you earn while working.

Example:

- John is receiving $733 in SSI each month.
- He returns to work and earns $500 in gross monthly earnings.
- Because John was only receiving SSI prior to working, he receives both income exclusions:

  $500 (*Earnings*) minus $85 (*Exclusions*) = $415
- SSA only counts half of the remaining earnings:

  $415 (*Considered earnings after exclusions*) divided by 2 = $207.50
- SSA will only count $207.50 of John's total earnings.
- His SSI check will then be reduced by $207.50.
- His new SSI amount will be **$525.50** (*$733-$207.50=$525.50*).
- **Johns total monthly income is now $500 (*earnings*) plus $525.50 (*SSI benefit*) = $1025.50.**
- John continues to receive Medicaid because his SSI benefit is at least $1.

Plan to Achieve Self-Support (PASS)

Applies to SSI only – a plan to achieve self-support allows you to set aside income or assets of a set amount of money for an established period of time towards a specific employment or vocational goal. Funds can be used for education, equipment, or starting a business, etc. Goals must generally be obtainable within three years, but some exceptions are possible. Funds must be used for a designated purpose or a person could be in overpayment and have to pay back to SSA. A PASS plan can help a person achieve their work or vocational goal. Your goal should be a job that allows you to earn enough to reduce or eliminate your need for benefits provided under the Social Security and Supplemental Security Income programs. SSA does not count the money or resources you set aside under an approved PASS plan when they decide your initial or continuing eligibility for SSI. Having a PASS may help you qualify for SSI or may increase the amount of your SSI payment.

Property Essential to Self-Support (PESS)

Applies to SSI only – SSA does not count some resources that are essential to your means of self-support when they decide if you are eligible for SSI. For example, they do not count property such as tools or equipment that you use for work. If you have a trade or business, they do not count property such as inventory. A person must be using the property that SSA is excluding under PESS, or be expected to start using it in a reasonable amount of time, typically within 12 months.

Federal Rule 1619(b)

Applies to SSI only – Section 1619(b) allows a person who is receiving SSI and working to continue to receive Medicaid at no cost, even when their earnings reduce their SSI benefit to $0. There are earnings threshold requirements. In 2014, for Wyoming, the threshold amount is $36,447. A person who meets the requirements of 1619(b) will receive full medical coverage under Medicaid.

To qualify:

- A person must have been eligible for an SSI cash payment for at least one month prior to accessing 1619(b).
- SSI benefit must have been reduced because of earnings.
- Must continue to meet SSA disability requirements.
- Continue to meet resource requirements for SSI.
- Need the medical assistance to work.
- Have gross earned income that is insufficient to replace the cost of medical assistance needed.

For assistance planning for employment, use our "Employment Pathway Planning Packet"

http://health.wyo.gov/DDD/cmforms.html

Start Your Employment Planning Now

If you are not employed now, but would like to pursue ***employment in the next year*** or ***employment in the next two (2) years***, ask yourself the following questions to begin your planning:

1. Have you ever volunteered in the community?
2. Do you want to learn a new skill?
3. When you are out in the community, are there jobs that you see people doing that you would like to know more about?
4. Do you want to learn about different types of jobs available?
5. If you could have any job, what would it be?
6. What interests you about your dream job?
7. Are there jobs that you don't want to do?
8. How much money will you need to make to meet your living expenses?
9. How much money will you need to buy things you want?
10. What is your greatest fear when you think about working?
11. Is there anything that worries you about getting a job?
12. What motivates you?
13. Will you need prevocational or employment discovery and customization services?
14. What supports will you need to begin competitive employment?
15. Who will help you set up the supports you need to gain and maintain competitive, integrated, and meaningful employment?
16. What is your employment goal date?

SSDI Trial Work Period (TWP) Tracking Chart

You are allowed nine (9) TWP months in a rolling sixty (60) month period

2015 Amount TWP= $780 SGA=$1090

Month	Gross Earned Income	Trial Work Month Yes or No	SSDI Cash Benefit	Total Income
Example: January	$800	Yes= TWP Month 1	$1000	$1800

Notes

Employment First

Pathway to Employment
Pathway to Integration
Pathway out of Poverty

"Working together to build a more prosperous Wyoming."

Wyoming Department of Health

Commit to your health.

BEHAVIORAL HEALTH DIVISION

Employment First Planning Guide

For adults ages 16+ with Intellectual Disabilities, their families, and the Circle of support.

Behavioral Health Division
Developmental Disabilities Section
6101 Yellowstone Road, Suite 220
Cheyenne, WY 82002
www.health.wyo.gov/ddd
800-510-0280 | 307-777-6494

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Introduction

The influence that parents, family, friends, teachers, and providers have on people with disabilities can be both influential and powerful. When it comes to setting expectations about work, those involved in the lives of people with disabilities need to convey the expectation that people with disabilities can work, can contribute, and can find great satisfaction in being part of the world of work.

People WORK for many reasons. For some, it provides a sense of self or meaning in one's life; for others, it is the social context of meeting and associating with others in a common effort or goal; and for still others, it is the means by which to gain status, either personal or economic, which allows for choice and discretion in determining one's "quality of life."

What Makes Life Good?

When asked, ***"What makes life good?"*** almost all people identify the same core components. While different people will use different words to describe a component or more highly value one component over another, the list of components is consistently the same:

- Freedom of choice and ease of access to the community;
- Positive, interdependent relationships with family and friends;
- A safe, comfortable home in a safe neighborhood;
- Being respected, included in and a member of your culture and community;
- Good health and access to good health care;
- Enjoying one's personal choice of hobbies, recreation, and leisure activities; and
- Satisfying employment and the economic benefits of contributing through work.

Although employment outcomes for individuals with disabilities still lag behind those compared to individuals without disabilities, it is clear that enormous barriers to employment are being overcome. It is far more common now to see people with disabilities in a wide range of jobs throughout the community than it was even a decade ago.

Supported employment is an alternative to traditional sheltered and competitive employment approaches. It is an attempt to meet the specific needs of individuals with disabilities and is based on fundamentally different principles and assumptions. The supported work model assumes that all individuals, regardless of the nature or extent of their disabilities, should have the opportunity and support to work in the community. There are no pre-requisite skills needed for community job success. Therefore, the task is not to identify and place "work ready" individuals, but rather to locate and/or modify meaningful jobs in the community and provide training and supports at the job site.

Supported employment will often take the form of "customized" employment. Customized employment is a flexible process designed to personalize the employment relationship between a job candidate and an employer in a way that meets the needs of both. It is based on an individualized match between the strengths, conditions, and interests of job candidate and the identified business needs of an employer. Customized employment utilizes an individualized approach to employment planning and job development – one person at a time, and one employer at a time.

This Employment Planning Guide is designed to help parents, participants, and providers start the process of finding competitive work for people with disabilities; learn about the resources, services, and the programs available to help people with disabilities in Wyoming pursue their own unique path to work, a career, and participate in community life.

"Given the choice between work and idleness, people will almost always choose work. Regardless of our station in life, the condition of our bodies and minds, or the amount of money in our bank accounts, the need to work remains one of our strongest drives. Work is central to our lives, and as such, gives a large measure of structure to our days. Common sense tells us that we feel better about ourselves when we are working regularly."

~Robert Drake, M.D.,

Meet Jane

Let's look at an example of what the new employment pathway might do for a participant.

We want to introduce a fictional waiver participant, Jane, who is a based upon people we know in Wyoming receiving services. We want to describe how the new employment pathway can realistically work for someone and change his or her life.

Jane has been going to day services and working in an enclave at the recycling center, and she receives group supported employment. Jane's team of family and providers encouraged her to start looking for other employment opportunities with the new employment services on the waiver.

At her team meeting, Jane and her team discuss what type of work she would like and want to do if she did not work at the recycling center. They ask her where in town she would like to work. They find out she likes flowers and gardening centers in stores, so they make a plan to set up mentor sites at flower shops and garden centers in department stores using the Employment Discovery and Customization service.

As Jane continues to work at the recycling center, her direct care staff start working with her on non-job-specific, work-related tasks that she might need for competitive employment at a flower shop through Prevocational Services. They also work with her on learning specific tasks in Group Supported Employment that would assist her in working with customers from the public.

Jane's staff helps her meet with the local Department of Vocational Rehabilitation office (DVR) and make an employment plan. After DVR opens a case and pays for job development, a job coach helps Jane fill out employment applications and assists her with interviewing for jobs.

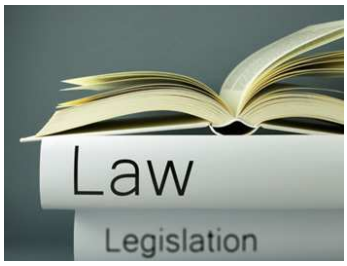
Finally, Jane finds a job working in a flower shop four days a week. DVR pays for supported employment for the time that she needs to obtain and maintain her job. Once she is successful and no longer needs a full-time job coach, DVR puts her case into "Status 22 – Employed." If during this time she needs a job coach,

the waiver will then pay for this service. ***(Please note: DVR cannot close a case successfully when services are still being offered. DVR must go three months or 90 days without paying for any services before they are able to close out a case successfully.)*** Participants, providers, and parents, must be aware of this DVR requirement.

Due to difficulty in learning all of her job tasks, Jane uses Individual Supported Employment through the waiver, which provides her with a job coach for a longer period of time. A job coach can assist her until she can perform the job fairly independently and begins receiving the help she needs from her co-workers, instead of the job coach. After a few months, Jane switches to Transportation Services to get to and from work and Jane's provider switches to Supported Employment Follow Along to check in on Jane's progress each month. Jane continues to learn and grow in her position. Occasionally the provider will provide job coaching to assist Jane and address any concerns that she or her employer has.

Jane now works four days a week and makes triple the money every month than she did at the recycling center. She has three new friends, who are also her co-workers! She also likes having extra money, which allows her to spend more time bowling and hanging out with her boyfriend.

2014 Employment First Legislation



An Act relating to persons with disabilities, which established employment first as a state policy to support competitive employment in an integrated setting, was enacted by the Wyoming Legislature in 2014. This Act requires agencies to support competitive and integrated employment; requires state agencies working with home and community based waiver service providers to implement employment first policies; requires state agencies to report on employment data; provides definitions; and provides for an effective date.

House Enrolled Act 53:

9-2-1002. Definitions; powers generally; duties of governor; provisions construed; cooperation with legislature and judiciary; divisions enumerated.

(xiii) **"Competitive employment"** means work in the competitive labor market that is performed on a fulltime or part-time basis in an integrated setting, and for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled;

(xiv) **"Employment first"** means a concept to facilitate the full inclusion of individuals with disabilities in the workplace and community. Under the employment first approach, community based, integrated employment is the first option for employment services for children and adults with disabilities. Employment first includes competitive employment in an integrated setting;

(xv) **"Integrated setting"** means with respect to an employment outcome, a setting typically found in the community in which applicants or eligible individuals interact with individuals who do not have disabilities, other than nondisabled individuals who are providing services to those applicants or eligible individuals, to the same extent that individuals who do not have disabilities interact with other persons in comparable positions.

9-2-1022. Duties of department performed through human resources division.

(n) In carrying out the duties of the division under this section, employment first shall be the policy of the state that competitive and integrated employment shall be considered its first option when serving persons with disabilities who are of working age to obtain employment. Employment first applies to programs and services that provide services and support to help obtain employment for persons with disabilities. All state agencies shall follow this policy and ensure that it is effectively implemented in their hiring and in all programs and services administered or funded by the agencies. Nothing in this section shall be construed to require any employer to give preference to hiring people with a disability. All state agencies shall coordinate efforts and shall collaborate within and among the agencies to ensure that state programs, policies, procedures and funding support competitive and integrated employment of individuals with disabilities. All state agencies shall, whenever feasible, share data and information across systems in order to track progress toward full implementation of this subsection.

Nothing in this section shall be construed as eliminating any supported employment services as an option when appropriate.

42-4-120. Contracts for waiver services; authority of department; emergency case services; cost based payments; training and certification of specialists.

(m) The department shall ensure that state agencies working with service providers receiving funds pursuant to this section shall have established employment first policies, including competitive employment in an integrated setting, consistent with the requirements of W.S. 9-2-1022.

Employment Talking Points

Employment means a job in the community that the person wants and can perform, with or without accommodation and support.

- When we talk about employment today, we mean having a job or vocation in the community that pays at least minimum wage.

Employment is an essential part of self-determination for many people.

- Employment is a way for people to achieve their personal dream of success, respect, and control.
- Having community employment can be an important part of one's self-identity and value in society today.

People with disabilities are successful workers.

- Thanks to new technology, new laws, and better teaching methods, jobs that were out of reach in the past for people with disabilities are accessible today.
- Job coaches are available to assist people who need assistance in locating, preparing for and successfully managing the job of their choice.
- Success is also supported by government programs, which provide real incentives for people with disabilities to work, keep more earned income for their personal use, and retain their needed benefits.

Some questions to get the employment process started.

- Does the participant need help figuring out the types of jobs and careers he/she would like and be good at doing?
- Will his/her support needs change over time? Are there times when more help will be needed?
- What is most important to the participant? Pay and benefits, fun people to work with, or safety and security?
- Will help be needed to manage benefits, such as Social Security and Medicaid?
- Will job coaching services be needed on the job and if so, how often and for how long?
- Will help be needed to identify activities for when he/she is not working?

Best Practices

Experience has shown that when certain principles are followed while supporting people with disabilities in their employment efforts, the most meaningful and successful outcomes are achieved. These principles are sometimes referred to as "best practices" in community employment services and they include:

- Focusing on individual jobs in the community, paid directly by the employer;
- Using a ***"person-centered planning"*** approach, where job placement is based on the individual's interests, needs and preferences, and the individual is supported to take control of his/her job planning process;
- Emphasizing ***"job matching"*** – searching for employment that closely matches what the job seeker wants, is good at doing, and where he or she will fit in and be comfortable;
- ***Thinking broadly*** about where the individual can work by not being limited to the ideas of traditional workplaces such as supermarkets and fast food chains;
- Taking advantage of personal networks – tapping into family and staff contacts to gather information, resources, and potential job leads;
- Using ***"natural supports"*** including family, friends, co-workers, and mentors to meet the needs of the individual on the job; and
- ***Fading out paid staff supports*** as the individual becomes more settled, comfortable, and independent in the workplace.

Person-Centered Planning is Best Practice

How Employment Affects My Benefits

While earned income can affect a person's eligibility for Social Security, food stamps, public housing and medical assistance benefits, State and Federal programs make it feasible for people to retain much more of their earnings than they could in the past without losing needed health care benefits and services. When taking advantage of State and Federal work incentives, people must report their earnings and assets or savings.

It is important to track your earnings each month and be familiar with the effects that it may have on other benefits you may be receiving.

Earned income WILL affect how much you receive in food stamps and public housing, BUT the amount you earn by becoming competitively employed far outweighs the reduction in food stamps and public housing assistance. You will be moving in the right direction to self-sufficiency!

Department of Health, Community Waiver Programs

The Comprehensive and Supports waivers offer five new employment services with better supports to help you gain and keep employment that match your strengths, needs, and interests. The two new waivers offer an employment pathway service overview with various employment support services to support and assist a participant who, because of their disability, needs intensive support to find and maintain a job in competitive, integrated work settings.

A range of supported employment services are available with varying levels of support and intensity to assist the participant in attaining and maintaining the highest level of paid, community integrated employment. Consistent with the *Olmstead Decision* and with person-centered planning, a participant's plan of care regarding employment services shall be constructed in a manner that reflects individual choice and goals related to employment and ensures provision of services in the most integrated setting appropriate.

Prevocational Services

Prevocational services are services designed to create a path to integrated community based employment for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals without disabilities.

Prevocational services should enable each individual to attain the highest level of work in the most integrated setting with a job matched to the individual's interests, strengths, priorities, abilities, and capabilities, while following applicable federal wage guidelines. These services provide learning and work experiences, including volunteer work where the individual can develop general, non-job-task-specific strengths and skills that contribute to employability through paid employment in an integrated community setting.

Prevocational services are time-limited, not to exceed 12 consecutive months and cannot be repeated during the subsequent plan year.

Employment Discovery and Customization

Employment Discovery and Customization is the individualized determination of the strengths, needs, and interests of the participant and is designed to meet the specific needs of the employee and employer relationship.

Employment discovery and customization includes employment developed through job carving, self-employment or entrepreneurial initiative, or other job development or restructuring strategies that result in job responsibilities being customized and individually negotiated to fit the needs of participants. Employment discovery and customization presumes the provision of reasonable accommodations and supports necessary to perform functions of a job that is individually negotiated and developed.

Supported Employment

- ***Small Group Supported Employment***

Small Group Supported Employment services consist of intensive, on-going supports that enable a participant, for whom competitive employment is at or above the minimum wage is unlikely absent the provision of supports; and who, because of his/her disability, need supports to perform in a regular work setting, including mobile work crews or enclaves. These services are conducted in a variety of settings, particularly work-sites where persons without disabilities are employed.

Services include activities needed to sustain paid work, which includes supervision and training. When supported employment services are provided at a work-site where persons without disabilities are employed, payment is only made for the adaptations, supervision, and training that is required by a participant receiving waiver services as a result of their disability. It does not include payment for supervisory activities rendered as a normal part of the business setting.

- ***Individual Supported Employment***

Individual Supported Employment services are the 1:1 supports available to a participant who, because of their disability, needs intensive or on-going support to obtain and maintain an individual job in competitive or customized employment, or self-employment, in an integrated work setting, in the general workforce for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by an individual without a disability.

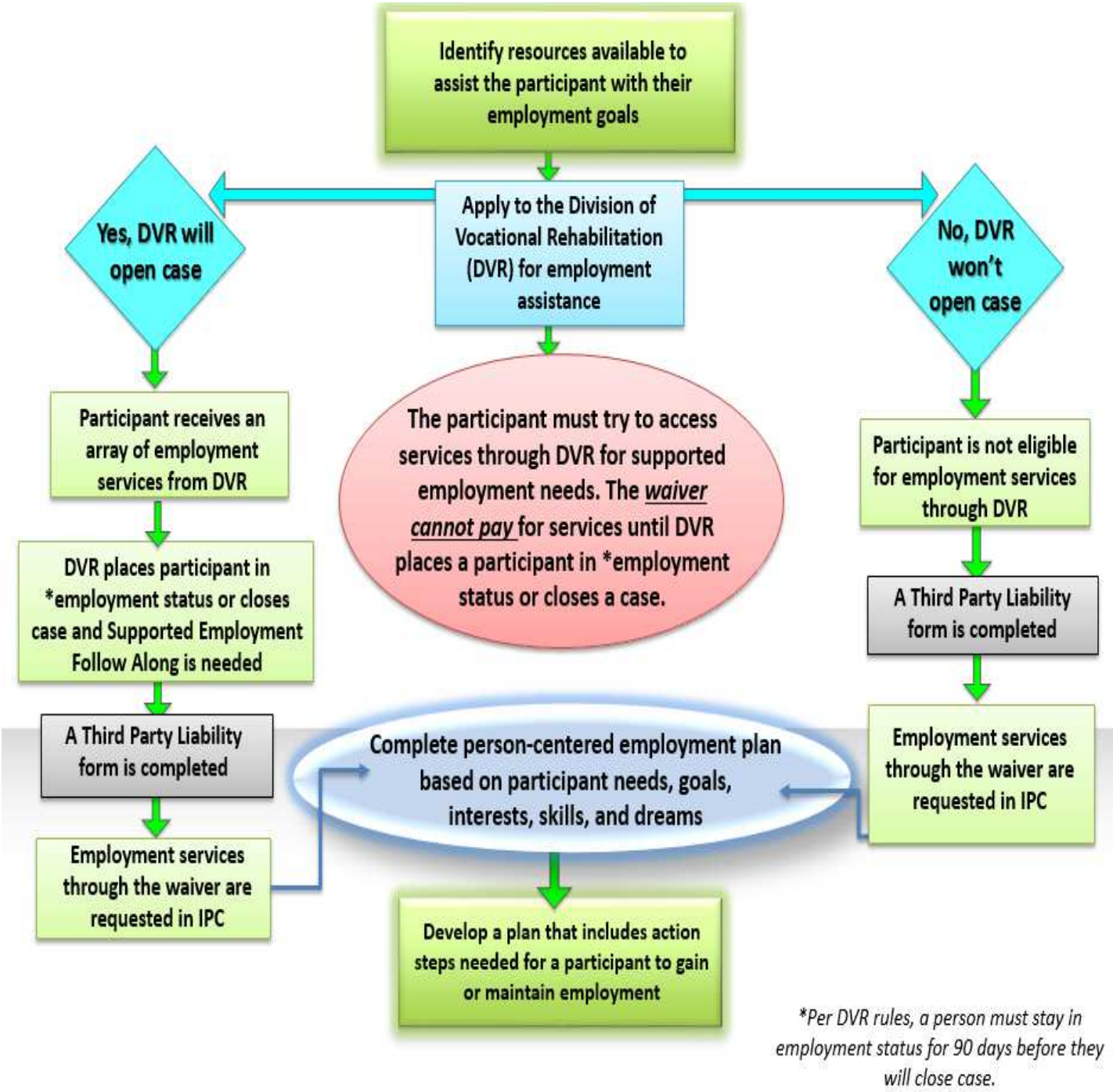
Services are conducted in a variety of settings, particularly work-sites where persons without disabilities are employed. Services include activities needed to sustain paid work by a participant, including supervision and training. When supported employment services are provided at a work-site where persons without disabilities are employed, payment is made only for the adaptations, supervision, and training required by participants receiving waiver services as a result of their disabilities, but does not include payment for the supervisory activities rendered as a normal part of the business setting.

- ***Supported Employment Follow Along***

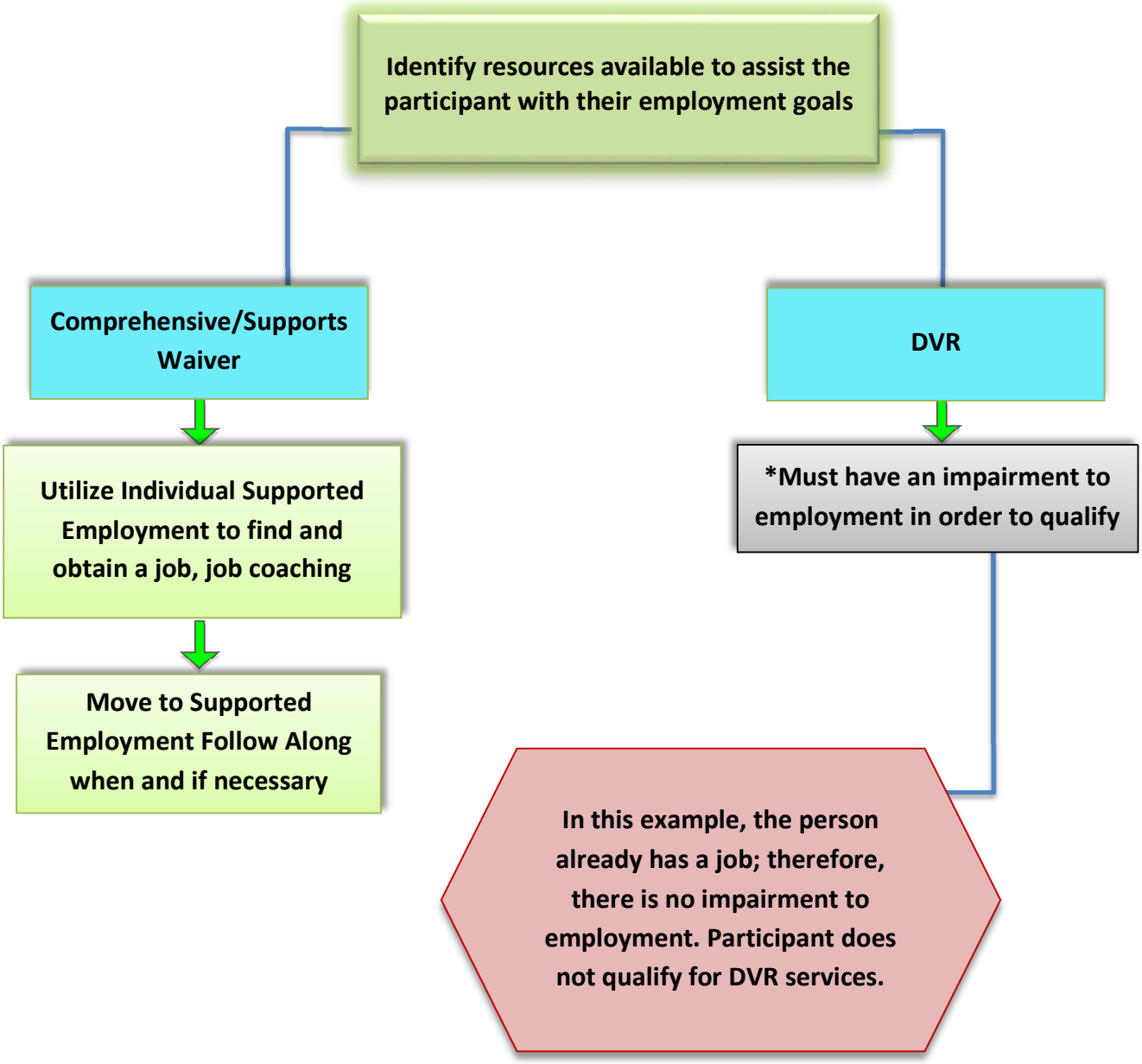
Supported Employment Follow Along are services and supports that enable a participant who is paid at or above the federal minimum wage to maintain employment in an integrated community setting. Service is provided for or on behalf of the participant through intermittent and occasional job support, communicating with the participant's supervisor or manager, whether in the presence of the participant or not.

DVR and Waiver Assistance on Your Employment Pathway

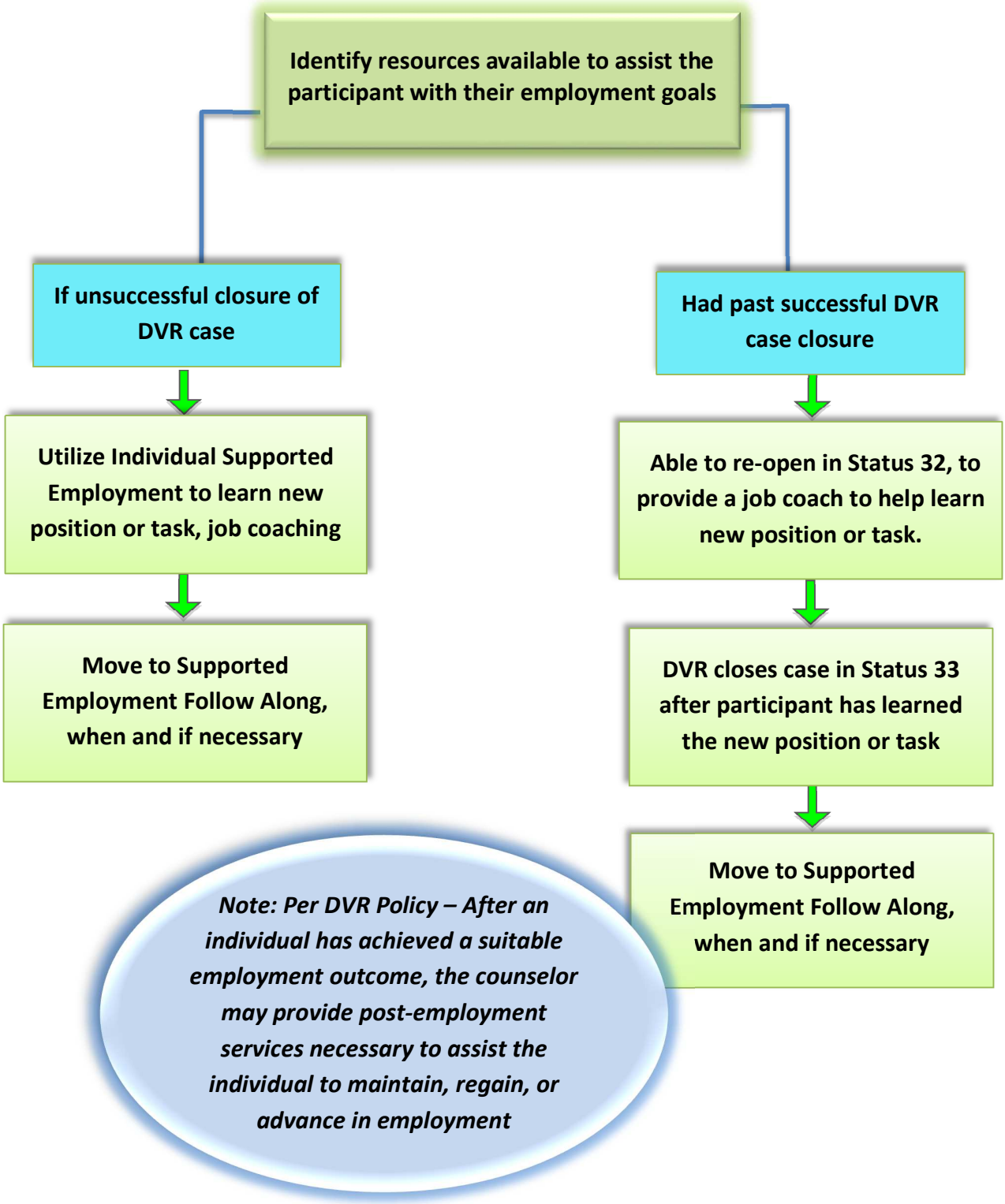
1. No community integrated job before



2. Currently have a job and looking to change jobs



3. Currently have a job and learning a new position or task



4. Currently have a part-time job and looking to obtain a 2nd part-time job

Volunteering

Volunteerism is an avenue that allows individuals to assist with improving their communities, gain marketable skills that could eventually lead to paid employment, test out interests and possible career paths, and develop personal and professional meaningful social connections. It also allows the individual to experience the pleasure and satisfaction of the activity itself and make a difference in the lives of others. Given the social isolation of many people with developmental disabilities, volunteering is important and one of the most useful ways for really getting to know other community members. Volunteering provides many opportunities to learn and practice skills that can be useful in paid employment.

There is value in volunteering and community service. An opportunity to learn, acquire work experience, and a sense of belonging.

Family and Friends

Family and friends of the participant are an important resource that is often overlooked. In many situations, employment opportunities can be found through the participant's family or friends, their school, or their business contacts. Support in finding and keeping a job can be provided informally, by a participant's friends or co-workers, without relying on a funded service. Even when employment services are provided by a community program, relatives and friends play a key role in contributing to the participant's job success by helping in areas of reporting income, preparation for work, transportation, etc.

Transportation

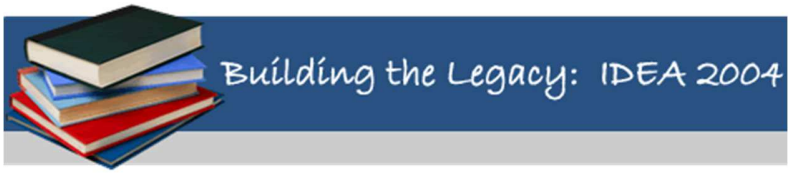
Planning for transportation is an essential part of the job planning process. Job seekers, families, and providers need to work together from the beginning to identify transportation options.

Here is a list of transportation issues to consider:

- Are any public transportation routes accessible?
  - If so, are they available on the days and hours the individual will be travelling to and from work?
- Are transportation services available from the provider and waiver service?
- Is carpooling or shared-ride transportation an option?
- What will the costs be, whether by private or public transportation?
- Are there health, behavior or risk issues that should be considered when selecting the means of transportation?
- Will the individual be able to use public transportation or other shared transit with proper training and support?

When planning transportation, "thinking outside the box" can result in a creative solution. For example, maybe your town's senior bus program can be helpful. Or perhaps your town's taxi company might negotiate a special discounted rate. Consider approaching relatives, co-workers and neighbors about carpooling options.

A plan for transportation is essential when planning for employment.



Employment Transition Planning for School Aged Individuals

Individuals with Disabilities Improvement Education Act

According to the Individuals with Disabilities Education Act (IDEA), special education means specially designed instruction, provided at no cost to the parent, to meet the unique needs of a child with a disability. This specially designed instruction involves adapting, as appropriate to the needs of an eligible student, the content, methodology or delivery of instruction:

- To address the unique needs of the child that result from his/her disability; and
- To ensure access of the child to the general curriculum, so that the child can meet the educational standards within the district that apply to all children.

In Wyoming, children who are eligible for special education are entitled to a free appropriate public education (FAPE) in the least restrictive environment (LRE) from the age of three through the school year in which the student turns 21 years old. School districts ensure the provision of FAPE in the LRE for each eligible child through the development and implementation of an Individualized Education Program (IEP), which is updated at least annually.

Transition Planning Form

In Wyoming, school districts are required by IDEA to include transition planning in the Individual Education Plan (IEPs) of students with disabilities by the time they are 16 (some states require transition planning to begin earlier). Transition planning is a coordinated set of activities that are designed within a results-oriented process, focused on improving academic and functional achievement to facilitate the student's movement from school to post-school activities. The IEP team, including the student, work to develop a plan that is based on age-appropriate transition assessments and individualized to address each child's unique needs.

Transition services and activities incorporated into the plan might include:

- ***Career Interest Inventories*** – these paper and pencil assessments can help the student identify work interest and preferences. The results of these assessments can help to create specific employment goals.
- ***Job Shadowing*** – the student follows an employee during a typical day on the job.
- ***Mentoring*** – the student is matched to an adult mentor who serves as an advisor and offers guidance.
- ***Apprenticeship*** – an adult professional teaches the student a specific trade.
- ***Workplace visits and tours*** – the student observes different work settings.
- ***Career Fairs and Career Days*** – local community members' visit a school to share career experiences with an interested group of students.
- ***Mock job interviews*** – partner with your local Workforce Center to set up mock interviews for students so that they can gain experience.
- ***Job Clubs*** – if available through your local school, job clubs can be great for peer level mentoring and encouragement in employment efforts and on-the-job issues.
- ***After-school and summer job placements*** – arranged and supported by school staff.
- ***Internships*** – paid or unpaid work experience for students.

Resources

Division of Vocational Rehabilitation (DVR)

The Division of Vocational Rehabilitation is a federal-state program that works with people who have physical or mental disabilities to prepare for, gain or retain employment.

Eligibility Criteria:

1. Individual has a physical or mental impairment.
2. Impairment poses a substantial impediment to employment.
3. Individual requires services from DVR to prepare for, gain, or retain employment.

Services that VR provides:

- As part of their core services, DVR provides to all clients eligibility assessments, counseling and guidance, information and referral services, and job search and job placement services. Any additional services that a person with a disability may need are individualized to their specific disability and employment goal.

Call 1-866-804-3678 or visit VR's website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Workforce Investment Act Program (WIA) (For Adults)

The Wyoming Department of Workforce Services uses Workforce Investment Act funding to help adults, dislocated workers and youth find employment that leads to self-sufficiency through various services available at its local Workforce Centers.

Eligibility Criteria:

- For individuals who are 18 years of age or older.
- Individuals who are unemployed and are unable to obtain employment through core services and have been determined to be in need of more intensive services in order to obtain employment; or
- Are employed and have been determined to be in need of services in order to obtain or retain employment that allows for self-sufficiency.
- Meet certain income guidelines.

Services that WIA provides:

- Occupations skills training;
- On-the-job training;
- Programs that combine workplace training with related instruction;
- Training programs operated by the private sector;
- Skills upgrading and retraining;
- Entrepreneurial training;
- Job readiness training;
- Adult Basic Education activities in conjunction with these activities; and
- Customized training with a commitment to employ trainees.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Workforce Investment Act Program (WIA)
(For Youth)

The Wyoming Department of Workforce Services uses Workforce Investment Act funding to help adults, dislocated workers and youth find employment that leads to self-sufficiency through varies services available at its local Workforce Centers.

Eligibility Criteria:

- For individuals aged 14-21.
- Services provided to eligible youth seeking assistance in achieving academic and employment success.

Services that WIA provides:

- Tutoring, study skills training and instruction leading to completion of secondary school, including dropout prevention strategies;
- Alternative secondary school services;
- Summer employment opportunities that are directly linked to academic and occupational learning;
- Paid or unpaid work experiences, including internships and job shadowing;
- Occupational skill training;

- Leadership development opportunities, which may include community service and peer-centered activities encouraging responsibility and other positive social behaviors during non-school hours;
- Supportive services;
- Adult mentoring for the period of participation and a subsequent period, for a total of not less than 12 months;
- Follow-up services for not less than 12 months after the completion of participation; and
- Comprehensive guidance and counseling which may include drug and alcohol abuse counseling and referral.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Department of Workforce Services (DWS)
Career Exploration and Aptitude Testing

The Wyoming Department of Workforce Services understands the need for students, parents, schools, job-seekers and others to explore their career aptitude and development. With this need in mind, the Wyoming Department of Workforce Services provides the following tools to further facilitate such career exploration:

- Start exploring career options with CareerOneStop, whether you are in high school, have graduated, have a vocational certificate, have a 2-year or 4-year college degree or have knowledge and skills acquired through training centers, on-the-job training, or work experience.
- The Wyoming Department of Workforce Services' local Workforce Centers have publicly-accessible computers with resume writing software, various books and videos on resume writing and interviewing, college catalogs, typing, spelling tests, and other resource materials.
- Wyoming at Work Career Services (https://www.wyomingatwork.com) is available. With it, a person can complete, through Wyoming at Work, occupational skills assessments to assist in career development and job placement.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Wyoming Services for Independent Living is a registered non-profit human service agency established to enable persons with significant disabilities to live as independently as possible in the community of their choice.

Eligibility Criteria:

- Presence of a significant disability that interferes with living independently
- Not determined by income levels
- Person motivated to maintain and/or increase levels of independence.

Services that WSIL provides:

- Individual and systems advocacy;
- Information and referral;
- Peer counseling;
- Independent Living Skills Training;
- ADA technical advice;
- Adaptive equipment;
- Home modification;
- Loan closet;
- Nursing Home Transition and Diversion; and
- Transportation Voucher.

Call 1-800-266-3061 to find an office near you or to learn more about their services.

wilr wyoming independent living rehabilitation

Wyoming Independent Living Rehabilitation educates and empowers Wyoming citizens with disabilities by providing the necessary tools to live with independence and dignity. All services are provided on a "consumer-driven" basis. You decide what you need to live independently.

Eligibility Criteria:

- Each program has different criteria to be eligible. Please contact WILR for more information and to see if you qualify.

Programs that WILR offers:

- Independent Living Services
  - Services to help people regain or maintain independence in their lives.
- Visually Impaired Program
  - Services for older adults who are blind or severely visually impaired.
- Consumer Directed Care
  - To provide the option of obtaining personal attendant care services provided by an individual of the consumer's choice, who is not necessarily medically trained to provide such services.
- Project Out
  - To transition consumers from nursing homes back into communities.
- ADA Consultant
  - To provide information to individuals, organizations, businesses and municipalities regarding the ADA and accessibility issues.
- Transportation Check Program
  - To provide transportation to consumers with disabilities
- Wyoming Technology Access Program (WYTAP)
  - Offers persons with disabilities an opportunity to finance assistive technology devices and services through low – or no – interest loans.
- Making Homes Accessible
  - A conditional block grant program to help low to moderate income people with disabilities to make their homes accessible.

Call 1-800-735-8322 or 266-6956 (in Casper) to find an office near you or to learn more about their services.

Job Accommodation Network (JAN)

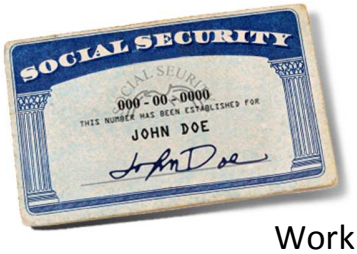
Identifying and arranging necessary accommodations and supports is a key part of assisting people with disabilities to find and keep employment – and is legally reinforced by the Americans with Disabilities Act. A job accommodation means that a job, workplace or way a job is done is modified to help the person with a disability do his/her job. There are several general types of job accommodations:

- Job restructuring, such as a change in work schedule or a decrease in the number of job duties
- Assistive devices – item, device or piece of equipment that is used to help the person with a disability perform a task.
- Training/teaching methods, such as an extended orientation period or audio version of a training manual
- Modification to the building, such as ramps, electronic door opener or flashing lights.

The Job Accommodation Network (JAN) is the leading source of free, expert, and confidential guidance on workplace accommodations and disability employment issues. Working toward practical solutions that benefit both employer and employee, JAN helps people with disabilities enhance their employability, and shows employers how to capitalize on the value and talent that people with disabilities add to the workplace.

JAN provides free, confidential technical assistance about job accommodations and the Americans with Disabilities Act (ADA). Call 1-800-526-7234 to get more information.

Appendix A: Social Security Work Incentive Information



Because many people with disabilities fear losing the SSA benefits and related health care due to being able to work and earn an income, they choose not to work. The SSA has made efforts to reduce this fear by creating and implementing programs known as SSA Work Incentives. Work incentives allow people who receive SSA benefits to work and earn an income while maintaining their benefits and their health insurance. There are specific conditions and requirements for each work incentive, and people must understand how the programs work, including the reporting requirements, in order to ensure proper implementation. Listed below are some of the work incentives offered by Social Security.

For complete information on all SSA's work incentives please visit their website at www.ssa.gov, call 1-800-772-1213 or contact your local Social Security Office.

Social Security Disability Insurance Program (SSDI)

The Social Security Disability Insurance Program (SSDI) provides a monthly benefit to individuals under full retirement age, who have enough quarters paid into the system, have worked five out of the last ten years, and meet the Social Security Administration's (SSA) definition of disability. These SSDI benefit payments will continue as long as the person is unable to engage in "substantial gainful activity" (SGA). A person who is earning more than a certain monthly amount in gross earnings is considered to be engaging in SGA. The SGA amount generally changes when the national average wage index changes. In 2015, the monthly SGA amount is $1090 for a non-blind individual and $1820 for a blind individual. There are work incentives that allow people to go to work after becoming eligible for SSDI. These work incentives allow a person to return to work, but have a safety net, allowing them to continue receiving their SSDI monthly benefit and Medicare coverage for a specific amount of time. Many people can work and keep their SSDI payments and Medicare if they are aware of the work incentives for SSDI.

Supplemental Security Income (SSI)

Supplemental Security Income (SSI) is based upon financial need. It provides monthly benefits to low income individuals who are disabled, blind, or over the age of 65 who are unable to engage in SGA and meet SSA's non-medical criteria for eligibility. The monthly benefit is based on the federal benefit rate (FBR) and generally changes annually based on cost of living increases. In 2015, the monthly FBR is $733.

SSI recipients are automatically eligible for Medicaid, a government health insurance program, and often are eligible for other federal programs such as SNAP, the food assistance program.

The definition of "disability" is the same for SSI and the SSDI programs. To qualify for SSI, a person must have a medically determinable physical or mental impairment that prevents them from engaging in substantial gainful activity. The impairment must have lasted for a continuous period of 12 months, be expected to last for a continuous period of 12 months, or be expected to result in death. In order to be eligible for SSI, the person with a qualifying disability must meet age requirements, residency, legal involvement, living arrangements, and resource and income requirements.

How Property and Assets are Treated Under SSI

Resource and income include, but are not limited to, real estate or real property other than the applicant's residence, vehicles (one car or truck is excluded), bank accounts, cash, stocks, bonds, or other investments. Cash value of life insurance policies, burial spaces, expense funds, certain trusts, and any money or property sold, transferred, or disposed of within 36 months prior to the application. To be eligible for SSI, total counted resources cannot exceed $2,000 per person or $3000 per couple. Income counted includes any earned or unearned income, rental income, child support, alimony, TANF, EITC's, self-employment wages, unemployment compensation, and any other income sources.

The following items DO NOT count as assets or resources for purposes of SSI eligibility:

- The applicant's home and the land it is on, provided that it is the primary residence.
- Household goods, personal property, and one car or truck, if it is necessary for daily activities.
- Life insurance with a face value less than $1500.
- Burial spaces and expense funds up to $1500.

As laws and policies change often, make certain that if there are additional options for keeping assets, such as special needs trusts, that these assets have been approved by the Social Security Administration.

How Income May Impact SSI Eligibility

Countable income can include both earned income and unearned income. This means that income which may impact the amount of the SSI payment includes money that is paid by an employer, Social Security payments, private pension payments, or some items of value that are received as gifts to pay for food, shelter, or utilities.

If a person is considered disabled under SSA rules and plans to work, his or her countable income can be reduced by special programs known as "work incentives." These programs allow a person receiving SSI and/or SSDI to work and continue to receive all or part of their disability payments as well as maintain eligibility for Medicare and/or Medicaid.

Employed Individuals with Disabilities (EID) Program
Medicaid Buy-in Coverage

The EID program provides work incentives for individuals with disabilities. Individuals with disabilities who work and have no health-care coverage, or who may lose their Medicaid coverage, should apply if they obtain employment, increase their work hours, or increase their rate of pay. People with disabilities who work will pay a monthly premium to receive Medicaid health-care coverage. The premium is (7.5%) of their monthly earned income and their yearly unearned income that is in excess of $600.

You may be eligible if you:

- Are employed
- Have a disability based on Social Security Administration guidelines
- Are a U.S. citizen or lawful permanent resident who has lived in the U.S. for at least five years
- A Wyoming resident
- Are 16 through 64 years of age
- Meet income guidelines (earned income is exempt)

Know your options. The Medicaid Buy In (EID program) allows you to work and have Medicaid health-care coverage for only 7.5% of your monthly earned income.

Benefits of the EID program:

- You will have Medicaid health-care coverage.
- You can work in the community.
- You can earn and save more money without the risk of losing health-care coverage.

Call the Wyoming Department of Health, Customer Service Center at 1-855-294-2127 to find out about the application process.

Impairment Related Work Expense (IRWE)

This work incentive applies to both SSI and SSDI at different times. An IRWE is an out of pocket cost that a person must pay that 1) is related to their disability and 2) is needed in order for them to work. The out of pocket costs reduce the income that SSA counts. Receipts must be sent into SSA monthly.

Examples of IRWE:

- Cost of taxis or drivers needed to travel to work because your disability prevents use of public transportation.
- Modified vehicles needed because of disability, e.g., special steering/braking equipment.
- Ramps, railings, or other modifications to the outside of your home that allow you to leave and go to work.
- Routine medication costs that help keep your disability related symptoms under control.

Subsidies and Special Conditions

A subsidy only applies to SSDI and is defined as the value of extra support a person receives on the job. The subsidy is provided by the employer and the worker must earn the same pay as other workers doing the same job. Examples include a job coach, mentor, extra supervision, or a reduced workload. The value of the subsidy is determined by the employer. Special conditions apply when the individual is not fully earning his or her wages because the work is performed under special conditions such as on-the-job coaching or substitution in which the job coach performs part or all of the individual's job duties. SSA will deduct the wages that are not considered "earned" by the individual.

Examples of subsidies:

- You receive more supervision than other workers doing the same or a similar job for the same pay.
- You have fewer or simpler tasks to complete than other workers who are doing the same job for the same pay.
- Job coach assistance.

Examples of special conditions:

- You receive close and continuous supervision.
- You receive on the job coaching and the job coach performs part or all of your tasks.

Unincurred Business Expense

"Unincurred business expenses" refers to self-employment business support that someone provides to you at no cost. In deciding whether you are working at the SGA level, SSA deducts unincurred business expenses from your net earnings from self-employment. Examples of unincurred business expenses are (1) a Vocational Rehabilitation agency gives you a computer that is used in a graphic arts business; and (2) a friend works for your business as unpaid help.

For an item or service to qualify as an unincurred business expense:

- It must be an item or service that the IRS would allow as a legitimate business expense if you had paid for it; and
- Given to you free of charge.

Unsuccessful Work Attempt

An unsuccessful work attempt is an effort by a disabled individual to do substantial work that either stopped or produced earnings below the SGA level after a short amount of time, no more than 6 months because of:

- The individual's disabling condition; or
- Elimination of the special conditions or assistance that the individual needed in order to work.

Trial Work Period

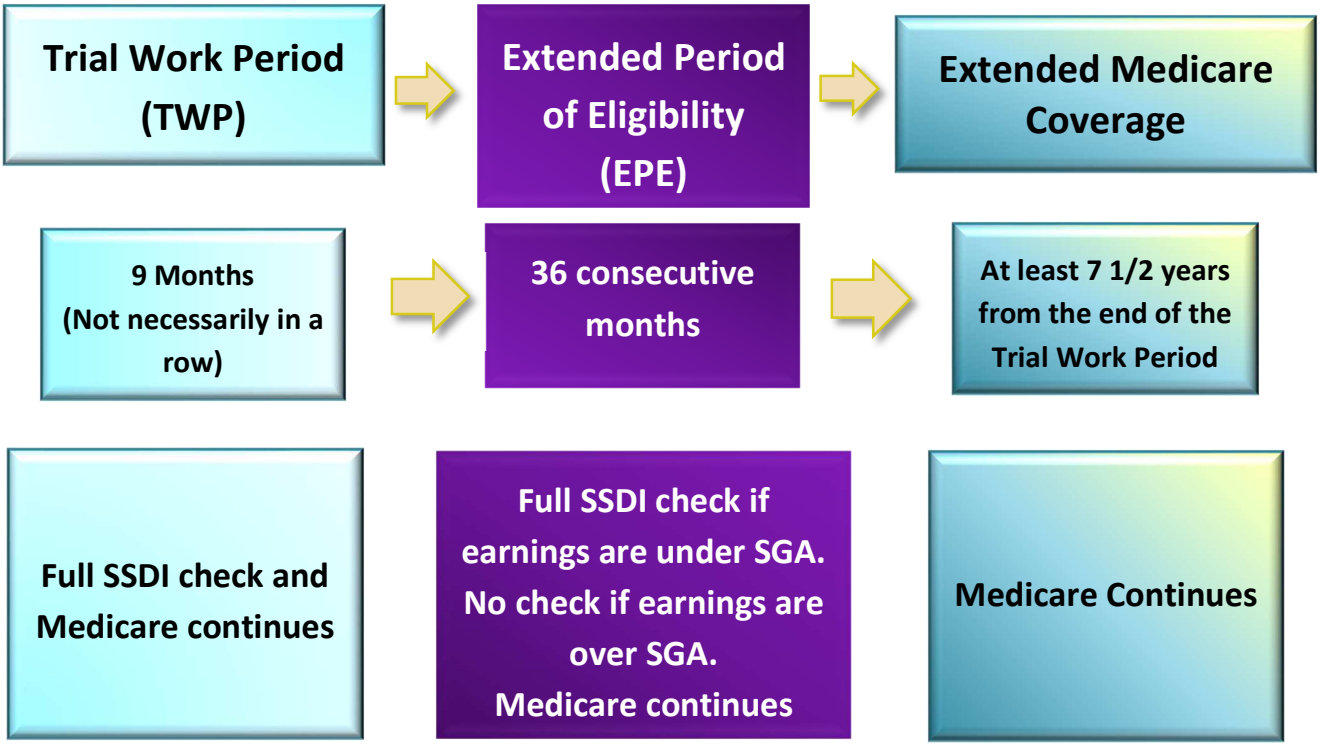
Applies to SSDI only – the Trial Work Period (TWP) allows you to test your ability to work by providing a period of nine (9) months of gross earnings during which your SSDI check is not affected. A month does not count towards your trial work period unless your gross earnings meet or exceed an amount set each year by SSA. In 2015, the TWP amount is $780. During your TWP, you will receive your full disability benefit regardless of how much you earn. You must report your work activity to SSA and continue to have a disabling impairment. The nine (9) months does not need to be consecutive, they are counted within a five-year period. Certain other rules apply. Medicare coverage will continue for ninety-three (93) months after the last month of the TWP.

If you are on SSDI, don't be afraid to work. You get a 9 month trial work period to test the waters of employment.

Extended Period of Eligibility

Applies to SSDI only – the Extended Period of Eligibility (EPE) begins after you have completed your trial work period and have gross earnings at or above the SGA level. The EPE lasts for thirty-six (36) months and allows an individual to receive their SSDI check in any month that their earnings fall below SGA. If work is discontinued during the EPE, the individual simply needs to contact SSA to reinstate benefits. You must continue to have a disabling impairment.

36 month extended period of eligibility AFTER your 9 trial work period months.



Earned Income Exclusion

Applies to SSI only – all SSI recipients receive a $20 general income exclusion. If SSI is the person's only income prior to working, he or she also gets an earned income exclusion of $65. After deducting the $85 in exclusions from your earned income, SSA then only considers half of your remaining earnings.

When you are on SSI, the Social Security Administration only counts $1 for every $2 you earn while working.

Example:

- John is receiving $733 in SSI each month.
- He returns to work and earns $500 in gross monthly earnings.
- Because John was only receiving SSI prior to working, he receives both income exclusions:

  $500 (*Earnings*) minus $85 (*Exclusions*) = $415
- SSA only counts half of the remaining earnings:

  $415 (*Considered earnings after exclusions*) divided by 2 = $207.50
- SSA will only count $207.50 of John's total earnings.
- His SSI check will then be reduced by $207.50.
- His new SSI amount will be **$525.50** (*$733-$207.50=$525.50*).
- **Johns total monthly income is now $500 (*earnings*) plus $525.50 (*SSI benefit*) = $1025.50.**
- John continues to receive Medicaid because his SSI benefit is at least $1.

Plan to Achieve Self-Support (PASS)

Applies to SSI only – a plan to achieve self-support allows you to set aside income or assets of a set amount of money for an established period of time towards a specific employment or vocational goal. Funds can be used for education, equipment, or starting a business, etc. Goals must generally be obtainable within three years, but some exceptions are possible. Funds must be used for a designated purpose or a person could be in overpayment and have to pay back to SSA. A PASS plan can help a person achieve their work or vocational goal. Your goal should be a job that allows you to earn enough to reduce or eliminate your need for benefits provided under the Social Security and Supplemental Security Income programs. SSA does not count the money or resources you set aside under an approved PASS plan when they decide your initial or continuing eligibility for SSI. Having a PASS may help you qualify for SSI or may increase the amount of your SSI payment.

Property Essential to Self-Support (PESS)

Applies to SSI only – SSA does not count some resources that are essential to your means of self-support when they decide if you are eligible for SSI. For example, they do not count property such as tools or equipment that you use for work. If you have a trade or business, they do not count property such as inventory. A person must be using the property that SSA is excluding under PESS, or be expected to start using it in a reasonable amount of time, typically within 12 months.

Federal Rule 1619(b)

Applies to SSI only – Section 1619(b) allows a person who is receiving SSI and working to continue to receive Medicaid at no cost, even when their earnings reduce their SSI benefit to $0. There are earnings threshold requirements. In 2014, for Wyoming, the threshold amount is $36,447. A person who meets the requirements of 1619(b) will receive full medical coverage under Medicaid.

To qualify:

- A person must have been eligible for an SSI cash payment for at least one month prior to accessing 1619(b).
- SSI benefit must have been reduced because of earnings.
- Must continue to meet SSA disability requirements.
- Continue to meet resource requirements for SSI.
- Need the medical assistance to work.
- Have gross earned income that is insufficient to replace the cost of medical assistance needed.

For assistance planning for employment, use our "Employment Pathway Planning Packet"

http://health.wyo.gov/DDD/cmforms.html

Start Your Employment Planning Now

If you are not employed now, but would like to pursue ***employment in the next year*** or ***employment in the next two (2) years***, ask yourself the following questions to begin your planning:

1. Have you ever volunteered in the community?
2. Do you want to learn a new skill?
3. When you are out in the community, are there jobs that you see people doing that you would like to know more about?
4. Do you want to learn about different types of jobs available?
5. If you could have any job, what would it be?
6. What interests you about your dream job?
7. Are there jobs that you don't want to do?
8. How much money will you need to make to meet your living expenses?
9. How much money will you need to buy things you want?
10. What is your greatest fear when you think about working?
11. Is there anything that worries you about getting a job?
12. What motivates you?
13. Will you need prevocational or employment discovery and customization services?
14. What supports will you need to begin competitive employment?
15. Who will help you set up the supports you need to gain and maintain competitive, integrated, and meaningful employment?
16. What is your employment goal date?

SSDI Trial Work Period (TWP) Tracking Chart

You are allowed nine (9) TWP months in a rolling sixty (60) month period

2015 Amount TWP= $780 SGA=$1090

Month	Gross Earned Income	Trial Work Month Yes or No	SSDI Cash Benefit	Total Income
Example: January	$800	Yes= TWP Month 1	$1000	$1800

Notes

Employment First

Pathway to Employment
Pathway to Integration
Pathway out of Poverty

"Working together to build a more prosperous Wyoming."

Wyoming Department of Health

Commit to your health.

BEHAVIORAL HEALTH DIVISION

Employment First Planning Guide

For adults ages 16+ with Intellectual Disabilities, their families, and the Circle of support.

Behavioral Health Division
Developmental Disabilities Section
6101 Yellowstone Road, Suite 220
Cheyenne, WY 82002
www.health.wyo.gov/ddd
800-510-0280 | 307-777-6494

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Introduction

The influence that parents, family, friends, teachers, and providers have on people with disabilities can be both influential and powerful. When it comes to setting expectations about work, those involved in the lives of people with disabilities need to convey the expectation that people with disabilities can work, can contribute, and can find great satisfaction in being part of the world of work.

People WORK for many reasons. For some, it provides a sense of self or meaning in one's life; for others, it is the social context of meeting and associating with others in a common effort or goal; and for still others, it is the means by which to gain status, either personal or economic, which allows for choice and discretion in determining one's "quality of life."

What Makes Life Good?

When asked, ***"What makes life good?"*** almost all people identify the same core components. While different people will use different words to describe a component or more highly value one component over another, the list of components is consistently the same:

- Freedom of choice and ease of access to the community;
- Positive, interdependent relationships with family and friends;
- A safe, comfortable home in a safe neighborhood;
- Being respected, included in and a member of your culture and community;
- Good health and access to good health care;
- Enjoying one's personal choice of hobbies, recreation, and leisure activities; and
- Satisfying employment and the economic benefits of contributing through work.

Although employment outcomes for individuals with disabilities still lag behind those compared to individuals without disabilities, it is clear that enormous barriers to employment are being overcome. It is far more common now to see people with disabilities in a wide range of jobs throughout the community than it was even a decade ago.

Supported employment is an alternative to traditional sheltered and competitive employment approaches. It is an attempt to meet the specific needs of individuals with disabilities and is based on fundamentally different principles and assumptions. The supported work model assumes that all individuals, regardless of the nature or extent of their disabilities, should have the opportunity and support to work in the community. There are no pre-requisite skills needed for community job success. Therefore, the task is not to identify and place "work ready" individuals, but rather to locate and/or modify meaningful jobs in the community and provide training and supports at the job site.

Supported employment will often take the form of "customized" employment. Customized employment is a flexible process designed to personalize the employment relationship between a job candidate and an employer in a way that meets the needs of both. It is based on an individualized match between the strengths, conditions, and interests of job candidate and the identified business needs of an employer. Customized employment utilizes an individualized approach to employment planning and job development – one person at a time, and one employer at a time.

This Employment Planning Guide is designed to help parents, participants, and providers start the process of finding competitive work for people with disabilities; learn about the resources, services, and the programs available to help people with disabilities in Wyoming pursue their own unique path to work, a career, and participate in community life.

"Given the choice between work and idleness, people will almost always choose work. Regardless of our station in life, the condition of our bodies and minds, or the amount of money in our bank accounts, the need to work remains one of our strongest drives. Work is central to our lives, and as such, gives a large measure of structure to our days. Common sense tells us that we feel better about ourselves when we are working regularly."

~Robert Drake, M.D.,

Meet Jane

Let's look at an example of what the new employment pathway might do for a participant.

We want to introduce a fictional waiver participant, Jane, who is a based upon people we know in Wyoming receiving services. We want to describe how the new employment pathway can realistically work for someone and change his or her life.

Jane has been going to day services and working in an enclave at the recycling center, and she receives group supported employment. Jane's team of family and providers encouraged her to start looking for other employment opportunities with the new employment services on the waiver.

At her team meeting, Jane and her team discuss what type of work she would like and want to do if she did not work at the recycling center. They ask her where in town she would like to work. They find out she likes flowers and gardening centers in stores, so they make a plan to set up mentor sites at flower shops and garden centers in department stores using the Employment Discovery and Customization service.

As Jane continues to work at the recycling center, her direct care staff start working with her on non-job-specific, work-related tasks that she might need for competitive employment at a flower shop through Prevocational Services. They also work with her on learning specific tasks in Group Supported Employment that would assist her in working with customers from the public.

Jane's staff helps her meet with the local Department of Vocational Rehabilitation office (DVR) and make an employment plan. After DVR opens a case and pays for job development, a job coach helps Jane fill out employment applications and assists her with interviewing for jobs.

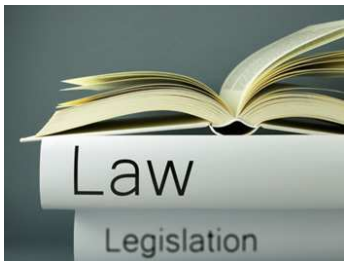
Finally, Jane finds a job working in a flower shop four days a week. DVR pays for supported employment for the time that she needs to obtain and maintain her job. Once she is successful and no longer needs a full-time job coach, DVR puts her case into "Status 22 – Employed." If during this time she needs a job coach,

the waiver will then pay for this service. ***(Please note: DVR cannot close a case successfully when services are still being offered. DVR must go three months or 90 days without paying for any services before they are able to close out a case successfully.)*** Participants, providers, and parents, must be aware of this DVR requirement.

Due to difficulty in learning all of her job tasks, Jane uses Individual Supported Employment through the waiver, which provides her with a job coach for a longer period of time. A job coach can assist her until she can perform the job fairly independently and begins receiving the help she needs from her co-workers, instead of the job coach. After a few months, Jane switches to Transportation Services to get to and from work and Jane's provider switches to Supported Employment Follow Along to check in on Jane's progress each month. Jane continues to learn and grow in her position. Occasionally the provider will provide job coaching to assist Jane and address any concerns that she or her employer has.

Jane now works four days a week and makes triple the money every month than she did at the recycling center. She has three new friends, who are also her co-workers! She also likes having extra money, which allows her to spend more time bowling and hanging out with her boyfriend.

2014 Employment First Legislation



An Act relating to persons with disabilities, which established employment first as a state policy to support competitive employment in an integrated setting, was enacted by the Wyoming Legislature in 2014. This Act requires agencies to support competitive and integrated employment; requires state agencies working with home and community based waiver service providers to implement employment first policies; requires state agencies to report on employment data; provides definitions; and provides for an effective date.

House Enrolled Act 53:

9-2-1002. Definitions; powers generally; duties of governor; provisions construed; cooperation with legislature and judiciary; divisions enumerated.

(xiii) **"Competitive employment"** means work in the competitive labor market that is performed on a fulltime or part-time basis in an integrated setting, and for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled;

(xiv) **"Employment first"** means a concept to facilitate the full inclusion of individuals with disabilities in the workplace and community. Under the employment first approach, community based, integrated employment is the first option for employment services for children and adults with disabilities. Employment first includes competitive employment in an integrated setting;

(xv) **"Integrated setting"** means with respect to an employment outcome, a setting typically found in the community in which applicants or eligible individuals interact with individuals who do not have disabilities, other than nondisabled individuals who are providing services to those applicants or eligible individuals, to the same extent that individuals who do not have disabilities interact with other persons in comparable positions.

9-2-1022. Duties of department performed through human resources division.

(n) In carrying out the duties of the division under this section, employment first shall be the policy of the state that competitive and integrated employment shall be considered its first option when serving persons with disabilities who are of working age to obtain employment. Employment first applies to programs and services that provide services and support to help obtain employment for persons with disabilities. All state agencies shall follow this policy and ensure that it is effectively implemented in their hiring and in all programs and services administered or funded by the agencies. Nothing in this section shall be construed to require any employer to give preference to hiring people with a disability. All state agencies shall coordinate efforts and shall collaborate within and among the agencies to ensure that state programs, policies, procedures and funding support competitive and integrated employment of individuals with disabilities. All state agencies shall, whenever feasible, share data and information across systems in order to track progress toward full implementation of this subsection.

Nothing in this section shall be construed as eliminating any supported employment services as an option when appropriate.

42-4-120. Contracts for waiver services; authority of department; emergency case services; cost based payments; training and certification of specialists.

(m) The department shall ensure that state agencies working with service providers receiving funds pursuant to this section shall have established employment first policies, including competitive employment in an integrated setting, consistent with the requirements of W.S. 9-2-1022.

Employment Talking Points

Employment means a job in the community that the person wants and can perform, with or without accommodation and support.

- When we talk about employment today, we mean having a job or vocation in the community that pays at least minimum wage.

Employment is an essential part of self-determination for many people.

- Employment is a way for people to achieve their personal dream of success, respect, and control.
- Having community employment can be an important part of one's self-identity and value in society today.

People with disabilities are successful workers.

- Thanks to new technology, new laws, and better teaching methods, jobs that were out of reach in the past for people with disabilities are accessible today.
- Job coaches are available to assist people who need assistance in locating, preparing for and successfully managing the job of their choice.
- Success is also supported by government programs, which provide real incentives for people with disabilities to work, keep more earned income for their personal use, and retain their needed benefits.

Some questions to get the employment process started.

- Does the participant need help figuring out the types of jobs and careers he/she would like and be good at doing?
- Will his/her support needs change over time? Are there times when more help will be needed?
- What is most important to the participant? Pay and benefits, fun people to work with, or safety and security?
- Will help be needed to manage benefits, such as Social Security and Medicaid?
- Will job coaching services be needed on the job and if so, how often and for how long?
- Will help be needed to identify activities for when he/she is not working?

Best Practices

Experience has shown that when certain principles are followed while supporting people with disabilities in their employment efforts, the most meaningful and successful outcomes are achieved. These principles are sometimes referred to as "best practices" in community employment services and they include:

- Focusing on individual jobs in the community, paid directly by the employer;
- Using a ***"person-centered planning"*** approach, where job placement is based on the individual's interests, needs and preferences, and the individual is supported to take control of his/her job planning process;
- Emphasizing ***"job matching"*** – searching for employment that closely matches what the job seeker wants, is good at doing, and where he or she will fit in and be comfortable;
- ***Thinking broadly*** about where the individual can work by not being limited to the ideas of traditional workplaces such as supermarkets and fast food chains;
- Taking advantage of personal networks – tapping into family and staff contacts to gather information, resources, and potential job leads;
- Using ***"natural supports"*** including family, friends, co-workers, and mentors to meet the needs of the individual on the job; and
- ***Fading out paid staff supports*** as the individual becomes more settled, comfortable, and independent in the workplace.

Person-Centered Planning is Best Practice

How Employment Affects My Benefits

While earned income can affect a person's eligibility for Social Security, food stamps, public housing and medical assistance benefits, State and Federal programs make it feasible for people to retain much more of their earnings than they could in the past without losing needed health care benefits and services. When taking advantage of State and Federal work incentives, people must report their earnings and assets or savings.

It is important to track your earnings each month and be familiar with the effects that it may have on other benefits you may be receiving.

Earned income WILL affect how much you receive in food stamps and public housing, BUT the amount you earn by becoming competitively employed far outweighs the reduction in food stamps and public housing assistance. You will be moving in the right direction to self-sufficiency!

Department of Health, Community Waiver Programs

The Comprehensive and Supports waivers offer five new employment services with better supports to help you gain and keep employment that match your strengths, needs, and interests. The two new waivers offer an employment pathway service overview with various employment support services to support and assist a participant who, because of their disability, needs intensive support to find and maintain a job in competitive, integrated work settings.

A range of supported employment services are available with varying levels of support and intensity to assist the participant in attaining and maintaining the highest level of paid, community integrated employment. Consistent with the *Olmstead Decision* and with person-centered planning, a participant's plan of care regarding employment services shall be constructed in a manner that reflects individual choice and goals related to employment and ensures provision of services in the most integrated setting appropriate.

Prevocational Services

Prevocational services are services designed to create a path to integrated community based employment for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals without disabilities.

Prevocational services should enable each individual to attain the highest level of work in the most integrated setting with a job matched to the individual's interests, strengths, priorities, abilities, and capabilities, while following applicable federal wage guidelines. These services provide learning and work experiences, including volunteer work where the individual can develop general, non-job-task-specific strengths and skills that contribute to employability through paid employment in an integrated community setting.

Prevocational services are time-limited, not to exceed 12 consecutive months and cannot be repeated during the subsequent plan year.

Employment Discovery and Customization

Employment Discovery and Customization is the individualized determination of the strengths, needs, and interests of the participant and is designed to meet the specific needs of the employee and employer relationship.

Employment discovery and customization includes employment developed through job carving, self-employment or entrepreneurial initiative, or other job development or restructuring strategies that result in job responsibilities being customized and individually negotiated to fit the needs of participants. Employment discovery and customization presumes the provision of reasonable accommodations and supports necessary to perform functions of a job that is individually negotiated and developed.

Supported Employment

- ***Small Group Supported Employment***

Small Group Supported Employment services consist of intensive, on-going supports that enable a participant, for whom competitive employment is at or above the minimum wage is unlikely absent the provision of supports; and who, because of his/her disability, need supports to perform in a regular work setting, including mobile work crews or enclaves. These services are conducted in a variety of settings, particularly work-sites where persons without disabilities are employed.

Services include activities needed to sustain paid work, which includes supervision and training. When supported employment services are provided at a work-site where persons without disabilities are employed, payment is only made for the adaptations, supervision, and training that is required by a participant receiving waiver services as a result of their disability. It does not include payment for supervisory activities rendered as a normal part of the business setting.

- ***Individual Supported Employment***

Individual Supported Employment services are the 1:1 supports available to a participant who, because of their disability, needs intensive or on-going support to obtain and maintain an individual job in competitive or customized employment, or self-employment, in an integrated work setting, in the general workforce for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by an individual without a disability.

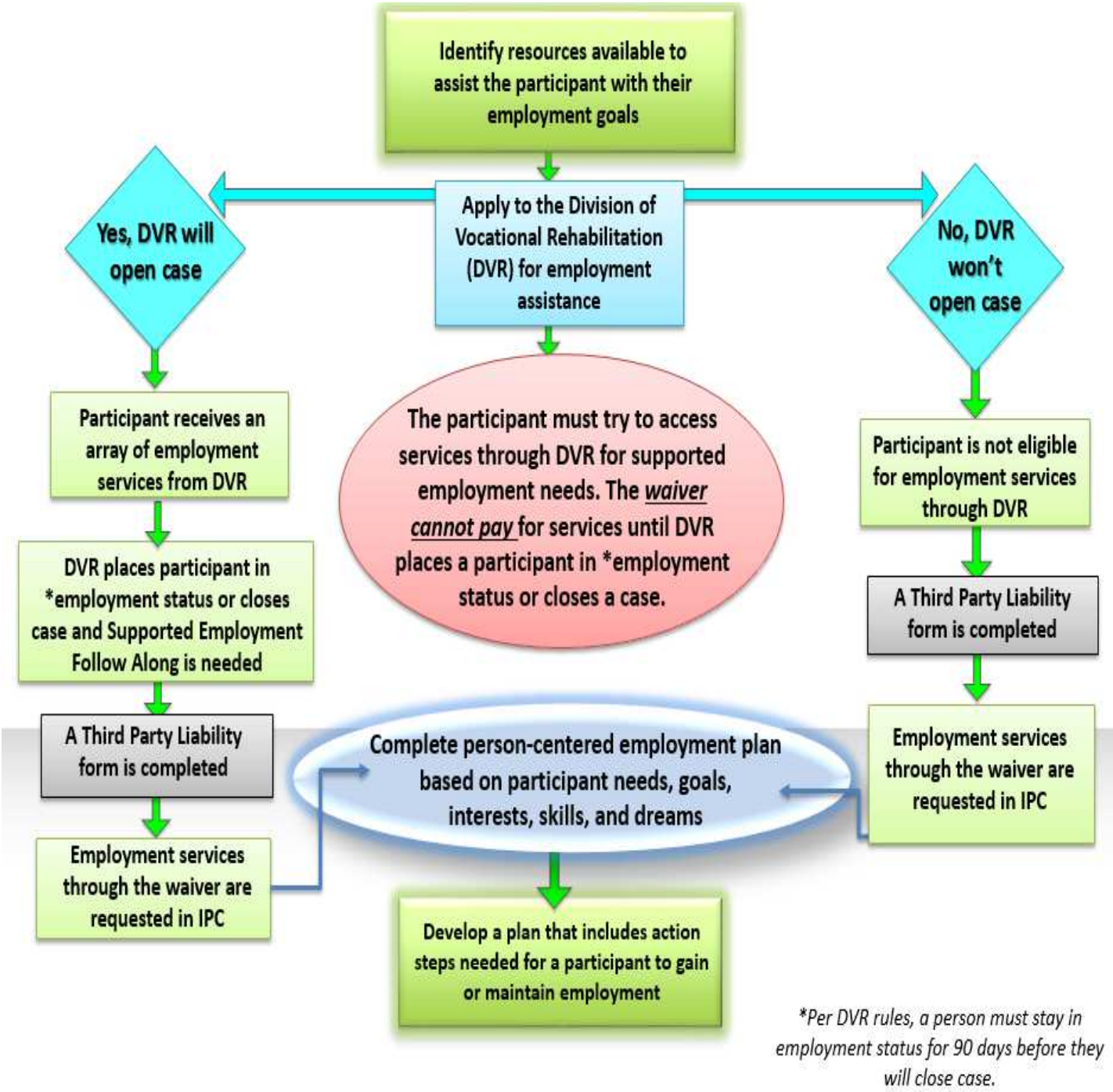
Services are conducted in a variety of settings, particularly work-sites where persons without disabilities are employed. Services include activities needed to sustain paid work by a participant, including supervision and training. When supported employment services are provided at a work-site where persons without disabilities are employed, payment is made only for the adaptations, supervision, and training required by participants receiving waiver services as a result of their disabilities, but does not include payment for the supervisory activities rendered as a normal part of the business setting.

- ***Supported Employment Follow Along***

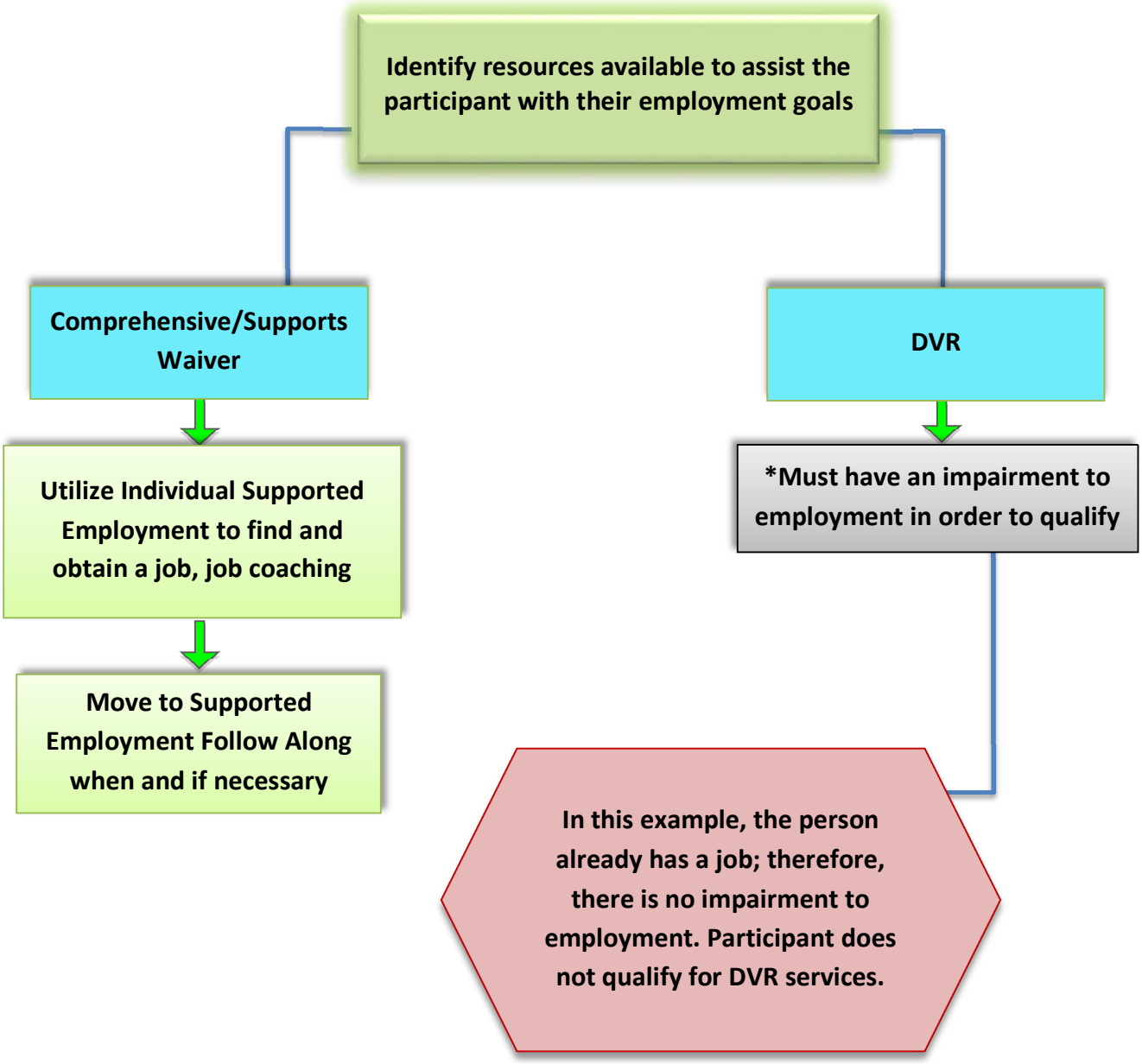
Supported Employment Follow Along are services and supports that enable a participant who is paid at or above the federal minimum wage to maintain employment in an integrated community setting. Service is provided for or on behalf of the participant through intermittent and occasional job support, communicating with the participant's supervisor or manager, whether in the presence of the participant or not.

DVR and Waiver Assistance on Your Employment Pathway

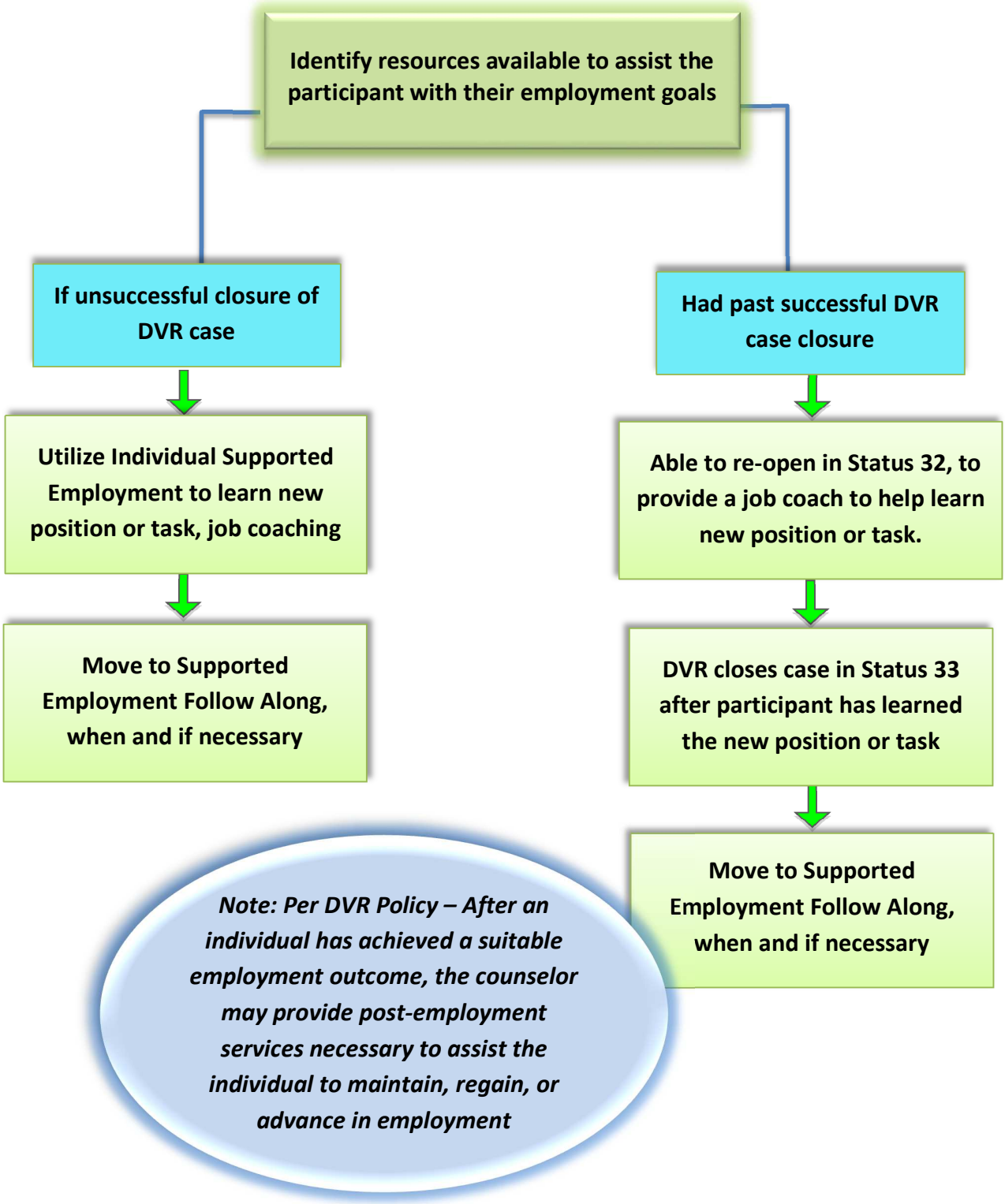
1. No community integrated job before



2. Currently have a job and looking to change jobs



3. Currently have a job and learning a new position or task



4. Currently have a part-time job and looking to obtain a 2nd part-time job

Volunteering

Volunteerism is an avenue that allows individuals to assist with improving their communities, gain marketable skills that could eventually lead to paid employment, test out interests and possible career paths, and develop personal and professional meaningful social connections. It also allows the individual to experience the pleasure and satisfaction of the activity itself and make a difference in the lives of others. Given the social isolation of many people with developmental disabilities, volunteering is important and one of the most useful ways for really getting to know other community members. Volunteering provides many opportunities to learn and practice skills that can be useful in paid employment.

There is value in volunteering and community service. An opportunity to learn, acquire work experience, and a sense of belonging.

Family and Friends

Family and friends of the participant are an important resource that is often overlooked. In many situations, employment opportunities can be found through the participant's family or friends, their school, or their business contacts. Support in finding and keeping a job can be provided informally, by a participant's friends or co-workers, without relying on a funded service. Even when employment services are provided by a community program, relatives and friends play a key role in contributing to the participant's job success by helping in areas of reporting income, preparation for work, transportation, etc.

Transportation

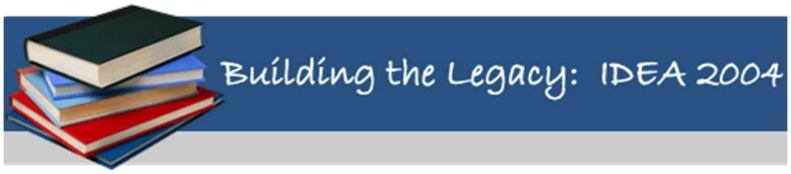
Planning for transportation is an essential part of the job planning process. Job seekers, families, and providers need to work together from the beginning to identify transportation options.

Here is a list of transportation issues to consider:

- Are any public transportation routes accessible?
  - If so, are they available on the days and hours the individual will be travelling to and from work?
- Are transportation services available from the provider and waiver service?
- Is carpooling or shared-ride transportation an option?
- What will the costs be, whether by private or public transportation?
- Are there health, behavior or risk issues that should be considered when selecting the means of transportation?
- Will the individual be able to use public transportation or other shared transit with proper training and support?

When planning transportation, "thinking outside the box" can result in a creative solution. For example, maybe your town's senior bus program can be helpful. Or perhaps your town's taxi company might negotiate a special discounted rate. Consider approaching relatives, co-workers and neighbors about carpooling options.

A plan for transportation is essential when planning for employment.



Employment Transition Planning for School Aged Individuals

Individuals with Disabilities Improvement Education Act

According to the Individuals with Disabilities Education Act (IDEA), special education means specially designed instruction, provided at no cost to the parent, to meet the unique needs of a child with a disability. This specially designed instruction involves adapting, as appropriate to the needs of an eligible student, the content, methodology or delivery of instruction:

- To address the unique needs of the child that result from his/her disability; and
- To ensure access of the child to the general curriculum, so that the child can meet the educational standards within the district that apply to all children.

In Wyoming, children who are eligible for special education are entitled to a free appropriate public education (FAPE) in the least restrictive environment (LRE) from the age of three through the school year in which the student turns 21 years old. School districts ensure the provision of FAPE in the LRE for each eligible child through the development and implementation of an Individualized Education Program (IEP), which is updated at least annually.

Transition Planning Form

In Wyoming, school districts are required by IDEA to include transition planning in the Individual Education Plan (IEPs) of students with disabilities by the time they are 16 (some states require transition planning to begin earlier). Transition planning is a coordinated set of activities that are designed within a results-oriented process, focused on improving academic and functional achievement to facilitate the student's movement from school to post-school activities. The IEP team, including the student, work to develop a plan that is based on age-appropriate transition assessments and individualized to address each child's unique needs.

Transition services and activities incorporated into the plan might include:

- ***Career Interest Inventories*** – these paper and pencil assessments can help the student identify work interest and preferences. The results of these assessments can help to create specific employment goals.
- ***Job Shadowing*** – the student follows an employee during a typical day on the job.
- ***Mentoring*** – the student is matched to an adult mentor who serves as an advisor and offers guidance.
- ***Apprenticeship*** – an adult professional teaches the student a specific trade.
- ***Workplace visits and tours*** – the student observes different work settings.
- ***Career Fairs and Career Days*** – local community members' visit a school to share career experiences with an interested group of students.
- ***Mock job interviews*** – partner with your local Workforce Center to set up mock interviews for students so that they can gain experience.
- ***Job Clubs*** – if available through your local school, job clubs can be great for peer level mentoring and encouragement in employment efforts and on-the-job issues.
- ***After-school and summer job placements*** – arranged and supported by school staff.
- ***Internships*** – paid or unpaid work experience for students.

Resources

Division of Vocational Rehabilitation (DVR)

The Division of Vocational Rehabilitation is a federal-state program that works with people who have physical or mental disabilities to prepare for, gain or retain employment.

Eligibility Criteria:

1. Individual has a physical or mental impairment.
2. Impairment poses a substantial impediment to employment.
3. Individual requires services from DVR to prepare for, gain, or retain employment.

Services that VR provides:

- As part of their core services, DVR provides to all clients eligibility assessments, counseling and guidance, information and referral services, and job search and job placement services. Any additional services that a person with a disability may need are individualized to their specific disability and employment goal.

Call 1-866-804-3678 or visit VR's website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Workforce Investment Act Program (WIA) (For Adults)

The Wyoming Department of Workforce Services uses Workforce Investment Act funding to help adults, dislocated workers and youth find employment that leads to self-sufficiency through various services available at its local Workforce Centers.

Eligibility Criteria:

- For individuals who are 18 years of age or older.
- Individuals who are unemployed and are unable to obtain employment through core services and have been determined to be in need of more intensive services in order to obtain employment; or
- Are employed and have been determined to be in need of services in order to obtain or retain employment that allows for self-sufficiency.
- Meet certain income guidelines.

Services that WIA provides:

- Occupations skills training;
- On-the-job training;
- Programs that combine workplace training with related instruction;
- Training programs operated by the private sector;
- Skills upgrading and retraining;
- Entrepreneurial training;
- Job readiness training;
- Adult Basic Education activities in conjunction with these activities; and
- Customized training with a commitment to employ trainees.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Workforce Investment Act Program (WIA)
(For Youth)

The Wyoming Department of Workforce Services uses Workforce Investment Act funding to help adults, dislocated workers and youth find employment that leads to self-sufficiency through varies services available at its local Workforce Centers.

Eligibility Criteria:

- For individuals aged 14-21.
- Services provided to eligible youth seeking assistance in achieving academic and employment success.

Services that WIA provides:

- Tutoring, study skills training and instruction leading to completion of secondary school, including dropout prevention strategies;
- Alternative secondary school services;
- Summer employment opportunities that are directly linked to academic and occupational learning;
- Paid or unpaid work experiences, including internships and job shadowing;
- Occupational skill training;

- Leadership development opportunities, which may include community service and peer-centered activities encouraging responsibility and other positive social behaviors during non-school hours;
- Supportive services;
- Adult mentoring for the period of participation and a subsequent period, for a total of not less than 12 months;
- Follow-up services for not less than 12 months after the completion of participation; and
- Comprehensive guidance and counseling which may include drug and alcohol abuse counseling and referral.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Department of Workforce Services (DWS)
Career Exploration and Aptitude Testing

The Wyoming Department of Workforce Services understands the need for students, parents, schools, job-seekers and others to explore their career aptitude and development. With this need in mind, the Wyoming Department of Workforce Services provides the following tools to further facilitate such career exploration:

- Start exploring career options with CareerOneStop, whether you are in high school, have graduated, have a vocational certificate, have a 2-year or 4-year college degree or have knowledge and skills acquired through training centers, on-the-job training, or work experience.
- The Wyoming Department of Workforce Services' local Workforce Centers have publicly-accessible computers with resume writing software, various books and videos on resume writing and interviewing, college catalogs, typing, spelling tests, and other resource materials.
- Wyoming at Work Career Services (https://www.wyomingatwork.com) is available. With it, a person can complete, through Wyoming at Work, occupational skills assessments to assist in career development and job placement.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Wyoming Services for Independent Living is a registered non-profit human service agency established to enable persons with significant disabilities to live as independently as possible in the community of their choice.

Eligibility Criteria:

- Presence of a significant disability that interferes with living independently
- Not determined by income levels
- Person motivated to maintain and/or increase levels of independence.

Services that WSIL provides:

- Individual and systems advocacy;
- Information and referral;
- Peer counseling;
- Independent Living Skills Training;
- ADA technical advice;
- Adaptive equipment;
- Home modification;
- Loan closet;
- Nursing Home Transition and Diversion; and
- Transportation Voucher.

Call 1-800-266-3061 to find an office near you or to learn more about their services.

wilr wyoming independent living rehabilitation

Wyoming Independent Living Rehabilitation educates and empowers Wyoming citizens with disabilities by providing the necessary tools to live with independence and dignity. All services are provided on a "consumer-driven" basis. You decide what you need to live independently.

Eligibility Criteria:

- Each program has different criteria to be eligible. Please contact WILR for more information and to see if you qualify.

Programs that WILR offers:

- Independent Living Services
  - Services to help people regain or maintain independence in their lives.
- Visually Impaired Program
  - Services for older adults who are blind or severely visually impaired.
- Consumer Directed Care
  - To provide the option of obtaining personal attendant care services provided by an individual of the consumer's choice, who is not necessarily medically trained to provide such services.
- Project Out
  - To transition consumers from nursing homes back into communities.
- ADA Consultant
  - To provide information to individuals, organizations, businesses and municipalities regarding the ADA and accessibility issues.
- Transportation Check Program
  - To provide transportation to consumers with disabilities
- Wyoming Technology Access Program (WYTAP)
  - Offers persons with disabilities an opportunity to finance assistive technology devices and services through low – or no – interest loans.
- Making Homes Accessible
  - A conditional block grant program to help low to moderate income people with disabilities to make their homes accessible.

Call 1-800-735-8322 or 266-6956 (in Casper) to find an office near you or to learn more about their services.

Job Accommodation Network (JAN)

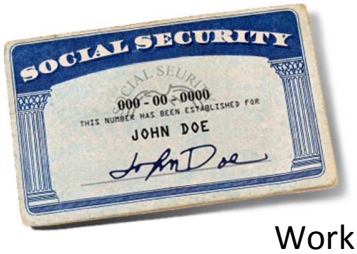
Identifying and arranging necessary accommodations and supports is a key part of assisting people with disabilities to find and keep employment – and is legally reinforced by the Americans with Disabilities Act. A job accommodation means that a job, workplace or way a job is done is modified to help the person with a disability do his/her job. There are several general types of job accommodations:

- Job restructuring, such as a change in work schedule or a decrease in the number of job duties
- Assistive devices – item, device or piece of equipment that is used to help the person with a disability perform a task.
- Training/teaching methods, such as an extended orientation period or audio version of a training manual
- Modification to the building, such as ramps, electronic door opener or flashing lights.

The Job Accommodation Network (JAN) is the leading source of free, expert, and confidential guidance on workplace accommodations and disability employment issues. Working toward practical solutions that benefit both employer and employee, JAN helps people with disabilities enhance their employability, and shows employers how to capitalize on the value and talent that people with disabilities add to the workplace.

JAN provides free, confidential technical assistance about job accommodations and the Americans with Disabilities Act (ADA). Call 1-800-526-7234 to get more information.

Appendix A: Social Security Work Incentive Information



Because many people with disabilities fear losing the SSA benefits and related health care due to being able to work and earn an income, they choose not to work. The SSA has made efforts to reduce this fear by creating and implementing programs known as SSA Work Incentives. Work incentives allow people who receive SSA benefits to work and earn an income while maintaining their benefits and their health insurance. There are specific conditions and requirements for each work incentive, and people must understand how the programs work, including the reporting requirements, in order to ensure proper implementation. Listed below are some of the work incentives offered by Social Security.

For complete information on all SSA's work incentives please visit their website at www.ssa.gov, call 1-800-772-1213 or contact your local Social Security Office.

Social Security Disability Insurance Program (SSDI)

The Social Security Disability Insurance Program (SSDI) provides a monthly benefit to individuals under full retirement age, who have enough quarters paid into the system, have worked five out of the last ten years, and meet the Social Security Administration's (SSA) definition of disability. These SSDI benefit payments will continue as long as the person is unable to engage in "substantial gainful activity" (SGA). A person who is earning more than a certain monthly amount in gross earnings is considered to be engaging in SGA. The SGA amount generally changes when the national average wage index changes. In 2015, the monthly SGA amount is $1090 for a non-blind individual and $1820 for a blind individual. There are work incentives that allow people to go to work after becoming eligible for SSDI. These work incentives allow a person to return to work, but have a safety net, allowing them to continue receiving their SSDI monthly benefit and Medicare coverage for a specific amount of time. Many people can work and keep their SSDI payments and Medicare if they are aware of the work incentives for SSDI.

Supplemental Security Income (SSI)

Supplemental Security Income (SSI) is based upon financial need. It provides monthly benefits to low income individuals who are disabled, blind, or over the age of 65 who are unable to engage in SGA and meet SSA's non-medical criteria for eligibility. The monthly benefit is based on the federal benefit rate (FBR) and generally changes annually based on cost of living increases. In 2015, the monthly FBR is $733.

SSI recipients are automatically eligible for Medicaid, a government health insurance program, and often are eligible for other federal programs such as SNAP, the food assistance program.

The definition of "disability" is the same for SSI and the SSDI programs. To qualify for SSI, a person must have a medically determinable physical or mental impairment that prevents them from engaging in substantial gainful activity. The impairment must have lasted for a continuous period of 12 months, be expected to last for a continuous period of 12 months, or be expected to result in death. In order to be eligible for SSI, the person with a qualifying disability must meet age requirements, residency, legal involvement, living arrangements, and resource and income requirements.

How Property and Assets are Treated Under SSI

Resource and income include, but are not limited to, real estate or real property other than the applicant's residence, vehicles (one car or truck is excluded), bank accounts, cash, stocks, bonds, or other investments. Cash value of life insurance policies, burial spaces, expense funds, certain trusts, and any money or property sold, transferred, or disposed of within 36 months prior to the application. To be eligible for SSI, total counted resources cannot exceed $2,000 per person or $3000 per couple. Income counted includes any earned or unearned income, rental income, child support, alimony, TANF, EITC's, self-employment wages, unemployment compensation, and any other income sources.

The following items DO NOT count as assets or resources for purposes of SSI eligibility:

- The applicant's home and the land it is on, provided that it is the primary residence.
- Household goods, personal property, and one car or truck, if it is necessary for daily activities.
- Life insurance with a face value less than $1500.
- Burial spaces and expense funds up to $1500.

As laws and policies change often, make certain that if there are additional options for keeping assets, such as special needs trusts, that these assets have been approved by the Social Security Administration.

How Income May Impact SSI Eligibility

Countable income can include both earned income and unearned income. This means that income which may impact the amount of the SSI payment includes money that is paid by an employer, Social Security payments, private pension payments, or some items of value that are received as gifts to pay for food, shelter, or utilities.

If a person is considered disabled under SSA rules and plans to work, his or her countable income can be reduced by special programs known as "work incentives." These programs allow a person receiving SSI and/or SSDI to work and continue to receive all or part of their disability payments as well as maintain eligibility for Medicare and/or Medicaid.

Employed Individuals with Disabilities (EID) Program
Medicaid Buy-in Coverage

The EID program provides work incentives for individuals with disabilities. Individuals with disabilities who work and have no health-care coverage, or who may lose their Medicaid coverage, should apply if they obtain employment, increase their work hours, or increase their rate of pay. People with disabilities who work will pay a monthly premium to receive Medicaid health-care coverage. The premium is (7.5%) of their monthly earned income and their yearly unearned income that is in excess of $600.

You may be eligible if you:

- Are employed
- Have a disability based on Social Security Administration guidelines
- Are a U.S. citizen or lawful permanent resident who has lived in the U.S. for at least five years
- A Wyoming resident
- Are 16 through 64 years of age
- Meet income guidelines (earned income is exempt)

Know your options. The Medicaid Buy In (EID program) allows you to work and have Medicaid health-care coverage for only 7.5% of your monthly earned income.

Benefits of the EID program:

- You will have Medicaid health-care coverage.
- You can work in the community.
- You can earn and save more money without the risk of losing health-care coverage.

Call the Wyoming Department of Health, Customer Service Center at 1-855-294-2127 to find out about the application process.

Impairment Related Work Expense (IRWE)

This work incentive applies to both SSI and SSDI at different times. An IRWE is an out of pocket cost that a person must pay that 1) is related to their disability and 2) is needed in order for them to work. The out of pocket costs reduce the income that SSA counts. Receipts must be sent into SSA monthly.

Examples of IRWE:

- Cost of taxis or drivers needed to travel to work because your disability prevents use of public transportation.
- Modified vehicles needed because of disability, e.g., special steering/braking equipment.
- Ramps, railings, or other modifications to the outside of your home that allow you to leave and go to work.
- Routine medication costs that help keep your disability related symptoms under control.

Subsidies and Special Conditions

A subsidy only applies to SSDI and is defined as the value of extra support a person receives on the job. The subsidy is provided by the employer and the worker must earn the same pay as other workers doing the same job. Examples include a job coach, mentor, extra supervision, or a reduced workload. The value of the subsidy is determined by the employer. Special conditions apply when the individual is not fully earning his or her wages because the work is performed under special conditions such as on-the-job coaching or substitution in which the job coach performs part or all of the individual's job duties. SSA will deduct the wages that are not considered "earned" by the individual.

Examples of subsidies:

- You receive more supervision than other workers doing the same or a similar job for the same pay.
- You have fewer or simpler tasks to complete than other workers who are doing the same job for the same pay.
- Job coach assistance.

Examples of special conditions:

- You receive close and continuous supervision.
- You receive on the job coaching and the job coach performs part or all of your tasks.

Unincurred Business Expense

"Unincurred business expenses" refers to self-employment business support that someone provides to you at no cost. In deciding whether you are working at the SGA level, SSA deducts unincurred business expenses from your net earnings from self-employment. Examples of unincurred business expenses are (1) a Vocational Rehabilitation agency gives you a computer that is used in a graphic arts business; and (2) a friend works for your business as unpaid help.

For an item or service to qualify as an unincurred business expense:

- It must be an item or service that the IRS would allow as a legitimate business expense if you had paid for it; and
- Given to you free of charge.

Unsuccessful Work Attempt

An unsuccessful work attempt is an effort by a disabled individual to do substantial work that either stopped or produced earnings below the SGA level after a short amount of time, no more than 6 months because of:

- The individual's disabling condition; or
- Elimination of the special conditions or assistance that the individual needed in order to work.

Trial Work Period

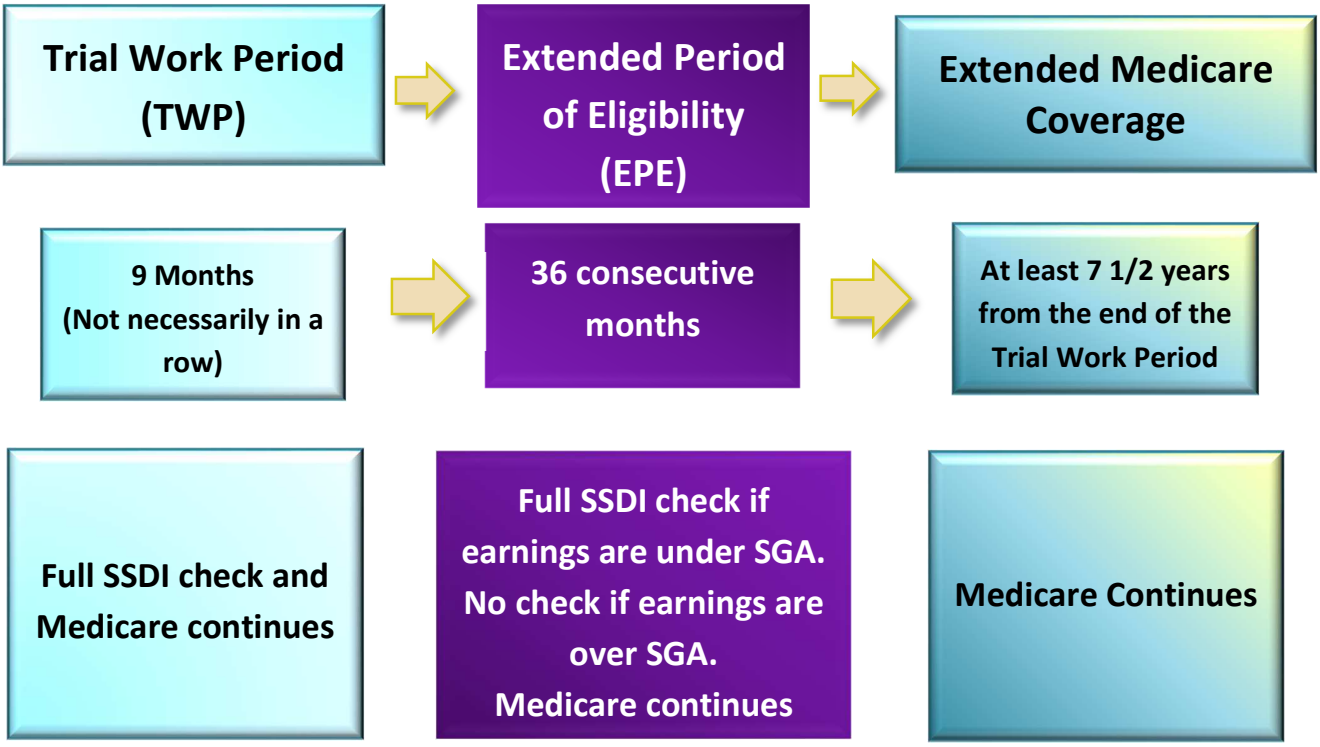
Applies to SSDI only – the Trial Work Period (TWP) allows you to test your ability to work by providing a period of nine (9) months of gross earnings during which your SSDI check is not affected. A month does not count towards your trial work period unless your gross earnings meet or exceed an amount set each year by SSA. In 2015, the TWP amount is $780. During your TWP, you will receive your full disability benefit regardless of how much you earn. You must report your work activity to SSA and continue to have a disabling impairment. The nine (9) months does not need to be consecutive, they are counted within a five-year period. Certain other rules apply. Medicare coverage will continue for ninety-three (93) months after the last month of the TWP.

If you are on SSDI, don't be afraid to work. You get a 9 month trial work period to test the waters of employment.

Extended Period of Eligibility

Applies to SSDI only – the Extended Period of Eligibility (EPE) begins after you have completed your trial work period and have gross earnings at or above the SGA level. The EPE lasts for thirty-six (36) months and allows an individual to receive their SSDI check in any month that their earnings fall below SGA. If work is discontinued during the EPE, the individual simply needs to contact SSA to reinstate benefits. You must continue to have a disabling impairment.

36 month extended period of eligibility AFTER your 9 trial work period months.



Earned Income Exclusion

Applies to SSI only – all SSI recipients receive a $20 general income exclusion. If SSI is the person's only income prior to working, he or she also gets an earned income exclusion of $65. After deducting the $85 in exclusions from your earned income, SSA then only considers half of your remaining earnings.

When you are on SSI, the Social Security Administration only counts $1 for every $2 you earn while working.

Example:

- John is receiving $733 in SSI each month.
- He returns to work and earns $500 in gross monthly earnings.
- Because John was only receiving SSI prior to working, he receives both income exclusions:

  $500 (*Earnings*) minus $85 (*Exclusions*) = $415
- SSA only counts half of the remaining earnings:

  $415 (*Considered earnings after exclusions*) divided by 2 = $207.50
- SSA will only count $207.50 of John's total earnings.
- His SSI check will then be reduced by $207.50.
- His new SSI amount will be **$525.50** (*$733-$207.50=$525.50*).
- **Johns total monthly income is now $500 (*earnings*) plus $525.50 (*SSI benefit*) = $1025.50.**
- John continues to receive Medicaid because his SSI benefit is at least $1.

Plan to Achieve Self-Support (PASS)

Applies to SSI only – a plan to achieve self-support allows you to set aside income or assets of a set amount of money for an established period of time towards a specific employment or vocational goal. Funds can be used for education, equipment, or starting a business, etc. Goals must generally be obtainable within three years, but some exceptions are possible. Funds must be used for a designated purpose or a person could be in overpayment and have to pay back to SSA. A PASS plan can help a person achieve their work or vocational goal. Your goal should be a job that allows you to earn enough to reduce or eliminate your need for benefits provided under the Social Security and Supplemental Security Income programs. SSA does not count the money or resources you set aside under an approved PASS plan when they decide your initial or continuing eligibility for SSI. Having a PASS may help you qualify for SSI or may increase the amount of your SSI payment.

Property Essential to Self-Support (PESS)

Applies to SSI only – SSA does not count some resources that are essential to your means of self-support when they decide if you are eligible for SSI. For example, they do not count property such as tools or equipment that you use for work. If you have a trade or business, they do not count property such as inventory. A person must be using the property that SSA is excluding under PESS, or be expected to start using it in a reasonable amount of time, typically within 12 months.

Federal Rule 1619(b)

Applies to SSI only – Section 1619(b) allows a person who is receiving SSI and working to continue to receive Medicaid at no cost, even when their earnings reduce their SSI benefit to $0. There are earnings threshold requirements. In 2014, for Wyoming, the threshold amount is $36,447. A person who meets the requirements of 1619(b) will receive full medical coverage under Medicaid.

To qualify:

- A person must have been eligible for an SSI cash payment for at least one month prior to accessing 1619(b).
- SSI benefit must have been reduced because of earnings.
- Must continue to meet SSA disability requirements.
- Continue to meet resource requirements for SSI.
- Need the medical assistance to work.
- Have gross earned income that is insufficient to replace the cost of medical assistance needed.

For assistance planning for employment, use our "Employment Pathway Planning Packet"

http://health.wyo.gov/DDD/cmforms.html

Start Your Employment Planning Now

If you are not employed now, but would like to pursue ***employment in the next year*** or ***employment in the next two (2) years***, ask yourself the following questions to begin your planning:

1. Have you ever volunteered in the community?
2. Do you want to learn a new skill?
3. When you are out in the community, are there jobs that you see people doing that you would like to know more about?
4. Do you want to learn about different types of jobs available?
5. If you could have any job, what would it be?
6. What interests you about your dream job?
7. Are there jobs that you don't want to do?
8. How much money will you need to make to meet your living expenses?
9. How much money will you need to buy things you want?
10. What is your greatest fear when you think about working?
11. Is there anything that worries you about getting a job?
12. What motivates you?
13. Will you need prevocational or employment discovery and customization services?
14. What supports will you need to begin competitive employment?
15. Who will help you set up the supports you need to gain and maintain competitive, integrated, and meaningful employment?
16. What is your employment goal date?

SSDI Trial Work Period (TWP) Tracking Chart

You are allowed nine (9) TWP months in a rolling sixty (60) month period

2015 Amount TWP= $780 SGA=$1090

Month	Gross Earned Income	Trial Work Month Yes or No	SSDI Cash Benefit	Total Income
Example: January	$800	Yes= TWP Month 1	$1000	$1800

Notes

Employment First

Pathway to Employment
Pathway to Integration
Pathway out of Poverty

"Working together to build a more prosperous Wyoming."

Wyoming Department of Health

Commit to your health.

BEHAVIORAL HEALTH DIVISION

Employment First Planning Guide

For adults ages 16+ with Intellectual Disabilities, their families, and the Circle of support.

Behavioral Health Division
Developmental Disabilities Section
6101 Yellowstone Road, Suite 220
Cheyenne, WY 82002
www.health.wyo.gov/ddd
800-510-0280 | 307-777-6494

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Introduction

The influence that parents, family, friends, teachers, and providers have on people with disabilities can be both influential and powerful. When it comes to setting expectations about work, those involved in the lives of people with disabilities need to convey the expectation that people with disabilities can work, can contribute, and can find great satisfaction in being part of the world of work.

People WORK for many reasons. For some, it provides a sense of self or meaning in one's life; for others, it is the social context of meeting and associating with others in a common effort or goal; and for still others, it is the means by which to gain status, either personal or economic, which allows for choice and discretion in determining one's "quality of life."

What Makes Life Good?

When asked, ***"What makes life good?"*** almost all people identify the same core components. While different people will use different words to describe a component or more highly value one component over another, the list of components is consistently the same:

- Freedom of choice and ease of access to the community;
- Positive, interdependent relationships with family and friends;
- A safe, comfortable home in a safe neighborhood;
- Being respected, included in and a member of your culture and community;
- Good health and access to good health care;
- Enjoying one's personal choice of hobbies, recreation, and leisure activities; and
- Satisfying employment and the economic benefits of contributing through work.

Although employment outcomes for individuals with disabilities still lag behind those compared to individuals without disabilities, it is clear that enormous barriers to employment are being overcome. It is far more common now to see people with disabilities in a wide range of jobs throughout the community than it was even a decade ago.

Supported employment is an alternative to traditional sheltered and competitive employment approaches. It is an attempt to meet the specific needs of individuals with disabilities and is based on fundamentally different principles and assumptions. The supported work model assumes that all individuals, regardless of the nature or extent of their disabilities, should have the opportunity and support to work in the community. There are no pre-requisite skills needed for community job success. Therefore, the task is not to identify and place "work ready" individuals, but rather to locate and/or modify meaningful jobs in the community and provide training and supports at the job site.

Supported employment will often take the form of "customized" employment. Customized employment is a flexible process designed to personalize the employment relationship between a job candidate and an employer in a way that meets the needs of both. It is based on an individualized match between the strengths, conditions, and interests of job candidate and the identified business needs of an employer. Customized employment utilizes an individualized approach to employment planning and job development – one person at a time, and one employer at a time.

This Employment Planning Guide is designed to help parents, participants, and providers start the process of finding competitive work for people with disabilities; learn about the resources, services, and the programs available to help people with disabilities in Wyoming pursue their own unique path to work, a career, and participate in community life.

"Given the choice between work and idleness, people will almost always choose work. Regardless of our station in life, the condition of our bodies and minds, or the amount of money in our bank accounts, the need to work remains one of our strongest drives. Work is central to our lives, and as such, gives a large measure of structure to our days. Common sense tells us that we feel better about ourselves when we are working regularly."

~Robert Drake, M.D.,

Meet Jane

Let's look at an example of what the new employment pathway might do for a participant.

We want to introduce a fictional waiver participant, Jane, who is a based upon people we know in Wyoming receiving services. We want to describe how the new employment pathway can realistically work for someone and change his or her life.

Jane has been going to day services and working in an enclave at the recycling center, and she receives group supported employment. Jane's team of family and providers encouraged her to start looking for other employment opportunities with the new employment services on the waiver.

At her team meeting, Jane and her team discuss what type of work she would like and want to do if she did not work at the recycling center. They ask her where in town she would like to work. They find out she likes flowers and gardening centers in stores, so they make a plan to set up mentor sites at flower shops and garden centers in department stores using the Employment Discovery and Customization service.

As Jane continues to work at the recycling center, her direct care staff start working with her on non-job-specific, work-related tasks that she might need for competitive employment at a flower shop through Prevocational Services. They also work with her on learning specific tasks in Group Supported Employment that would assist her in working with customers from the public.

Jane's staff helps her meet with the local Department of Vocational Rehabilitation office (DVR) and make an employment plan. After DVR opens a case and pays for job development, a job coach helps Jane fill out employment applications and assists her with interviewing for jobs.

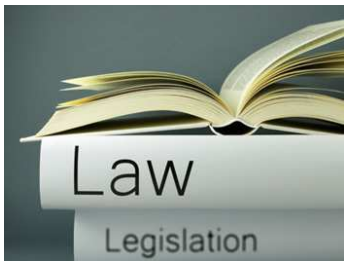
Finally, Jane finds a job working in a flower shop four days a week. DVR pays for supported employment for the time that she needs to obtain and maintain her job. Once she is successful and no longer needs a full-time job coach, DVR puts her case into "Status 22 – Employed." If during this time she needs a job coach,

the waiver will then pay for this service. ***(Please note: DVR cannot close a case successfully when services are still being offered. DVR must go three months or 90 days without paying for any services before they are able to close out a case successfully.)*** Participants, providers, and parents, must be aware of this DVR requirement.

Due to difficulty in learning all of her job tasks, Jane uses Individual Supported Employment through the waiver, which provides her with a job coach for a longer period of time. A job coach can assist her until she can perform the job fairly independently and begins receiving the help she needs from her co-workers, instead of the job coach. After a few months, Jane switches to Transportation Services to get to and from work and Jane's provider switches to Supported Employment Follow Along to check in on Jane's progress each month. Jane continues to learn and grow in her position. Occasionally the provider will provide job coaching to assist Jane and address any concerns that she or her employer has.

Jane now works four days a week and makes triple the money every month than she did at the recycling center. She has three new friends, who are also her co-workers! She also likes having extra money, which allows her to spend more time bowling and hanging out with her boyfriend.

2014 Employment First Legislation



An Act relating to persons with disabilities, which established employment first as a state policy to support competitive employment in an integrated setting, was enacted by the Wyoming Legislature in 2014. This Act requires agencies to support competitive and integrated employment; requires state agencies working with home and community based waiver service providers to implement employment first policies; requires state agencies to report on employment data; provides definitions; and provides for an effective date.

House Enrolled Act 53:

9-2-1002. Definitions; powers generally; duties of governor; provisions construed; cooperation with legislature and judiciary; divisions enumerated.

(xiii) **"Competitive employment"** means work in the competitive labor market that is performed on a fulltime or part-time basis in an integrated setting, and for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled;

(xiv) **"Employment first"** means a concept to facilitate the full inclusion of individuals with disabilities in the workplace and community. Under the employment first approach, community based, integrated employment is the first option for employment services for children and adults with disabilities. Employment first includes competitive employment in an integrated setting;

(xv) **"Integrated setting"** means with respect to an employment outcome, a setting typically found in the community in which applicants or eligible individuals interact with individuals who do not have disabilities, other than nondisabled individuals who are providing services to those applicants or eligible individuals, to the same extent that individuals who do not have disabilities interact with other persons in comparable positions.

9-2-1022. Duties of department performed through human resources division.

(n) In carrying out the duties of the division under this section, employment first shall be the policy of the state that competitive and integrated employment shall be considered its first option when serving persons with disabilities who are of working age to obtain employment. Employment first applies to programs and services that provide services and support to help obtain employment for persons with disabilities. All state agencies shall follow this policy and ensure that it is effectively implemented in their hiring and in all programs and services administered or funded by the agencies. Nothing in this section shall be construed to require any employer to give preference to hiring people with a disability. All state agencies shall coordinate efforts and shall collaborate within and among the agencies to ensure that state programs, policies, procedures and funding support competitive and integrated employment of individuals with disabilities. All state agencies shall, whenever feasible, share data and information across systems in order to track progress toward full implementation of this subsection.

Nothing in this section shall be construed as eliminating any supported employment services as an option when appropriate.

42-4-120. Contracts for waiver services; authority of department; emergency case services; cost based payments; training and certification of specialists.

(m) The department shall ensure that state agencies working with service providers receiving funds pursuant to this section shall have established employment first policies, including competitive employment in an integrated setting, consistent with the requirements of W.S. 9-2-1022.

Employment Talking Points

Employment means a job in the community that the person wants and can perform, with or without accommodation and support.

- When we talk about employment today, we mean having a job or vocation in the community that pays at least minimum wage.

Employment is an essential part of self-determination for many people.

- Employment is a way for people to achieve their personal dream of success, respect, and control.
- Having community employment can be an important part of one's self-identity and value in society today.

People with disabilities are successful workers.

- Thanks to new technology, new laws, and better teaching methods, jobs that were out of reach in the past for people with disabilities are accessible today.
- Job coaches are available to assist people who need assistance in locating, preparing for and successfully managing the job of their choice.
- Success is also supported by government programs, which provide real incentives for people with disabilities to work, keep more earned income for their personal use, and retain their needed benefits.

Some questions to get the employment process started.

- Does the participant need help figuring out the types of jobs and careers he/she would like and be good at doing?
- Will his/her support needs change over time? Are there times when more help will be needed?
- What is most important to the participant? Pay and benefits, fun people to work with, or safety and security?
- Will help be needed to manage benefits, such as Social Security and Medicaid?
- Will job coaching services be needed on the job and if so, how often and for how long?
- Will help be needed to identify activities for when he/she is not working?

Best Practices

Experience has shown that when certain principles are followed while supporting people with disabilities in their employment efforts, the most meaningful and successful outcomes are achieved. These principles are sometimes referred to as "best practices" in community employment services and they include:

- Focusing on individual jobs in the community, paid directly by the employer;
- Using a ***"person-centered planning"*** approach, where job placement is based on the individual's interests, needs and preferences, and the individual is supported to take control of his/her job planning process;
- Emphasizing ***"job matching"*** – searching for employment that closely matches what the job seeker wants, is good at doing, and where he or she will fit in and be comfortable;
- ***Thinking broadly*** about where the individual can work by not being limited to the ideas of traditional workplaces such as supermarkets and fast food chains;
- Taking advantage of personal networks – tapping into family and staff contacts to gather information, resources, and potential job leads;
- Using ***"natural supports"*** including family, friends, co-workers, and mentors to meet the needs of the individual on the job; and
- ***Fading out paid staff supports*** as the individual becomes more settled, comfortable, and independent in the workplace.

Person-Centered Planning is Best Practice

How Employment Affects My Benefits

While earned income can affect a person's eligibility for Social Security, food stamps, public housing and medical assistance benefits, State and Federal programs make it feasible for people to retain much more of their earnings than they could in the past without losing needed health care benefits and services. When taking advantage of State and Federal work incentives, people must report their earnings and assets or savings.

It is important to track your earnings each month and be familiar with the effects that it may have on other benefits you may be receiving.

Earned income WILL affect how much you receive in food stamps and public housing, BUT the amount you earn by becoming competitively employed far outweighs the reduction in food stamps and public housing assistance. You will be moving in the right direction to self-sufficiency!

Department of Health, Community Waiver Programs

The Comprehensive and Supports waivers offer five new employment services with better supports to help you gain and keep employment that match your strengths, needs, and interests. The two new waivers offer an employment pathway service overview with various employment support services to support and assist a participant who, because of their disability, needs intensive support to find and maintain a job in competitive, integrated work settings.

A range of supported employment services are available with varying levels of support and intensity to assist the participant in attaining and maintaining the highest level of paid, community integrated employment. Consistent with the *Olmstead Decision* and with person-centered planning, a participant's plan of care regarding employment services shall be constructed in a manner that reflects individual choice and goals related to employment and ensures provision of services in the most integrated setting appropriate.

Prevocational Services

Prevocational services are services designed to create a path to integrated community based employment for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals without disabilities.

Prevocational services should enable each individual to attain the highest level of work in the most integrated setting with a job matched to the individual's interests, strengths, priorities, abilities, and capabilities, while following applicable federal wage guidelines. These services provide learning and work experiences, including volunteer work where the individual can develop general, non-job-task-specific strengths and skills that contribute to employability through paid employment in an integrated community setting.

Prevocational services are time-limited, not to exceed 12 consecutive months and cannot be repeated during the subsequent plan year.

Employment Discovery and Customization

Employment Discovery and Customization is the individualized determination of the strengths, needs, and interests of the participant and is designed to meet the specific needs of the employee and employer relationship.

Employment discovery and customization includes employment developed through job carving, self-employment or entrepreneurial initiative, or other job development or restructuring strategies that result in job responsibilities being customized and individually negotiated to fit the needs of participants. Employment discovery and customization presumes the provision of reasonable accommodations and supports necessary to perform functions of a job that is individually negotiated and developed.

Supported Employment

- ***Small Group Supported Employment***

Small Group Supported Employment services consist of intensive, on-going supports that enable a participant, for whom competitive employment is at or above the minimum wage is unlikely absent the provision of supports; and who, because of his/her disability, need supports to perform in a regular work setting, including mobile work crews or enclaves. These services are conducted in a variety of settings, particularly work-sites where persons without disabilities are employed.

Services include activities needed to sustain paid work, which includes supervision and training. When supported employment services are provided at a work-site where persons without disabilities are employed, payment is only made for the adaptations, supervision, and training that is required by a participant receiving waiver services as a result of their disability. It does not include payment for supervisory activities rendered as a normal part of the business setting.

- ***Individual Supported Employment***

Individual Supported Employment services are the 1:1 supports available to a participant who, because of their disability, needs intensive or on-going support to obtain and maintain an individual job in competitive or customized employment, or self-employment, in an integrated work setting, in the general workforce for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by an individual without a disability.

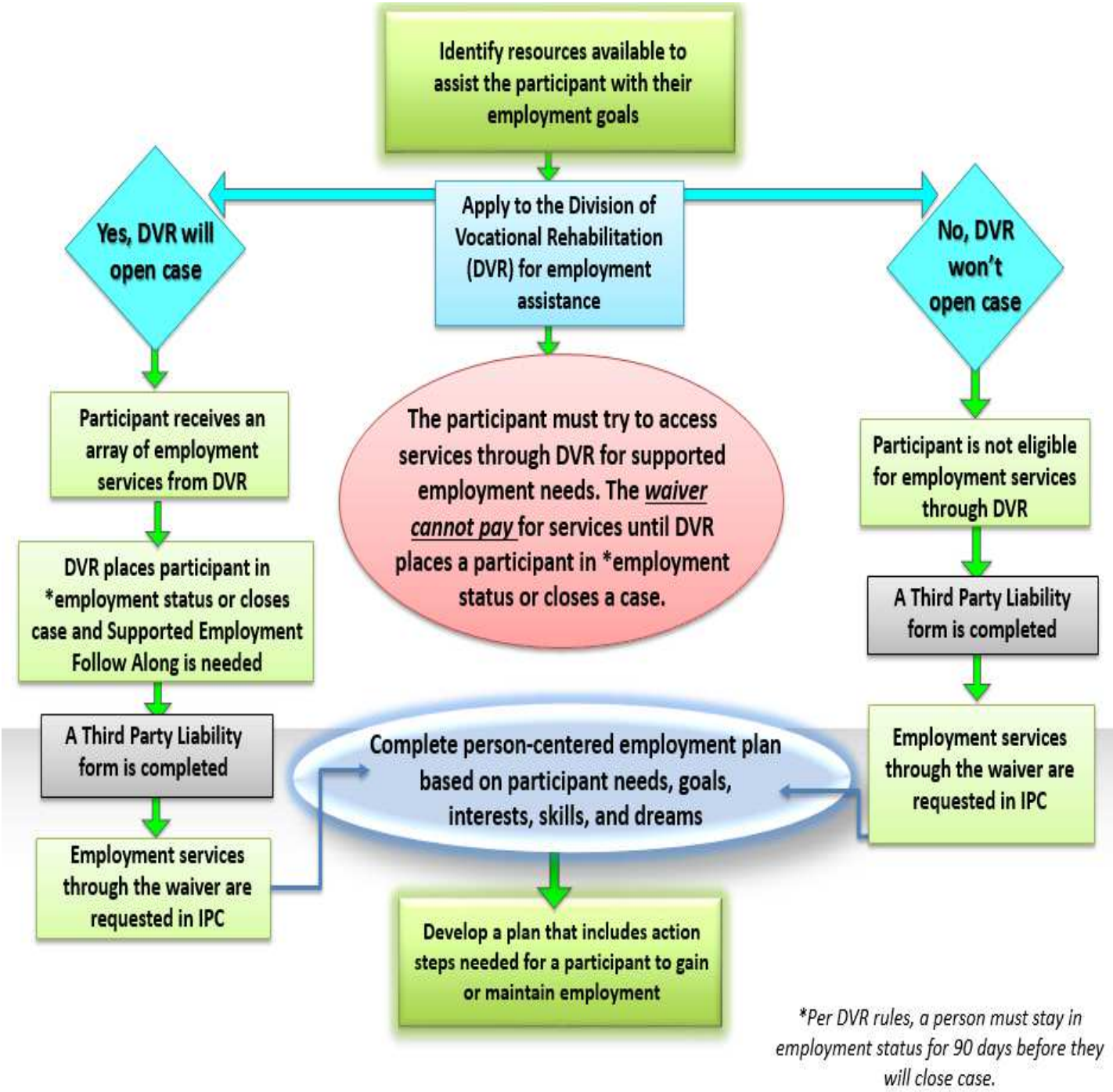
Services are conducted in a variety of settings, particularly work-sites where persons without disabilities are employed. Services include activities needed to sustain paid work by a participant, including supervision and training. When supported employment services are provided at a work-site where persons without disabilities are employed, payment is made only for the adaptations, supervision, and training required by participants receiving waiver services as a result of their disabilities, but does not include payment for the supervisory activities rendered as a normal part of the business setting.

- ***Supported Employment Follow Along***

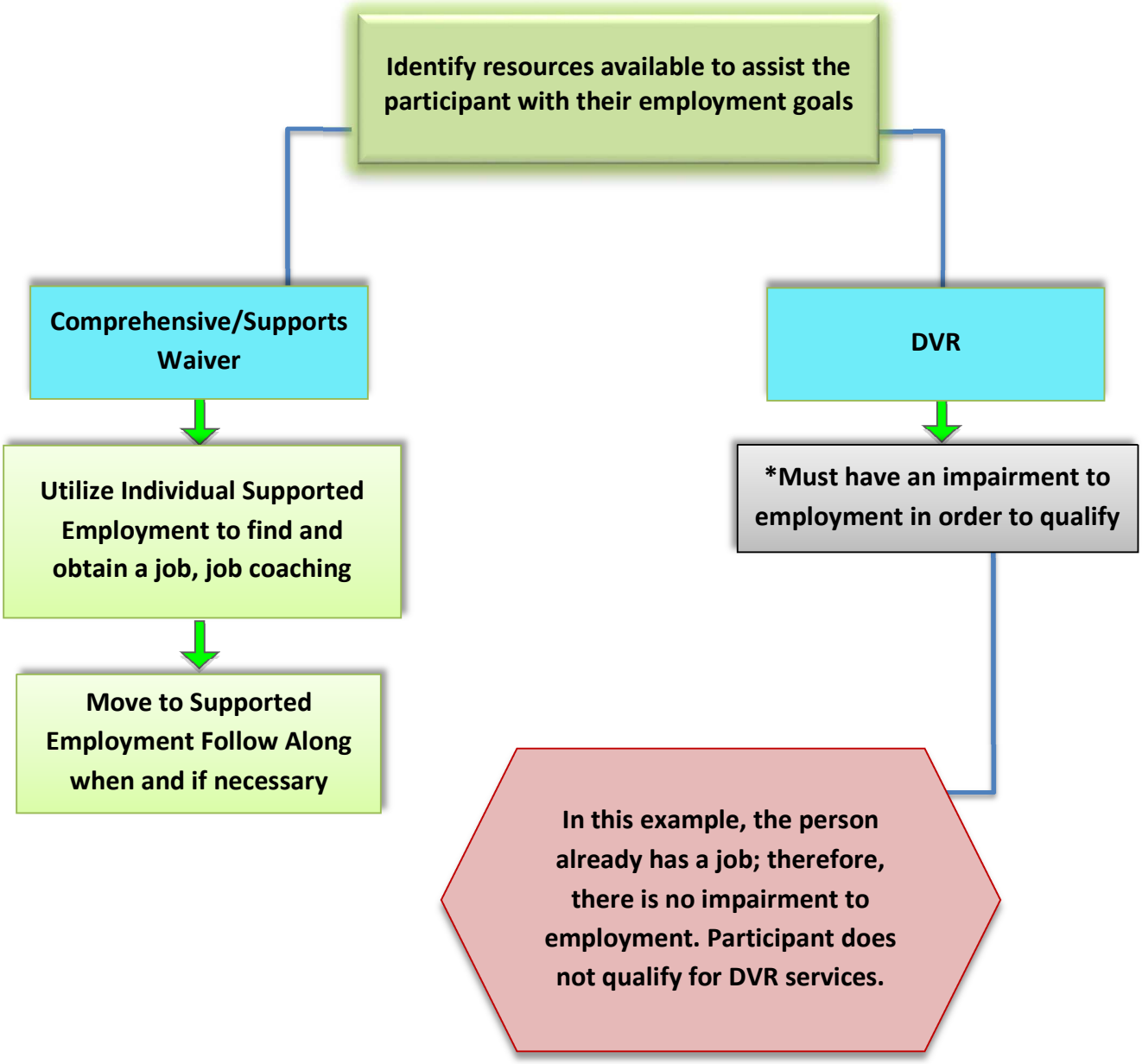
Supported Employment Follow Along are services and supports that enable a participant who is paid at or above the federal minimum wage to maintain employment in an integrated community setting. Service is provided for or on behalf of the participant through intermittent and occasional job support, communicating with the participant's supervisor or manager, whether in the presence of the participant or not.

DVR and Waiver Assistance on Your Employment Pathway

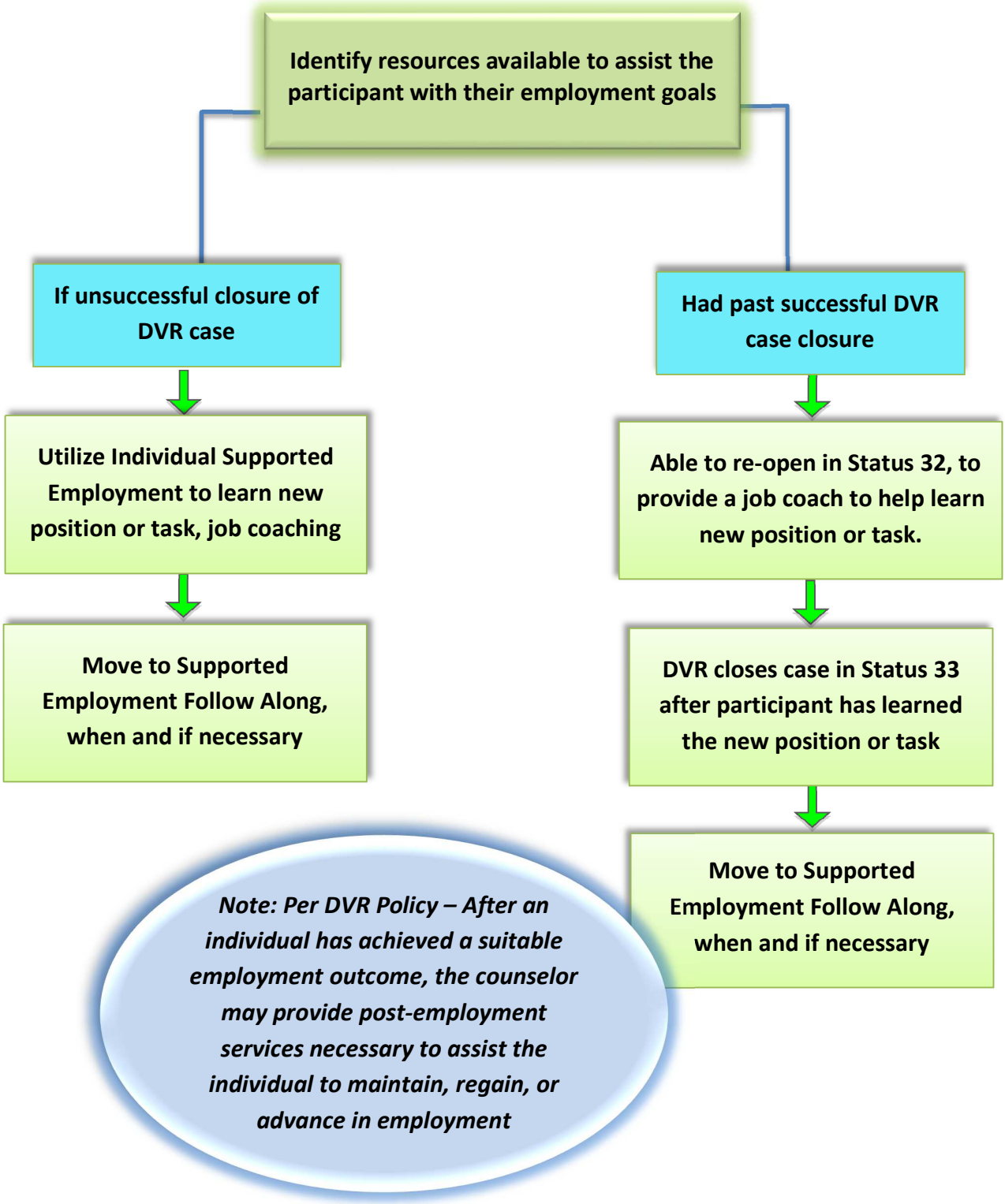
1. No community integrated job before



2. Currently have a job and looking to change jobs



3. Currently have a job and learning a new position or task



4. Currently have a part-time job and looking to obtain a 2nd part-time job

Volunteering

Volunteerism is an avenue that allows individuals to assist with improving their communities, gain marketable skills that could eventually lead to paid employment, test out interests and possible career paths, and develop personal and professional meaningful social connections. It also allows the individual to experience the pleasure and satisfaction of the activity itself and make a difference in the lives of others. Given the social isolation of many people with developmental disabilities, volunteering is important and one of the most useful ways for really getting to know other community members. Volunteering provides many opportunities to learn and practice skills that can be useful in paid employment.

There is value in volunteering and community service. An opportunity to learn, acquire work experience, and a sense of belonging.

Family and Friends

Family and friends of the participant are an important resource that is often overlooked. In many situations, employment opportunities can be found through the participant's family or friends, their school, or their business contacts. Support in finding and keeping a job can be provided informally, by a participant's friends or co-workers, without relying on a funded service. Even when employment services are provided by a community program, relatives and friends play a key role in contributing to the participant's job success by helping in areas of reporting income, preparation for work, transportation, etc.

Transportation

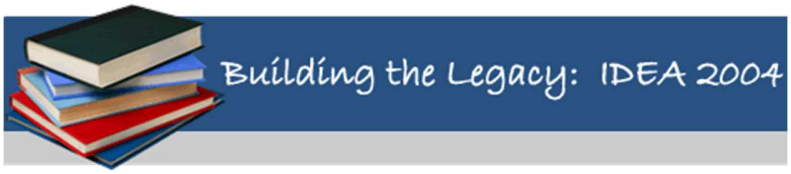
Planning for transportation is an essential part of the job planning process. Job seekers, families, and providers need to work together from the beginning to identify transportation options.

Here is a list of transportation issues to consider:

- Are any public transportation routes accessible?
  - If so, are they available on the days and hours the individual will be travelling to and from work?
- Are transportation services available from the provider and waiver service?
- Is carpooling or shared-ride transportation an option?
- What will the costs be, whether by private or public transportation?
- Are there health, behavior or risk issues that should be considered when selecting the means of transportation?
- Will the individual be able to use public transportation or other shared transit with proper training and support?

When planning transportation, "thinking outside the box" can result in a creative solution. For example, maybe your town's senior bus program can be helpful. Or perhaps your town's taxi company might negotiate a special discounted rate. Consider approaching relatives, co-workers and neighbors about carpooling options.

A plan for transportation is essential when planning for employment.



Employment Transition Planning for School Aged Individuals

Individuals with Disabilities Improvement Education Act

According to the Individuals with Disabilities Education Act (IDEA), special education means specially designed instruction, provided at no cost to the parent, to meet the unique needs of a child with a disability. This specially designed instruction involves adapting, as appropriate to the needs of an eligible student, the content, methodology or delivery of instruction:

- To address the unique needs of the child that result from his/her disability; and
- To ensure access of the child to the general curriculum, so that the child can meet the educational standards within the district that apply to all children.

In Wyoming, children who are eligible for special education are entitled to a free appropriate public education (FAPE) in the least restrictive environment (LRE) from the age of three through the school year in which the student turns 21 years old. School districts ensure the provision of FAPE in the LRE for each eligible child through the development and implementation of an Individualized Education Program (IEP), which is updated at least annually.

Transition Planning Form

In Wyoming, school districts are required by IDEA to include transition planning in the Individual Education Plan (IEPs) of students with disabilities by the time they are 16 (some states require transition planning to begin earlier). Transition planning is a coordinated set of activities that are designed within a results-oriented process, focused on improving academic and functional achievement to facilitate the student's movement from school to post-school activities. The IEP team, including the student, work to develop a plan that is based on age-appropriate transition assessments and individualized to address each child's unique needs.

Transition services and activities incorporated into the plan might include:

- ***Career Interest Inventories*** – these paper and pencil assessments can help the student identify work interest and preferences. The results of these assessments can help to create specific employment goals.
- ***Job Shadowing*** – the student follows an employee during a typical day on the job.
- ***Mentoring*** – the student is matched to an adult mentor who serves as an advisor and offers guidance.
- ***Apprenticeship*** – an adult professional teaches the student a specific trade.
- ***Workplace visits and tours*** – the student observes different work settings.
- ***Career Fairs and Career Days*** – local community members' visit a school to share career experiences with an interested group of students.
- ***Mock job interviews*** – partner with your local Workforce Center to set up mock interviews for students so that they can gain experience.
- ***Job Clubs*** – if available through your local school, job clubs can be great for peer level mentoring and encouragement in employment efforts and on-the-job issues.
- ***After-school and summer job placements*** – arranged and supported by school staff.
- ***Internships*** – paid or unpaid work experience for students.

Resources

Division of Vocational Rehabilitation (DVR)

The Division of Vocational Rehabilitation is a federal-state program that works with people who have physical or mental disabilities to prepare for, gain or retain employment.

Eligibility Criteria:

1. Individual has a physical or mental impairment.
2. Impairment poses a substantial impediment to employment.
3. Individual requires services from DVR to prepare for, gain, or retain employment.

Services that VR provides:

- As part of their core services, DVR provides to all clients eligibility assessments, counseling and guidance, information and referral services, and job search and job placement services. Any additional services that a person with a disability may need are individualized to their specific disability and employment goal.

Call 1-866-804-3678 or visit VR's website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Workforce Investment Act Program (WIA) (For Adults)

The Wyoming Department of Workforce Services uses Workforce Investment Act funding to help adults, dislocated workers and youth find employment that leads to self-sufficiency through various services available at its local Workforce Centers.

Eligibility Criteria:

- For individuals who are 18 years of age or older.
- Individuals who are unemployed and are unable to obtain employment through core services and have been determined to be in need of more intensive services in order to obtain employment; or
- Are employed and have been determined to be in need of services in order to obtain or retain employment that allows for self-sufficiency.
- Meet certain income guidelines.

Services that WIA provides:

- Occupations skills training;
- On-the-job training;
- Programs that combine workplace training with related instruction;
- Training programs operated by the private sector;
- Skills upgrading and retraining;
- Entrepreneurial training;
- Job readiness training;
- Adult Basic Education activities in conjunction with these activities; and
- Customized training with a commitment to employ trainees.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Workforce Investment Act Program (WIA)
(For Youth)

The Wyoming Department of Workforce Services uses Workforce Investment Act funding to help adults, dislocated workers and youth find employment that leads to self-sufficiency through varies services available at its local Workforce Centers.

Eligibility Criteria:

- For individuals aged 14-21.
- Services provided to eligible youth seeking assistance in achieving academic and employment success.

Services that WIA provides:

- Tutoring, study skills training and instruction leading to completion of secondary school, including dropout prevention strategies;
- Alternative secondary school services;
- Summer employment opportunities that are directly linked to academic and occupational learning;
- Paid or unpaid work experiences, including internships and job shadowing;
- Occupational skill training;

- Leadership development opportunities, which may include community service and peer-centered activities encouraging responsibility and other positive social behaviors during non-school hours;
- Supportive services;
- Adult mentoring for the period of participation and a subsequent period, for a total of not less than 12 months;
- Follow-up services for not less than 12 months after the completion of participation; and
- Comprehensive guidance and counseling which may include drug and alcohol abuse counseling and referral.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Department of Workforce Services (DWS)
Career Exploration and Aptitude Testing

The Wyoming Department of Workforce Services understands the need for students, parents, schools, job-seekers and others to explore their career aptitude and development. With this need in mind, the Wyoming Department of Workforce Services provides the following tools to further facilitate such career exploration:

- Start exploring career options with CareerOneStop, whether you are in high school, have graduated, have a vocational certificate, have a 2-year or 4-year college degree or have knowledge and skills acquired through training centers, on-the-job training, or work experience.
- The Wyoming Department of Workforce Services' local Workforce Centers have publicly-accessible computers with resume writing software, various books and videos on resume writing and interviewing, college catalogs, typing, spelling tests, and other resource materials.
- Wyoming at Work Career Services (https://www.wyomingatwork.com) is available. With it, a person can complete, through Wyoming at Work, occupational skills assessments to assist in career development and job placement.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Wyoming Services for Independent Living is a registered non-profit human service agency established to enable persons with significant disabilities to live as independently as possible in the community of their choice.

Eligibility Criteria:

- Presence of a significant disability that interferes with living independently
- Not determined by income levels
- Person motivated to maintain and/or increase levels of independence.

Services that WSIL provides:

- Individual and systems advocacy;
- Information and referral;
- Peer counseling;
- Independent Living Skills Training;
- ADA technical advice;
- Adaptive equipment;
- Home modification;
- Loan closet;
- Nursing Home Transition and Diversion; and
- Transportation Voucher.

Call 1-800-266-3061 to find an office near you or to learn more about their services.

wilr wyoming independent living rehabilitation

Wyoming Independent Living Rehabilitation educates and empowers Wyoming citizens with disabilities by providing the necessary tools to live with independence and dignity. All services are provided on a "consumer-driven" basis. You decide what you need to live independently.

Eligibility Criteria:

- Each program has different criteria to be eligible. Please contact WILR for more information and to see if you qualify.

Programs that WILR offers:

- Independent Living Services
  - Services to help people regain or maintain independence in their lives.
- Visually Impaired Program
  - Services for older adults who are blind or severely visually impaired.
- Consumer Directed Care
  - To provide the option of obtaining personal attendant care services provided by an individual of the consumer's choice, who is not necessarily medically trained to provide such services.
- Project Out
  - To transition consumers from nursing homes back into communities.
- ADA Consultant
  - To provide information to individuals, organizations, businesses and municipalities regarding the ADA and accessibility issues.
- Transportation Check Program
  - To provide transportation to consumers with disabilities
- Wyoming Technology Access Program (WYTAP)
  - Offers persons with disabilities an opportunity to finance assistive technology devices and services through low – or no – interest loans.
- Making Homes Accessible
  - A conditional block grant program to help low to moderate income people with disabilities to make their homes accessible.

Call 1-800-735-8322 or 266-6956 (in Casper) to find an office near you or to learn more about their services.

Job Accommodation Network (JAN)

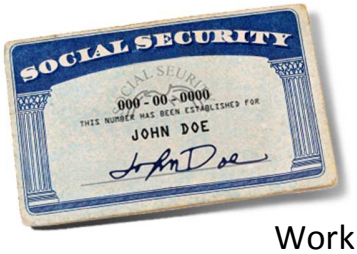
Identifying and arranging necessary accommodations and supports is a key part of assisting people with disabilities to find and keep employment – and is legally reinforced by the Americans with Disabilities Act. A job accommodation means that a job, workplace or way a job is done is modified to help the person with a disability do his/her job. There are several general types of job accommodations:

- Job restructuring, such as a change in work schedule or a decrease in the number of job duties
- Assistive devices – item, device or piece of equipment that is used to help the person with a disability perform a task.
- Training/teaching methods, such as an extended orientation period or audio version of a training manual
- Modification to the building, such as ramps, electronic door opener or flashing lights.

The Job Accommodation Network (JAN) is the leading source of free, expert, and confidential guidance on workplace accommodations and disability employment issues. Working toward practical solutions that benefit both employer and employee, JAN helps people with disabilities enhance their employability, and shows employers how to capitalize on the value and talent that people with disabilities add to the workplace.

JAN provides free, confidential technical assistance about job accommodations and the Americans with Disabilities Act (ADA). Call 1-800-526-7234 to get more information.

Appendix A: Social Security Work Incentive Information



Because many people with disabilities fear losing the SSA benefits and related health care due to being able to work and earn an income, they choose not to work. The SSA has made efforts to reduce this fear by creating and implementing programs known as SSA Work Incentives. Work incentives allow people who receive SSA benefits to work and earn an income while maintaining their benefits and their health insurance. There are specific conditions and requirements for each work incentive, and people must understand how the programs work, including the reporting requirements, in order to ensure proper implementation. Listed below are some of the work incentives offered by Social Security.

For complete information on all SSA's work incentives please visit their website at www.ssa.gov, call 1-800-772-1213 or contact your local Social Security Office.

Social Security Disability Insurance Program (SSDI)

The Social Security Disability Insurance Program (SSDI) provides a monthly benefit to individuals under full retirement age, who have enough quarters paid into the system, have worked five out of the last ten years, and meet the Social Security Administration's (SSA) definition of disability. These SSDI benefit payments will continue as long as the person is unable to engage in "substantial gainful activity" (SGA). A person who is earning more than a certain monthly amount in gross earnings is considered to be engaging in SGA. The SGA amount generally changes when the national average wage index changes. In 2015, the monthly SGA amount is $1090 for a non-blind individual and $1820 for a blind individual. There are work incentives that allow people to go to work after becoming eligible for SSDI. These work incentives allow a person to return to work, but have a safety net, allowing them to continue receiving their SSDI monthly benefit and Medicare coverage for a specific amount of time. Many people can work and keep their SSDI payments and Medicare if they are aware of the work incentives for SSDI.

Supplemental Security Income (SSI)

Supplemental Security Income (SSI) is based upon financial need. It provides monthly benefits to low income individuals who are disabled, blind, or over the age of 65 who are unable to engage in SGA and meet SSA's non-medical criteria for eligibility. The monthly benefit is based on the federal benefit rate (FBR) and generally changes annually based on cost of living increases. In 2015, the monthly FBR is $733.

SSI recipients are automatically eligible for Medicaid, a government health insurance program, and often are eligible for other federal programs such as SNAP, the food assistance program.

The definition of "disability" is the same for SSI and the SSDI programs. To qualify for SSI, a person must have a medically determinable physical or mental impairment that prevents them from engaging in substantial gainful activity. The impairment must have lasted for a continuous period of 12 months, be expected to last for a continuous period of 12 months, or be expected to result in death. In order to be eligible for SSI, the person with a qualifying disability must meet age requirements, residency, legal involvement, living arrangements, and resource and income requirements.

How Property and Assets are Treated Under SSI

Resource and income include, but are not limited to, real estate or real property other than the applicant's residence, vehicles (one car or truck is excluded), bank accounts, cash, stocks, bonds, or other investments. Cash value of life insurance policies, burial spaces, expense funds, certain trusts, and any money or property sold, transferred, or disposed of within 36 months prior to the application. To be eligible for SSI, total counted resources cannot exceed $2,000 per person or $3000 per couple. Income counted includes any earned or unearned income, rental income, child support, alimony, TANF, EITC's, self-employment wages, unemployment compensation, and any other income sources.

The following items DO NOT count as assets or resources for purposes of SSI eligibility:

- The applicant's home and the land it is on, provided that it is the primary residence.
- Household goods, personal property, and one car or truck, if it is necessary for daily activities.
- Life insurance with a face value less than $1500.
- Burial spaces and expense funds up to $1500.

As laws and policies change often, make certain that if there are additional options for keeping assets, such as special needs trusts, that these assets have been approved by the Social Security Administration.

How Income May Impact SSI Eligibility

Countable income can include both earned income and unearned income. This means that income which may impact the amount of the SSI payment includes money that is paid by an employer, Social Security payments, private pension payments, or some items of value that are received as gifts to pay for food, shelter, or utilities.

If a person is considered disabled under SSA rules and plans to work, his or her countable income can be reduced by special programs known as "work incentives." These programs allow a person receiving SSI and/or SSDI to work and continue to receive all or part of their disability payments as well as maintain eligibility for Medicare and/or Medicaid.

Employed Individuals with Disabilities (EID) Program
Medicaid Buy-in Coverage

The EID program provides work incentives for individuals with disabilities. Individuals with disabilities who work and have no health-care coverage, or who may lose their Medicaid coverage, should apply if they obtain employment, increase their work hours, or increase their rate of pay. People with disabilities who work will pay a monthly premium to receive Medicaid health-care coverage. The premium is (7.5%) of their monthly earned income and their yearly unearned income that is in excess of $600.

You may be eligible if you:

- Are employed
- Have a disability based on Social Security Administration guidelines
- Are a U.S. citizen or lawful permanent resident who has lived in the U.S. for at least five years
- A Wyoming resident
- Are 16 through 64 years of age
- Meet income guidelines (earned income is exempt)

Know your options. The Medicaid Buy In (EID program) allows you to work and have Medicaid health-care coverage for only 7.5% of your monthly earned income.

Benefits of the EID program:

- You will have Medicaid health-care coverage.
- You can work in the community.
- You can earn and save more money without the risk of losing health-care coverage.

Call the Wyoming Department of Health, Customer Service Center at 1-855-294-2127 to find out about the application process.

Impairment Related Work Expense (IRWE)

This work incentive applies to both SSI and SSDI at different times. An IRWE is an out of pocket cost that a person must pay that 1) is related to their disability and 2) is needed in order for them to work. The out of pocket costs reduce the income that SSA counts. Receipts must be sent into SSA monthly.

Examples of IRWE:

- Cost of taxis or drivers needed to travel to work because your disability prevents use of public transportation.
- Modified vehicles needed because of disability, e.g., special steering/braking equipment.
- Ramps, railings, or other modifications to the outside of your home that allow you to leave and go to work.
- Routine medication costs that help keep your disability related symptoms under control.

Subsidies and Special Conditions

A subsidy only applies to SSDI and is defined as the value of extra support a person receives on the job. The subsidy is provided by the employer and the worker must earn the same pay as other workers doing the same job. Examples include a job coach, mentor, extra supervision, or a reduced workload. The value of the subsidy is determined by the employer. Special conditions apply when the individual is not fully earning his or her wages because the work is performed under special conditions such as on-the-job coaching or substitution in which the job coach performs part or all of the individual's job duties. SSA will deduct the wages that are not considered "earned" by the individual.

Examples of subsidies:

- You receive more supervision than other workers doing the same or a similar job for the same pay.
- You have fewer or simpler tasks to complete than other workers who are doing the same job for the same pay.
- Job coach assistance.

Examples of special conditions:

- You receive close and continuous supervision.
- You receive on the job coaching and the job coach performs part or all of your tasks.

Unincurred Business Expense

"Unincurred business expenses" refers to self-employment business support that someone provides to you at no cost. In deciding whether you are working at the SGA level, SSA deducts unincurred business expenses from your net earnings from self-employment. Examples of unincurred business expenses are (1) a Vocational Rehabilitation agency gives you a computer that is used in a graphic arts business; and (2) a friend works for your business as unpaid help.

For an item or service to qualify as an unincurred business expense:

- It must be an item or service that the IRS would allow as a legitimate business expense if you had paid for it; and
- Given to you free of charge.

Unsuccessful Work Attempt

An unsuccessful work attempt is an effort by a disabled individual to do substantial work that either stopped or produced earnings below the SGA level after a short amount of time, no more than 6 months because of:

- The individual's disabling condition; or
- Elimination of the special conditions or assistance that the individual needed in order to work.

Trial Work Period

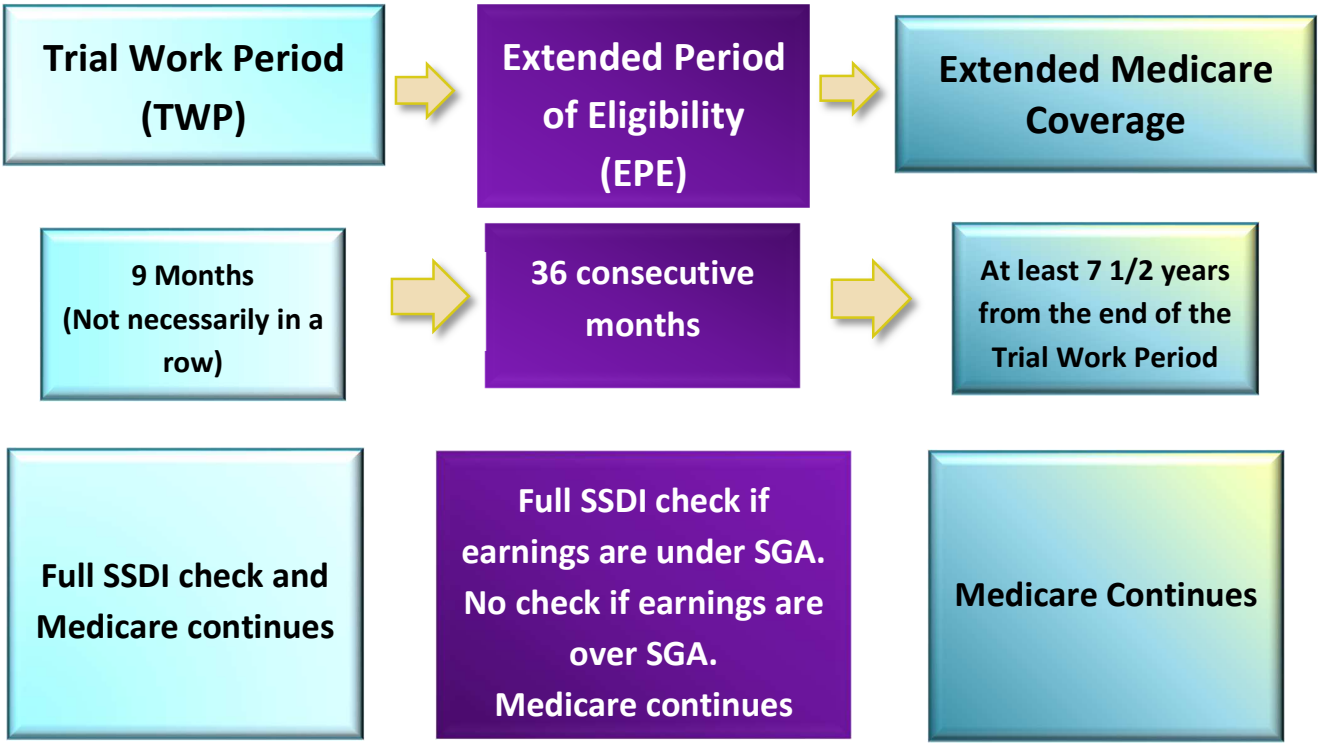
Applies to SSDI only – the Trial Work Period (TWP) allows you to test your ability to work by providing a period of nine (9) months of gross earnings during which your SSDI check is not affected. A month does not count towards your trial work period unless your gross earnings meet or exceed an amount set each year by SSA. In 2015, the TWP amount is $780. During your TWP, you will receive your full disability benefit regardless of how much you earn. You must report your work activity to SSA and continue to have a disabling impairment. The nine (9) months does not need to be consecutive, they are counted within a five-year period. Certain other rules apply. Medicare coverage will continue for ninety-three (93) months after the last month of the TWP.

If you are on SSDI, don't be afraid to work. You get a 9 month trial work period to test the waters of employment.

Extended Period of Eligibility

Applies to SSDI only – the Extended Period of Eligibility (EPE) begins after you have completed your trial work period and have gross earnings at or above the SGA level. The EPE lasts for thirty-six (36) months and allows an individual to receive their SSDI check in any month that their earnings fall below SGA. If work is discontinued during the EPE, the individual simply needs to contact SSA to reinstate benefits. You must continue to have a disabling impairment.

36 month extended period of eligibility AFTER your 9 trial work period months.



Earned Income Exclusion

Applies to SSI only – all SSI recipients receive a $20 general income exclusion. If SSI is the person's only income prior to working, he or she also gets an earned income exclusion of $65. After deducting the $85 in exclusions from your earned income, SSA then only considers half of your remaining earnings.

When you are on SSI, the Social Security Administration only counts $1 for every $2 you earn while working.

Example:

- John is receiving $733 in SSI each month.
- He returns to work and earns $500 in gross monthly earnings.
- Because John was only receiving SSI prior to working, he receives both income exclusions:

  $500 (*Earnings*) minus $85 (*Exclusions*) = $415
- SSA only counts half of the remaining earnings:

  $415 (*Considered earnings after exclusions*) divided by 2 = $207.50
- SSA will only count $207.50 of John's total earnings.
- His SSI check will then be reduced by $207.50.
- His new SSI amount will be **$525.50** (*$733-$207.50=$525.50*).
- **Johns total monthly income is now $500 (*earnings*) plus $525.50 (*SSI benefit*) = $1025.50.**
- John continues to receive Medicaid because his SSI benefit is at least $1.

Plan to Achieve Self-Support (PASS)

Applies to SSI only – a plan to achieve self-support allows you to set aside income or assets of a set amount of money for an established period of time towards a specific employment or vocational goal. Funds can be used for education, equipment, or starting a business, etc. Goals must generally be obtainable within three years, but some exceptions are possible. Funds must be used for a designated purpose or a person could be in overpayment and have to pay back to SSA. A PASS plan can help a person achieve their work or vocational goal. Your goal should be a job that allows you to earn enough to reduce or eliminate your need for benefits provided under the Social Security and Supplemental Security Income programs. SSA does not count the money or resources you set aside under an approved PASS plan when they decide your initial or continuing eligibility for SSI. Having a PASS may help you qualify for SSI or may increase the amount of your SSI payment.

Property Essential to Self-Support (PESS)

Applies to SSI only – SSA does not count some resources that are essential to your means of self-support when they decide if you are eligible for SSI. For example, they do not count property such as tools or equipment that you use for work. If you have a trade or business, they do not count property such as inventory. A person must be using the property that SSA is excluding under PESS, or be expected to start using it in a reasonable amount of time, typically within 12 months.

Federal Rule 1619(b)

Applies to SSI only – Section 1619(b) allows a person who is receiving SSI and working to continue to receive Medicaid at no cost, even when their earnings reduce their SSI benefit to $0. There are earnings threshold requirements. In 2014, for Wyoming, the threshold amount is $36,447. A person who meets the requirements of 1619(b) will receive full medical coverage under Medicaid.

To qualify:

- A person must have been eligible for an SSI cash payment for at least one month prior to accessing 1619(b).
- SSI benefit must have been reduced because of earnings.
- Must continue to meet SSA disability requirements.
- Continue to meet resource requirements for SSI.
- Need the medical assistance to work.
- Have gross earned income that is insufficient to replace the cost of medical assistance needed.

For assistance planning for employment, use our "Employment Pathway Planning Packet"

http://health.wyo.gov/DDD/cmforms.html

Start Your Employment Planning Now

If you are not employed now, but would like to pursue ***employment in the next year*** or ***employment in the next two (2) years***, ask yourself the following questions to begin your planning:

1. Have you ever volunteered in the community?
2. Do you want to learn a new skill?
3. When you are out in the community, are there jobs that you see people doing that you would like to know more about?
4. Do you want to learn about different types of jobs available?
5. If you could have any job, what would it be?
6. What interests you about your dream job?
7. Are there jobs that you don't want to do?
8. How much money will you need to make to meet your living expenses?
9. How much money will you need to buy things you want?
10. What is your greatest fear when you think about working?
11. Is there anything that worries you about getting a job?
12. What motivates you?
13. Will you need prevocational or employment discovery and customization services?
14. What supports will you need to begin competitive employment?
15. Who will help you set up the supports you need to gain and maintain competitive, integrated, and meaningful employment?
16. What is your employment goal date?

SSDI Trial Work Period (TWP) Tracking Chart

You are allowed nine (9) TWP months in a rolling sixty (60) month period

2015 Amount TWP= $780 SGA=$1090

Month	Gross Earned Income	Trial Work Month Yes or No	SSDI Cash Benefit	Total Income
Example: January	$800	Yes= TWP Month 1	$1000	$1800

Notes

Employment First

Pathway to Employment
Pathway to Integration
Pathway out of Poverty

"Working together to build a more prosperous Wyoming."

Wyoming Department of Health

Commit to your health.

BEHAVIORAL HEALTH DIVISION

Employment First Planning Guide

For adults ages 16+ with Intellectual Disabilities, their families, and the Circle of support.

Behavioral Health Division
Developmental Disabilities Section
6101 Yellowstone Road, Suite 220
Cheyenne, WY 82002
www.health.wyo.gov/ddd
800-510-0280 | 307-777-6494

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Introduction

The influence that parents, family, friends, teachers, and providers have on people with disabilities can be both influential and powerful. When it comes to setting expectations about work, those involved in the lives of people with disabilities need to convey the expectation that people with disabilities can work, can contribute, and can find great satisfaction in being part of the world of work.

People WORK for many reasons. For some, it provides a sense of self or meaning in one's life; for others, it is the social context of meeting and associating with others in a common effort or goal; and for still others, it is the means by which to gain status, either personal or economic, which allows for choice and discretion in determining one's "quality of life."

What Makes Life Good?

When asked, ***"What makes life good?"*** almost all people identify the same core components. While different people will use different words to describe a component or more highly value one component over another, the list of components is consistently the same:

- Freedom of choice and ease of access to the community;
- Positive, interdependent relationships with family and friends;
- A safe, comfortable home in a safe neighborhood;
- Being respected, included in and a member of your culture and community;
- Good health and access to good health care;
- Enjoying one's personal choice of hobbies, recreation, and leisure activities; and
- Satisfying employment and the economic benefits of contributing through work.

Although employment outcomes for individuals with disabilities still lag behind those compared to individuals without disabilities, it is clear that enormous barriers to employment are being overcome. It is far more common now to see people with disabilities in a wide range of jobs throughout the community than it was even a decade ago.

Supported employment is an alternative to traditional sheltered and competitive employment approaches. It is an attempt to meet the specific needs of individuals with disabilities and is based on fundamentally different principles and assumptions. The supported work model assumes that all individuals, regardless of the nature or extent of their disabilities, should have the opportunity and support to work in the community. There are no pre-requisite skills needed for community job success. Therefore, the task is not to identify and place "work ready" individuals, but rather to locate and/or modify meaningful jobs in the community and provide training and supports at the job site.

Supported employment will often take the form of "customized" employment. Customized employment is a flexible process designed to personalize the employment relationship between a job candidate and an employer in a way that meets the needs of both. It is based on an individualized match between the strengths, conditions, and interests of job candidate and the identified business needs of an employer. Customized employment utilizes an individualized approach to employment planning and job development – one person at a time, and one employer at a time.

This Employment Planning Guide is designed to help parents, participants, and providers start the process of finding competitive work for people with disabilities; learn about the resources, services, and the programs available to help people with disabilities in Wyoming pursue their own unique path to work, a career, and participate in community life.

"Given the choice between work and idleness, people will almost always choose work. Regardless of our station in life, the condition of our bodies and minds, or the amount of money in our bank accounts, the need to work remains one of our strongest drives. Work is central to our lives, and as such, gives a large measure of structure to our days. Common sense tells us that we feel better about ourselves when we are working regularly."

~Robert Drake, M.D.,

Meet Jane

Let's look at an example of what the new employment pathway might do for a participant.

We want to introduce a fictional waiver participant, Jane, who is a based upon people we know in Wyoming receiving services. We want to describe how the new employment pathway can realistically work for someone and change his or her life.

Jane has been going to day services and working in an enclave at the recycling center, and she receives group supported employment. Jane's team of family and providers encouraged her to start looking for other employment opportunities with the new employment services on the waiver.

At her team meeting, Jane and her team discuss what type of work she would like and want to do if she did not work at the recycling center. They ask her where in town she would like to work. They find out she likes flowers and gardening centers in stores, so they make a plan to set up mentor sites at flower shops and garden centers in department stores using the Employment Discovery and Customization service.

As Jane continues to work at the recycling center, her direct care staff start working with her on non-job-specific, work-related tasks that she might need for competitive employment at a flower shop through Prevocational Services. They also work with her on learning specific tasks in Group Supported Employment that would assist her in working with customers from the public.

Jane's staff helps her meet with the local Department of Vocational Rehabilitation office (DVR) and make an employment plan. After DVR opens a case and pays for job development, a job coach helps Jane fill out employment applications and assists her with interviewing for jobs.

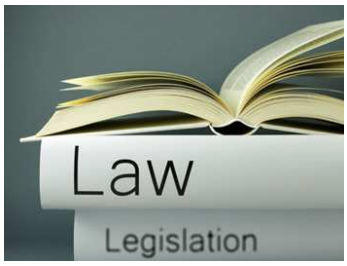
Finally, Jane finds a job working in a flower shop four days a week. DVR pays for supported employment for the time that she needs to obtain and maintain her job. Once she is successful and no longer needs a full-time job coach, DVR puts her case into "Status 22 – Employed." If during this time she needs a job coach,

the waiver will then pay for this service. ***(Please note: DVR cannot close a case successfully when services are still being offered. DVR must go three months or 90 days without paying for any services before they are able to close out a case successfully.)*** Participants, providers, and parents, must be aware of this DVR requirement.

Due to difficulty in learning all of her job tasks, Jane uses Individual Supported Employment through the waiver, which provides her with a job coach for a longer period of time. A job coach can assist her until she can perform the job fairly independently and begins receiving the help she needs from her co-workers, instead of the job coach. After a few months, Jane switches to Transportation Services to get to and from work and Jane's provider switches to Supported Employment Follow Along to check in on Jane's progress each month. Jane continues to learn and grow in her position. Occasionally the provider will provide job coaching to assist Jane and address any concerns that she or her employer has.

Jane now works four days a week and makes triple the money every month than she did at the recycling center. She has three new friends, who are also her co-workers! She also likes having extra money, which allows her to spend more time bowling and hanging out with her boyfriend.

2014 Employment First Legislation



An Act relating to persons with disabilities, which established employment first as a state policy to support competitive employment in an integrated setting, was enacted by the Wyoming Legislature in 2014. This Act requires agencies to support competitive and integrated employment; requires state agencies working with home and community based waiver service providers to implement employment first policies; requires state agencies to report on employment data; provides definitions; and provides for an effective date.

House Enrolled Act 53:

9-2-1002. Definitions; powers generally; duties of governor; provisions construed; cooperation with legislature and judiciary; divisions enumerated.

(xiii) **"Competitive employment"** means work in the competitive labor market that is performed on a fulltime or part-time basis in an integrated setting, and for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled;

(xiv) **"Employment first"** means a concept to facilitate the full inclusion of individuals with disabilities in the workplace and community. Under the employment first approach, community based, integrated employment is the first option for employment services for children and adults with disabilities. Employment first includes competitive employment in an integrated setting;

(xv) **"Integrated setting"** means with respect to an employment outcome, a setting typically found in the community in which applicants or eligible individuals interact with individuals who do not have disabilities, other than nondisabled individuals who are providing services to those applicants or eligible individuals, to the same extent that individuals who do not have disabilities interact with other persons in comparable positions.

9-2-1022. Duties of department performed through human resources division.

(n) In carrying out the duties of the division under this section, employment first shall be the policy of the state that competitive and integrated employment shall be considered its first option when serving persons with disabilities who are of working age to obtain employment. Employment first applies to programs and services that provide services and support to help obtain employment for persons with disabilities. All state agencies shall follow this policy and ensure that it is effectively implemented in their hiring and in all programs and services administered or funded by the agencies. Nothing in this section shall be construed to require any employer to give preference to hiring people with a disability. All state agencies shall coordinate efforts and shall collaborate within and among the agencies to ensure that state programs, policies, procedures and funding support competitive and integrated employment of individuals with disabilities. All state agencies shall, whenever feasible, share data and information across systems in order to track progress toward full implementation of this subsection.

Nothing in this section shall be construed as eliminating any supported employment services as an option when appropriate.

42-4-120. Contracts for waiver services; authority of department; emergency case services; cost based payments; training and certification of specialists.

(m) The department shall ensure that state agencies working with service providers receiving funds pursuant to this section shall have established employment first policies, including competitive employment in an integrated setting, consistent with the requirements of W.S. 9-2-1022.

Employment Talking Points

Employment means a job in the community that the person wants and can perform, with or without accommodation and support.

- When we talk about employment today, we mean having a job or vocation in the community that pays at least minimum wage.

Employment is an essential part of self-determination for many people.

- Employment is a way for people to achieve their personal dream of success, respect, and control.
- Having community employment can be an important part of one's self-identity and value in society today.

People with disabilities are successful workers.

- Thanks to new technology, new laws, and better teaching methods, jobs that were out of reach in the past for people with disabilities are accessible today.
- Job coaches are available to assist people who need assistance in locating, preparing for and successfully managing the job of their choice.
- Success is also supported by government programs, which provide real incentives for people with disabilities to work, keep more earned income for their personal use, and retain their needed benefits.

Some questions to get the employment process started.

- Does the participant need help figuring out the types of jobs and careers he/she would like and be good at doing?
- Will his/her support needs change over time? Are there times when more help will be needed?
- What is most important to the participant? Pay and benefits, fun people to work with, or safety and security?
- Will help be needed to manage benefits, such as Social Security and Medicaid?
- Will job coaching services be needed on the job and if so, how often and for how long?
- Will help be needed to identify activities for when he/she is not working?

Best Practices

Experience has shown that when certain principles are followed while supporting people with disabilities in their employment efforts, the most meaningful and successful outcomes are achieved. These principles are sometimes referred to as "best practices" in community employment services and they include:

- Focusing on individual jobs in the community, paid directly by the employer;
- Using a ***"person-centered planning"*** approach, where job placement is based on the individual's interests, needs and preferences, and the individual is supported to take control of his/her job planning process;
- Emphasizing ***"job matching"*** – searching for employment that closely matches what the job seeker wants, is good at doing, and where he or she will fit in and be comfortable;
- ***Thinking broadly*** about where the individual can work by not being limited to the ideas of traditional workplaces such as supermarkets and fast food chains;
- Taking advantage of personal networks – tapping into family and staff contacts to gather information, resources, and potential job leads;
- Using ***"natural supports"*** including family, friends, co-workers, and mentors to meet the needs of the individual on the job; and
- ***Fading out paid staff supports*** as the individual becomes more settled, comfortable, and independent in the workplace.

Person-Centered Planning is Best Practice

How Employment Affects My Benefits

While earned income can affect a person's eligibility for Social Security, food stamps, public housing and medical assistance benefits, State and Federal programs make it feasible for people to retain much more of their earnings than they could in the past without losing needed health care benefits and services. When taking advantage of State and Federal work incentives, people must report their earnings and assets or savings.

It is important to track your earnings each month and be familiar with the effects that it may have on other benefits you may be receiving.

Earned income WILL affect how much you receive in food stamps and public housing, BUT the amount you earn by becoming competitively employed far outweighs the reduction in food stamps and public housing assistance. You will be moving in the right direction to self-sufficiency!

Department of Health, Community Waiver Programs

The Comprehensive and Supports waivers offer five new employment services with better supports to help you gain and keep employment that match your strengths, needs, and interests. The two new waivers offer an employment pathway service overview with various employment support services to support and assist a participant who, because of their disability, needs intensive support to find and maintain a job in competitive, integrated work settings.

A range of supported employment services are available with varying levels of support and intensity to assist the participant in attaining and maintaining the highest level of paid, community integrated employment. Consistent with the *Olmstead Decision* and with person-centered planning, a participant's plan of care regarding employment services shall be constructed in a manner that reflects individual choice and goals related to employment and ensures provision of services in the most integrated setting appropriate.

Prevocational Services

Prevocational services are services designed to create a path to integrated community based employment for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals without disabilities.

Prevocational services should enable each individual to attain the highest level of work in the most integrated setting with a job matched to the individual's interests, strengths, priorities, abilities, and capabilities, while following applicable federal wage guidelines. These services provide learning and work experiences, including volunteer work where the individual can develop general, non-job-task-specific strengths and skills that contribute to employability through paid employment in an integrated community setting.

Prevocational services are time-limited, not to exceed 12 consecutive months and cannot be repeated during the subsequent plan year.

Employment Discovery and Customization

Employment Discovery and Customization is the individualized determination of the strengths, needs, and interests of the participant and is designed to meet the specific needs of the employee and employer relationship.

Employment discovery and customization includes employment developed through job carving, self-employment or entrepreneurial initiative, or other job development or restructuring strategies that result in job responsibilities being customized and individually negotiated to fit the needs of participants. Employment discovery and customization presumes the provision of reasonable accommodations and supports necessary to perform functions of a job that is individually negotiated and developed.

Supported Employment

- ***Small Group Supported Employment***

Small Group Supported Employment services consist of intensive, on-going supports that enable a participant, for whom competitive employment is at or above the minimum wage is unlikely absent the provision of supports; and who, because of his/her disability, need supports to perform in a regular work setting, including mobile work crews or enclaves. These services are conducted in a variety of settings, particularly work-sites where persons without disabilities are employed.

Services include activities needed to sustain paid work, which includes supervision and training. When supported employment services are provided at a work-site where persons without disabilities are employed, payment is only made for the adaptations, supervision, and training that is required by a participant receiving waiver services as a result of their disability. It does not include payment for supervisory activities rendered as a normal part of the business setting.

- ***Individual Supported Employment***

Individual Supported Employment services are the 1:1 supports available to a participant who, because of their disability, needs intensive or on-going support to obtain and maintain an individual job in competitive or customized employment, or self-employment, in an integrated work setting, in the general workforce for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by an individual without a disability.

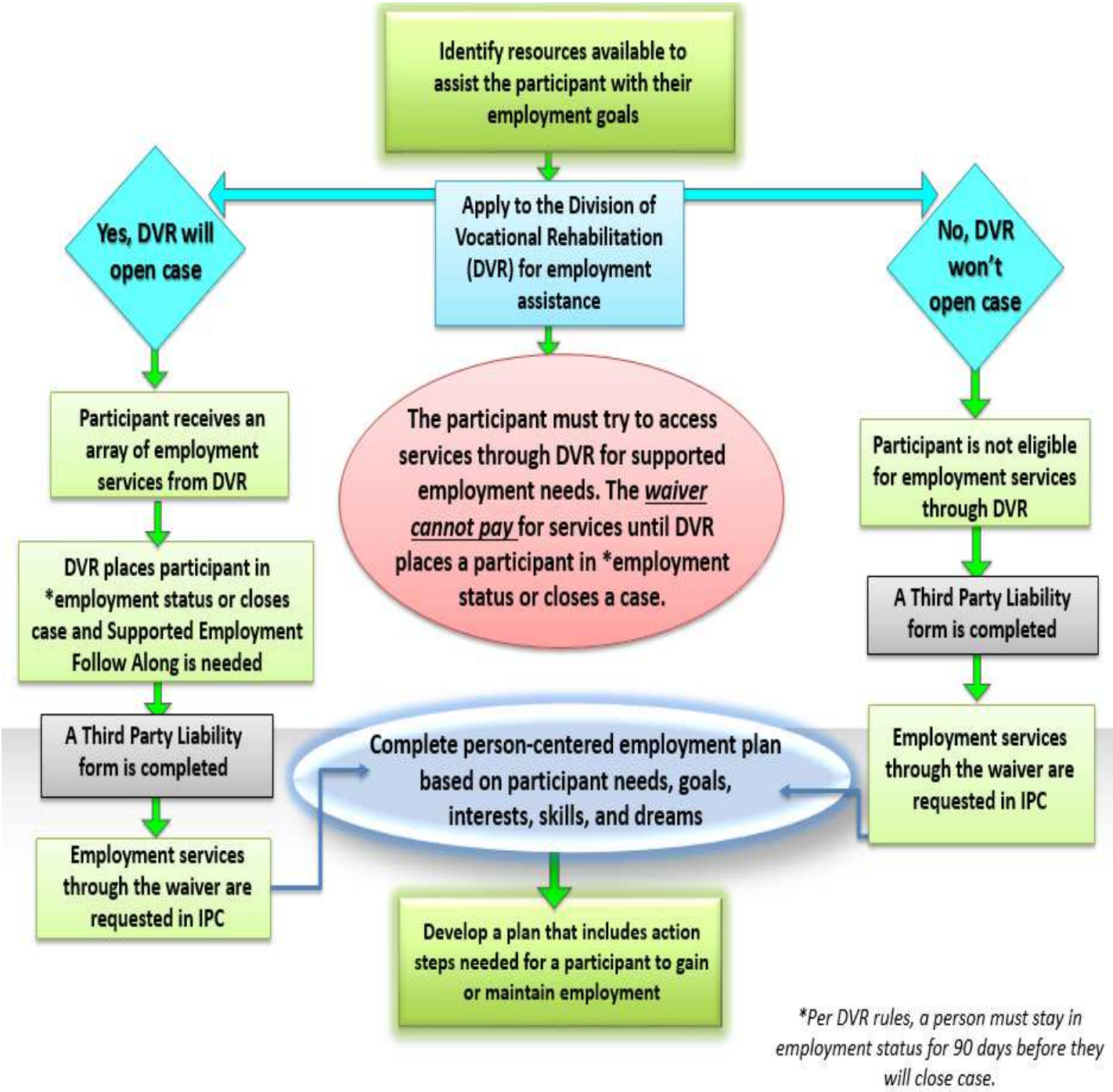
Services are conducted in a variety of settings, particularly work-sites where persons without disabilities are employed. Services include activities needed to sustain paid work by a participant, including supervision and training. When supported employment services are provided at a work-site where persons without disabilities are employed, payment is made only for the adaptations, supervision, and training required by participants receiving waiver services as a result of their disabilities, but does not include payment for the supervisory activities rendered as a normal part of the business setting.

- ***Supported Employment Follow Along***

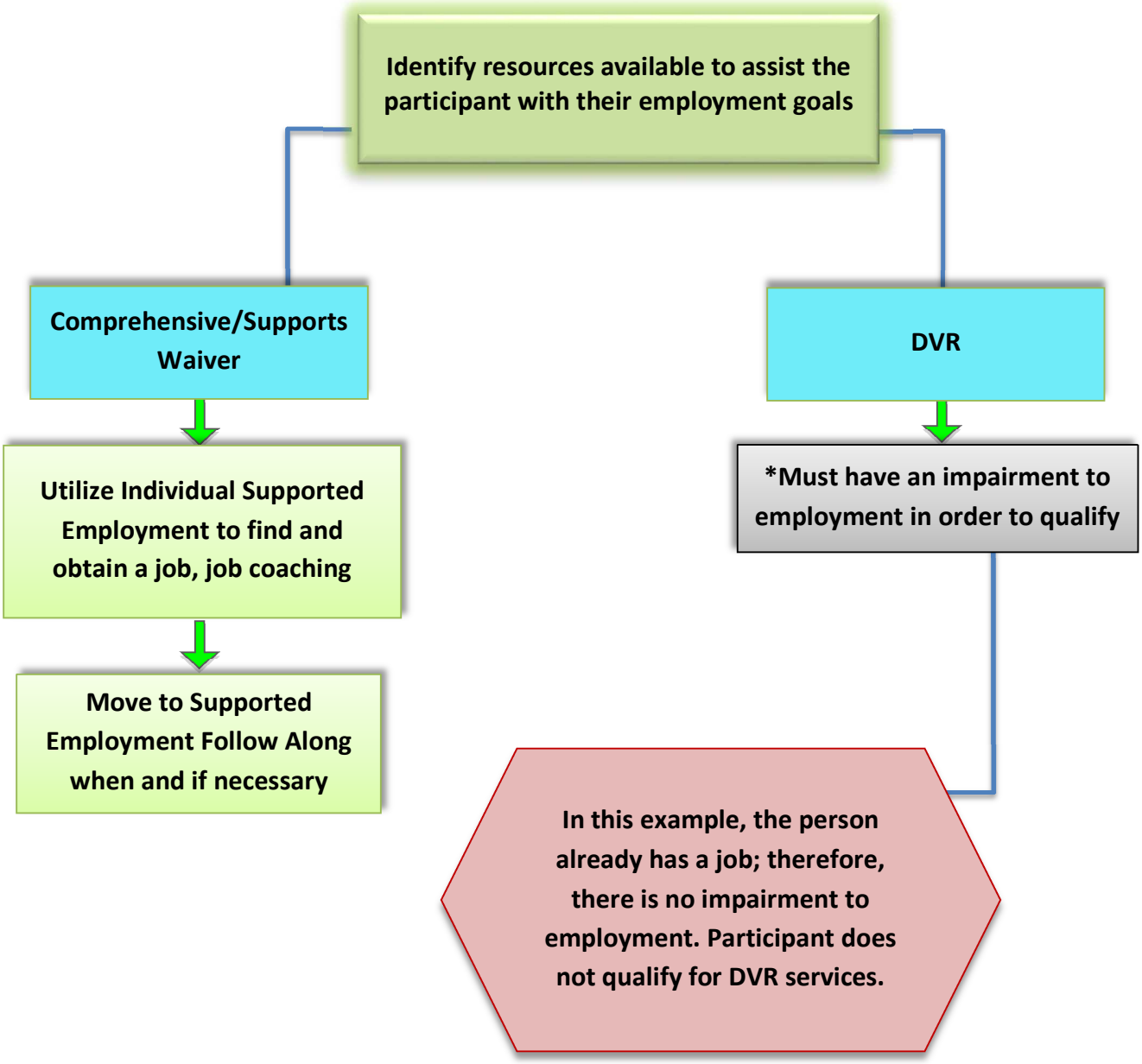
Supported Employment Follow Along are services and supports that enable a participant who is paid at or above the federal minimum wage to maintain employment in an integrated community setting. Service is provided for or on behalf of the participant through intermittent and occasional job support, communicating with the participant's supervisor or manager, whether in the presence of the participant or not.

DVR and Waiver Assistance on Your Employment Pathway

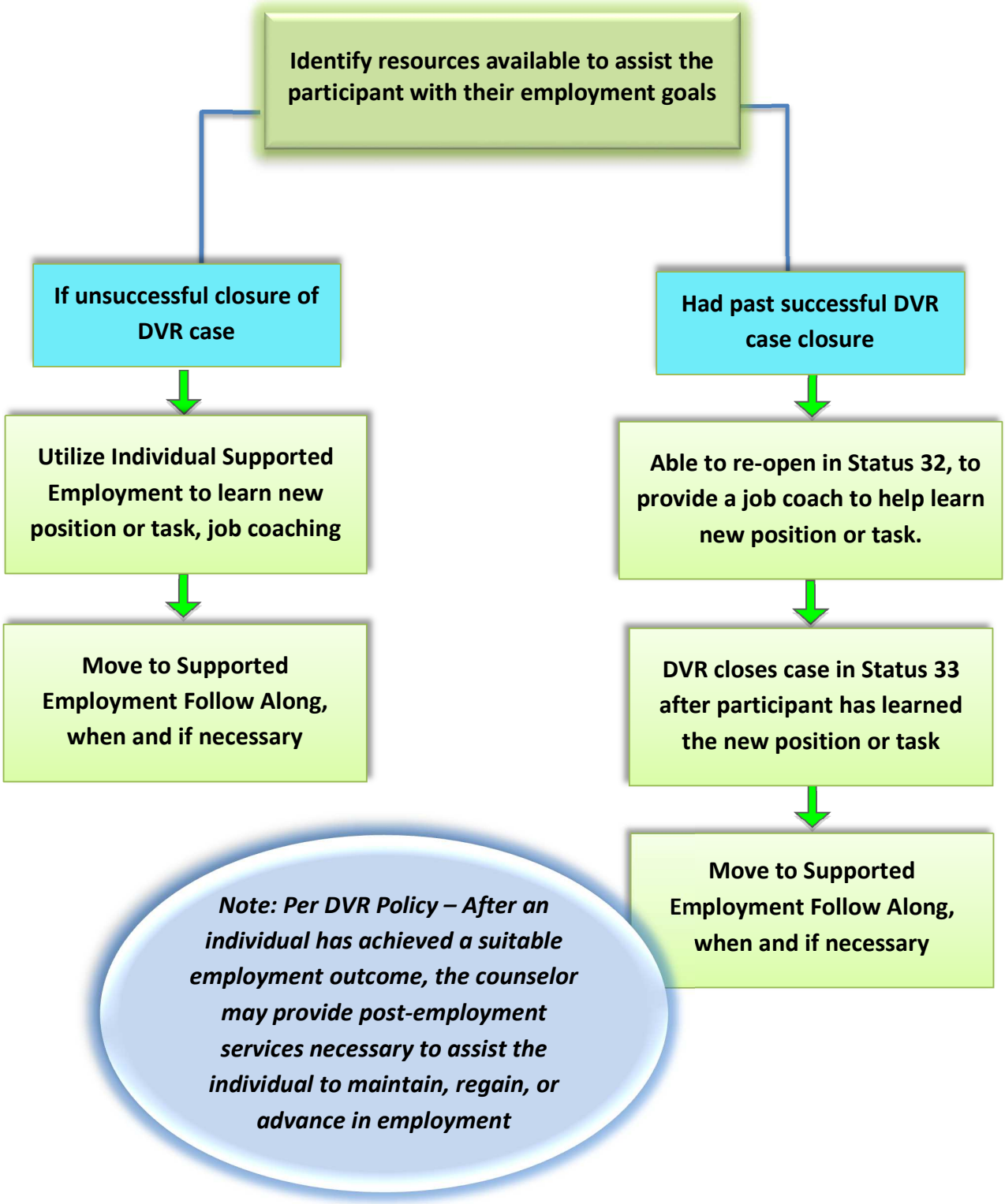
1. No community integrated job before



2. Currently have a job and looking to change jobs



3. Currently have a job and learning a new position or task



4. Currently have a part-time job and looking to obtain a 2nd part-time job

Volunteering

Volunteerism is an avenue that allows individuals to assist with improving their communities, gain marketable skills that could eventually lead to paid employment, test out interests and possible career paths, and develop personal and professional meaningful social connections. It also allows the individual to experience the pleasure and satisfaction of the activity itself and make a difference in the lives of others. Given the social isolation of many people with developmental disabilities, volunteering is important and one of the most useful ways for really getting to know other community members. Volunteering provides many opportunities to learn and practice skills that can be useful in paid employment.

There is value in volunteering and community service. An opportunity to learn, acquire work experience, and a sense of belonging.

Family and Friends

Family and friends of the participant are an important resource that is often overlooked. In many situations, employment opportunities can be found through the participant's family or friends, their school, or their business contacts. Support in finding and keeping a job can be provided informally, by a participant's friends or co-workers, without relying on a funded service. Even when employment services are provided by a community program, relatives and friends play a key role in contributing to the participant's job success by helping in areas of reporting income, preparation for work, transportation, etc.

Transportation

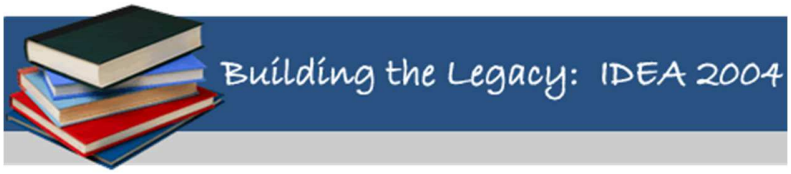
Planning for transportation is an essential part of the job planning process. Job seekers, families, and providers need to work together from the beginning to identify transportation options.

Here is a list of transportation issues to consider:

- Are any public transportation routes accessible?
  - If so, are they available on the days and hours the individual will be travelling to and from work?
- Are transportation services available from the provider and waiver service?
- Is carpooling or shared-ride transportation an option?
- What will the costs be, whether by private or public transportation?
- Are there health, behavior or risk issues that should be considered when selecting the means of transportation?
- Will the individual be able to use public transportation or other shared transit with proper training and support?

When planning transportation, "thinking outside the box" can result in a creative solution. For example, maybe your town's senior bus program can be helpful. Or perhaps your town's taxi company might negotiate a special discounted rate. Consider approaching relatives, co-workers and neighbors about carpooling options.

A plan for transportation is essential when planning for employment.



Employment Transition Planning for School Aged Individuals

Individuals with Disabilities Improvement Education Act

According to the Individuals with Disabilities Education Act (IDEA), special education means specially designed instruction, provided at no cost to the parent, to meet the unique needs of a child with a disability. This specially designed instruction involves adapting, as appropriate to the needs of an eligible student, the content, methodology or delivery of instruction:

- To address the unique needs of the child that result from his/her disability; and
- To ensure access of the child to the general curriculum, so that the child can meet the educational standards within the district that apply to all children.

In Wyoming, children who are eligible for special education are entitled to a free appropriate public education (FAPE) in the least restrictive environment (LRE) from the age of three through the school year in which the student turns 21 years old. School districts ensure the provision of FAPE in the LRE for each eligible child through the development and implementation of an Individualized Education Program (IEP), which is updated at least annually.

Transition Planning Form

In Wyoming, school districts are required by IDEA to include transition planning in the Individual Education Plan (IEPs) of students with disabilities by the time they are 16 (some states require transition planning to begin earlier). Transition planning is a coordinated set of activities that are designed within a results-oriented process, focused on improving academic and functional achievement to facilitate the student's movement from school to post-school activities. The IEP team, including the student, work to develop a plan that is based on age-appropriate transition assessments and individualized to address each child's unique needs.

Transition services and activities incorporated into the plan might include:

- ***Career Interest Inventories*** – these paper and pencil assessments can help the student identify work interest and preferences. The results of these assessments can help to create specific employment goals.
- ***Job Shadowing*** – the student follows an employee during a typical day on the job.
- ***Mentoring*** – the student is matched to an adult mentor who serves as an advisor and offers guidance.
- ***Apprenticeship*** – an adult professional teaches the student a specific trade.
- ***Workplace visits and tours*** – the student observes different work settings.
- ***Career Fairs and Career Days*** – local community members' visit a school to share career experiences with an interested group of students.
- ***Mock job interviews*** – partner with your local Workforce Center to set up mock interviews for students so that they can gain experience.
- ***Job Clubs*** – if available through your local school, job clubs can be great for peer level mentoring and encouragement in employment efforts and on-the-job issues.
- ***After-school and summer job placements*** – arranged and supported by school staff.
- ***Internships*** – paid or unpaid work experience for students.

Resources

Division of Vocational Rehabilitation (DVR)

The Division of Vocational Rehabilitation is a federal-state program that works with people who have physical or mental disabilities to prepare for, gain or retain employment.

Eligibility Criteria:

1. Individual has a physical or mental impairment.
2. Impairment poses a substantial impediment to employment.
3. Individual requires services from DVR to prepare for, gain, or retain employment.

Services that VR provides:

- As part of their core services, DVR provides to all clients eligibility assessments, counseling and guidance, information and referral services, and job search and job placement services. Any additional services that a person with a disability may need are individualized to their specific disability and employment goal.

Call 1-866-804-3678 or visit VR's website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Workforce Investment Act Program (WIA) (For Adults)

The Wyoming Department of Workforce Services uses Workforce Investment Act funding to help adults, dislocated workers and youth find employment that leads to self-sufficiency through various services available at its local Workforce Centers.

Eligibility Criteria:

- For individuals who are 18 years of age or older.
- Individuals who are unemployed and are unable to obtain employment through core services and have been determined to be in need of more intensive services in order to obtain employment; or
- Are employed and have been determined to be in need of services in order to obtain or retain employment that allows for self-sufficiency.
- Meet certain income guidelines.

Services that WIA provides:

- Occupations skills training;
- On-the-job training;
- Programs that combine workplace training with related instruction;
- Training programs operated by the private sector;
- Skills upgrading and retraining;
- Entrepreneurial training;
- Job readiness training;
- Adult Basic Education activities in conjunction with these activities; and
- Customized training with a commitment to employ trainees.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Workforce Investment Act Program (WIA)
(For Youth)

The Wyoming Department of Workforce Services uses Workforce Investment Act funding to help adults, dislocated workers and youth find employment that leads to self-sufficiency through varies services available at its local Workforce Centers.

Eligibility Criteria:

- For individuals aged 14-21.
- Services provided to eligible youth seeking assistance in achieving academic and employment success.

Services that WIA provides:

- Tutoring, study skills training and instruction leading to completion of secondary school, including dropout prevention strategies;
- Alternative secondary school services;
- Summer employment opportunities that are directly linked to academic and occupational learning;
- Paid or unpaid work experiences, including internships and job shadowing;
- Occupational skill training;

- Leadership development opportunities, which may include community service and peer-centered activities encouraging responsibility and other positive social behaviors during non-school hours;
- Supportive services;
- Adult mentoring for the period of participation and a subsequent period, for a total of not less than 12 months;
- Follow-up services for not less than 12 months after the completion of participation; and
- Comprehensive guidance and counseling which may include drug and alcohol abuse counseling and referral.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Department of Workforce Services (DWS)
Career Exploration and Aptitude Testing

The Wyoming Department of Workforce Services understands the need for students, parents, schools, job-seekers and others to explore their career aptitude and development. With this need in mind, the Wyoming Department of Workforce Services provides the following tools to further facilitate such career exploration:

- Start exploring career options with CareerOneStop, whether you are in high school, have graduated, have a vocational certificate, have a 2-year or 4-year college degree or have knowledge and skills acquired through training centers, on-the-job training, or work experience.
- The Wyoming Department of Workforce Services' local Workforce Centers have publicly-accessible computers with resume writing software, various books and videos on resume writing and interviewing, college catalogs, typing, spelling tests, and other resource materials.
- Wyoming at Work Career Services (https://www.wyomingatwork.com) is available. With it, a person can complete, through Wyoming at Work, occupational skills assessments to assist in career development and job placement.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Wyoming Services for Independent Living is a registered non-profit human service agency established to enable persons with significant disabilities to live as independently as possible in the community of their choice.

Eligibility Criteria:

- Presence of a significant disability that interferes with living independently
- Not determined by income levels
- Person motivated to maintain and/or increase levels of independence.

Services that WSIL provides:

- Individual and systems advocacy;
- Information and referral;
- Peer counseling;
- Independent Living Skills Training;
- ADA technical advice;
- Adaptive equipment;
- Home modification;
- Loan closet;
- Nursing Home Transition and Diversion; and
- Transportation Voucher.

Call 1-800-266-3061 to find an office near you or to learn more about their services.

wilr wyoming independent living rehabilitation

Wyoming Independent Living Rehabilitation educates and empowers Wyoming citizens with disabilities by providing the necessary tools to live with independence and dignity. All services are provided on a "consumer-driven" basis. You decide what you need to live independently.

Eligibility Criteria:

- Each program has different criteria to be eligible. Please contact WILR for more information and to see if you qualify.

Programs that WILR offers:

- Independent Living Services
  - Services to help people regain or maintain independence in their lives.
- Visually Impaired Program
  - Services for older adults who are blind or severely visually impaired.
- Consumer Directed Care
  - To provide the option of obtaining personal attendant care services provided by an individual of the consumer's choice, who is not necessarily medically trained to provide such services.
- Project Out
  - To transition consumers from nursing homes back into communities.
- ADA Consultant
  - To provide information to individuals, organizations, businesses and municipalities regarding the ADA and accessibility issues.
- Transportation Check Program
  - To provide transportation to consumers with disabilities
- Wyoming Technology Access Program (WYTAP)
  - Offers persons with disabilities an opportunity to finance assistive technology devices and services through low – or no – interest loans.
- Making Homes Accessible
  - A conditional block grant program to help low to moderate income people with disabilities to make their homes accessible.

Call 1-800-735-8322 or 266-6956 (in Casper) to find an office near you or to learn more about their services.

Job Accommodation Network (JAN)

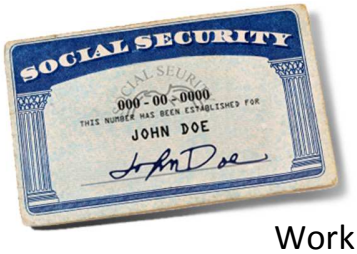
Identifying and arranging necessary accommodations and supports is a key part of assisting people with disabilities to find and keep employment – and is legally reinforced by the Americans with Disabilities Act. A job accommodation means that a job, workplace or way a job is done is modified to help the person with a disability do his/her job. There are several general types of job accommodations:

- Job restructuring, such as a change in work schedule or a decrease in the number of job duties
- Assistive devices – item, device or piece of equipment that is used to help the person with a disability perform a task.
- Training/teaching methods, such as an extended orientation period or audio version of a training manual
- Modification to the building, such as ramps, electronic door opener or flashing lights.

The Job Accommodation Network (JAN) is the leading source of free, expert, and confidential guidance on workplace accommodations and disability employment issues. Working toward practical solutions that benefit both employer and employee, JAN helps people with disabilities enhance their employability, and shows employers how to capitalize on the value and talent that people with disabilities add to the workplace.

JAN provides free, confidential technical assistance about job accommodations and the Americans with Disabilities Act (ADA). Call 1-800-526-7234 to get more information.

Appendix A: Social Security Work Incentive Information



Because many people with disabilities fear losing the SSA benefits and related health care due to being able to work and earn an income, they choose not to work. The SSA has made efforts to reduce this fear by creating and implementing programs known as SSA Work Incentives. Work incentives allow people who receive SSA benefits to work and earn an income while maintaining their benefits and their health insurance. There are specific conditions and requirements for each work incentive, and people must understand how the programs work, including the reporting requirements, in order to ensure proper implementation. Listed below are some of the work incentives offered by Social Security.

For complete information on all SSA's work incentives please visit their website at www.ssa.gov, call 1-800-772-1213 or contact your local Social Security Office.

Social Security Disability Insurance Program (SSDI)

The Social Security Disability Insurance Program (SSDI) provides a monthly benefit to individuals under full retirement age, who have enough quarters paid into the system, have worked five out of the last ten years, and meet the Social Security Administration's (SSA) definition of disability. These SSDI benefit payments will continue as long as the person is unable to engage in "substantial gainful activity" (SGA). A person who is earning more than a certain monthly amount in gross earnings is considered to be engaging in SGA. The SGA amount generally changes when the national average wage index changes. In 2015, the monthly SGA amount is $1090 for a non-blind individual and $1820 for a blind individual. There are work incentives that allow people to go to work after becoming eligible for SSDI. These work incentives allow a person to return to work, but have a safety net, allowing them to continue receiving their SSDI monthly benefit and Medicare coverage for a specific amount of time. Many people can work and keep their SSDI payments and Medicare if they are aware of the work incentives for SSDI.

Supplemental Security Income (SSI)

Supplemental Security Income (SSI) is based upon financial need. It provides monthly benefits to low income individuals who are disabled, blind, or over the age of 65 who are unable to engage in SGA and meet SSA's non-medical criteria for eligibility. The monthly benefit is based on the federal benefit rate (FBR) and generally changes annually based on cost of living increases. In 2015, the monthly FBR is $733.

SSI recipients are automatically eligible for Medicaid, a government health insurance program, and often are eligible for other federal programs such as SNAP, the food assistance program.

The definition of "disability" is the same for SSI and the SSDI programs. To qualify for SSI, a person must have a medically determinable physical or mental impairment that prevents them from engaging in substantial gainful activity. The impairment must have lasted for a continuous period of 12 months, be expected to last for a continuous period of 12 months, or be expected to result in death. In order to be eligible for SSI, the person with a qualifying disability must meet age requirements, residency, legal involvement, living arrangements, and resource and income requirements.

How Property and Assets are Treated Under SSI

Resource and income include, but are not limited to, real estate or real property other than the applicant's residence, vehicles (one car or truck is excluded), bank accounts, cash, stocks, bonds, or other investments. Cash value of life insurance policies, burial spaces, expense funds, certain trusts, and any money or property sold, transferred, or disposed of within 36 months prior to the application. To be eligible for SSI, total counted resources cannot exceed $2,000 per person or $3000 per couple. Income counted includes any earned or unearned income, rental income, child support, alimony, TANF, EITC's, self-employment wages, unemployment compensation, and any other income sources.

The following items DO NOT count as assets or resources for purposes of SSI eligibility:

- The applicant's home and the land it is on, provided that it is the primary residence.
- Household goods, personal property, and one car or truck, if it is necessary for daily activities.
- Life insurance with a face value less than $1500.
- Burial spaces and expense funds up to $1500.

As laws and policies change often, make certain that if there are additional options for keeping assets, such as special needs trusts, that these assets have been approved by the Social Security Administration.

How Income May Impact SSI Eligibility

Countable income can include both earned income and unearned income. This means that income which may impact the amount of the SSI payment includes money that is paid by an employer, Social Security payments, private pension payments, or some items of value that are received as gifts to pay for food, shelter, or utilities.

If a person is considered disabled under SSA rules and plans to work, his or her countable income can be reduced by special programs known as "work incentives." These programs allow a person receiving SSI and/or SSDI to work and continue to receive all or part of their disability payments as well as maintain eligibility for Medicare and/or Medicaid.

Employed Individuals with Disabilities (EID) Program
Medicaid Buy-in Coverage

The EID program provides work incentives for individuals with disabilities. Individuals with disabilities who work and have no health-care coverage, or who may lose their Medicaid coverage, should apply if they obtain employment, increase their work hours, or increase their rate of pay. People with disabilities who work will pay a monthly premium to receive Medicaid health-care coverage. The premium is (7.5%) of their monthly earned income and their yearly unearned income that is in excess of $600.

You may be eligible if you:

- Are employed
- Have a disability based on Social Security Administration guidelines
- Are a U.S. citizen or lawful permanent resident who has lived in the U.S. for at least five years
- A Wyoming resident
- Are 16 through 64 years of age
- Meet income guidelines (earned income is exempt)

Know your options. The Medicaid Buy In (EID program) allows you to work and have Medicaid health-care coverage for only 7.5% of your monthly earned income.

Benefits of the EID program:

- You will have Medicaid health-care coverage.
- You can work in the community.
- You can earn and save more money without the risk of losing health-care coverage.

Call the Wyoming Department of Health, Customer Service Center at 1-855-294-2127 to find out about the application process.

Impairment Related Work Expense (IRWE)

This work incentive applies to both SSI and SSDI at different times. An IRWE is an out of pocket cost that a person must pay that 1) is related to their disability and 2) is needed in order for them to work. The out of pocket costs reduce the income that SSA counts. Receipts must be sent into SSA monthly.

Examples of IRWE:

- Cost of taxis or drivers needed to travel to work because your disability prevents use of public transportation.
- Modified vehicles needed because of disability, e.g., special steering/braking equipment.
- Ramps, railings, or other modifications to the outside of your home that allow you to leave and go to work.
- Routine medication costs that help keep your disability related symptoms under control.

Subsidies and Special Conditions

A subsidy only applies to SSDI and is defined as the value of extra support a person receives on the job. The subsidy is provided by the employer and the worker must earn the same pay as other workers doing the same job. Examples include a job coach, mentor, extra supervision, or a reduced workload. The value of the subsidy is determined by the employer. Special conditions apply when the individual is not fully earning his or her wages because the work is performed under special conditions such as on-the-job coaching or substitution in which the job coach performs part or all of the individual's job duties. SSA will deduct the wages that are not considered "earned" by the individual.

Examples of subsidies:

- You receive more supervision than other workers doing the same or a similar job for the same pay.
- You have fewer or simpler tasks to complete than other workers who are doing the same job for the same pay.
- Job coach assistance.

Examples of special conditions:

- You receive close and continuous supervision.
- You receive on the job coaching and the job coach performs part or all of your tasks.

Unincurred Business Expense

"Unincurred business expenses" refers to self-employment business support that someone provides to you at no cost. In deciding whether you are working at the SGA level, SSA deducts unincurred business expenses from your net earnings from self-employment. Examples of unincurred business expenses are (1) a Vocational Rehabilitation agency gives you a computer that is used in a graphic arts business; and (2) a friend works for your business as unpaid help.

For an item or service to qualify as an unincurred business expense:

- It must be an item or service that the IRS would allow as a legitimate business expense if you had paid for it; and
- Given to you free of charge.

Unsuccessful Work Attempt

An unsuccessful work attempt is an effort by a disabled individual to do substantial work that either stopped or produced earnings below the SGA level after a short amount of time, no more than 6 months because of:

- The individual's disabling condition; or
- Elimination of the special conditions or assistance that the individual needed in order to work.

Trial Work Period

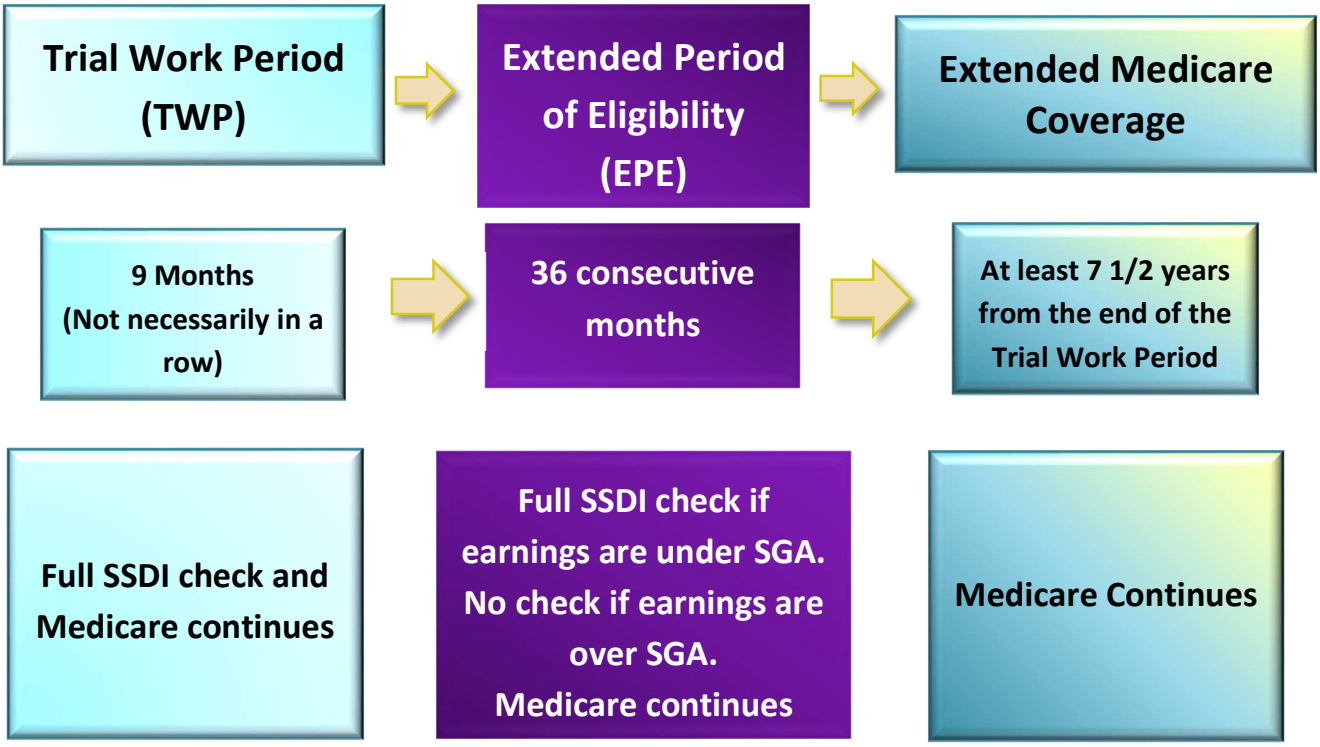
Applies to SSDI only – the Trial Work Period (TWP) allows you to test your ability to work by providing a period of nine (9) months of gross earnings during which your SSDI check is not affected. A month does not count towards your trial work period unless your gross earnings meet or exceed an amount set each year by SSA. In 2015, the TWP amount is $780. During your TWP, you will receive your full disability benefit regardless of how much you earn. You must report your work activity to SSA and continue to have a disabling impairment. The nine (9) months does not need to be consecutive, they are counted within a five-year period. Certain other rules apply. Medicare coverage will continue for ninety-three (93) months after the last month of the TWP.

If you are on SSDI, don't be afraid to work. You get a 9 month trial work period to test the waters of employment.

Extended Period of Eligibility

Applies to SSDI only – the Extended Period of Eligibility (EPE) begins after you have completed your trial work period and have gross earnings at or above the SGA level. The EPE lasts for thirty-six (36) months and allows an individual to receive their SSDI check in any month that their earnings fall below SGA. If work is discontinued during the EPE, the individual simply needs to contact SSA to reinstate benefits. You must continue to have a disabling impairment.

36 month extended period of eligibility AFTER your 9 trial work period months.



Earned Income Exclusion

Applies to SSI only – all SSI recipients receive a $20 general income exclusion. If SSI is the person's only income prior to working, he or she also gets an earned income exclusion of $65. After deducting the $85 in exclusions from your earned income, SSA then only considers half of your remaining earnings.

When you are on SSI, the Social Security Administration only counts $1 for every $2 you earn while working.

Example:

- John is receiving $733 in SSI each month.
- He returns to work and earns $500 in gross monthly earnings.
- Because John was only receiving SSI prior to working, he receives both income exclusions:

  $500 (*Earnings*) minus $85 (*Exclusions*) = $415
- SSA only counts half of the remaining earnings:

  $415 (*Considered earnings after exclusions*) divided by 2 = $207.50
- SSA will only count $207.50 of John's total earnings.
- His SSI check will then be reduced by $207.50.
- His new SSI amount will be **$525.50** (*$733-$207.50=$525.50*).
- **Johns total monthly income is now $500 (*earnings*) plus $525.50 (*SSI benefit*) = $1025.50.**
- John continues to receive Medicaid because his SSI benefit is at least $1.

Plan to Achieve Self-Support (PASS)

Applies to SSI only – a plan to achieve self-support allows you to set aside income or assets of a set amount of money for an established period of time towards a specific employment or vocational goal. Funds can be used for education, equipment, or starting a business, etc. Goals must generally be obtainable within three years, but some exceptions are possible. Funds must be used for a designated purpose or a person could be in overpayment and have to pay back to SSA. A PASS plan can help a person achieve their work or vocational goal. Your goal should be a job that allows you to earn enough to reduce or eliminate your need for benefits provided under the Social Security and Supplemental Security Income programs. SSA does not count the money or resources you set aside under an approved PASS plan when they decide your initial or continuing eligibility for SSI. Having a PASS may help you qualify for SSI or may increase the amount of your SSI payment.

Property Essential to Self-Support (PESS)

Applies to SSI only – SSA does not count some resources that are essential to your means of self-support when they decide if you are eligible for SSI. For example, they do not count property such as tools or equipment that you use for work. If you have a trade or business, they do not count property such as inventory. A person must be using the property that SSA is excluding under PESS, or be expected to start using it in a reasonable amount of time, typically within 12 months.

Federal Rule 1619(b)

Applies to SSI only – Section 1619(b) allows a person who is receiving SSI and working to continue to receive Medicaid at no cost, even when their earnings reduce their SSI benefit to $0. There are earnings threshold requirements. In 2014, for Wyoming, the threshold amount is $36,447. A person who meets the requirements of 1619(b) will receive full medical coverage under Medicaid.

To qualify:

- A person must have been eligible for an SSI cash payment for at least one month prior to accessing 1619(b).
- SSI benefit must have been reduced because of earnings.
- Must continue to meet SSA disability requirements.
- Continue to meet resource requirements for SSI.
- Need the medical assistance to work.
- Have gross earned income that is insufficient to replace the cost of medical assistance needed.

For assistance planning for employment, use our "Employment Pathway Planning Packet"

http://health.wyo.gov/DDD/cmforms.html

Start Your Employment Planning Now

If you are not employed now, but would like to pursue ***employment in the next year*** or ***employment in the next two (2) years***, ask yourself the following questions to begin your planning:

1. Have you ever volunteered in the community?
2. Do you want to learn a new skill?
3. When you are out in the community, are there jobs that you see people doing that you would like to know more about?
4. Do you want to learn about different types of jobs available?
5. If you could have any job, what would it be?
6. What interests you about your dream job?
7. Are there jobs that you don't want to do?
8. How much money will you need to make to meet your living expenses?
9. How much money will you need to buy things you want?
10. What is your greatest fear when you think about working?
11. Is there anything that worries you about getting a job?
12. What motivates you?
13. Will you need prevocational or employment discovery and customization services?
14. What supports will you need to begin competitive employment?
15. Who will help you set up the supports you need to gain and maintain competitive, integrated, and meaningful employment?
16. What is your employment goal date?

SSDI Trial Work Period (TWP) Tracking Chart

You are allowed nine (9) TWP months in a rolling sixty (60) month period

2015 Amount TWP= $780 SGA=$1090

Month	Gross Earned Income	Trial Work Month Yes or No	SSDI Cash Benefit	Total Income
Example: January	$800	Yes= TWP Month 1	$1000	$1800

Notes

Employment First

Pathway to Employment
Pathway to Integration
Pathway out of Poverty

"Working together to build a more prosperous Wyoming."

Wyoming Department of Health

Commit to your health.

BEHAVIORAL HEALTH DIVISION

Employment First Planning Guide

For adults ages 16+ with Intellectual Disabilities, their families, and the Circle of support.

Behavioral Health Division
Developmental Disabilities Section
6101 Yellowstone Road, Suite 220
Cheyenne, WY 82002
www.health.wyo.gov/ddd
800-510-0280 | 307-777-6494

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Introduction

The influence that parents, family, friends, teachers, and providers have on people with disabilities can be both influential and powerful. When it comes to setting expectations about work, those involved in the lives of people with disabilities need to convey the expectation that people with disabilities can work, can contribute, and can find great satisfaction in being part of the world of work.

People WORK for many reasons. For some, it provides a sense of self or meaning in one's life; for others, it is the social context of meeting and associating with others in a common effort or goal; and for still others, it is the means by which to gain status, either personal or economic, which allows for choice and discretion in determining one's "quality of life."

What Makes Life Good?

When asked, ***"What makes life good?"*** almost all people identify the same core components. While different people will use different words to describe a component or more highly value one component over another, the list of components is consistently the same:

- Freedom of choice and ease of access to the community;
- Positive, interdependent relationships with family and friends;
- A safe, comfortable home in a safe neighborhood;
- Being respected, included in and a member of your culture and community;
- Good health and access to good health care;
- Enjoying one's personal choice of hobbies, recreation, and leisure activities; and
- Satisfying employment and the economic benefits of contributing through work.

Although employment outcomes for individuals with disabilities still lag behind those compared to individuals without disabilities, it is clear that enormous barriers to employment are being overcome. It is far more common now to see people with disabilities in a wide range of jobs throughout the community than it was even a decade ago.

Supported employment is an alternative to traditional sheltered and competitive employment approaches. It is an attempt to meet the specific needs of individuals with disabilities and is based on fundamentally different principles and assumptions. The supported work model assumes that all individuals, regardless of the nature or extent of their disabilities, should have the opportunity and support to work in the community. There are no pre-requisite skills needed for community job success. Therefore, the task is not to identify and place "work ready" individuals, but rather to locate and/or modify meaningful jobs in the community and provide training and supports at the job site.

Supported employment will often take the form of "customized" employment. Customized employment is a flexible process designed to personalize the employment relationship between a job candidate and an employer in a way that meets the needs of both. It is based on an individualized match between the strengths, conditions, and interests of job candidate and the identified business needs of an employer. Customized employment utilizes an individualized approach to employment planning and job development – one person at a time, and one employer at a time.

This Employment Planning Guide is designed to help parents, participants, and providers start the process of finding competitive work for people with disabilities; learn about the resources, services, and the programs available to help people with disabilities in Wyoming pursue their own unique path to work, a career, and participate in community life.

"Given the choice between work and idleness, people will almost always choose work. Regardless of our station in life, the condition of our bodies and minds, or the amount of money in our bank accounts, the need to work remains one of our strongest drives. Work is central to our lives, and as such, gives a large measure of structure to our days. Common sense tells us that we feel better about ourselves when we are working regularly."

~Robert Drake, M.D.,

Meet Jane

Let's look at an example of what the new employment pathway might do for a participant.

We want to introduce a fictional waiver participant, Jane, who is a based upon people we know in Wyoming receiving services. We want to describe how the new employment pathway can realistically work for someone and change his or her life.

Jane has been going to day services and working in an enclave at the recycling center, and she receives group supported employment. Jane's team of family and providers encouraged her to start looking for other employment opportunities with the new employment services on the waiver.

At her team meeting, Jane and her team discuss what type of work she would like and want to do if she did not work at the recycling center. They ask her where in town she would like to work. They find out she likes flowers and gardening centers in stores, so they make a plan to set up mentor sites at flower shops and garden centers in department stores using the Employment Discovery and Customization service.

As Jane continues to work at the recycling center, her direct care staff start working with her on non-job-specific, work-related tasks that she might need for competitive employment at a flower shop through Prevocational Services. They also work with her on learning specific tasks in Group Supported Employment that would assist her in working with customers from the public.

Jane's staff helps her meet with the local Department of Vocational Rehabilitation office (DVR) and make an employment plan. After DVR opens a case and pays for job development, a job coach helps Jane fill out employment applications and assists her with interviewing for jobs.

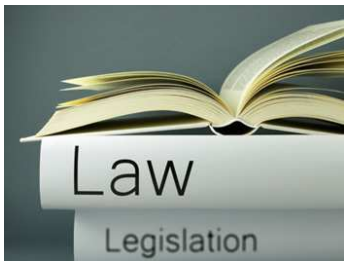
Finally, Jane finds a job working in a flower shop four days a week. DVR pays for supported employment for the time that she needs to obtain and maintain her job. Once she is successful and no longer needs a full-time job coach, DVR puts her case into "Status 22 – Employed." If during this time she needs a job coach,

the waiver will then pay for this service. ***(Please note: DVR cannot close a case successfully when services are still being offered. DVR must go three months or 90 days without paying for any services before they are able to close out a case successfully.)*** Participants, providers, and parents, must be aware of this DVR requirement.

Due to difficulty in learning all of her job tasks, Jane uses Individual Supported Employment through the waiver, which provides her with a job coach for a longer period of time. A job coach can assist her until she can perform the job fairly independently and begins receiving the help she needs from her co-workers, instead of the job coach. After a few months, Jane switches to Transportation Services to get to and from work and Jane's provider switches to Supported Employment Follow Along to check in on Jane's progress each month. Jane continues to learn and grow in her position. Occasionally the provider will provide job coaching to assist Jane and address any concerns that she or her employer has.

Jane now works four days a week and makes triple the money every month than she did at the recycling center. She has three new friends, who are also her co-workers! She also likes having extra money, which allows her to spend more time bowling and hanging out with her boyfriend.

2014 Employment First Legislation



An Act relating to persons with disabilities, which established employment first as a state policy to support competitive employment in an integrated setting, was enacted by the Wyoming Legislature in 2014. This Act requires agencies to support competitive and integrated employment; requires state agencies working with home and community based waiver service providers to implement employment first policies; requires state agencies to report on employment data; provides definitions; and provides for an effective date.

House Enrolled Act 53:

9-2-1002. Definitions; powers generally; duties of governor; provisions construed; cooperation with legislature and judiciary; divisions enumerated.

(xiii) **"Competitive employment"** means work in the competitive labor market that is performed on a fulltime or part-time basis in an integrated setting, and for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled;

(xiv) **"Employment first"** means a concept to facilitate the full inclusion of individuals with disabilities in the workplace and community. Under the employment first approach, community based, integrated employment is the first option for employment services for children and adults with disabilities. Employment first includes competitive employment in an integrated setting;

(xv) **"Integrated setting"** means with respect to an employment outcome, a setting typically found in the community in which applicants or eligible individuals interact with individuals who do not have disabilities, other than nondisabled individuals who are providing services to those applicants or eligible individuals, to the same extent that individuals who do not have disabilities interact with other persons in comparable positions.

9-2-1022. Duties of department performed through human resources division.

(n) In carrying out the duties of the division under this section, employment first shall be the policy of the state that competitive and integrated employment shall be considered its first option when serving persons with disabilities who are of working age to obtain employment. Employment first applies to programs and services that provide services and support to help obtain employment for persons with disabilities. All state agencies shall follow this policy and ensure that it is effectively implemented in their hiring and in all programs and services administered or funded by the agencies. Nothing in this section shall be construed to require any employer to give preference to hiring people with a disability. All state agencies shall coordinate efforts and shall collaborate within and among the agencies to ensure that state programs, policies, procedures and funding support competitive and integrated employment of individuals with disabilities. All state agencies shall, whenever feasible, share data and information across systems in order to track progress toward full implementation of this subsection.

Nothing in this section shall be construed as eliminating any supported employment services as an option when appropriate.

42-4-120. Contracts for waiver services; authority of department; emergency case services; cost based payments; training and certification of specialists.

(m) The department shall ensure that state agencies working with service providers receiving funds pursuant to this section shall have established employment first policies, including competitive employment in an integrated setting, consistent with the requirements of W.S. 9-2-1022.

Employment Talking Points

Employment means a job in the community that the person wants and can perform, with or without accommodation and support.

- When we talk about employment today, we mean having a job or vocation in the community that pays at least minimum wage.

Employment is an essential part of self-determination for many people.

- Employment is a way for people to achieve their personal dream of success, respect, and control.
- Having community employment can be an important part of one's self-identity and value in society today.

People with disabilities are successful workers.

- Thanks to new technology, new laws, and better teaching methods, jobs that were out of reach in the past for people with disabilities are accessible today.
- Job coaches are available to assist people who need assistance in locating, preparing for and successfully managing the job of their choice.
- Success is also supported by government programs, which provide real incentives for people with disabilities to work, keep more earned income for their personal use, and retain their needed benefits.

Some questions to get the employment process started.

- Does the participant need help figuring out the types of jobs and careers he/she would like and be good at doing?
- Will his/her support needs change over time? Are there times when more help will be needed?
- What is most important to the participant? Pay and benefits, fun people to work with, or safety and security?
- Will help be needed to manage benefits, such as Social Security and Medicaid?
- Will job coaching services be needed on the job and if so, how often and for how long?
- Will help be needed to identify activities for when he/she is not working?

Best Practices

Experience has shown that when certain principles are followed while supporting people with disabilities in their employment efforts, the most meaningful and successful outcomes are achieved. These principles are sometimes referred to as "best practices" in community employment services and they include:

- Focusing on individual jobs in the community, paid directly by the employer;
- Using a ***"person-centered planning"*** approach, where job placement is based on the individual's interests, needs and preferences, and the individual is supported to take control of his/her job planning process;
- Emphasizing ***"job matching"*** – searching for employment that closely matches what the job seeker wants, is good at doing, and where he or she will fit in and be comfortable;
- ***Thinking broadly*** about where the individual can work by not being limited to the ideas of traditional workplaces such as supermarkets and fast food chains;
- Taking advantage of personal networks – tapping into family and staff contacts to gather information, resources, and potential job leads;
- Using ***"natural supports"*** including family, friends, co-workers, and mentors to meet the needs of the individual on the job; and
- ***Fading out paid staff supports*** as the individual becomes more settled, comfortable, and independent in the workplace.

Person-Centered Planning is Best Practice

How Employment Affects My Benefits

While earned income can affect a person's eligibility for Social Security, food stamps, public housing and medical assistance benefits, State and Federal programs make it feasible for people to retain much more of their earnings than they could in the past without losing needed health care benefits and services. When taking advantage of State and Federal work incentives, people must report their earnings and assets or savings.

It is important to track your earnings each month and be familiar with the effects that it may have on other benefits you may be receiving.

Earned income WILL affect how much you receive in food stamps and public housing, BUT the amount you earn by becoming competitively employed far outweighs the reduction in food stamps and public housing assistance. You will be moving in the right direction to self-sufficiency!

Department of Health, Community Waiver Programs

The Comprehensive and Supports waivers offer five new employment services with better supports to help you gain and keep employment that match your strengths, needs, and interests. The two new waivers offer an employment pathway service overview with various employment support services to support and assist a participant who, because of their disability, needs intensive support to find and maintain a job in competitive, integrated work settings.

A range of supported employment services are available with varying levels of support and intensity to assist the participant in attaining and maintaining the highest level of paid, community integrated employment. Consistent with the *Olmstead Decision* and with person-centered planning, a participant's plan of care regarding employment services shall be constructed in a manner that reflects individual choice and goals related to employment and ensures provision of services in the most integrated setting appropriate.

Prevocational Services

Prevocational services are services designed to create a path to integrated community based employment for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals without disabilities.

Prevocational services should enable each individual to attain the highest level of work in the most integrated setting with a job matched to the individual's interests, strengths, priorities, abilities, and capabilities, while following applicable federal wage guidelines. These services provide learning and work experiences, including volunteer work where the individual can develop general, non-job-task-specific strengths and skills that contribute to employability through paid employment in an integrated community setting.

Prevocational services are time-limited, not to exceed 12 consecutive months and cannot be repeated during the subsequent plan year.

Employment Discovery and Customization

Employment Discovery and Customization is the individualized determination of the strengths, needs, and interests of the participant and is designed to meet the specific needs of the employee and employer relationship.

Employment discovery and customization includes employment developed through job carving, self-employment or entrepreneurial initiative, or other job development or restructuring strategies that result in job responsibilities being customized and individually negotiated to fit the needs of participants. Employment discovery and customization presumes the provision of reasonable accommodations and supports necessary to perform functions of a job that is individually negotiated and developed.

Supported Employment

- ***Small Group Supported Employment***

Small Group Supported Employment services consist of intensive, on-going supports that enable a participant, for whom competitive employment is at or above the minimum wage is unlikely absent the provision of supports; and who, because of his/her disability, need supports to perform in a regular work setting, including mobile work crews or enclaves. These services are conducted in a variety of settings, particularly work-sites where persons without disabilities are employed.

Services include activities needed to sustain paid work, which includes supervision and training. When supported employment services are provided at a work-site where persons without disabilities are employed, payment is only made for the adaptations, supervision, and training that is required by a participant receiving waiver services as a result of their disability. It does not include payment for supervisory activities rendered as a normal part of the business setting.

- ***Individual Supported Employment***

Individual Supported Employment services are the 1:1 supports available to a participant who, because of their disability, needs intensive or on-going support to obtain and maintain an individual job in competitive or customized employment, or self-employment, in an integrated work setting, in the general workforce for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by an individual without a disability.

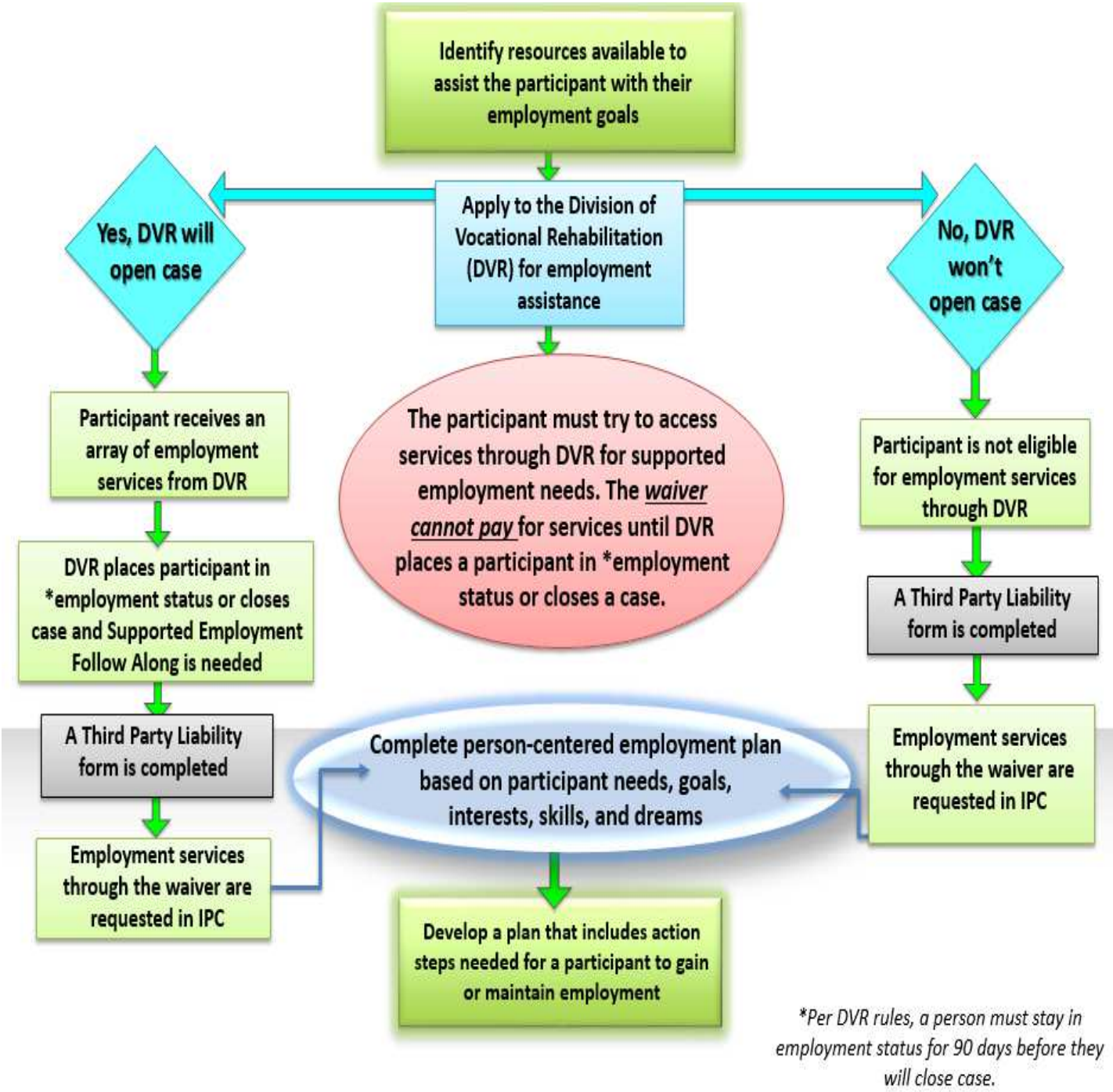
Services are conducted in a variety of settings, particularly work-sites where persons without disabilities are employed. Services include activities needed to sustain paid work by a participant, including supervision and training. When supported employment services are provided at a work-site where persons without disabilities are employed, payment is made only for the adaptations, supervision, and training required by participants receiving waiver services as a result of their disabilities, but does not include payment for the supervisory activities rendered as a normal part of the business setting.

- ***Supported Employment Follow Along***

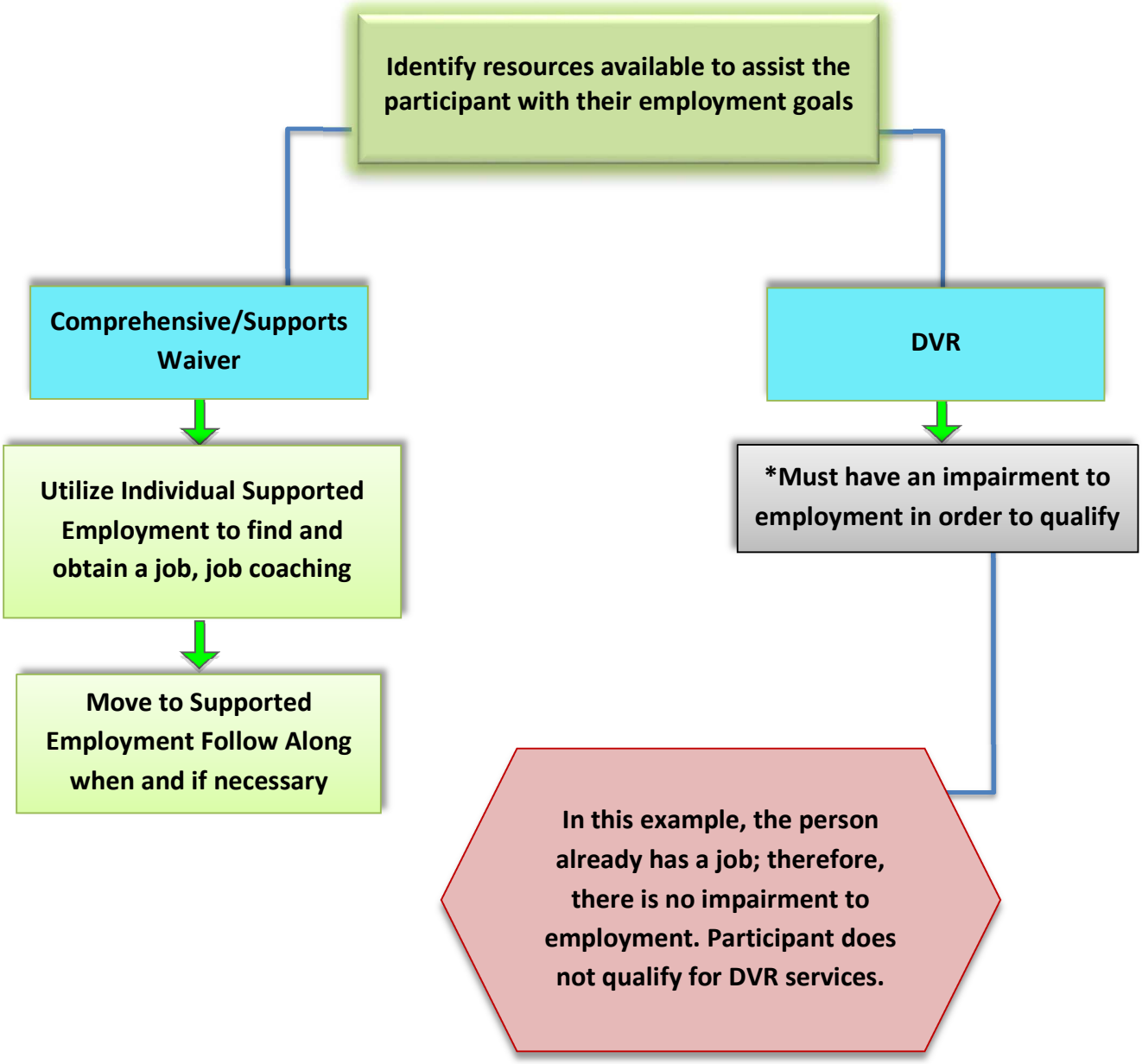
Supported Employment Follow Along are services and supports that enable a participant who is paid at or above the federal minimum wage to maintain employment in an integrated community setting. Service is provided for or on behalf of the participant through intermittent and occasional job support, communicating with the participant's supervisor or manager, whether in the presence of the participant or not.

DVR and Waiver Assistance on Your Employment Pathway

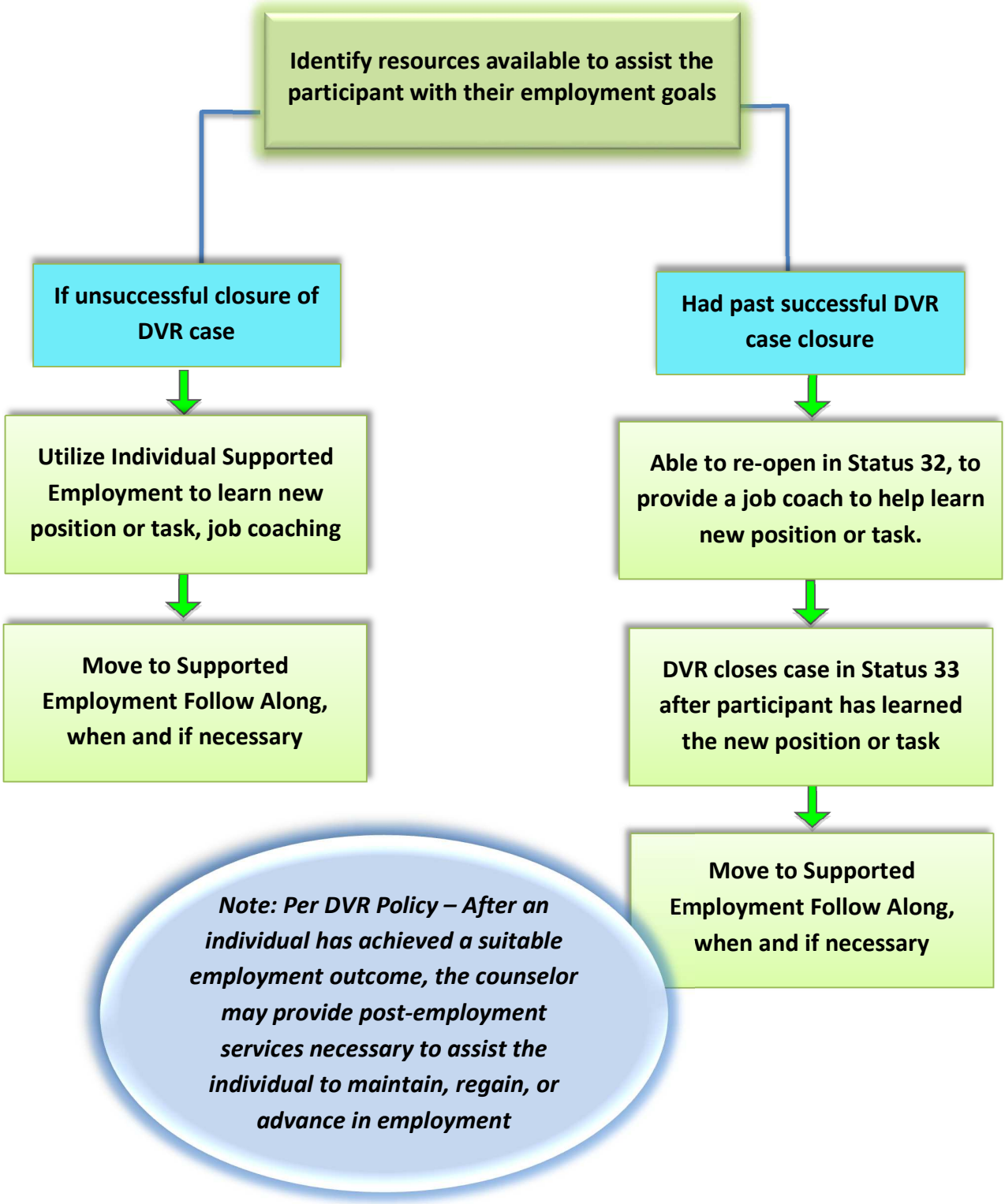
1. No community integrated job before



2. Currently have a job and looking to change jobs



3. Currently have a job and learning a new position or task



4. Currently have a part-time job and looking to obtain a 2nd part-time job

Volunteering

Volunteerism is an avenue that allows individuals to assist with improving their communities, gain marketable skills that could eventually lead to paid employment, test out interests and possible career paths, and develop personal and professional meaningful social connections. It also allows the individual to experience the pleasure and satisfaction of the activity itself and make a difference in the lives of others. Given the social isolation of many people with developmental disabilities, volunteering is important and one of the most useful ways for really getting to know other community members. Volunteering provides many opportunities to learn and practice skills that can be useful in paid employment.

There is value in volunteering and community service. An opportunity to learn, acquire work experience, and a sense of belonging.

Family and Friends

Family and friends of the participant are an important resource that is often overlooked. In many situations, employment opportunities can be found through the participant's family or friends, their school, or their business contacts. Support in finding and keeping a job can be provided informally, by a participant's friends or co-workers, without relying on a funded service. Even when employment services are provided by a community program, relatives and friends play a key role in contributing to the participant's job success by helping in areas of reporting income, preparation for work, transportation, etc.

Transportation

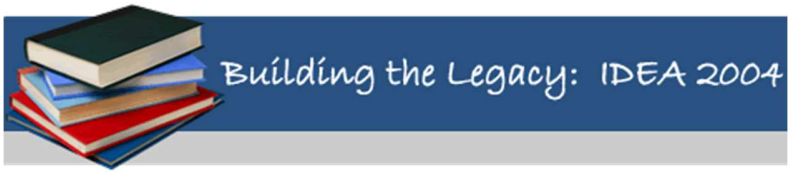
Planning for transportation is an essential part of the job planning process. Job seekers, families, and providers need to work together from the beginning to identify transportation options.

Here is a list of transportation issues to consider:

- Are any public transportation routes accessible?
  - If so, are they available on the days and hours the individual will be travelling to and from work?
- Are transportation services available from the provider and waiver service?
- Is carpooling or shared-ride transportation an option?
- What will the costs be, whether by private or public transportation?
- Are there health, behavior or risk issues that should be considered when selecting the means of transportation?
- Will the individual be able to use public transportation or other shared transit with proper training and support?

When planning transportation, "thinking outside the box" can result in a creative solution. For example, maybe your town's senior bus program can be helpful. Or perhaps your town's taxi company might negotiate a special discounted rate. Consider approaching relatives, co-workers and neighbors about carpooling options.

A plan for transportation is essential when planning for employment.



Employment Transition Planning for School Aged Individuals

Individuals with Disabilities Improvement Education Act

According to the Individuals with Disabilities Education Act (IDEA), special education means specially designed instruction, provided at no cost to the parent, to meet the unique needs of a child with a disability. This specially designed instruction involves adapting, as appropriate to the needs of an eligible student, the content, methodology or delivery of instruction:

- To address the unique needs of the child that result from his/her disability; and
- To ensure access of the child to the general curriculum, so that the child can meet the educational standards within the district that apply to all children.

In Wyoming, children who are eligible for special education are entitled to a free appropriate public education (FAPE) in the least restrictive environment (LRE) from the age of three through the school year in which the student turns 21 years old. School districts ensure the provision of FAPE in the LRE for each eligible child through the development and implementation of an Individualized Education Program (IEP), which is updated at least annually.

Transition Planning Form

In Wyoming, school districts are required by IDEA to include transition planning in the Individual Education Plan (IEPs) of students with disabilities by the time they are 16 (some states require transition planning to begin earlier). Transition planning is a coordinated set of activities that are designed within a results-oriented process, focused on improving academic and functional achievement to facilitate the student's movement from school to post-school activities. The IEP team, including the student, work to develop a plan that is based on age-appropriate transition assessments and individualized to address each child's unique needs.

Transition services and activities incorporated into the plan might include:

- ***Career Interest Inventories*** – these paper and pencil assessments can help the student identify work interest and preferences. The results of these assessments can help to create specific employment goals.
- ***Job Shadowing*** – the student follows an employee during a typical day on the job.
- ***Mentoring*** – the student is matched to an adult mentor who serves as an advisor and offers guidance.
- ***Apprenticeship*** – an adult professional teaches the student a specific trade.
- ***Workplace visits and tours*** – the student observes different work settings.
- ***Career Fairs and Career Days*** – local community members' visit a school to share career experiences with an interested group of students.
- ***Mock job interviews*** – partner with your local Workforce Center to set up mock interviews for students so that they can gain experience.
- ***Job Clubs*** – if available through your local school, job clubs can be great for peer level mentoring and encouragement in employment efforts and on-the-job issues.
- ***After-school and summer job placements*** – arranged and supported by school staff.
- ***Internships*** – paid or unpaid work experience for students.

Resources

Division of Vocational Rehabilitation (DVR)

The Division of Vocational Rehabilitation is a federal-state program that works with people who have physical or mental disabilities to prepare for, gain or retain employment.

Eligibility Criteria:

1. Individual has a physical or mental impairment.
2. Impairment poses a substantial impediment to employment.
3. Individual requires services from DVR to prepare for, gain, or retain employment.

Services that VR provides:

- As part of their core services, DVR provides to all clients eligibility assessments, counseling and guidance, information and referral services, and job search and job placement services. Any additional services that a person with a disability may need are individualized to their specific disability and employment goal.

Call 1-866-804-3678 or visit VR's website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Workforce Investment Act Program (WIA) (For Adults)

The Wyoming Department of Workforce Services uses Workforce Investment Act funding to help adults, dislocated workers and youth find employment that leads to self-sufficiency through various services available at its local Workforce Centers.

Eligibility Criteria:

- For individuals who are 18 years of age or older.
- Individuals who are unemployed and are unable to obtain employment through core services and have been determined to be in need of more intensive services in order to obtain employment; or
- Are employed and have been determined to be in need of services in order to obtain or retain employment that allows for self-sufficiency.
- Meet certain income guidelines.

Services that WIA provides:

- Occupations skills training;
- On-the-job training;
- Programs that combine workplace training with related instruction;
- Training programs operated by the private sector;
- Skills upgrading and retraining;
- Entrepreneurial training;
- Job readiness training;
- Adult Basic Education activities in conjunction with these activities; and
- Customized training with a commitment to employ trainees.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Workforce Investment Act Program (WIA)
(For Youth)

The Wyoming Department of Workforce Services uses Workforce Investment Act funding to help adults, dislocated workers and youth find employment that leads to self-sufficiency through varies services available at its local Workforce Centers.

Eligibility Criteria:

- For individuals aged 14-21.
- Services provided to eligible youth seeking assistance in achieving academic and employment success.

Services that WIA provides:

- Tutoring, study skills training and instruction leading to completion of secondary school, including dropout prevention strategies;
- Alternative secondary school services;
- Summer employment opportunities that are directly linked to academic and occupational learning;
- Paid or unpaid work experiences, including internships and job shadowing;
- Occupational skill training;

- Leadership development opportunities, which may include community service and peer-centered activities encouraging responsibility and other positive social behaviors during non-school hours;
- Supportive services;
- Adult mentoring for the period of participation and a subsequent period, for a total of not less than 12 months;
- Follow-up services for not less than 12 months after the completion of participation; and
- Comprehensive guidance and counseling which may include drug and alcohol abuse counseling and referral.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Department of Workforce Services (DWS)
Career Exploration and Aptitude Testing

The Wyoming Department of Workforce Services understands the need for students, parents, schools, job-seekers and others to explore their career aptitude and development. With this need in mind, the Wyoming Department of Workforce Services provides the following tools to further facilitate such career exploration:

- Start exploring career options with CareerOneStop, whether you are in high school, have graduated, have a vocational certificate, have a 2-year or 4-year college degree or have knowledge and skills acquired through training centers, on-the-job training, or work experience.
- The Wyoming Department of Workforce Services' local Workforce Centers have publicly-accessible computers with resume writing software, various books and videos on resume writing and interviewing, college catalogs, typing, spelling tests, and other resource materials.
- Wyoming at Work Career Services (https://www.wyomingatwork.com) is available. With it, a person can complete, through Wyoming at Work, occupational skills assessments to assist in career development and job placement.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Wyoming Services for Independent Living is a registered non-profit human service agency established to enable persons with significant disabilities to live as independently as possible in the community of their choice.

Eligibility Criteria:

- Presence of a significant disability that interferes with living independently
- Not determined by income levels
- Person motivated to maintain and/or increase levels of independence.

Services that WSIL provides:

- Individual and systems advocacy;
- Information and referral;
- Peer counseling;
- Independent Living Skills Training;
- ADA technical advice;
- Adaptive equipment;
- Home modification;
- Loan closet;
- Nursing Home Transition and Diversion; and
- Transportation Voucher.

Call 1-800-266-3061 to find an office near you or to learn more about their services.

wilr wyoming independent living rehabilitation

Wyoming Independent Living Rehabilitation educates and empowers Wyoming citizens with disabilities by providing the necessary tools to live with independence and dignity. All services are provided on a "consumer-driven" basis. You decide what you need to live independently.

Eligibility Criteria:

- Each program has different criteria to be eligible. Please contact WILR for more information and to see if you qualify.

Programs that WILR offers:

- Independent Living Services
  - Services to help people regain or maintain independence in their lives.
- Visually Impaired Program
  - Services for older adults who are blind or severely visually impaired.
- Consumer Directed Care
  - To provide the option of obtaining personal attendant care services provided by an individual of the consumer's choice, who is not necessarily medically trained to provide such services.
- Project Out
  - To transition consumers from nursing homes back into communities.
- ADA Consultant
  - To provide information to individuals, organizations, businesses and municipalities regarding the ADA and accessibility issues.
- Transportation Check Program
  - To provide transportation to consumers with disabilities
- Wyoming Technology Access Program (WYTAP)
  - Offers persons with disabilities an opportunity to finance assistive technology devices and services through low – or no – interest loans.
- Making Homes Accessible
  - A conditional block grant program to help low to moderate income people with disabilities to make their homes accessible.

Call 1-800-735-8322 or 266-6956 (in Casper) to find an office near you or to learn more about their services.

Job Accommodation Network (JAN)

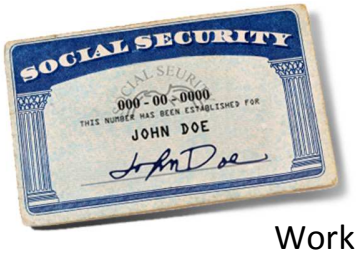
Identifying and arranging necessary accommodations and supports is a key part of assisting people with disabilities to find and keep employment – and is legally reinforced by the Americans with Disabilities Act. A job accommodation means that a job, workplace or way a job is done is modified to help the person with a disability do his/her job. There are several general types of job accommodations:

- Job restructuring, such as a change in work schedule or a decrease in the number of job duties
- Assistive devices – item, device or piece of equipment that is used to help the person with a disability perform a task.
- Training/teaching methods, such as an extended orientation period or audio version of a training manual
- Modification to the building, such as ramps, electronic door opener or flashing lights.

The Job Accommodation Network (JAN) is the leading source of free, expert, and confidential guidance on workplace accommodations and disability employment issues. Working toward practical solutions that benefit both employer and employee, JAN helps people with disabilities enhance their employability, and shows employers how to capitalize on the value and talent that people with disabilities add to the workplace.

JAN provides free, confidential technical assistance about job accommodations and the Americans with Disabilities Act (ADA). Call 1-800-526-7234 to get more information.

Appendix A: Social Security Work Incentive Information



Because many people with disabilities fear losing the SSA benefits and related health care due to being able to work and earn an income, they choose not to work. The SSA has made efforts to reduce this fear by creating and implementing programs known as SSA Work Incentives. Work incentives allow people who receive SSA benefits to work and earn an income while maintaining their benefits and their health insurance. There are specific conditions and requirements for each work incentive, and people must understand how the programs work, including the reporting requirements, in order to ensure proper implementation. Listed below are some of the work incentives offered by Social Security.

For complete information on all SSA's work incentives please visit their website at www.ssa.gov, call 1-800-772-1213 or contact your local Social Security Office.

Social Security Disability Insurance Program (SSDI)

The Social Security Disability Insurance Program (SSDI) provides a monthly benefit to individuals under full retirement age, who have enough quarters paid into the system, have worked five out of the last ten years, and meet the Social Security Administration's (SSA) definition of disability. These SSDI benefit payments will continue as long as the person is unable to engage in "substantial gainful activity" (SGA). A person who is earning more than a certain monthly amount in gross earnings is considered to be engaging in SGA. The SGA amount generally changes when the national average wage index changes. In 2015, the monthly SGA amount is $1090 for a non-blind individual and $1820 for a blind individual. There are work incentives that allow people to go to work after becoming eligible for SSDI. These work incentives allow a person to return to work, but have a safety net, allowing them to continue receiving their SSDI monthly benefit and Medicare coverage for a specific amount of time. Many people can work and keep their SSDI payments and Medicare if they are aware of the work incentives for SSDI.

Supplemental Security Income (SSI)

Supplemental Security Income (SSI) is based upon financial need. It provides monthly benefits to low income individuals who are disabled, blind, or over the age of 65 who are unable to engage in SGA and meet SSA's non-medical criteria for eligibility. The monthly benefit is based on the federal benefit rate (FBR) and generally changes annually based on cost of living increases. In 2015, the monthly FBR is $733.

SSI recipients are automatically eligible for Medicaid, a government health insurance program, and often are eligible for other federal programs such as SNAP, the food assistance program.

The definition of "disability" is the same for SSI and the SSDI programs. To qualify for SSI, a person must have a medically determinable physical or mental impairment that prevents them from engaging in substantial gainful activity. The impairment must have lasted for a continuous period of 12 months, be expected to last for a continuous period of 12 months, or be expected to result in death. In order to be eligible for SSI, the person with a qualifying disability must meet age requirements, residency, legal involvement, living arrangements, and resource and income requirements.

How Property and Assets are Treated Under SSI

Resource and income include, but are not limited to, real estate or real property other than the applicant's residence, vehicles (one car or truck is excluded), bank accounts, cash, stocks, bonds, or other investments. Cash value of life insurance policies, burial spaces, expense funds, certain trusts, and any money or property sold, transferred, or disposed of within 36 months prior to the application. To be eligible for SSI, total counted resources cannot exceed $2,000 per person or $3000 per couple. Income counted includes any earned or unearned income, rental income, child support, alimony, TANF, EITC's, self-employment wages, unemployment compensation, and any other income sources.

The following items DO NOT count as assets or resources for purposes of SSI eligibility:

- The applicant's home and the land it is on, provided that it is the primary residence.
- Household goods, personal property, and one car or truck, if it is necessary for daily activities.
- Life insurance with a face value less than $1500.
- Burial spaces and expense funds up to $1500.

As laws and policies change often, make certain that if there are additional options for keeping assets, such as special needs trusts, that these assets have been approved by the Social Security Administration.

How Income May Impact SSI Eligibility

Countable income can include both earned income and unearned income. This means that income which may impact the amount of the SSI payment includes money that is paid by an employer, Social Security payments, private pension payments, or some items of value that are received as gifts to pay for food, shelter, or utilities.

If a person is considered disabled under SSA rules and plans to work, his or her countable income can be reduced by special programs known as "work incentives." These programs allow a person receiving SSI and/or SSDI to work and continue to receive all or part of their disability payments as well as maintain eligibility for Medicare and/or Medicaid.

Employed Individuals with Disabilities (EID) Program
Medicaid Buy-in Coverage

The EID program provides work incentives for individuals with disabilities. Individuals with disabilities who work and have no health-care coverage, or who may lose their Medicaid coverage, should apply if they obtain employment, increase their work hours, or increase their rate of pay. People with disabilities who work will pay a monthly premium to receive Medicaid health-care coverage. The premium is (7.5%) of their monthly earned income and their yearly unearned income that is in excess of $600.

You may be eligible if you:

- Are employed
- Have a disability based on Social Security Administration guidelines
- Are a U.S. citizen or lawful permanent resident who has lived in the U.S. for at least five years
- A Wyoming resident
- Are 16 through 64 years of age
- Meet income guidelines (earned income is exempt)

Know your options. The Medicaid Buy In (EID program) allows you to work and have Medicaid health-care coverage for only 7.5% of your monthly earned income.

Benefits of the EID program:

- You will have Medicaid health-care coverage.
- You can work in the community.
- You can earn and save more money without the risk of losing health-care coverage.

Call the Wyoming Department of Health, Customer Service Center at 1-855-294-2127 to find out about the application process.

Impairment Related Work Expense (IRWE)

This work incentive applies to both SSI and SSDI at different times. An IRWE is an out of pocket cost that a person must pay that 1) is related to their disability and 2) is needed in order for them to work. The out of pocket costs reduce the income that SSA counts. Receipts must be sent into SSA monthly.

Examples of IRWE:

- Cost of taxis or drivers needed to travel to work because your disability prevents use of public transportation.
- Modified vehicles needed because of disability, e.g., special steering/braking equipment.
- Ramps, railings, or other modifications to the outside of your home that allow you to leave and go to work.
- Routine medication costs that help keep your disability related symptoms under control.

Subsidies and Special Conditions

A subsidy only applies to SSDI and is defined as the value of extra support a person receives on the job. The subsidy is provided by the employer and the worker must earn the same pay as other workers doing the same job. Examples include a job coach, mentor, extra supervision, or a reduced workload. The value of the subsidy is determined by the employer. Special conditions apply when the individual is not fully earning his or her wages because the work is performed under special conditions such as on-the-job coaching or substitution in which the job coach performs part or all of the individual's job duties. SSA will deduct the wages that are not considered "earned" by the individual.

Examples of subsidies:

- You receive more supervision than other workers doing the same or a similar job for the same pay.
- You have fewer or simpler tasks to complete than other workers who are doing the same job for the same pay.
- Job coach assistance.

Examples of special conditions:

- You receive close and continuous supervision.
- You receive on the job coaching and the job coach performs part or all of your tasks.

Unincurred Business Expense

"Unincurred business expenses" refers to self-employment business support that someone provides to you at no cost. In deciding whether you are working at the SGA level, SSA deducts unincurred business expenses from your net earnings from self-employment. Examples of unincurred business expenses are (1) a Vocational Rehabilitation agency gives you a computer that is used in a graphic arts business; and (2) a friend works for your business as unpaid help.

For an item or service to qualify as an unincurred business expense:

- It must be an item or service that the IRS would allow as a legitimate business expense if you had paid for it; and
- Given to you free of charge.

Unsuccessful Work Attempt

An unsuccessful work attempt is an effort by a disabled individual to do substantial work that either stopped or produced earnings below the SGA level after a short amount of time, no more than 6 months because of:

- The individual's disabling condition; or
- Elimination of the special conditions or assistance that the individual needed in order to work.

Trial Work Period

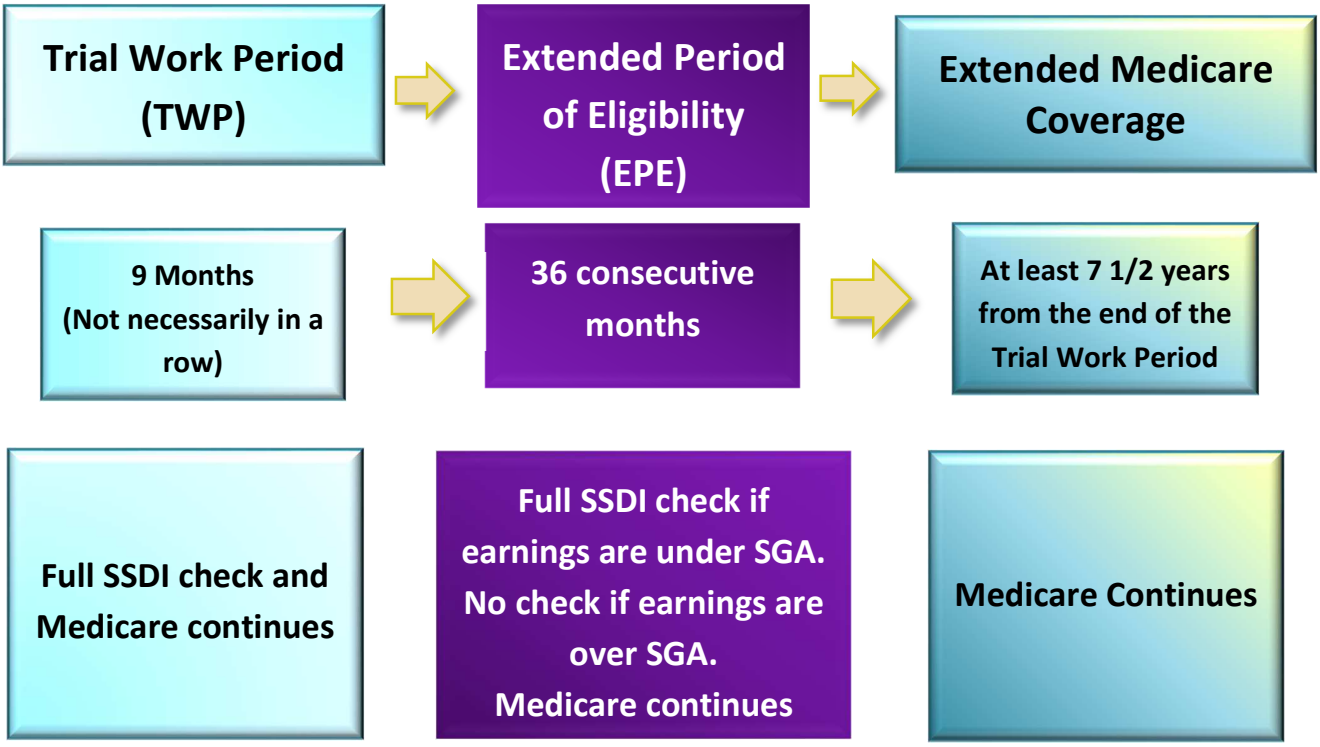
Applies to SSDI only – the Trial Work Period (TWP) allows you to test your ability to work by providing a period of nine (9) months of gross earnings during which your SSDI check is not affected. A month does not count towards your trial work period unless your gross earnings meet or exceed an amount set each year by SSA. In 2015, the TWP amount is $780. During your TWP, you will receive your full disability benefit regardless of how much you earn. You must report your work activity to SSA and continue to have a disabling impairment. The nine (9) months does not need to be consecutive, they are counted within a five-year period. Certain other rules apply. Medicare coverage will continue for ninety-three (93) months after the last month of the TWP.

If you are on SSDI, don't be afraid to work. You get a 9 month trial work period to test the waters of employment.

Extended Period of Eligibility

Applies to SSDI only – the Extended Period of Eligibility (EPE) begins after you have completed your trial work period and have gross earnings at or above the SGA level. The EPE lasts for thirty-six (36) months and allows an individual to receive their SSDI check in any month that their earnings fall below SGA. If work is discontinued during the EPE, the individual simply needs to contact SSA to reinstate benefits. You must continue to have a disabling impairment.

36 month extended period of eligibility AFTER your 9 trial work period months.



Earned Income Exclusion

Applies to SSI only – all SSI recipients receive a $20 general income exclusion. If SSI is the person's only income prior to working, he or she also gets an earned income exclusion of $65. After deducting the $85 in exclusions from your earned income, SSA then only considers half of your remaining earnings.

When you are on SSI, the Social Security Administration only counts $1 for every $2 you earn while working.

Example:

- John is receiving $733 in SSI each month.
- He returns to work and earns $500 in gross monthly earnings.
- Because John was only receiving SSI prior to working, he receives both income exclusions:

  $500 (*Earnings*) minus $85 (*Exclusions*) = $415
- SSA only counts half of the remaining earnings:

  $415 (*Considered earnings after exclusions*) divided by 2 = $207.50
- SSA will only count $207.50 of John's total earnings.
- His SSI check will then be reduced by $207.50.
- His new SSI amount will be **$525.50** (*$733-$207.50=$525.50*).
- **Johns total monthly income is now $500 (*earnings*) plus $525.50 (*SSI benefit*) = $1025.50.**
- John continues to receive Medicaid because his SSI benefit is at least $1.

Plan to Achieve Self-Support (PASS)

Applies to SSI only – a plan to achieve self-support allows you to set aside income or assets of a set amount of money for an established period of time towards a specific employment or vocational goal. Funds can be used for education, equipment, or starting a business, etc. Goals must generally be obtainable within three years, but some exceptions are possible. Funds must be used for a designated purpose or a person could be in overpayment and have to pay back to SSA. A PASS plan can help a person achieve their work or vocational goal. Your goal should be a job that allows you to earn enough to reduce or eliminate your need for benefits provided under the Social Security and Supplemental Security Income programs. SSA does not count the money or resources you set aside under an approved PASS plan when they decide your initial or continuing eligibility for SSI. Having a PASS may help you qualify for SSI or may increase the amount of your SSI payment.

Property Essential to Self-Support (PESS)

Applies to SSI only – SSA does not count some resources that are essential to your means of self-support when they decide if you are eligible for SSI. For example, they do not count property such as tools or equipment that you use for work. If you have a trade or business, they do not count property such as inventory. A person must be using the property that SSA is excluding under PESS, or be expected to start using it in a reasonable amount of time, typically within 12 months.

Federal Rule 1619(b)

Applies to SSI only – Section 1619(b) allows a person who is receiving SSI and working to continue to receive Medicaid at no cost, even when their earnings reduce their SSI benefit to $0. There are earnings threshold requirements. In 2014, for Wyoming, the threshold amount is $36,447. A person who meets the requirements of 1619(b) will receive full medical coverage under Medicaid.

To qualify:

- A person must have been eligible for an SSI cash payment for at least one month prior to accessing 1619(b).
- SSI benefit must have been reduced because of earnings.
- Must continue to meet SSA disability requirements.
- Continue to meet resource requirements for SSI.
- Need the medical assistance to work.
- Have gross earned income that is insufficient to replace the cost of medical assistance needed.

For assistance planning for employment, use our "Employment Pathway Planning Packet"

http://health.wyo.gov/DDD/cmforms.html

Start Your Employment Planning Now

If you are not employed now, but would like to pursue ***employment in the next year*** or ***employment in the next two (2) years***, ask yourself the following questions to begin your planning:

1. Have you ever volunteered in the community?
2. Do you want to learn a new skill?
3. When you are out in the community, are there jobs that you see people doing that you would like to know more about?
4. Do you want to learn about different types of jobs available?
5. If you could have any job, what would it be?
6. What interests you about your dream job?
7. Are there jobs that you don't want to do?
8. How much money will you need to make to meet your living expenses?
9. How much money will you need to buy things you want?
10. What is your greatest fear when you think about working?
11. Is there anything that worries you about getting a job?
12. What motivates you?
13. Will you need prevocational or employment discovery and customization services?
14. What supports will you need to begin competitive employment?
15. Who will help you set up the supports you need to gain and maintain competitive, integrated, and meaningful employment?
16. What is your employment goal date?

SSDI Trial Work Period (TWP) Tracking Chart

You are allowed nine (9) TWP months in a rolling sixty (60) month period

2015 Amount TWP= $780 SGA=$1090

Month	Gross Earned Income	Trial Work Month Yes or No	SSDI Cash Benefit	Total Income
Example: January	$800	Yes= TWP Month 1	$1000	$1800

Notes

Employment First

Pathway to Employment
Pathway to Integration
Pathway out of Poverty

"Working together to build a more prosperous Wyoming."

Wyoming Department of Health

Commit to your health.

BEHAVIORAL HEALTH DIVISION

Employment First Planning Guide

For adults ages 16+ with Intellectual Disabilities, their families, and the Circle of support.

Behavioral Health Division
Developmental Disabilities Section
6101 Yellowstone Road, Suite 220
Cheyenne, WY 82002
www.health.wyo.gov/ddd
800-510-0280 | 307-777-6494

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Introduction

The influence that parents, family, friends, teachers, and providers have on people with disabilities can be both influential and powerful. When it comes to setting expectations about work, those involved in the lives of people with disabilities need to convey the expectation that people with disabilities can work, can contribute, and can find great satisfaction in being part of the world of work.

People WORK for many reasons. For some, it provides a sense of self or meaning in one's life; for others, it is the social context of meeting and associating with others in a common effort or goal; and for still others, it is the means by which to gain status, either personal or economic, which allows for choice and discretion in determining one's "quality of life."

What Makes Life Good?

When asked, ***"What makes life good?"*** almost all people identify the same core components. While different people will use different words to describe a component or more highly value one component over another, the list of components is consistently the same:

- Freedom of choice and ease of access to the community;
- Positive, interdependent relationships with family and friends;
- A safe, comfortable home in a safe neighborhood;
- Being respected, included in and a member of your culture and community;
- Good health and access to good health care;
- Enjoying one's personal choice of hobbies, recreation, and leisure activities; and
- Satisfying employment and the economic benefits of contributing through work.

Although employment outcomes for individuals with disabilities still lag behind those compared to individuals without disabilities, it is clear that enormous barriers to employment are being overcome. It is far more common now to see people with disabilities in a wide range of jobs throughout the community than it was even a decade ago.

Supported employment is an alternative to traditional sheltered and competitive employment approaches. It is an attempt to meet the specific needs of individuals with disabilities and is based on fundamentally different principles and assumptions. The supported work model assumes that all individuals, regardless of the nature or extent of their disabilities, should have the opportunity and support to work in the community. There are no pre-requisite skills needed for community job success. Therefore, the task is not to identify and place "work ready" individuals, but rather to locate and/or modify meaningful jobs in the community and provide training and supports at the job site.

Supported employment will often take the form of "customized" employment. Customized employment is a flexible process designed to personalize the employment relationship between a job candidate and an employer in a way that meets the needs of both. It is based on an individualized match between the strengths, conditions, and interests of job candidate and the identified business needs of an employer. Customized employment utilizes an individualized approach to employment planning and job development – one person at a time, and one employer at a time.

This Employment Planning Guide is designed to help parents, participants, and providers start the process of finding competitive work for people with disabilities; learn about the resources, services, and the programs available to help people with disabilities in Wyoming pursue their own unique path to work, a career, and participate in community life.

"Given the choice between work and idleness, people will almost always choose work. Regardless of our station in life, the condition of our bodies and minds, or the amount of money in our bank accounts, the need to work remains one of our strongest drives. Work is central to our lives, and as such, gives a large measure of structure to our days. Common sense tells us that we feel better about ourselves when we are working regularly."

~Robert Drake, M.D.,

Meet Jane

Let's look at an example of what the new employment pathway might do for a participant.

We want to introduce a fictional waiver participant, Jane, who is a based upon people we know in Wyoming receiving services. We want to describe how the new employment pathway can realistically work for someone and change his or her life.

Jane has been going to day services and working in an enclave at the recycling center, and she receives group supported employment. Jane's team of family and providers encouraged her to start looking for other employment opportunities with the new employment services on the waiver.

At her team meeting, Jane and her team discuss what type of work she would like and want to do if she did not work at the recycling center. They ask her where in town she would like to work. They find out she likes flowers and gardening centers in stores, so they make a plan to set up mentor sites at flower shops and garden centers in department stores using the Employment Discovery and Customization service.

As Jane continues to work at the recycling center, her direct care staff start working with her on non-job-specific, work-related tasks that she might need for competitive employment at a flower shop through Prevocational Services. They also work with her on learning specific tasks in Group Supported Employment that would assist her in working with customers from the public.

Jane's staff helps her meet with the local Department of Vocational Rehabilitation office (DVR) and make an employment plan. After DVR opens a case and pays for job development, a job coach helps Jane fill out employment applications and assists her with interviewing for jobs.

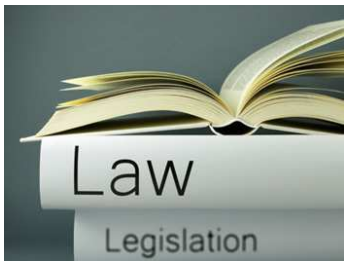
Finally, Jane finds a job working in a flower shop four days a week. DVR pays for supported employment for the time that she needs to obtain and maintain her job. Once she is successful and no longer needs a full-time job coach, DVR puts her case into "Status 22 – Employed." If during this time she needs a job coach,

the waiver will then pay for this service. ***(Please note: DVR cannot close a case successfully when services are still being offered. DVR must go three months or 90 days without paying for any services before they are able to close out a case successfully.)*** Participants, providers, and parents, must be aware of this DVR requirement.

Due to difficulty in learning all of her job tasks, Jane uses Individual Supported Employment through the waiver, which provides her with a job coach for a longer period of time. A job coach can assist her until she can perform the job fairly independently and begins receiving the help she needs from her co-workers, instead of the job coach. After a few months, Jane switches to Transportation Services to get to and from work and Jane's provider switches to Supported Employment Follow Along to check in on Jane's progress each month. Jane continues to learn and grow in her position. Occasionally the provider will provide job coaching to assist Jane and address any concerns that she or her employer has.

Jane now works four days a week and makes triple the money every month than she did at the recycling center. She has three new friends, who are also her co-workers! She also likes having extra money, which allows her to spend more time bowling and hanging out with her boyfriend.

2014 Employment First Legislation



An Act relating to persons with disabilities, which established employment first as a state policy to support competitive employment in an integrated setting, was enacted by the Wyoming Legislature in 2014. This Act requires agencies to support competitive and integrated employment; requires state agencies working with home and community based waiver service providers to implement employment first policies; requires state agencies to report on employment data; provides definitions; and provides for an effective date.

House Enrolled Act 53:

9-2-1002. Definitions; powers generally; duties of governor; provisions construed; cooperation with legislature and judiciary; divisions enumerated.

(xiii) **"Competitive employment"** means work in the competitive labor market that is performed on a fulltime or part-time basis in an integrated setting, and for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled;

(xiv) **"Employment first"** means a concept to facilitate the full inclusion of individuals with disabilities in the workplace and community. Under the employment first approach, community based, integrated employment is the first option for employment services for children and adults with disabilities. Employment first includes competitive employment in an integrated setting;

(xv) **"Integrated setting"** means with respect to an employment outcome, a setting typically found in the community in which applicants or eligible individuals interact with individuals who do not have disabilities, other than nondisabled individuals who are providing services to those applicants or eligible individuals, to the same extent that individuals who do not have disabilities interact with other persons in comparable positions.

9-2-1022. Duties of department performed through human resources division.

(n) In carrying out the duties of the division under this section, employment first shall be the policy of the state that competitive and integrated employment shall be considered its first option when serving persons with disabilities who are of working age to obtain employment. Employment first applies to programs and services that provide services and support to help obtain employment for persons with disabilities. All state agencies shall follow this policy and ensure that it is effectively implemented in their hiring and in all programs and services administered or funded by the agencies. Nothing in this section shall be construed to require any employer to give preference to hiring people with a disability. All state agencies shall coordinate efforts and shall collaborate within and among the agencies to ensure that state programs, policies, procedures and funding support competitive and integrated employment of individuals with disabilities. All state agencies shall, whenever feasible, share data and information across systems in order to track progress toward full implementation of this subsection.

Nothing in this section shall be construed as eliminating any supported employment services as an option when appropriate.

42-4-120. Contracts for waiver services; authority of department; emergency case services; cost based payments; training and certification of specialists.

(m) The department shall ensure that state agencies working with service providers receiving funds pursuant to this section shall have established employment first policies, including competitive employment in an integrated setting, consistent with the requirements of W.S. 9-2-1022.

Employment Talking Points

Employment means a job in the community that the person wants and can perform, with or without accommodation and support.

- When we talk about employment today, we mean having a job or vocation in the community that pays at least minimum wage.

Employment is an essential part of self-determination for many people.

- Employment is a way for people to achieve their personal dream of success, respect, and control.
- Having community employment can be an important part of one's self-identity and value in society today.

People with disabilities are successful workers.

- Thanks to new technology, new laws, and better teaching methods, jobs that were out of reach in the past for people with disabilities are accessible today.
- Job coaches are available to assist people who need assistance in locating, preparing for and successfully managing the job of their choice.
- Success is also supported by government programs, which provide real incentives for people with disabilities to work, keep more earned income for their personal use, and retain their needed benefits.

Some questions to get the employment process started.

- Does the participant need help figuring out the types of jobs and careers he/she would like and be good at doing?
- Will his/her support needs change over time? Are there times when more help will be needed?
- What is most important to the participant? Pay and benefits, fun people to work with, or safety and security?
- Will help be needed to manage benefits, such as Social Security and Medicaid?
- Will job coaching services be needed on the job and if so, how often and for how long?
- Will help be needed to identify activities for when he/she is not working?

Best Practices

Experience has shown that when certain principles are followed while supporting people with disabilities in their employment efforts, the most meaningful and successful outcomes are achieved. These principles are sometimes referred to as "best practices" in community employment services and they include:

- Focusing on individual jobs in the community, paid directly by the employer;
- Using a ***"person-centered planning"*** approach, where job placement is based on the individual's interests, needs and preferences, and the individual is supported to take control of his/her job planning process;
- Emphasizing ***"job matching"*** – searching for employment that closely matches what the job seeker wants, is good at doing, and where he or she will fit in and be comfortable;
- ***Thinking broadly*** about where the individual can work by not being limited to the ideas of traditional workplaces such as supermarkets and fast food chains;
- Taking advantage of personal networks – tapping into family and staff contacts to gather information, resources, and potential job leads;
- Using ***"natural supports"*** including family, friends, co-workers, and mentors to meet the needs of the individual on the job; and
- ***Fading out paid staff supports*** as the individual becomes more settled, comfortable, and independent in the workplace.

Person-Centered Planning is Best Practice

How Employment Affects My Benefits

While earned income can affect a person's eligibility for Social Security, food stamps, public housing and medical assistance benefits, State and Federal programs make it feasible for people to retain much more of their earnings than they could in the past without losing needed health care benefits and services. When taking advantage of State and Federal work incentives, people must report their earnings and assets or savings.

It is important to track your earnings each month and be familiar with the effects that it may have on other benefits you may be receiving.

Earned income WILL affect how much you receive in food stamps and public housing, BUT the amount you earn by becoming competitively employed far outweighs the reduction in food stamps and public housing assistance. You will be moving in the right direction to self-sufficiency!

Department of Health, Community Waiver Programs

The Comprehensive and Supports waivers offer five new employment services with better supports to help you gain and keep employment that match your strengths, needs, and interests. The two new waivers offer an employment pathway service overview with various employment support services to support and assist a participant who, because of their disability, needs intensive support to find and maintain a job in competitive, integrated work settings.

A range of supported employment services are available with varying levels of support and intensity to assist the participant in attaining and maintaining the highest level of paid, community integrated employment. Consistent with the *Olmstead Decision* and with person-centered planning, a participant's plan of care regarding employment services shall be constructed in a manner that reflects individual choice and goals related to employment and ensures provision of services in the most integrated setting appropriate.

Prevocational Services

Prevocational services are services designed to create a path to integrated community based employment for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals without disabilities.

Prevocational services should enable each individual to attain the highest level of work in the most integrated setting with a job matched to the individual's interests, strengths, priorities, abilities, and capabilities, while following applicable federal wage guidelines. These services provide learning and work experiences, including volunteer work where the individual can develop general, non-job-task-specific strengths and skills that contribute to employability through paid employment in an integrated community setting.

Prevocational services are time-limited, not to exceed 12 consecutive months and cannot be repeated during the subsequent plan year.

Employment Discovery and Customization

Employment Discovery and Customization is the individualized determination of the strengths, needs, and interests of the participant and is designed to meet the specific needs of the employee and employer relationship.

Employment discovery and customization includes employment developed through job carving, self-employment or entrepreneurial initiative, or other job development or restructuring strategies that result in job responsibilities being customized and individually negotiated to fit the needs of participants. Employment discovery and customization presumes the provision of reasonable accommodations and supports necessary to perform functions of a job that is individually negotiated and developed.

Supported Employment

- ***Small Group Supported Employment***

Small Group Supported Employment services consist of intensive, on-going supports that enable a participant, for whom competitive employment is at or above the minimum wage is unlikely absent the provision of supports; and who, because of his/her disability, need supports to perform in a regular work setting, including mobile work crews or enclaves. These services are conducted in a variety of settings, particularly work-sites where persons without disabilities are employed.

Services include activities needed to sustain paid work, which includes supervision and training. When supported employment services are provided at a work-site where persons without disabilities are employed, payment is only made for the adaptations, supervision, and training that is required by a participant receiving waiver services as a result of their disability. It does not include payment for supervisory activities rendered as a normal part of the business setting.

- ***Individual Supported Employment***

Individual Supported Employment services are the 1:1 supports available to a participant who, because of their disability, needs intensive or on-going support to obtain and maintain an individual job in competitive or customized employment, or self-employment, in an integrated work setting, in the general workforce for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by an individual without a disability.

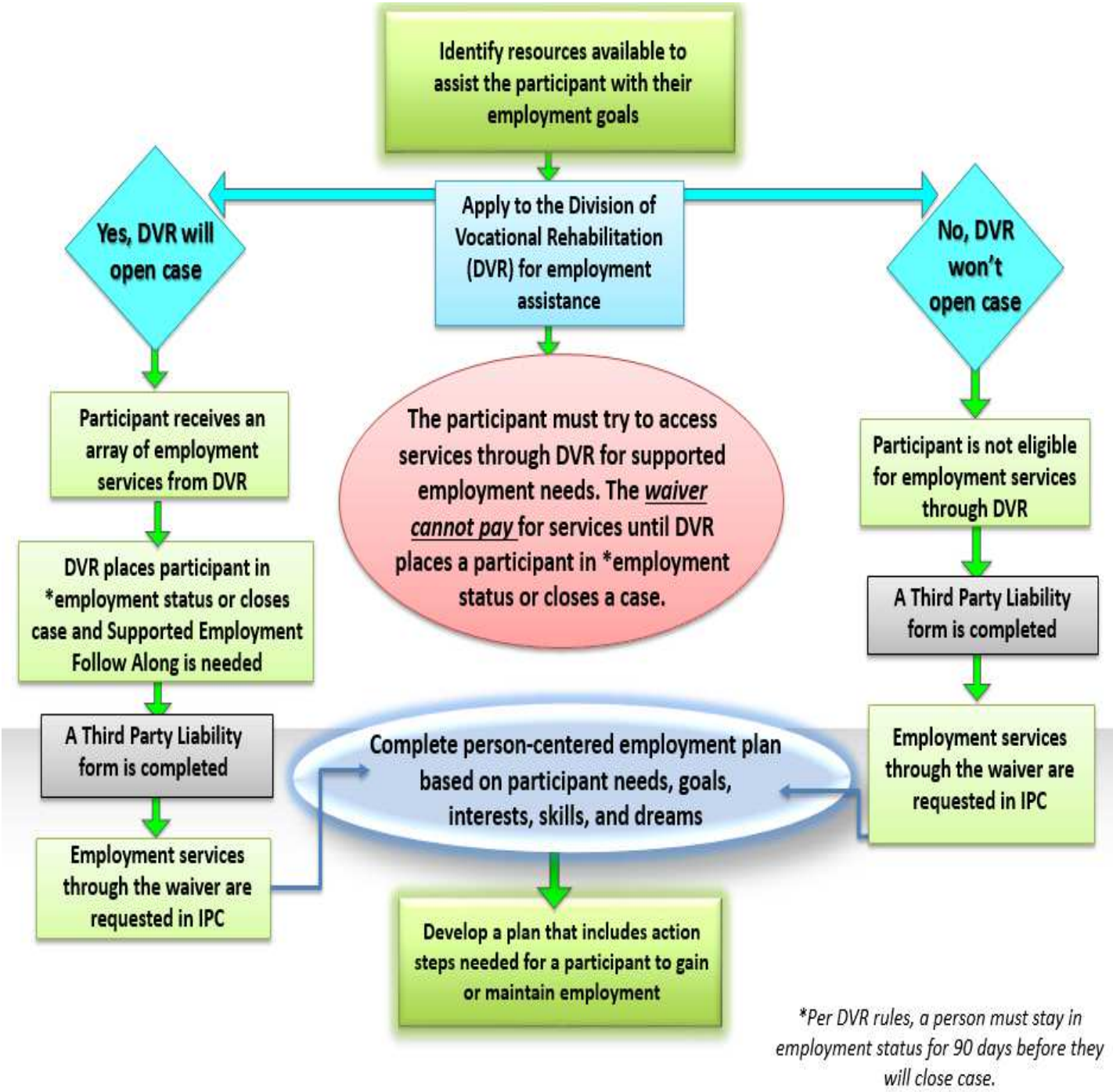
Services are conducted in a variety of settings, particularly work-sites where persons without disabilities are employed. Services include activities needed to sustain paid work by a participant, including supervision and training. When supported employment services are provided at a work-site where persons without disabilities are employed, payment is made only for the adaptations, supervision, and training required by participants receiving waiver services as a result of their disabilities, but does not include payment for the supervisory activities rendered as a normal part of the business setting.

- ***Supported Employment Follow Along***

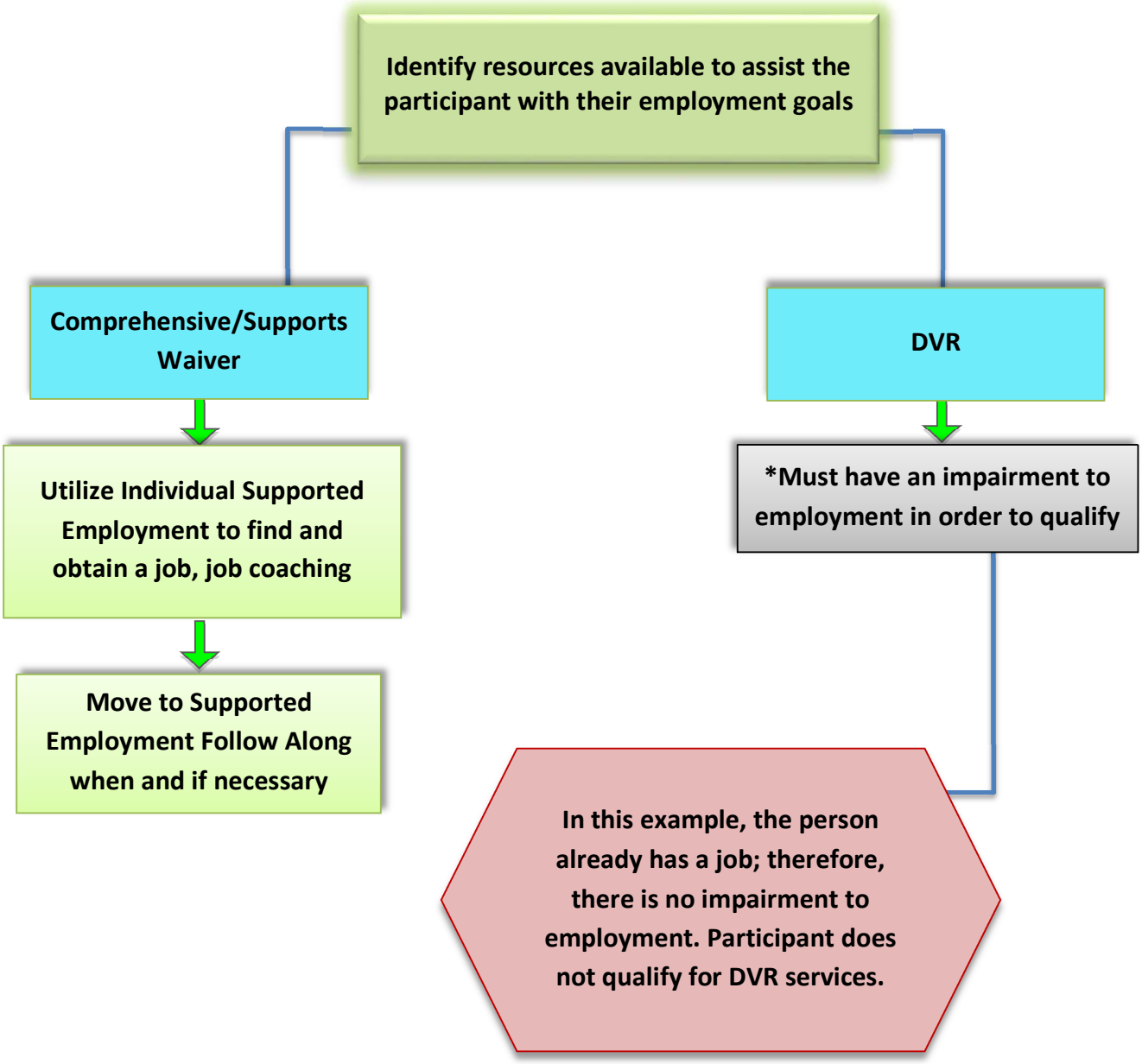
Supported Employment Follow Along are services and supports that enable a participant who is paid at or above the federal minimum wage to maintain employment in an integrated community setting. Service is provided for or on behalf of the participant through intermittent and occasional job support, communicating with the participant's supervisor or manager, whether in the presence of the participant or not.

DVR and Waiver Assistance on Your Employment Pathway

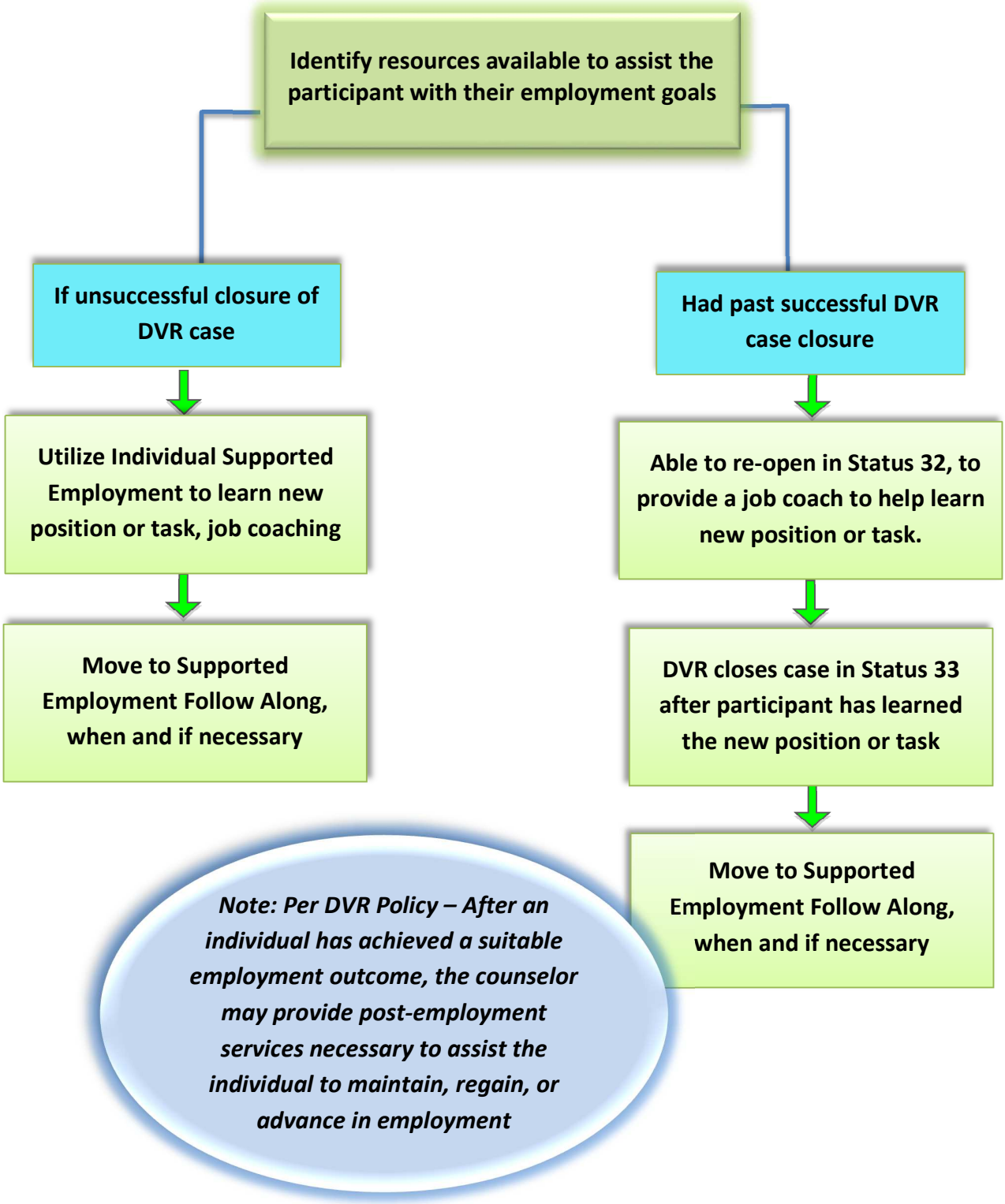
1. No community integrated job before



2. Currently have a job and looking to change jobs



3. Currently have a job and learning a new position or task



4. Currently have a part-time job and looking to obtain a 2nd part-time job

Volunteering

Volunteerism is an avenue that allows individuals to assist with improving their communities, gain marketable skills that could eventually lead to paid employment, test out interests and possible career paths, and develop personal and professional meaningful social connections. It also allows the individual to experience the pleasure and satisfaction of the activity itself and make a difference in the lives of others. Given the social isolation of many people with developmental disabilities, volunteering is important and one of the most useful ways for really getting to know other community members. Volunteering provides many opportunities to learn and practice skills that can be useful in paid employment.

There is value in volunteering and community service. An opportunity to learn, acquire work experience, and a sense of belonging.

Family and Friends

Family and friends of the participant are an important resource that is often overlooked. In many situations, employment opportunities can be found through the participant's family or friends, their school, or their business contacts. Support in finding and keeping a job can be provided informally, by a participant's friends or co-workers, without relying on a funded service. Even when employment services are provided by a community program, relatives and friends play a key role in contributing to the participant's job success by helping in areas of reporting income, preparation for work, transportation, etc.

Transportation

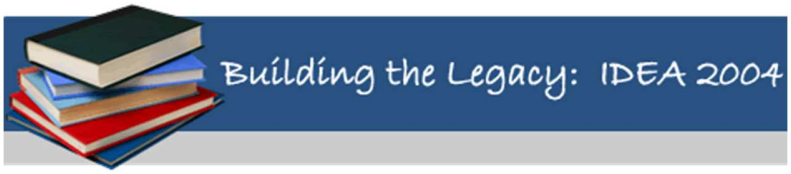
Planning for transportation is an essential part of the job planning process. Job seekers, families, and providers need to work together from the beginning to identify transportation options.

Here is a list of transportation issues to consider:

- Are any public transportation routes accessible?
  - If so, are they available on the days and hours the individual will be travelling to and from work?
- Are transportation services available from the provider and waiver service?
- Is carpooling or shared-ride transportation an option?
- What will the costs be, whether by private or public transportation?
- Are there health, behavior or risk issues that should be considered when selecting the means of transportation?
- Will the individual be able to use public transportation or other shared transit with proper training and support?

When planning transportation, "thinking outside the box" can result in a creative solution. For example, maybe your town's senior bus program can be helpful. Or perhaps your town's taxi company might negotiate a special discounted rate. Consider approaching relatives, co-workers and neighbors about carpooling options.

A plan for transportation is essential when planning for employment.



Employment Transition Planning for School Aged Individuals

Individuals with Disabilities Improvement Education Act

According to the Individuals with Disabilities Education Act (IDEA), special education means specially designed instruction, provided at no cost to the parent, to meet the unique needs of a child with a disability. This specially designed instruction involves adapting, as appropriate to the needs of an eligible student, the content, methodology or delivery of instruction:

- To address the unique needs of the child that result from his/her disability; and
- To ensure access of the child to the general curriculum, so that the child can meet the educational standards within the district that apply to all children.

In Wyoming, children who are eligible for special education are entitled to a free appropriate public education (FAPE) in the least restrictive environment (LRE) from the age of three through the school year in which the student turns 21 years old. School districts ensure the provision of FAPE in the LRE for each eligible child through the development and implementation of an Individualized Education Program (IEP), which is updated at least annually.

Transition Planning Form

In Wyoming, school districts are required by IDEA to include transition planning in the Individual Education Plan (IEPs) of students with disabilities by the time they are 16 (some states require transition planning to begin earlier). Transition planning is a coordinated set of activities that are designed within a results-oriented process, focused on improving academic and functional achievement to facilitate the student's movement from school to post-school activities. The IEP team, including the student, work to develop a plan that is based on age-appropriate transition assessments and individualized to address each child's unique needs.

Transition services and activities incorporated into the plan might include:

- ***Career Interest Inventories*** – these paper and pencil assessments can help the student identify work interest and preferences. The results of these assessments can help to create specific employment goals.
- ***Job Shadowing*** – the student follows an employee during a typical day on the job.
- ***Mentoring*** – the student is matched to an adult mentor who serves as an advisor and offers guidance.
- ***Apprenticeship*** – an adult professional teaches the student a specific trade.
- ***Workplace visits and tours*** – the student observes different work settings.
- ***Career Fairs and Career Days*** – local community members' visit a school to share career experiences with an interested group of students.
- ***Mock job interviews*** – partner with your local Workforce Center to set up mock interviews for students so that they can gain experience.
- ***Job Clubs*** – if available through your local school, job clubs can be great for peer level mentoring and encouragement in employment efforts and on-the-job issues.
- ***After-school and summer job placements*** – arranged and supported by school staff.
- ***Internships*** – paid or unpaid work experience for students.

Resources

Division of Vocational Rehabilitation (DVR)

The Division of Vocational Rehabilitation is a federal-state program that works with people who have physical or mental disabilities to prepare for, gain or retain employment.

Eligibility Criteria:

1. Individual has a physical or mental impairment.
2. Impairment poses a substantial impediment to employment.
3. Individual requires services from DVR to prepare for, gain, or retain employment.

Services that VR provides:

- As part of their core services, DVR provides to all clients eligibility assessments, counseling and guidance, information and referral services, and job search and job placement services. Any additional services that a person with a disability may need are individualized to their specific disability and employment goal.

Call 1-866-804-3678 or visit VR's website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Workforce Investment Act Program (WIA) (For Adults)

The Wyoming Department of Workforce Services uses Workforce Investment Act funding to help adults, dislocated workers and youth find employment that leads to self-sufficiency through various services available at its local Workforce Centers.

Eligibility Criteria:

- For individuals who are 18 years of age or older.
- Individuals who are unemployed and are unable to obtain employment through core services and have been determined to be in need of more intensive services in order to obtain employment; or
- Are employed and have been determined to be in need of services in order to obtain or retain employment that allows for self-sufficiency.
- Meet certain income guidelines.

Services that WIA provides:

- Occupations skills training;
- On-the-job training;
- Programs that combine workplace training with related instruction;
- Training programs operated by the private sector;
- Skills upgrading and retraining;
- Entrepreneurial training;
- Job readiness training;
- Adult Basic Education activities in conjunction with these activities; and
- Customized training with a commitment to employ trainees.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Workforce Investment Act Program (WIA)
(For Youth)

The Wyoming Department of Workforce Services uses Workforce Investment Act funding to help adults, dislocated workers and youth find employment that leads to self-sufficiency through varies services available at its local Workforce Centers.

Eligibility Criteria:

- For individuals aged 14-21.
- Services provided to eligible youth seeking assistance in achieving academic and employment success.

Services that WIA provides:

- Tutoring, study skills training and instruction leading to completion of secondary school, including dropout prevention strategies;
- Alternative secondary school services;
- Summer employment opportunities that are directly linked to academic and occupational learning;
- Paid or unpaid work experiences, including internships and job shadowing;
- Occupational skill training;

- Leadership development opportunities, which may include community service and peer-centered activities encouraging responsibility and other positive social behaviors during non-school hours;
- Supportive services;
- Adult mentoring for the period of participation and a subsequent period, for a total of not less than 12 months;
- Follow-up services for not less than 12 months after the completion of participation; and
- Comprehensive guidance and counseling which may include drug and alcohol abuse counseling and referral.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Department of Workforce Services (DWS)
Career Exploration and Aptitude Testing

The Wyoming Department of Workforce Services understands the need for students, parents, schools, job-seekers and others to explore their career aptitude and development. With this need in mind, the Wyoming Department of Workforce Services provides the following tools to further facilitate such career exploration:

- Start exploring career options with CareerOneStop, whether you are in high school, have graduated, have a vocational certificate, have a 2-year or 4-year college degree or have knowledge and skills acquired through training centers, on-the-job training, or work experience.
- The Wyoming Department of Workforce Services' local Workforce Centers have publicly-accessible computers with resume writing software, various books and videos on resume writing and interviewing, college catalogs, typing, spelling tests, and other resource materials.
- Wyoming at Work Career Services (https://www.wyomingatwork.com) is available. With it, a person can complete, through Wyoming at Work, occupational skills assessments to assist in career development and job placement.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Wyoming Services for Independent Living is a registered non-profit human service agency established to enable persons with significant disabilities to live as independently as possible in the community of their choice.

Eligibility Criteria:

- Presence of a significant disability that interferes with living independently
- Not determined by income levels
- Person motivated to maintain and/or increase levels of independence.

Services that WSIL provides:

- Individual and systems advocacy;
- Information and referral;
- Peer counseling;
- Independent Living Skills Training;
- ADA technical advice;
- Adaptive equipment;
- Home modification;
- Loan closet;
- Nursing Home Transition and Diversion; and
- Transportation Voucher.

Call 1-800-266-3061 to find an office near you or to learn more about their services.

wilr wyoming independent living rehabilitation

Wyoming Independent Living Rehabilitation educates and empowers Wyoming citizens with disabilities by providing the necessary tools to live with independence and dignity. All services are provided on a "consumer-driven" basis. You decide what you need to live independently.

Eligibility Criteria:

- Each program has different criteria to be eligible. Please contact WILR for more information and to see if you qualify.

Programs that WILR offers:

- Independent Living Services
  - Services to help people regain or maintain independence in their lives.
- Visually Impaired Program
  - Services for older adults who are blind or severely visually impaired.
- Consumer Directed Care
  - To provide the option of obtaining personal attendant care services provided by an individual of the consumer's choice, who is not necessarily medically trained to provide such services.
- Project Out
  - To transition consumers from nursing homes back into communities.
- ADA Consultant
  - To provide information to individuals, organizations, businesses and municipalities regarding the ADA and accessibility issues.
- Transportation Check Program
  - To provide transportation to consumers with disabilities
- Wyoming Technology Access Program (WYTAP)
  - Offers persons with disabilities an opportunity to finance assistive technology devices and services through low – or no – interest loans.
- Making Homes Accessible
  - A conditional block grant program to help low to moderate income people with disabilities to make their homes accessible.

Call 1-800-735-8322 or 266-6956 (in Casper) to find an office near you or to learn more about their services.

Job Accommodation Network (JAN)

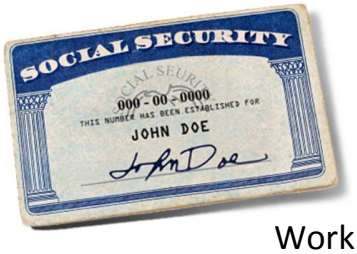
Identifying and arranging necessary accommodations and supports is a key part of assisting people with disabilities to find and keep employment – and is legally reinforced by the Americans with Disabilities Act. A job accommodation means that a job, workplace or way a job is done is modified to help the person with a disability do his/her job. There are several general types of job accommodations:

- Job restructuring, such as a change in work schedule or a decrease in the number of job duties
- Assistive devices – item, device or piece of equipment that is used to help the person with a disability perform a task.
- Training/teaching methods, such as an extended orientation period or audio version of a training manual
- Modification to the building, such as ramps, electronic door opener or flashing lights.

The Job Accommodation Network (JAN) is the leading source of free, expert, and confidential guidance on workplace accommodations and disability employment issues. Working toward practical solutions that benefit both employer and employee, JAN helps people with disabilities enhance their employability, and shows employers how to capitalize on the value and talent that people with disabilities add to the workplace.

JAN provides free, confidential technical assistance about job accommodations and the Americans with Disabilities Act (ADA). Call 1-800-526-7234 to get more information.

Appendix A: Social Security Work Incentive Information



Because many people with disabilities fear losing the SSA benefits and related health care due to being able to work and earn an income, they choose not to work. The SSA has made efforts to reduce this fear by creating and implementing programs known as SSA Work Incentives. Work incentives allow people who receive SSA benefits to work and earn an income while maintaining their benefits and their health insurance. There are specific conditions and requirements for each work incentive, and people must understand how the programs work, including the reporting requirements, in order to ensure proper implementation. Listed below are some of the work incentives offered by Social Security.

For complete information on all SSA's work incentives please visit their website at www.ssa.gov, call 1-800-772-1213 or contact your local Social Security Office.

Social Security Disability Insurance Program (SSDI)

The Social Security Disability Insurance Program (SSDI) provides a monthly benefit to individuals under full retirement age, who have enough quarters paid into the system, have worked five out of the last ten years, and meet the Social Security Administration's (SSA) definition of disability. These SSDI benefit payments will continue as long as the person is unable to engage in "substantial gainful activity" (SGA). A person who is earning more than a certain monthly amount in gross earnings is considered to be engaging in SGA. The SGA amount generally changes when the national average wage index changes. In 2015, the monthly SGA amount is $1090 for a non-blind individual and $1820 for a blind individual. There are work incentives that allow people to go to work after becoming eligible for SSDI. These work incentives allow a person to return to work, but have a safety net, allowing them to continue receiving their SSDI monthly benefit and Medicare coverage for a specific amount of time. Many people can work and keep their SSDI payments and Medicare if they are aware of the work incentives for SSDI.

Supplemental Security Income (SSI)

Supplemental Security Income (SSI) is based upon financial need. It provides monthly benefits to low income individuals who are disabled, blind, or over the age of 65 who are unable to engage in SGA and meet SSA's non-medical criteria for eligibility. The monthly benefit is based on the federal benefit rate (FBR) and generally changes annually based on cost of living increases. In 2015, the monthly FBR is $733.

SSI recipients are automatically eligible for Medicaid, a government health insurance program, and often are eligible for other federal programs such as SNAP, the food assistance program.

The definition of "disability" is the same for SSI and the SSDI programs. To qualify for SSI, a person must have a medically determinable physical or mental impairment that prevents them from engaging in substantial gainful activity. The impairment must have lasted for a continuous period of 12 months, be expected to last for a continuous period of 12 months, or be expected to result in death. In order to be eligible for SSI, the person with a qualifying disability must meet age requirements, residency, legal involvement, living arrangements, and resource and income requirements.

How Property and Assets are Treated Under SSI

Resource and income include, but are not limited to, real estate or real property other than the applicant's residence, vehicles (one car or truck is excluded), bank accounts, cash, stocks, bonds, or other investments. Cash value of life insurance policies, burial spaces, expense funds, certain trusts, and any money or property sold, transferred, or disposed of within 36 months prior to the application. To be eligible for SSI, total counted resources cannot exceed $2,000 per person or $3000 per couple. Income counted includes any earned or unearned income, rental income, child support, alimony, TANF, EITC's, self-employment wages, unemployment compensation, and any other income sources.

The following items DO NOT count as assets or resources for purposes of SSI eligibility:

- The applicant's home and the land it is on, provided that it is the primary residence.
- Household goods, personal property, and one car or truck, if it is necessary for daily activities.
- Life insurance with a face value less than $1500.
- Burial spaces and expense funds up to $1500.

As laws and policies change often, make certain that if there are additional options for keeping assets, such as special needs trusts, that these assets have been approved by the Social Security Administration.

How Income May Impact SSI Eligibility

Countable income can include both earned income and unearned income. This means that income which may impact the amount of the SSI payment includes money that is paid by an employer, Social Security payments, private pension payments, or some items of value that are received as gifts to pay for food, shelter, or utilities.

If a person is considered disabled under SSA rules and plans to work, his or her countable income can be reduced by special programs known as "work incentives." These programs allow a person receiving SSI and/or SSDI to work and continue to receive all or part of their disability payments as well as maintain eligibility for Medicare and/or Medicaid.

Employed Individuals with Disabilities (EID) Program
Medicaid Buy-in Coverage

The EID program provides work incentives for individuals with disabilities. Individuals with disabilities who work and have no health-care coverage, or who may lose their Medicaid coverage, should apply if they obtain employment, increase their work hours, or increase their rate of pay. People with disabilities who work will pay a monthly premium to receive Medicaid health-care coverage. The premium is (7.5%) of their monthly earned income and their yearly unearned income that is in excess of $600.

You may be eligible if you:

- Are employed
- Have a disability based on Social Security Administration guidelines
- Are a U.S. citizen or lawful permanent resident who has lived in the U.S. for at least five years
- A Wyoming resident
- Are 16 through 64 years of age
- Meet income guidelines (earned income is exempt)

Know your options. The Medicaid Buy In (EID program) allows you to work and have Medicaid health-care coverage for only 7.5% of your monthly earned income.

Benefits of the EID program:

- You will have Medicaid health-care coverage.
- You can work in the community.
- You can earn and save more money without the risk of losing health-care coverage.

Call the Wyoming Department of Health, Customer Service Center at 1-855-294-2127 to find out about the application process.

Impairment Related Work Expense (IRWE)

This work incentive applies to both SSI and SSDI at different times. An IRWE is an out of pocket cost that a person must pay that 1) is related to their disability and 2) is needed in order for them to work. The out of pocket costs reduce the income that SSA counts. Receipts must be sent into SSA monthly.

Examples of IRWE:

- Cost of taxis or drivers needed to travel to work because your disability prevents use of public transportation.
- Modified vehicles needed because of disability, e.g., special steering/braking equipment.
- Ramps, railings, or other modifications to the outside of your home that allow you to leave and go to work.
- Routine medication costs that help keep your disability related symptoms under control.

Subsidies and Special Conditions

A subsidy only applies to SSDI and is defined as the value of extra support a person receives on the job. The subsidy is provided by the employer and the worker must earn the same pay as other workers doing the same job. Examples include a job coach, mentor, extra supervision, or a reduced workload. The value of the subsidy is determined by the employer. Special conditions apply when the individual is not fully earning his or her wages because the work is performed under special conditions such as on-the-job coaching or substitution in which the job coach performs part or all of the individual's job duties. SSA will deduct the wages that are not considered "earned" by the individual.

Examples of subsidies:

- You receive more supervision than other workers doing the same or a similar job for the same pay.
- You have fewer or simpler tasks to complete than other workers who are doing the same job for the same pay.
- Job coach assistance.

Examples of special conditions:

- You receive close and continuous supervision.
- You receive on the job coaching and the job coach performs part or all of your tasks.

Unincurred Business Expense

"Unincurred business expenses" refers to self-employment business support that someone provides to you at no cost. In deciding whether you are working at the SGA level, SSA deducts unincurred business expenses from your net earnings from self-employment. Examples of unincurred business expenses are (1) a Vocational Rehabilitation agency gives you a computer that is used in a graphic arts business; and (2) a friend works for your business as unpaid help.

For an item or service to qualify as an unincurred business expense:

- It must be an item or service that the IRS would allow as a legitimate business expense if you had paid for it; and
- Given to you free of charge.

Unsuccessful Work Attempt

An unsuccessful work attempt is an effort by a disabled individual to do substantial work that either stopped or produced earnings below the SGA level after a short amount of time, no more than 6 months because of:

- The individual's disabling condition; or
- Elimination of the special conditions or assistance that the individual needed in order to work.

Trial Work Period

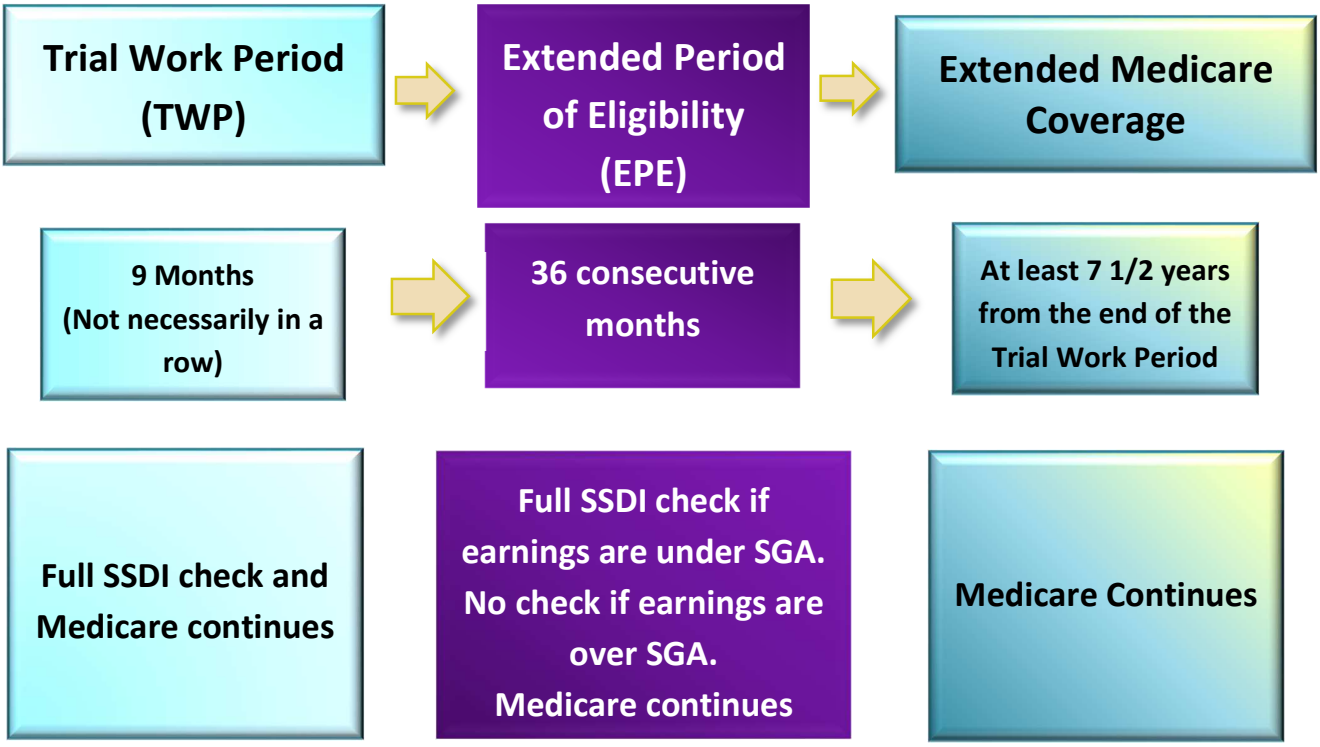
Applies to SSDI only – the Trial Work Period (TWP) allows you to test your ability to work by providing a period of nine (9) months of gross earnings during which your SSDI check is not affected. A month does not count towards your trial work period unless your gross earnings meet or exceed an amount set each year by SSA. In 2015, the TWP amount is $780. During your TWP, you will receive your full disability benefit regardless of how much you earn. You must report your work activity to SSA and continue to have a disabling impairment. The nine (9) months does not need to be consecutive, they are counted within a five-year period. Certain other rules apply. Medicare coverage will continue for ninety-three (93) months after the last month of the TWP.

If you are on SSDI, don't be afraid to work. You get a 9 month trial work period to test the waters of employment.

Extended Period of Eligibility

Applies to SSDI only – the Extended Period of Eligibility (EPE) begins after you have completed your trial work period and have gross earnings at or above the SGA level. The EPE lasts for thirty-six (36) months and allows an individual to receive their SSDI check in any month that their earnings fall below SGA. If work is discontinued during the EPE, the individual simply needs to contact SSA to reinstate benefits. You must continue to have a disabling impairment.

36 month extended period of eligibility AFTER your 9 trial work period months.



Earned Income Exclusion

Applies to SSI only – all SSI recipients receive a $20 general income exclusion. If SSI is the person's only income prior to working, he or she also gets an earned income exclusion of $65. After deducting the $85 in exclusions from your earned income, SSA then only considers half of your remaining earnings.

When you are on SSI, the Social Security Administration only counts $1 for every $2 you earn while working.

Example:

- John is receiving $733 in SSI each month.
- He returns to work and earns $500 in gross monthly earnings.
- Because John was only receiving SSI prior to working, he receives both income exclusions:

  $500 (*Earnings*) minus $85 (*Exclusions*) = $415
- SSA only counts half of the remaining earnings:

  $415 (*Considered earnings after exclusions*) divided by 2 = $207.50
- SSA will only count $207.50 of John's total earnings.
- His SSI check will then be reduced by $207.50.
- His new SSI amount will be **$525.50** (*$733-$207.50=$525.50*).
- **Johns total monthly income is now $500 (*earnings*) plus $525.50 (*SSI benefit*) = $1025.50.**
- John continues to receive Medicaid because his SSI benefit is at least $1.

Plan to Achieve Self-Support (PASS)

Applies to SSI only – a plan to achieve self-support allows you to set aside income or assets of a set amount of money for an established period of time towards a specific employment or vocational goal. Funds can be used for education, equipment, or starting a business, etc. Goals must generally be obtainable within three years, but some exceptions are possible. Funds must be used for a designated purpose or a person could be in overpayment and have to pay back to SSA. A PASS plan can help a person achieve their work or vocational goal. Your goal should be a job that allows you to earn enough to reduce or eliminate your need for benefits provided under the Social Security and Supplemental Security Income programs. SSA does not count the money or resources you set aside under an approved PASS plan when they decide your initial or continuing eligibility for SSI. Having a PASS may help you qualify for SSI or may increase the amount of your SSI payment.

Property Essential to Self-Support (PESS)

Applies to SSI only – SSA does not count some resources that are essential to your means of self-support when they decide if you are eligible for SSI. For example, they do not count property such as tools or equipment that you use for work. If you have a trade or business, they do not count property such as inventory. A person must be using the property that SSA is excluding under PESS, or be expected to start using it in a reasonable amount of time, typically within 12 months.

Federal Rule 1619(b)

Applies to SSI only – Section 1619(b) allows a person who is receiving SSI and working to continue to receive Medicaid at no cost, even when their earnings reduce their SSI benefit to $0. There are earnings threshold requirements. In 2014, for Wyoming, the threshold amount is $36,447. A person who meets the requirements of 1619(b) will receive full medical coverage under Medicaid.

To qualify:

- A person must have been eligible for an SSI cash payment for at least one month prior to accessing 1619(b).
- SSI benefit must have been reduced because of earnings.
- Must continue to meet SSA disability requirements.
- Continue to meet resource requirements for SSI.
- Need the medical assistance to work.
- Have gross earned income that is insufficient to replace the cost of medical assistance needed.

For assistance planning for employment, use our "Employment Pathway Planning Packet"

http://health.wyo.gov/DDD/cmforms.html

Start Your Employment Planning Now

If you are not employed now, but would like to pursue ***employment in the next year*** or ***employment in the next two (2) years***, ask yourself the following questions to begin your planning:

1. Have you ever volunteered in the community?
2. Do you want to learn a new skill?
3. When you are out in the community, are there jobs that you see people doing that you would like to know more about?
4. Do you want to learn about different types of jobs available?
5. If you could have any job, what would it be?
6. What interests you about your dream job?
7. Are there jobs that you don't want to do?
8. How much money will you need to make to meet your living expenses?
9. How much money will you need to buy things you want?
10. What is your greatest fear when you think about working?
11. Is there anything that worries you about getting a job?
12. What motivates you?
13. Will you need prevocational or employment discovery and customization services?
14. What supports will you need to begin competitive employment?
15. Who will help you set up the supports you need to gain and maintain competitive, integrated, and meaningful employment?
16. What is your employment goal date?

SSDI Trial Work Period (TWP) Tracking Chart

You are allowed nine (9) TWP months in a rolling sixty (60) month period

2015 Amount TWP= $780 SGA=$1090

Month	Gross Earned Income	Trial Work Month Yes or No	SSDI Cash Benefit	Total Income
Example: January	$800	Yes= TWP Month 1	$1000	$1800

Notes

Employment First

Pathway to Employment
Pathway to Integration
Pathway out of Poverty

"Working together to build a more prosperous Wyoming."

Wyoming Department of Health

Commit to your health.

BEHAVIORAL HEALTH DIVISION

Employment First Planning Guide

For adults ages 16+ with Intellectual Disabilities, their families, and the Circle of support.

Behavioral Health Division
Developmental Disabilities Section
6101 Yellowstone Road, Suite 220
Cheyenne, WY 82002
www.health.wyo.gov/ddd
800-510-0280 | 307-777-6494

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Introduction

The influence that parents, family, friends, teachers, and providers have on people with disabilities can be both influential and powerful. When it comes to setting expectations about work, those involved in the lives of people with disabilities need to convey the expectation that people with disabilities can work, can contribute, and can find great satisfaction in being part of the world of work.

People WORK for many reasons. For some, it provides a sense of self or meaning in one's life; for others, it is the social context of meeting and associating with others in a common effort or goal; and for still others, it is the means by which to gain status, either personal or economic, which allows for choice and discretion in determining one's "quality of life."

What Makes Life Good?

When asked, ***"What makes life good?"*** almost all people identify the same core components. While different people will use different words to describe a component or more highly value one component over another, the list of components is consistently the same:

- Freedom of choice and ease of access to the community;
- Positive, interdependent relationships with family and friends;
- A safe, comfortable home in a safe neighborhood;
- Being respected, included in and a member of your culture and community;
- Good health and access to good health care;
- Enjoying one's personal choice of hobbies, recreation, and leisure activities; and
- Satisfying employment and the economic benefits of contributing through work.

Although employment outcomes for individuals with disabilities still lag behind those compared to individuals without disabilities, it is clear that enormous barriers to employment are being overcome. It is far more common now to see people with disabilities in a wide range of jobs throughout the community than it was even a decade ago.

Supported employment is an alternative to traditional sheltered and competitive employment approaches. It is an attempt to meet the specific needs of individuals with disabilities and is based on fundamentally different principles and assumptions. The supported work model assumes that all individuals, regardless of the nature or extent of their disabilities, should have the opportunity and support to work in the community. There are no pre-requisite skills needed for community job success. Therefore, the task is not to identify and place "work ready" individuals, but rather to locate and/or modify meaningful jobs in the community and provide training and supports at the job site.

Supported employment will often take the form of "customized" employment. Customized employment is a flexible process designed to personalize the employment relationship between a job candidate and an employer in a way that meets the needs of both. It is based on an individualized match between the strengths, conditions, and interests of job candidate and the identified business needs of an employer. Customized employment utilizes an individualized approach to employment planning and job development – one person at a time, and one employer at a time.

This Employment Planning Guide is designed to help parents, participants, and providers start the process of finding competitive work for people with disabilities; learn about the resources, services, and the programs available to help people with disabilities in Wyoming pursue their own unique path to work, a career, and participate in community life.

"Given the choice between work and idleness, people will almost always choose work. Regardless of our station in life, the condition of our bodies and minds, or the amount of money in our bank accounts, the need to work remains one of our strongest drives. Work is central to our lives, and as such, gives a large measure of structure to our days. Common sense tells us that we feel better about ourselves when we are working regularly."

~Robert Drake, M.D.,

Meet Jane

Let's look at an example of what the new employment pathway might do for a participant.

We want to introduce a fictional waiver participant, Jane, who is a based upon people we know in Wyoming receiving services. We want to describe how the new employment pathway can realistically work for someone and change his or her life.

Jane has been going to day services and working in an enclave at the recycling center, and she receives group supported employment. Jane's team of family and providers encouraged her to start looking for other employment opportunities with the new employment services on the waiver.

At her team meeting, Jane and her team discuss what type of work she would like and want to do if she did not work at the recycling center. They ask her where in town she would like to work. They find out she likes flowers and gardening centers in stores, so they make a plan to set up mentor sites at flower shops and garden centers in department stores using the Employment Discovery and Customization service.

As Jane continues to work at the recycling center, her direct care staff start working with her on non-job-specific, work-related tasks that she might need for competitive employment at a flower shop through Prevocational Services. They also work with her on learning specific tasks in Group Supported Employment that would assist her in working with customers from the public.

Jane's staff helps her meet with the local Department of Vocational Rehabilitation office (DVR) and make an employment plan. After DVR opens a case and pays for job development, a job coach helps Jane fill out employment applications and assists her with interviewing for jobs.

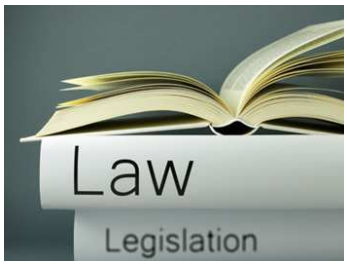
Finally, Jane finds a job working in a flower shop four days a week. DVR pays for supported employment for the time that she needs to obtain and maintain her job. Once she is successful and no longer needs a full-time job coach, DVR puts her case into "Status 22 – Employed." If during this time she needs a job coach,

the waiver will then pay for this service. ***(Please note: DVR cannot close a case successfully when services are still being offered. DVR must go three months or 90 days without paying for any services before they are able to close out a case successfully.)*** Participants, providers, and parents, must be aware of this DVR requirement.

Due to difficulty in learning all of her job tasks, Jane uses Individual Supported Employment through the waiver, which provides her with a job coach for a longer period of time. A job coach can assist her until she can perform the job fairly independently and begins receiving the help she needs from her co-workers, instead of the job coach. After a few months, Jane switches to Transportation Services to get to and from work and Jane's provider switches to Supported Employment Follow Along to check in on Jane's progress each month. Jane continues to learn and grow in her position. Occasionally the provider will provide job coaching to assist Jane and address any concerns that she or her employer has.

Jane now works four days a week and makes triple the money every month than she did at the recycling center. She has three new friends, who are also her co-workers! She also likes having extra money, which allows her to spend more time bowling and hanging out with her boyfriend.

2014 Employment First Legislation



An Act relating to persons with disabilities, which established employment first as a state policy to support competitive employment in an integrated setting, was enacted by the Wyoming Legislature in 2014. This Act requires agencies to support competitive and integrated employment; requires state agencies working with home and community based waiver service providers to implement employment first policies; requires state agencies to report on employment data; provides definitions; and provides for an effective date.

House Enrolled Act 53:

9-2-1002. Definitions; powers generally; duties of governor; provisions construed; cooperation with legislature and judiciary; divisions enumerated.

(xiii) **"Competitive employment"** means work in the competitive labor market that is performed on a fulltime or part-time basis in an integrated setting, and for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled;

(xiv) **"Employment first"** means a concept to facilitate the full inclusion of individuals with disabilities in the workplace and community. Under the employment first approach, community based, integrated employment is the first option for employment services for children and adults with disabilities. Employment first includes competitive employment in an integrated setting;

(xv) **"Integrated setting"** means with respect to an employment outcome, a setting typically found in the community in which applicants or eligible individuals interact with individuals who do not have disabilities, other than nondisabled individuals who are providing services to those applicants or eligible individuals, to the same extent that individuals who do not have disabilities interact with other persons in comparable positions.

9-2-1022. Duties of department performed through human resources division.

(n) In carrying out the duties of the division under this section, employment first shall be the policy of the state that competitive and integrated employment shall be considered its first option when serving persons with disabilities who are of working age to obtain employment. Employment first applies to programs and services that provide services and support to help obtain employment for persons with disabilities. All state agencies shall follow this policy and ensure that it is effectively implemented in their hiring and in all programs and services administered or funded by the agencies. Nothing in this section shall be construed to require any employer to give preference to hiring people with a disability. All state agencies shall coordinate efforts and shall collaborate within and among the agencies to ensure that state programs, policies, procedures and funding support competitive and integrated employment of individuals with disabilities. All state agencies shall, whenever feasible, share data and information across systems in order to track progress toward full implementation of this subsection.

Nothing in this section shall be construed as eliminating any supported employment services as an option when appropriate.

42-4-120. Contracts for waiver services; authority of department; emergency case services; cost based payments; training and certification of specialists.

(m) The department shall ensure that state agencies working with service providers receiving funds pursuant to this section shall have established employment first policies, including competitive employment in an integrated setting, consistent with the requirements of W.S. 9-2-1022.

Employment Talking Points

Employment means a job in the community that the person wants and can perform, with or without accommodation and support.

- When we talk about employment today, we mean having a job or vocation in the community that pays at least minimum wage.

Employment is an essential part of self-determination for many people.

- Employment is a way for people to achieve their personal dream of success, respect, and control.
- Having community employment can be an important part of one's self-identity and value in society today.

People with disabilities are successful workers.

- Thanks to new technology, new laws, and better teaching methods, jobs that were out of reach in the past for people with disabilities are accessible today.
- Job coaches are available to assist people who need assistance in locating, preparing for and successfully managing the job of their choice.
- Success is also supported by government programs, which provide real incentives for people with disabilities to work, keep more earned income for their personal use, and retain their needed benefits.

Some questions to get the employment process started.

- Does the participant need help figuring out the types of jobs and careers he/she would like and be good at doing?
- Will his/her support needs change over time? Are there times when more help will be needed?
- What is most important to the participant? Pay and benefits, fun people to work with, or safety and security?
- Will help be needed to manage benefits, such as Social Security and Medicaid?
- Will job coaching services be needed on the job and if so, how often and for how long?
- Will help be needed to identify activities for when he/she is not working?

Best Practices

Experience has shown that when certain principles are followed while supporting people with disabilities in their employment efforts, the most meaningful and successful outcomes are achieved. These principles are sometimes referred to as "best practices" in community employment services and they include:

- Focusing on individual jobs in the community, paid directly by the employer;
- Using a ***"person-centered planning"*** approach, where job placement is based on the individual's interests, needs and preferences, and the individual is supported to take control of his/her job planning process;
- Emphasizing ***"job matching"*** – searching for employment that closely matches what the job seeker wants, is good at doing, and where he or she will fit in and be comfortable;
- ***Thinking broadly*** about where the individual can work by not being limited to the ideas of traditional workplaces such as supermarkets and fast food chains;
- Taking advantage of personal networks – tapping into family and staff contacts to gather information, resources, and potential job leads;
- Using ***"natural supports"*** including family, friends, co-workers, and mentors to meet the needs of the individual on the job; and
- ***Fading out paid staff supports*** as the individual becomes more settled, comfortable, and independent in the workplace.

Person-Centered Planning is Best Practice

How Employment Affects My Benefits

While earned income can affect a person's eligibility for Social Security, food stamps, public housing and medical assistance benefits, State and Federal programs make it feasible for people to retain much more of their earnings than they could in the past without losing needed health care benefits and services. When taking advantage of State and Federal work incentives, people must report their earnings and assets or savings.

It is important to track your earnings each month and be familiar with the effects that it may have on other benefits you may be receiving.

Earned income WILL affect how much you receive in food stamps and public housing, BUT the amount you earn by becoming competitively employed far outweighs the reduction in food stamps and public housing assistance. You will be moving in the right direction to self-sufficiency!

Department of Health, Community Waiver Programs

The Comprehensive and Supports waivers offer five new employment services with better supports to help you gain and keep employment that match your strengths, needs, and interests. The two new waivers offer an employment pathway service overview with various employment support services to support and assist a participant who, because of their disability, needs intensive support to find and maintain a job in competitive, integrated work settings.

A range of supported employment services are available with varying levels of support and intensity to assist the participant in attaining and maintaining the highest level of paid, community integrated employment. Consistent with the *Olmstead Decision* and with person-centered planning, a participant's plan of care regarding employment services shall be constructed in a manner that reflects individual choice and goals related to employment and ensures provision of services in the most integrated setting appropriate.

Prevocational Services

Prevocational services are services designed to create a path to integrated community based employment for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals without disabilities.

Prevocational services should enable each individual to attain the highest level of work in the most integrated setting with a job matched to the individual's interests, strengths, priorities, abilities, and capabilities, while following applicable federal wage guidelines. These services provide learning and work experiences, including volunteer work where the individual can develop general, non-job-task-specific strengths and skills that contribute to employability through paid employment in an integrated community setting.

Prevocational services are time-limited, not to exceed 12 consecutive months and cannot be repeated during the subsequent plan year.

Employment Discovery and Customization

Employment Discovery and Customization is the individualized determination of the strengths, needs, and interests of the participant and is designed to meet the specific needs of the employee and employer relationship.

Employment discovery and customization includes employment developed through job carving, self-employment or entrepreneurial initiative, or other job development or restructuring strategies that result in job responsibilities being customized and individually negotiated to fit the needs of participants. Employment discovery and customization presumes the provision of reasonable accommodations and supports necessary to perform functions of a job that is individually negotiated and developed.

Supported Employment

- ***Small Group Supported Employment***

Small Group Supported Employment services consist of intensive, on-going supports that enable a participant, for whom competitive employment is at or above the minimum wage is unlikely absent the provision of supports; and who, because of his/her disability, need supports to perform in a regular work setting, including mobile work crews or enclaves. These services are conducted in a variety of settings, particularly work-sites where persons without disabilities are employed.

Services include activities needed to sustain paid work, which includes supervision and training. When supported employment services are provided at a work-site where persons without disabilities are employed, payment is only made for the adaptations, supervision, and training that is required by a participant receiving waiver services as a result of their disability. It does not include payment for supervisory activities rendered as a normal part of the business setting.

- ***Individual Supported Employment***

Individual Supported Employment services are the 1:1 supports available to a participant who, because of their disability, needs intensive or on-going support to obtain and maintain an individual job in competitive or customized employment, or self-employment, in an integrated work setting, in the general workforce for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by an individual without a disability.

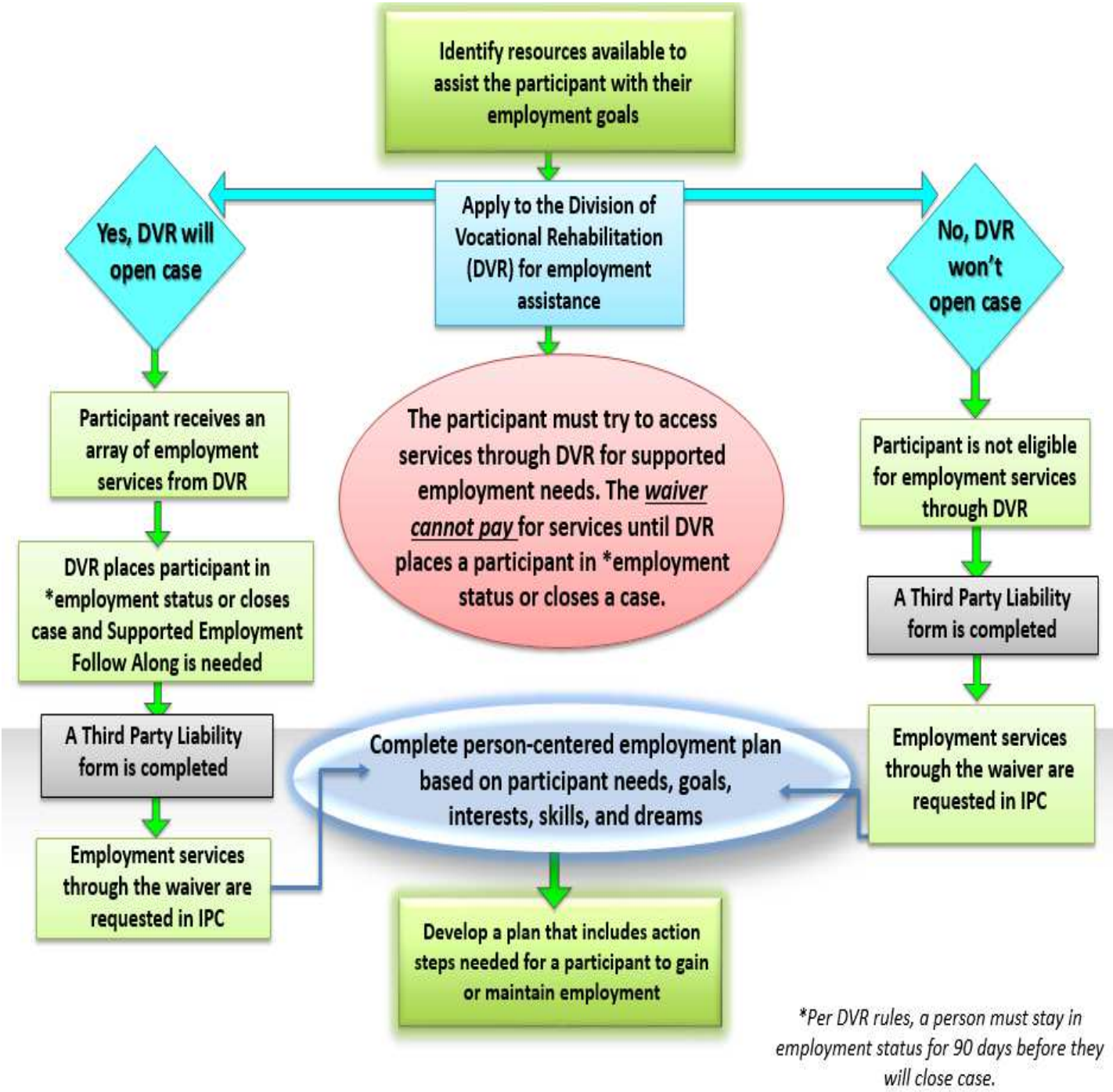
Services are conducted in a variety of settings, particularly work-sites where persons without disabilities are employed. Services include activities needed to sustain paid work by a participant, including supervision and training. When supported employment services are provided at a work-site where persons without disabilities are employed, payment is made only for the adaptations, supervision, and training required by participants receiving waiver services as a result of their disabilities, but does not include payment for the supervisory activities rendered as a normal part of the business setting.

- ***Supported Employment Follow Along***

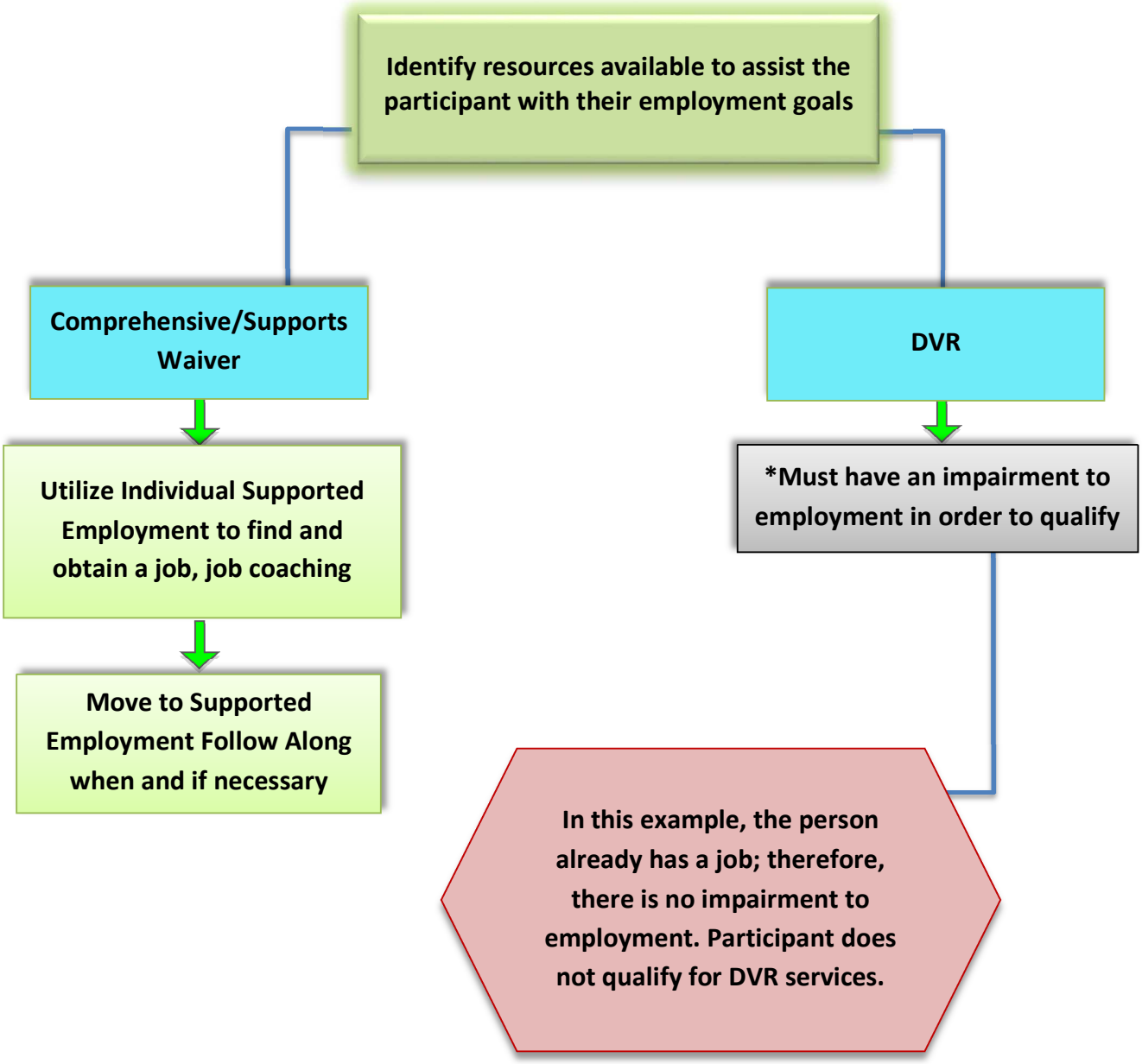
Supported Employment Follow Along are services and supports that enable a participant who is paid at or above the federal minimum wage to maintain employment in an integrated community setting. Service is provided for or on behalf of the participant through intermittent and occasional job support, communicating with the participant's supervisor or manager, whether in the presence of the participant or not.

DVR and Waiver Assistance on Your Employment Pathway

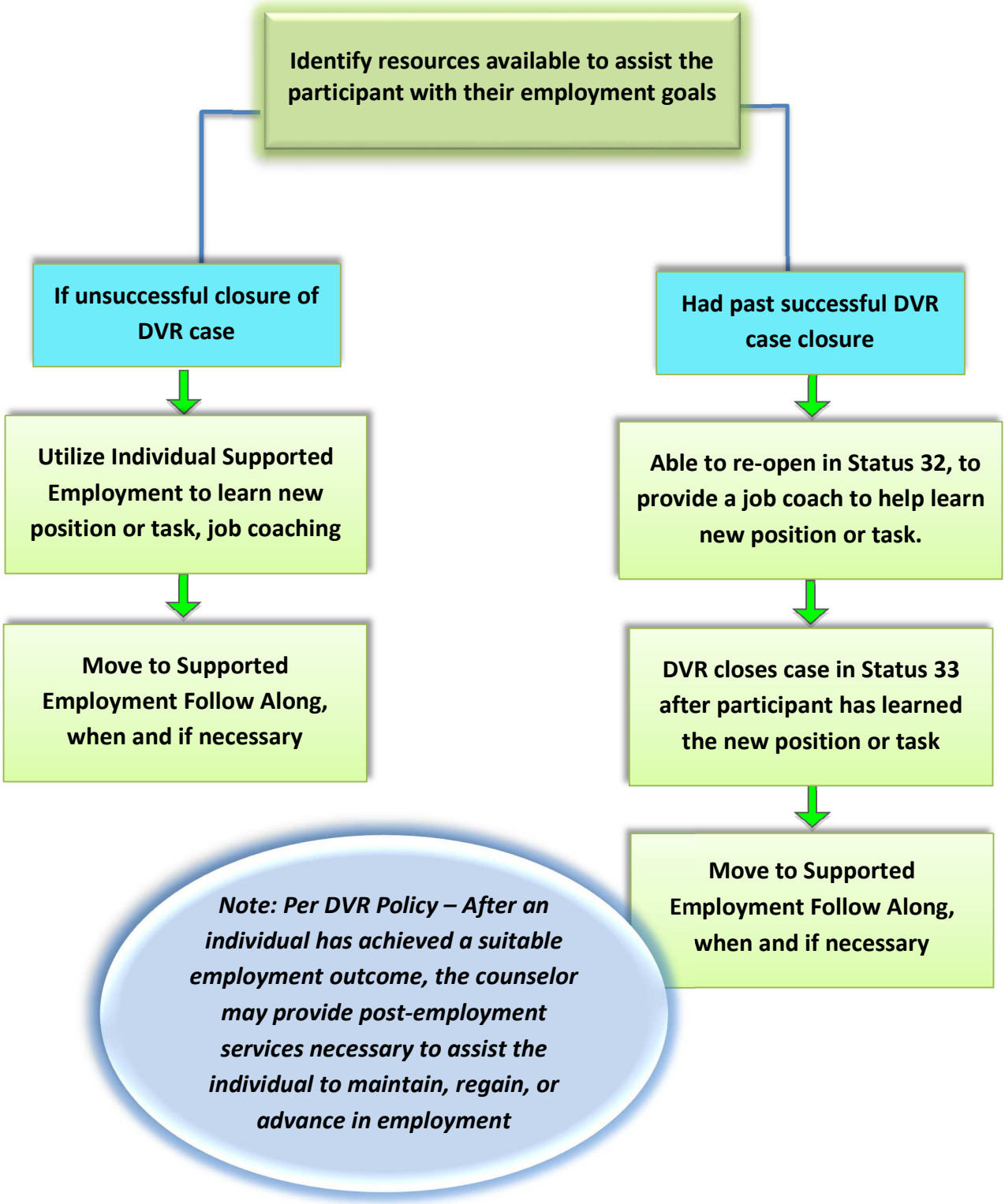
1. No community integrated job before



2. Currently have a job and looking to change jobs



3. Currently have a job and learning a new position or task



4. Currently have a part-time job and looking to obtain a 2nd part-time job

Volunteering

Volunteerism is an avenue that allows individuals to assist with improving their communities, gain marketable skills that could eventually lead to paid employment, test out interests and possible career paths, and develop personal and professional meaningful social connections. It also allows the individual to experience the pleasure and satisfaction of the activity itself and make a difference in the lives of others. Given the social isolation of many people with developmental disabilities, volunteering is important and one of the most useful ways for really getting to know other community members. Volunteering provides many opportunities to learn and practice skills that can be useful in paid employment.

There is value in volunteering and community service. An opportunity to learn, acquire work experience, and a sense of belonging.

Family and Friends

Family and friends of the participant are an important resource that is often overlooked. In many situations, employment opportunities can be found through the participant's family or friends, their school, or their business contacts. Support in finding and keeping a job can be provided informally, by a participant's friends or co-workers, without relying on a funded service. Even when employment services are provided by a community program, relatives and friends play a key role in contributing to the participant's job success by helping in areas of reporting income, preparation for work, transportation, etc.

Transportation

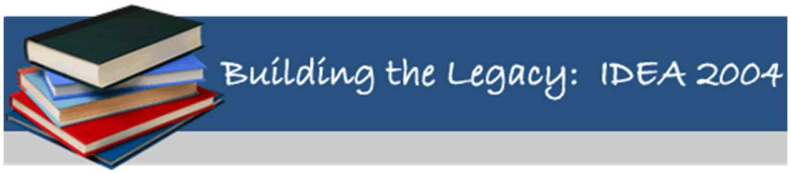
Planning for transportation is an essential part of the job planning process. Job seekers, families, and providers need to work together from the beginning to identify transportation options.

Here is a list of transportation issues to consider:

- Are any public transportation routes accessible?
  - If so, are they available on the days and hours the individual will be travelling to and from work?
- Are transportation services available from the provider and waiver service?
- Is carpooling or shared-ride transportation an option?
- What will the costs be, whether by private or public transportation?
- Are there health, behavior or risk issues that should be considered when selecting the means of transportation?
- Will the individual be able to use public transportation or other shared transit with proper training and support?

When planning transportation, "thinking outside the box" can result in a creative solution. For example, maybe your town's senior bus program can be helpful. Or perhaps your town's taxi company might negotiate a special discounted rate. Consider approaching relatives, co-workers and neighbors about carpooling options.

A plan for transportation is essential when planning for employment.



Employment Transition Planning for School Aged Individuals

Individuals with Disabilities Improvement Education Act

According to the Individuals with Disabilities Education Act (IDEA), special education means specially designed instruction, provided at no cost to the parent, to meet the unique needs of a child with a disability. This specially designed instruction involves adapting, as appropriate to the needs of an eligible student, the content, methodology or delivery of instruction:

- To address the unique needs of the child that result from his/her disability; and
- To ensure access of the child to the general curriculum, so that the child can meet the educational standards within the district that apply to all children.

In Wyoming, children who are eligible for special education are entitled to a free appropriate public education (FAPE) in the least restrictive environment (LRE) from the age of three through the school year in which the student turns 21 years old. School districts ensure the provision of FAPE in the LRE for each eligible child through the development and implementation of an Individualized Education Program (IEP), which is updated at least annually.

Transition Planning Form

In Wyoming, school districts are required by IDEA to include transition planning in the Individual Education Plan (IEPs) of students with disabilities by the time they are 16 (some states require transition planning to begin earlier). Transition planning is a coordinated set of activities that are designed within a results-oriented process, focused on improving academic and functional achievement to facilitate the student's movement from school to post-school activities. The IEP team, including the student, work to develop a plan that is based on age-appropriate transition assessments and individualized to address each child's unique needs.

Transition services and activities incorporated into the plan might include:

- ***Career Interest Inventories*** – these paper and pencil assessments can help the student identify work interest and preferences. The results of these assessments can help to create specific employment goals.
- ***Job Shadowing*** – the student follows an employee during a typical day on the job.
- ***Mentoring*** – the student is matched to an adult mentor who serves as an advisor and offers guidance.
- ***Apprenticeship*** – an adult professional teaches the student a specific trade.
- ***Workplace visits and tours*** – the student observes different work settings.
- ***Career Fairs and Career Days*** – local community members' visit a school to share career experiences with an interested group of students.
- ***Mock job interviews*** – partner with your local Workforce Center to set up mock interviews for students so that they can gain experience.
- ***Job Clubs*** – if available through your local school, job clubs can be great for peer level mentoring and encouragement in employment efforts and on-the-job issues.
- ***After-school and summer job placements*** – arranged and supported by school staff.
- ***Internships*** – paid or unpaid work experience for students.

Resources

Division of Vocational Rehabilitation (DVR)

The Division of Vocational Rehabilitation is a federal-state program that works with people who have physical or mental disabilities to prepare for, gain or retain employment.

Eligibility Criteria:

1. Individual has a physical or mental impairment.
2. Impairment poses a substantial impediment to employment.
3. Individual requires services from DVR to prepare for, gain, or retain employment.

Services that VR provides:

- As part of their core services, DVR provides to all clients eligibility assessments, counseling and guidance, information and referral services, and job search and job placement services. Any additional services that a person with a disability may need are individualized to their specific disability and employment goal.

Call 1-866-804-3678 or visit VR's website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Workforce Investment Act Program (WIA) (For Adults)

The Wyoming Department of Workforce Services uses Workforce Investment Act funding to help adults, dislocated workers and youth find employment that leads to self-sufficiency through various services available at its local Workforce Centers.

Eligibility Criteria:

- For individuals who are 18 years of age or older.
- Individuals who are unemployed and are unable to obtain employment through core services and have been determined to be in need of more intensive services in order to obtain employment; or
- Are employed and have been determined to be in need of services in order to obtain or retain employment that allows for self-sufficiency.
- Meet certain income guidelines.

Services that WIA provides:

- Occupations skills training;
- On-the-job training;
- Programs that combine workplace training with related instruction;
- Training programs operated by the private sector;
- Skills upgrading and retraining;
- Entrepreneurial training;
- Job readiness training;
- Adult Basic Education activities in conjunction with these activities; and
- Customized training with a commitment to employ trainees.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Workforce Investment Act Program (WIA)
(For Youth)

The Wyoming Department of Workforce Services uses Workforce Investment Act funding to help adults, dislocated workers and youth find employment that leads to self-sufficiency through varies services available at its local Workforce Centers.

Eligibility Criteria:

- For individuals aged 14-21.
- Services provided to eligible youth seeking assistance in achieving academic and employment success.

Services that WIA provides:

- Tutoring, study skills training and instruction leading to completion of secondary school, including dropout prevention strategies;
- Alternative secondary school services;
- Summer employment opportunities that are directly linked to academic and occupational learning;
- Paid or unpaid work experiences, including internships and job shadowing;
- Occupational skill training;

- Leadership development opportunities, which may include community service and peer-centered activities encouraging responsibility and other positive social behaviors during non-school hours;
- Supportive services;
- Adult mentoring for the period of participation and a subsequent period, for a total of not less than 12 months;
- Follow-up services for not less than 12 months after the completion of participation; and
- Comprehensive guidance and counseling which may include drug and alcohol abuse counseling and referral.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Department of Workforce Services (DWS)
Career Exploration and Aptitude Testing

The Wyoming Department of Workforce Services understands the need for students, parents, schools, job-seekers and others to explore their career aptitude and development. With this need in mind, the Wyoming Department of Workforce Services provides the following tools to further facilitate such career exploration:

- Start exploring career options with CareerOneStop, whether you are in high school, have graduated, have a vocational certificate, have a 2-year or 4-year college degree or have knowledge and skills acquired through training centers, on-the-job training, or work experience.
- The Wyoming Department of Workforce Services' local Workforce Centers have publicly-accessible computers with resume writing software, various books and videos on resume writing and interviewing, college catalogs, typing, spelling tests, and other resource materials.
- Wyoming at Work Career Services (https://www.wyomingatwork.com) is available. With it, a person can complete, through Wyoming at Work, occupational skills assessments to assist in career development and job placement.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Wyoming Services for Independent Living is a registered non-profit human service agency established to enable persons with significant disabilities to live as independently as possible in the community of their choice.

Eligibility Criteria:

- Presence of a significant disability that interferes with living independently
- Not determined by income levels
- Person motivated to maintain and/or increase levels of independence.

Services that WSIL provides:

- Individual and systems advocacy;
- Information and referral;
- Peer counseling;
- Independent Living Skills Training;
- ADA technical advice;
- Adaptive equipment;
- Home modification;
- Loan closet;
- Nursing Home Transition and Diversion; and
- Transportation Voucher.

Call 1-800-266-3061 to find an office near you or to learn more about their services.

wilr wyoming independent living rehabilitation

Wyoming Independent Living Rehabilitation educates and empowers Wyoming citizens with disabilities by providing the necessary tools to live with independence and dignity. All services are provided on a "consumer-driven" basis. You decide what you need to live independently.

Eligibility Criteria:

- Each program has different criteria to be eligible. Please contact WILR for more information and to see if you qualify.

Programs that WILR offers:

- Independent Living Services
  - Services to help people regain or maintain independence in their lives.
- Visually Impaired Program
  - Services for older adults who are blind or severely visually impaired.
- Consumer Directed Care
  - To provide the option of obtaining personal attendant care services provided by an individual of the consumer's choice, who is not necessarily medically trained to provide such services.
- Project Out
  - To transition consumers from nursing homes back into communities.
- ADA Consultant
  - To provide information to individuals, organizations, businesses and municipalities regarding the ADA and accessibility issues.
- Transportation Check Program
  - To provide transportation to consumers with disabilities
- Wyoming Technology Access Program (WYTAP)
  - Offers persons with disabilities an opportunity to finance assistive technology devices and services through low – or no – interest loans.
- Making Homes Accessible
  - A conditional block grant program to help low to moderate income people with disabilities to make their homes accessible.

Call 1-800-735-8322 or 266-6956 (in Casper) to find an office near you or to learn more about their services.

Job Accommodation Network (JAN)

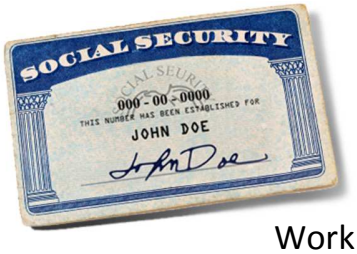
Identifying and arranging necessary accommodations and supports is a key part of assisting people with disabilities to find and keep employment – and is legally reinforced by the Americans with Disabilities Act. A job accommodation means that a job, workplace or way a job is done is modified to help the person with a disability do his/her job. There are several general types of job accommodations:

- Job restructuring, such as a change in work schedule or a decrease in the number of job duties
- Assistive devices – item, device or piece of equipment that is used to help the person with a disability perform a task.
- Training/teaching methods, such as an extended orientation period or audio version of a training manual
- Modification to the building, such as ramps, electronic door opener or flashing lights.

The Job Accommodation Network (JAN) is the leading source of free, expert, and confidential guidance on workplace accommodations and disability employment issues. Working toward practical solutions that benefit both employer and employee, JAN helps people with disabilities enhance their employability, and shows employers how to capitalize on the value and talent that people with disabilities add to the workplace.

JAN provides free, confidential technical assistance about job accommodations and the Americans with Disabilities Act (ADA). Call 1-800-526-7234 to get more information.

Appendix A: Social Security Work Incentive Information



Because many people with disabilities fear losing the SSA benefits and related health care due to being able to work and earn an income, they choose not to work. The SSA has made efforts to reduce this fear by creating and implementing programs known as SSA Work Incentives. Work incentives allow people who receive SSA benefits to work and earn an income while maintaining their benefits and their health insurance. There are specific conditions and requirements for each work incentive, and people must understand how the programs work, including the reporting requirements, in order to ensure proper implementation. Listed below are some of the work incentives offered by Social Security.

For complete information on all SSA's work incentives please visit their website at www.ssa.gov, call 1-800-772-1213 or contact your local Social Security Office.

Social Security Disability Insurance Program (SSDI)

The Social Security Disability Insurance Program (SSDI) provides a monthly benefit to individuals under full retirement age, who have enough quarters paid into the system, have worked five out of the last ten years, and meet the Social Security Administration's (SSA) definition of disability. These SSDI benefit payments will continue as long as the person is unable to engage in "substantial gainful activity" (SGA). A person who is earning more than a certain monthly amount in gross earnings is considered to be engaging in SGA. The SGA amount generally changes when the national average wage index changes. In 2015, the monthly SGA amount is $1090 for a non-blind individual and $1820 for a blind individual. There are work incentives that allow people to go to work after becoming eligible for SSDI. These work incentives allow a person to return to work, but have a safety net, allowing them to continue receiving their SSDI monthly benefit and Medicare coverage for a specific amount of time. Many people can work and keep their SSDI payments and Medicare if they are aware of the work incentives for SSDI.

Supplemental Security Income (SSI)

Supplemental Security Income (SSI) is based upon financial need. It provides monthly benefits to low income individuals who are disabled, blind, or over the age of 65 who are unable to engage in SGA and meet SSA's non-medical criteria for eligibility. The monthly benefit is based on the federal benefit rate (FBR) and generally changes annually based on cost of living increases. In 2015, the monthly FBR is $733.

SSI recipients are automatically eligible for Medicaid, a government health insurance program, and often are eligible for other federal programs such as SNAP, the food assistance program.

The definition of "disability" is the same for SSI and the SSDI programs. To qualify for SSI, a person must have a medically determinable physical or mental impairment that prevents them from engaging in substantial gainful activity. The impairment must have lasted for a continuous period of 12 months, be expected to last for a continuous period of 12 months, or be expected to result in death. In order to be eligible for SSI, the person with a qualifying disability must meet age requirements, residency, legal involvement, living arrangements, and resource and income requirements.

How Property and Assets are Treated Under SSI

Resource and income include, but are not limited to, real estate or real property other than the applicant's residence, vehicles (one car or truck is excluded), bank accounts, cash, stocks, bonds, or other investments. Cash value of life insurance policies, burial spaces, expense funds, certain trusts, and any money or property sold, transferred, or disposed of within 36 months prior to the application. To be eligible for SSI, total counted resources cannot exceed $2,000 per person or $3000 per couple. Income counted includes any earned or unearned income, rental income, child support, alimony, TANF, EITC's, self-employment wages, unemployment compensation, and any other income sources.

The following items DO NOT count as assets or resources for purposes of SSI eligibility:

- The applicant's home and the land it is on, provided that it is the primary residence.
- Household goods, personal property, and one car or truck, if it is necessary for daily activities.
- Life insurance with a face value less than $1500.
- Burial spaces and expense funds up to $1500.

As laws and policies change often, make certain that if there are additional options for keeping assets, such as special needs trusts, that these assets have been approved by the Social Security Administration.

How Income May Impact SSI Eligibility

Countable income can include both earned income and unearned income. This means that income which may impact the amount of the SSI payment includes money that is paid by an employer, Social Security payments, private pension payments, or some items of value that are received as gifts to pay for food, shelter, or utilities.

If a person is considered disabled under SSA rules and plans to work, his or her countable income can be reduced by special programs known as "work incentives." These programs allow a person receiving SSI and/or SSDI to work and continue to receive all or part of their disability payments as well as maintain eligibility for Medicare and/or Medicaid.

Employed Individuals with Disabilities (EID) Program
Medicaid Buy-in Coverage

The EID program provides work incentives for individuals with disabilities. Individuals with disabilities who work and have no health-care coverage, or who may lose their Medicaid coverage, should apply if they obtain employment, increase their work hours, or increase their rate of pay. People with disabilities who work will pay a monthly premium to receive Medicaid health-care coverage. The premium is (7.5%) of their monthly earned income and their yearly unearned income that is in excess of $600.

You may be eligible if you:

- Are employed
- Have a disability based on Social Security Administration guidelines
- Are a U.S. citizen or lawful permanent resident who has lived in the U.S. for at least five years
- A Wyoming resident
- Are 16 through 64 years of age
- Meet income guidelines (earned income is exempt)

Know your options. The Medicaid Buy In (EID program) allows you to work and have Medicaid health-care coverage for only 7.5% of your monthly earned income.

Benefits of the EID program:

- You will have Medicaid health-care coverage.
- You can work in the community.
- You can earn and save more money without the risk of losing health-care coverage.

Call the Wyoming Department of Health, Customer Service Center at 1-855-294-2127 to find out about the application process.

Impairment Related Work Expense (IRWE)

This work incentive applies to both SSI and SSDI at different times. An IRWE is an out of pocket cost that a person must pay that 1) is related to their disability and 2) is needed in order for them to work. The out of pocket costs reduce the income that SSA counts. Receipts must be sent into SSA monthly.

Examples of IRWE:

- Cost of taxis or drivers needed to travel to work because your disability prevents use of public transportation.
- Modified vehicles needed because of disability, e.g., special steering/braking equipment.
- Ramps, railings, or other modifications to the outside of your home that allow you to leave and go to work.
- Routine medication costs that help keep your disability related symptoms under control.

Subsidies and Special Conditions

A subsidy only applies to SSDI and is defined as the value of extra support a person receives on the job. The subsidy is provided by the employer and the worker must earn the same pay as other workers doing the same job. Examples include a job coach, mentor, extra supervision, or a reduced workload. The value of the subsidy is determined by the employer. Special conditions apply when the individual is not fully earning his or her wages because the work is performed under special conditions such as on-the-job coaching or substitution in which the job coach performs part or all of the individual's job duties. SSA will deduct the wages that are not considered "earned" by the individual.

Examples of subsidies:

- You receive more supervision than other workers doing the same or a similar job for the same pay.
- You have fewer or simpler tasks to complete than other workers who are doing the same job for the same pay.
- Job coach assistance.

Examples of special conditions:

- You receive close and continuous supervision.
- You receive on the job coaching and the job coach performs part or all of your tasks.

Unincurred Business Expense

"Unincurred business expenses" refers to self-employment business support that someone provides to you at no cost. In deciding whether you are working at the SGA level, SSA deducts unincurred business expenses from your net earnings from self-employment. Examples of unincurred business expenses are (1) a Vocational Rehabilitation agency gives you a computer that is used in a graphic arts business; and (2) a friend works for your business as unpaid help.

For an item or service to qualify as an unincurred business expense:

- It must be an item or service that the IRS would allow as a legitimate business expense if you had paid for it; and
- Given to you free of charge.

Unsuccessful Work Attempt

An unsuccessful work attempt is an effort by a disabled individual to do substantial work that either stopped or produced earnings below the SGA level after a short amount of time, no more than 6 months because of:

- The individual's disabling condition; or
- Elimination of the special conditions or assistance that the individual needed in order to work.

Trial Work Period

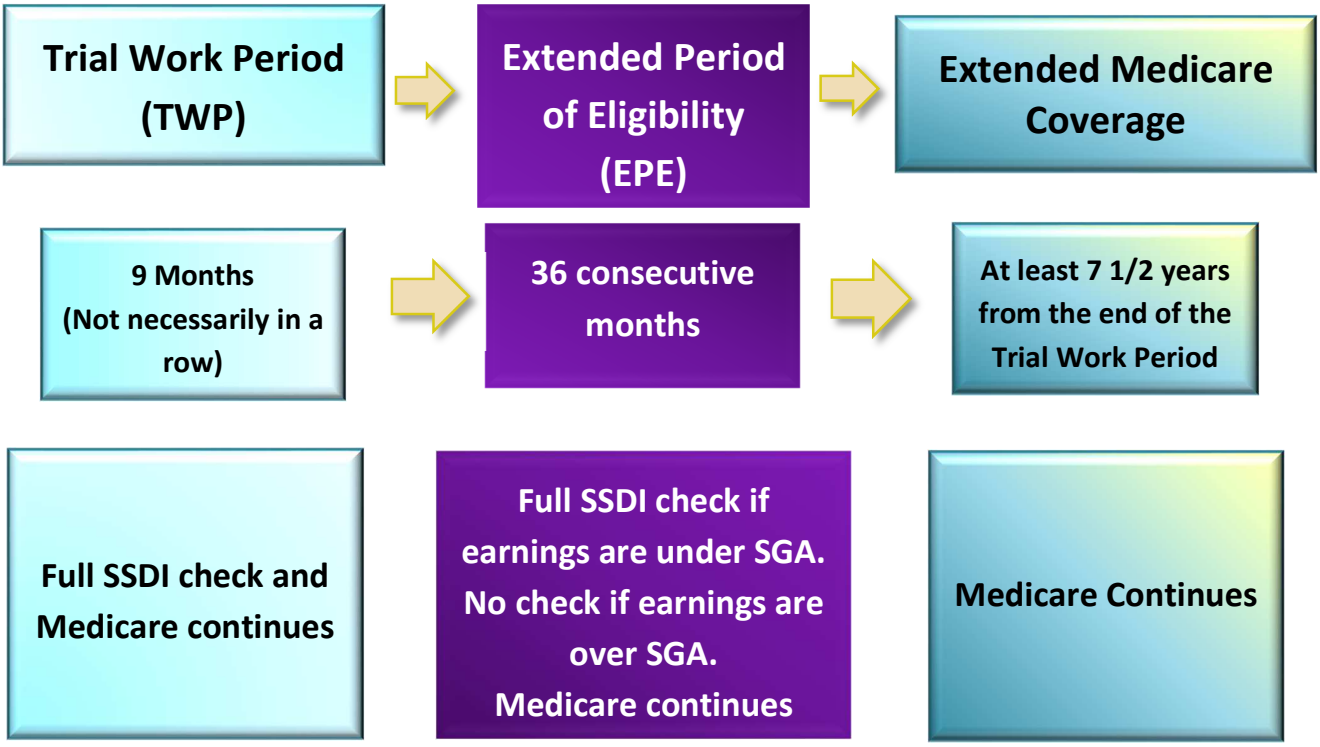
Applies to SSDI only – the Trial Work Period (TWP) allows you to test your ability to work by providing a period of nine (9) months of gross earnings during which your SSDI check is not affected. A month does not count towards your trial work period unless your gross earnings meet or exceed an amount set each year by SSA. In 2015, the TWP amount is $780. During your TWP, you will receive your full disability benefit regardless of how much you earn. You must report your work activity to SSA and continue to have a disabling impairment. The nine (9) months does not need to be consecutive, they are counted within a five-year period. Certain other rules apply. Medicare coverage will continue for ninety-three (93) months after the last month of the TWP.

If you are on SSDI, don't be afraid to work. You get a 9 month trial work period to test the waters of employment.

Extended Period of Eligibility

Applies to SSDI only – the Extended Period of Eligibility (EPE) begins after you have completed your trial work period and have gross earnings at or above the SGA level. The EPE lasts for thirty-six (36) months and allows an individual to receive their SSDI check in any month that their earnings fall below SGA. If work is discontinued during the EPE, the individual simply needs to contact SSA to reinstate benefits. You must continue to have a disabling impairment.

36 month extended period of eligibility AFTER your 9 trial work period months.



Earned Income Exclusion

Applies to SSI only – all SSI recipients receive a $20 general income exclusion. If SSI is the person's only income prior to working, he or she also gets an earned income exclusion of $65. After deducting the $85 in exclusions from your earned income, SSA then only considers half of your remaining earnings.

When you are on SSI, the Social Security Administration only counts $1 for every $2 you earn while working.

Example:

- John is receiving $733 in SSI each month.
- He returns to work and earns $500 in gross monthly earnings.
- Because John was only receiving SSI prior to working, he receives both income exclusions:

  $500 (*Earnings*) minus $85 (*Exclusions*) = $415
- SSA only counts half of the remaining earnings:

  $415 (*Considered earnings after exclusions*) divided by 2 = $207.50
- SSA will only count $207.50 of John's total earnings.
- His SSI check will then be reduced by $207.50.
- His new SSI amount will be **$525.50** (*$733-$207.50=$525.50*).
- **Johns total monthly income is now $500 (*earnings*) plus $525.50 (*SSI benefit*) = $1025.50.**
- John continues to receive Medicaid because his SSI benefit is at least $1.

Plan to Achieve Self-Support (PASS)

Applies to SSI only – a plan to achieve self-support allows you to set aside income or assets of a set amount of money for an established period of time towards a specific employment or vocational goal. Funds can be used for education, equipment, or starting a business, etc. Goals must generally be obtainable within three years, but some exceptions are possible. Funds must be used for a designated purpose or a person could be in overpayment and have to pay back to SSA. A PASS plan can help a person achieve their work or vocational goal. Your goal should be a job that allows you to earn enough to reduce or eliminate your need for benefits provided under the Social Security and Supplemental Security Income programs. SSA does not count the money or resources you set aside under an approved PASS plan when they decide your initial or continuing eligibility for SSI. Having a PASS may help you qualify for SSI or may increase the amount of your SSI payment.

Property Essential to Self-Support (PESS)

Applies to SSI only – SSA does not count some resources that are essential to your means of self-support when they decide if you are eligible for SSI. For example, they do not count property such as tools or equipment that you use for work. If you have a trade or business, they do not count property such as inventory. A person must be using the property that SSA is excluding under PESS, or be expected to start using it in a reasonable amount of time, typically within 12 months.

Federal Rule 1619(b)

Applies to SSI only – Section 1619(b) allows a person who is receiving SSI and working to continue to receive Medicaid at no cost, even when their earnings reduce their SSI benefit to $0. There are earnings threshold requirements. In 2014, for Wyoming, the threshold amount is $36,447. A person who meets the requirements of 1619(b) will receive full medical coverage under Medicaid.

To qualify:

- A person must have been eligible for an SSI cash payment for at least one month prior to accessing 1619(b).
- SSI benefit must have been reduced because of earnings.
- Must continue to meet SSA disability requirements.
- Continue to meet resource requirements for SSI.
- Need the medical assistance to work.
- Have gross earned income that is insufficient to replace the cost of medical assistance needed.

For assistance planning for employment, use our "Employment Pathway Planning Packet"

http://health.wyo.gov/DDD/cmforms.html

Start Your Employment Planning Now

If you are not employed now, but would like to pursue ***employment in the next year*** or ***employment in the next two (2) years***, ask yourself the following questions to begin your planning:

1. Have you ever volunteered in the community?
2. Do you want to learn a new skill?
3. When you are out in the community, are there jobs that you see people doing that you would like to know more about?
4. Do you want to learn about different types of jobs available?
5. If you could have any job, what would it be?
6. What interests you about your dream job?
7. Are there jobs that you don't want to do?
8. How much money will you need to make to meet your living expenses?
9. How much money will you need to buy things you want?
10. What is your greatest fear when you think about working?
11. Is there anything that worries you about getting a job?
12. What motivates you?
13. Will you need prevocational or employment discovery and customization services?
14. What supports will you need to begin competitive employment?
15. Who will help you set up the supports you need to gain and maintain competitive, integrated, and meaningful employment?
16. What is your employment goal date?

SSDI Trial Work Period (TWP) Tracking Chart

You are allowed nine (9) TWP months in a rolling sixty (60) month period

2015 Amount TWP= $780 SGA=$1090

Month	Gross Earned Income	Trial Work Month Yes or No	SSDI Cash Benefit	Total Income
Example: January	$800	Yes= TWP Month 1	$1000	$1800

Notes

Employment First

Pathway to Employment
Pathway to Integration
Pathway out of Poverty

"Working together to build a more prosperous Wyoming."

Wyoming Department of Health

Commit to your health.

BEHAVIORAL HEALTH DIVISION

Employment First Planning Guide

For adults ages 16+ with Intellectual Disabilities, their families, and the Circle of support.

Behavioral Health Division
Developmental Disabilities Section
6101 Yellowstone Road, Suite 220
Cheyenne, WY 82002
www.health.wyo.gov/ddd
800-510-0280 | 307-777-6494

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Introduction

The influence that parents, family, friends, teachers, and providers have on people with disabilities can be both influential and powerful. When it comes to setting expectations about work, those involved in the lives of people with disabilities need to convey the expectation that people with disabilities can work, can contribute, and can find great satisfaction in being part of the world of work.

People WORK for many reasons. For some, it provides a sense of self or meaning in one's life; for others, it is the social context of meeting and associating with others in a common effort or goal; and for still others, it is the means by which to gain status, either personal or economic, which allows for choice and discretion in determining one's "quality of life."

What Makes Life Good?

When asked, ***"What makes life good?"*** almost all people identify the same core components. While different people will use different words to describe a component or more highly value one component over another, the list of components is consistently the same:

- Freedom of choice and ease of access to the community;
- Positive, interdependent relationships with family and friends;
- A safe, comfortable home in a safe neighborhood;
- Being respected, included in and a member of your culture and community;
- Good health and access to good health care;
- Enjoying one's personal choice of hobbies, recreation, and leisure activities; and
- Satisfying employment and the economic benefits of contributing through work.

Although employment outcomes for individuals with disabilities still lag behind those compared to individuals without disabilities, it is clear that enormous barriers to employment are being overcome. It is far more common now to see people with disabilities in a wide range of jobs throughout the community than it was even a decade ago.

Supported employment is an alternative to traditional sheltered and competitive employment approaches. It is an attempt to meet the specific needs of individuals with disabilities and is based on fundamentally different principles and assumptions. The supported work model assumes that all individuals, regardless of the nature or extent of their disabilities, should have the opportunity and support to work in the community. There are no pre-requisite skills needed for community job success. Therefore, the task is not to identify and place "work ready" individuals, but rather to locate and/or modify meaningful jobs in the community and provide training and supports at the job site.

Supported employment will often take the form of "customized" employment. Customized employment is a flexible process designed to personalize the employment relationship between a job candidate and an employer in a way that meets the needs of both. It is based on an individualized match between the strengths, conditions, and interests of job candidate and the identified business needs of an employer. Customized employment utilizes an individualized approach to employment planning and job development – one person at a time, and one employer at a time.

This Employment Planning Guide is designed to help parents, participants, and providers start the process of finding competitive work for people with disabilities; learn about the resources, services, and the programs available to help people with disabilities in Wyoming pursue their own unique path to work, a career, and participate in community life.

"Given the choice between work and idleness, people will almost always choose work. Regardless of our station in life, the condition of our bodies and minds, or the amount of money in our bank accounts, the need to work remains one of our strongest drives. Work is central to our lives, and as such, gives a large measure of structure to our days. Common sense tells us that we feel better about ourselves when we are working regularly."

~Robert Drake, M.D.,

Meet Jane

Let's look at an example of what the new employment pathway might do for a participant.

We want to introduce a fictional waiver participant, Jane, who is a based upon people we know in Wyoming receiving services. We want to describe how the new employment pathway can realistically work for someone and change his or her life.

Jane has been going to day services and working in an enclave at the recycling center, and she receives group supported employment. Jane's team of family and providers encouraged her to start looking for other employment opportunities with the new employment services on the waiver.

At her team meeting, Jane and her team discuss what type of work she would like and want to do if she did not work at the recycling center. They ask her where in town she would like to work. They find out she likes flowers and gardening centers in stores, so they make a plan to set up mentor sites at flower shops and garden centers in department stores using the Employment Discovery and Customization service.

As Jane continues to work at the recycling center, her direct care staff start working with her on non-job-specific, work-related tasks that she might need for competitive employment at a flower shop through Prevocational Services. They also work with her on learning specific tasks in Group Supported Employment that would assist her in working with customers from the public.

Jane's staff helps her meet with the local Department of Vocational Rehabilitation office (DVR) and make an employment plan. After DVR opens a case and pays for job development, a job coach helps Jane fill out employment applications and assists her with interviewing for jobs.

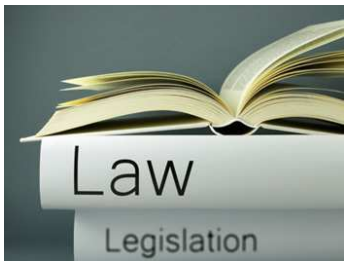
Finally, Jane finds a job working in a flower shop four days a week. DVR pays for supported employment for the time that she needs to obtain and maintain her job. Once she is successful and no longer needs a full-time job coach, DVR puts her case into "Status 22 – Employed." If during this time she needs a job coach,

the waiver will then pay for this service. ***(Please note: DVR cannot close a case successfully when services are still being offered. DVR must go three months or 90 days without paying for any services before they are able to close out a case successfully.)*** Participants, providers, and parents, must be aware of this DVR requirement.

Due to difficulty in learning all of her job tasks, Jane uses Individual Supported Employment through the waiver, which provides her with a job coach for a longer period of time. A job coach can assist her until she can perform the job fairly independently and begins receiving the help she needs from her co-workers, instead of the job coach. After a few months, Jane switches to Transportation Services to get to and from work and Jane's provider switches to Supported Employment Follow Along to check in on Jane's progress each month. Jane continues to learn and grow in her position. Occasionally the provider will provide job coaching to assist Jane and address any concerns that she or her employer has.

Jane now works four days a week and makes triple the money every month than she did at the recycling center. She has three new friends, who are also her co-workers! She also likes having extra money, which allows her to spend more time bowling and hanging out with her boyfriend.

2014 Employment First Legislation



An Act relating to persons with disabilities, which established employment first as a state policy to support competitive employment in an integrated setting, was enacted by the Wyoming Legislature in 2014. This Act requires agencies to support competitive and integrated employment; requires state agencies working with home and community based waiver service providers to implement employment first policies; requires state agencies to report on employment data; provides definitions; and provides for an effective date.

House Enrolled Act 53:

9-2-1002. Definitions; powers generally; duties of governor; provisions construed; cooperation with legislature and judiciary; divisions enumerated.

(xiii) **"Competitive employment"** means work in the competitive labor market that is performed on a fulltime or part-time basis in an integrated setting, and for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled;

(xiv) **"Employment first"** means a concept to facilitate the full inclusion of individuals with disabilities in the workplace and community. Under the employment first approach, community based, integrated employment is the first option for employment services for children and adults with disabilities. Employment first includes competitive employment in an integrated setting;

(xv) **"Integrated setting"** means with respect to an employment outcome, a setting typically found in the community in which applicants or eligible individuals interact with individuals who do not have disabilities, other than nondisabled individuals who are providing services to those applicants or eligible individuals, to the same extent that individuals who do not have disabilities interact with other persons in comparable positions.

9-2-1022. Duties of department performed through human resources division.

(n) In carrying out the duties of the division under this section, employment first shall be the policy of the state that competitive and integrated employment shall be considered its first option when serving persons with disabilities who are of working age to obtain employment. Employment first applies to programs and services that provide services and support to help obtain employment for persons with disabilities. All state agencies shall follow this policy and ensure that it is effectively implemented in their hiring and in all programs and services administered or funded by the agencies. Nothing in this section shall be construed to require any employer to give preference to hiring people with a disability. All state agencies shall coordinate efforts and shall collaborate within and among the agencies to ensure that state programs, policies, procedures and funding support competitive and integrated employment of individuals with disabilities. All state agencies shall, whenever feasible, share data and information across systems in order to track progress toward full implementation of this subsection.

Nothing in this section shall be construed as eliminating any supported employment services as an option when appropriate.

42-4-120. Contracts for waiver services; authority of department; emergency case services; cost based payments; training and certification of specialists.

(m) The department shall ensure that state agencies working with service providers receiving funds pursuant to this section shall have established employment first policies, including competitive employment in an integrated setting, consistent with the requirements of W.S. 9-2-1022.

Employment Talking Points

Employment means a job in the community that the person wants and can perform, with or without accommodation and support.

- When we talk about employment today, we mean having a job or vocation in the community that pays at least minimum wage.

Employment is an essential part of self-determination for many people.

- Employment is a way for people to achieve their personal dream of success, respect, and control.
- Having community employment can be an important part of one's self-identity and value in society today.

People with disabilities are successful workers.

- Thanks to new technology, new laws, and better teaching methods, jobs that were out of reach in the past for people with disabilities are accessible today.
- Job coaches are available to assist people who need assistance in locating, preparing for and successfully managing the job of their choice.
- Success is also supported by government programs, which provide real incentives for people with disabilities to work, keep more earned income for their personal use, and retain their needed benefits.

Some questions to get the employment process started.

- Does the participant need help figuring out the types of jobs and careers he/she would like and be good at doing?
- Will his/her support needs change over time? Are there times when more help will be needed?
- What is most important to the participant? Pay and benefits, fun people to work with, or safety and security?
- Will help be needed to manage benefits, such as Social Security and Medicaid?
- Will job coaching services be needed on the job and if so, how often and for how long?
- Will help be needed to identify activities for when he/she is not working?

Best Practices

Experience has shown that when certain principles are followed while supporting people with disabilities in their employment efforts, the most meaningful and successful outcomes are achieved. These principles are sometimes referred to as "best practices" in community employment services and they include:

- Focusing on individual jobs in the community, paid directly by the employer;
- Using a ***"person-centered planning"*** approach, where job placement is based on the individual's interests, needs and preferences, and the individual is supported to take control of his/her job planning process;
- Emphasizing ***"job matching"*** – searching for employment that closely matches what the job seeker wants, is good at doing, and where he or she will fit in and be comfortable;
- ***Thinking broadly*** about where the individual can work by not being limited to the ideas of traditional workplaces such as supermarkets and fast food chains;
- Taking advantage of personal networks – tapping into family and staff contacts to gather information, resources, and potential job leads;
- Using ***"natural supports"*** including family, friends, co-workers, and mentors to meet the needs of the individual on the job; and
- ***Fading out paid staff supports*** as the individual becomes more settled, comfortable, and independent in the workplace.

Person-Centered Planning is Best Practice

How Employment Affects My Benefits

While earned income can affect a person's eligibility for Social Security, food stamps, public housing and medical assistance benefits, State and Federal programs make it feasible for people to retain much more of their earnings than they could in the past without losing needed health care benefits and services. When taking advantage of State and Federal work incentives, people must report their earnings and assets or savings.

It is important to track your earnings each month and be familiar with the effects that it may have on other benefits you may be receiving.

Earned income WILL affect how much you receive in food stamps and public housing, BUT the amount you earn by becoming competitively employed far outweighs the reduction in food stamps and public housing assistance. You will be moving in the right direction to self-sufficiency!

Department of Health, Community Waiver Programs

The Comprehensive and Supports waivers offer five new employment services with better supports to help you gain and keep employment that match your strengths, needs, and interests. The two new waivers offer an employment pathway service overview with various employment support services to support and assist a participant who, because of their disability, needs intensive support to find and maintain a job in competitive, integrated work settings.

A range of supported employment services are available with varying levels of support and intensity to assist the participant in attaining and maintaining the highest level of paid, community integrated employment. Consistent with the *Olmstead Decision* and with person-centered planning, a participant's plan of care regarding employment services shall be constructed in a manner that reflects individual choice and goals related to employment and ensures provision of services in the most integrated setting appropriate.

Prevocational Services

Prevocational services are services designed to create a path to integrated community based employment for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals without disabilities.

Prevocational services should enable each individual to attain the highest level of work in the most integrated setting with a job matched to the individual's interests, strengths, priorities, abilities, and capabilities, while following applicable federal wage guidelines. These services provide learning and work experiences, including volunteer work where the individual can develop general, non-job-task-specific strengths and skills that contribute to employability through paid employment in an integrated community setting.

Prevocational services are time-limited, not to exceed 12 consecutive months and cannot be repeated during the subsequent plan year.

Employment Discovery and Customization

Employment Discovery and Customization is the individualized determination of the strengths, needs, and interests of the participant and is designed to meet the specific needs of the employee and employer relationship.

Employment discovery and customization includes employment developed through job carving, self-employment or entrepreneurial initiative, or other job development or restructuring strategies that result in job responsibilities being customized and individually negotiated to fit the needs of participants. Employment discovery and customization presumes the provision of reasonable accommodations and supports necessary to perform functions of a job that is individually negotiated and developed.

Supported Employment

- ***Small Group Supported Employment***

Small Group Supported Employment services consist of intensive, on-going supports that enable a participant, for whom competitive employment is at or above the minimum wage is unlikely absent the provision of supports; and who, because of his/her disability, need supports to perform in a regular work setting, including mobile work crews or enclaves. These services are conducted in a variety of settings, particularly work-sites where persons without disabilities are employed.

Services include activities needed to sustain paid work, which includes supervision and training. When supported employment services are provided at a work-site where persons without disabilities are employed, payment is only made for the adaptations, supervision, and training that is required by a participant receiving waiver services as a result of their disability. It does not include payment for supervisory activities rendered as a normal part of the business setting.

- ***Individual Supported Employment***

Individual Supported Employment services are the 1:1 supports available to a participant who, because of their disability, needs intensive or on-going support to obtain and maintain an individual job in competitive or customized employment, or self-employment, in an integrated work setting, in the general workforce for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by an individual without a disability.

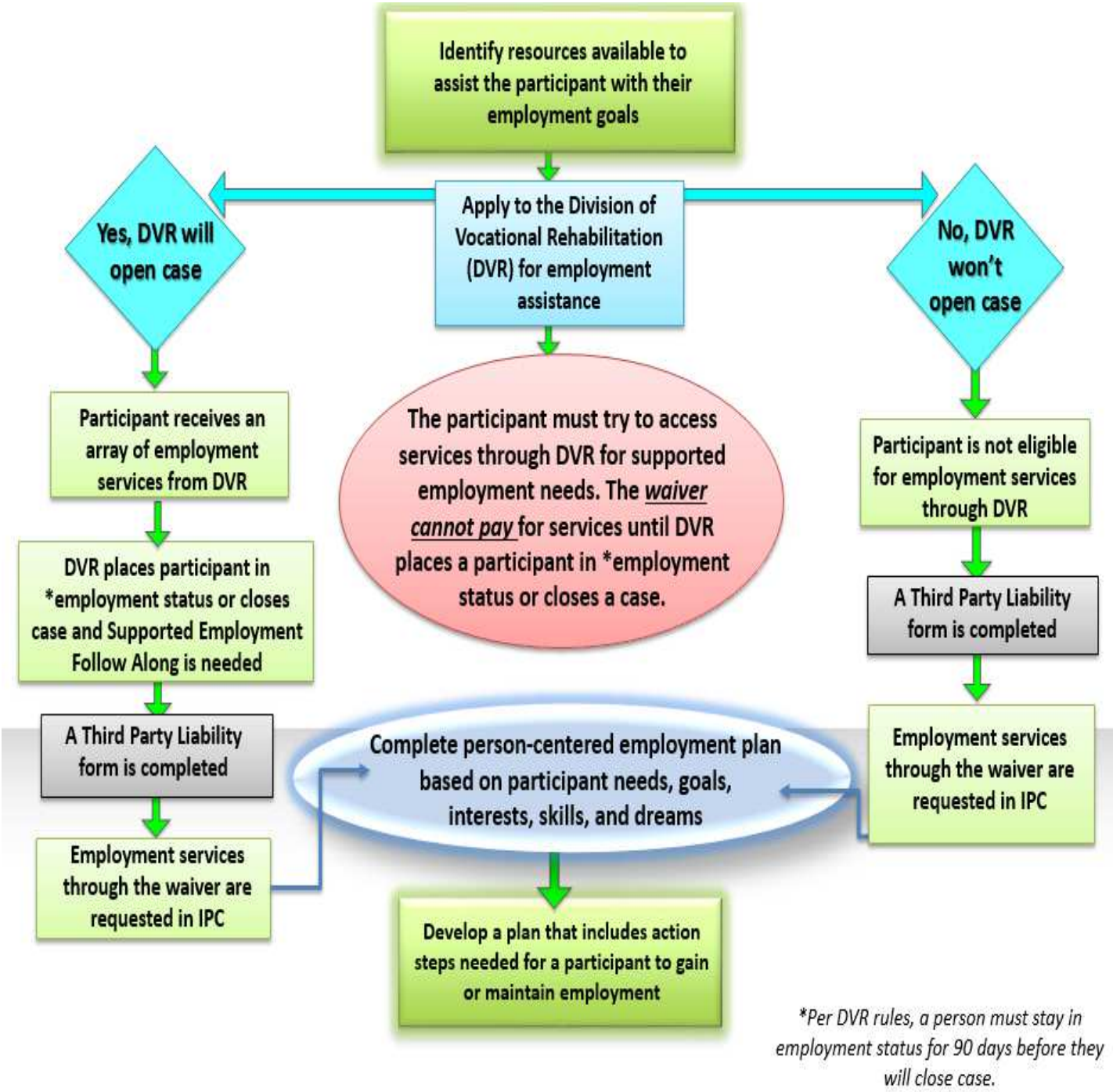
Services are conducted in a variety of settings, particularly work-sites where persons without disabilities are employed. Services include activities needed to sustain paid work by a participant, including supervision and training. When supported employment services are provided at a work-site where persons without disabilities are employed, payment is made only for the adaptations, supervision, and training required by participants receiving waiver services as a result of their disabilities, but does not include payment for the supervisory activities rendered as a normal part of the business setting.

- ***Supported Employment Follow Along***

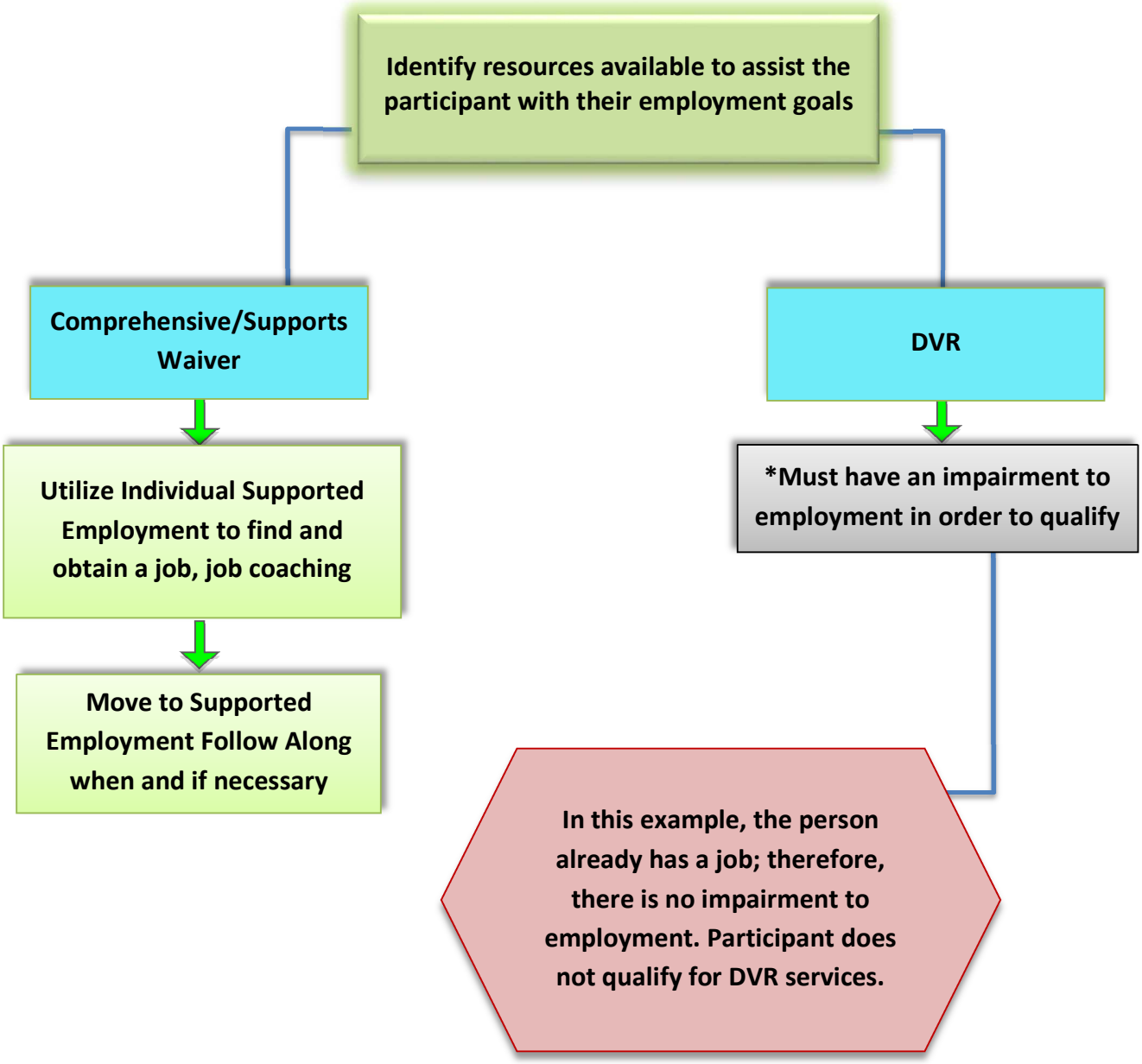
Supported Employment Follow Along are services and supports that enable a participant who is paid at or above the federal minimum wage to maintain employment in an integrated community setting. Service is provided for or on behalf of the participant through intermittent and occasional job support, communicating with the participant's supervisor or manager, whether in the presence of the participant or not.

DVR and Waiver Assistance on Your Employment Pathway

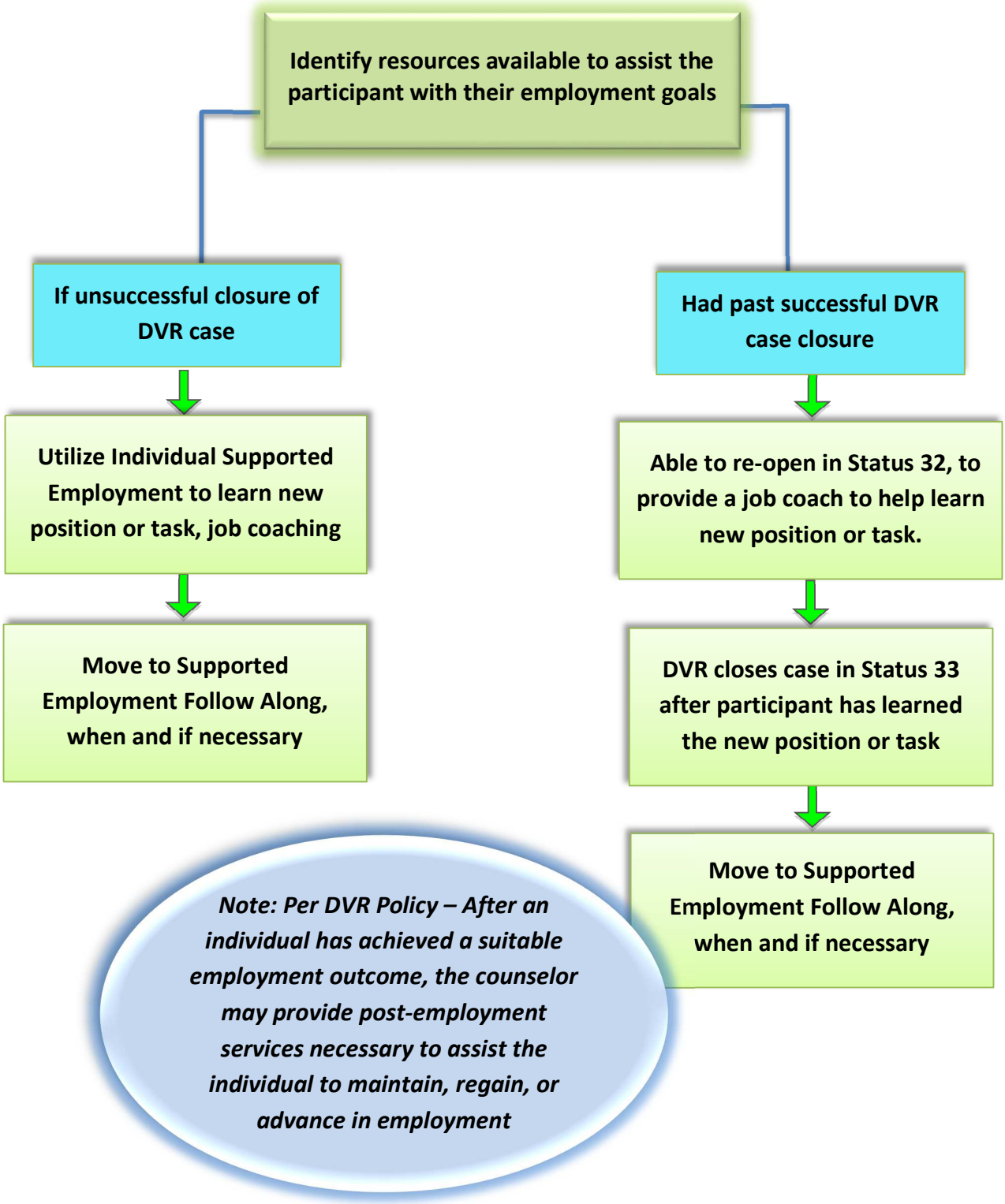
1. No community integrated job before



2. Currently have a job and looking to change jobs



3. Currently have a job and learning a new position or task



4. Currently have a part-time job and looking to obtain a 2nd part-time job

Volunteering

Volunteerism is an avenue that allows individuals to assist with improving their communities, gain marketable skills that could eventually lead to paid employment, test out interests and possible career paths, and develop personal and professional meaningful social connections. It also allows the individual to experience the pleasure and satisfaction of the activity itself and make a difference in the lives of others. Given the social isolation of many people with developmental disabilities, volunteering is important and one of the most useful ways for really getting to know other community members. Volunteering provides many opportunities to learn and practice skills that can be useful in paid employment.

There is value in volunteering and community service. An opportunity to learn, acquire work experience, and a sense of belonging.

Family and Friends

Family and friends of the participant are an important resource that is often overlooked. In many situations, employment opportunities can be found through the participant's family or friends, their school, or their business contacts. Support in finding and keeping a job can be provided informally, by a participant's friends or co-workers, without relying on a funded service. Even when employment services are provided by a community program, relatives and friends play a key role in contributing to the participant's job success by helping in areas of reporting income, preparation for work, transportation, etc.

Transportation

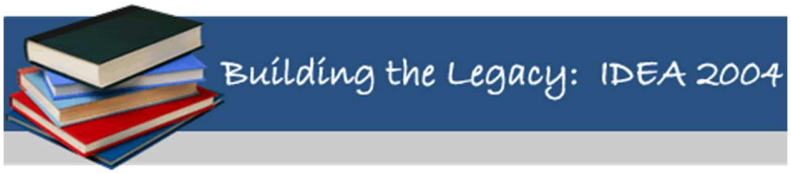
Planning for transportation is an essential part of the job planning process. Job seekers, families, and providers need to work together from the beginning to identify transportation options.

Here is a list of transportation issues to consider:

- Are any public transportation routes accessible?
  - If so, are they available on the days and hours the individual will be travelling to and from work?
- Are transportation services available from the provider and waiver service?
- Is carpooling or shared-ride transportation an option?
- What will the costs be, whether by private or public transportation?
- Are there health, behavior or risk issues that should be considered when selecting the means of transportation?
- Will the individual be able to use public transportation or other shared transit with proper training and support?

When planning transportation, "thinking outside the box" can result in a creative solution. For example, maybe your town's senior bus program can be helpful. Or perhaps your town's taxi company might negotiate a special discounted rate. Consider approaching relatives, co-workers and neighbors about carpooling options.

A plan for transportation is essential when planning for employment.



Employment Transition Planning for School Aged Individuals

Individuals with Disabilities Improvement Education Act

According to the Individuals with Disabilities Education Act (IDEA), special education means specially designed instruction, provided at no cost to the parent, to meet the unique needs of a child with a disability. This specially designed instruction involves adapting, as appropriate to the needs of an eligible student, the content, methodology or delivery of instruction:

- To address the unique needs of the child that result from his/her disability; and
- To ensure access of the child to the general curriculum, so that the child can meet the educational standards within the district that apply to all children.

In Wyoming, children who are eligible for special education are entitled to a free appropriate public education (FAPE) in the least restrictive environment (LRE) from the age of three through the school year in which the student turns 21 years old. School districts ensure the provision of FAPE in the LRE for each eligible child through the development and implementation of an Individualized Education Program (IEP), which is updated at least annually.

Transition Planning Form

In Wyoming, school districts are required by IDEA to include transition planning in the Individual Education Plan (IEPs) of students with disabilities by the time they are 16 (some states require transition planning to begin earlier). Transition planning is a coordinated set of activities that are designed within a results-oriented process, focused on improving academic and functional achievement to facilitate the student's movement from school to post-school activities. The IEP team, including the student, work to develop a plan that is based on age-appropriate transition assessments and individualized to address each child's unique needs.

Transition services and activities incorporated into the plan might include:

- ***Career Interest Inventories*** – these paper and pencil assessments can help the student identify work interest and preferences. The results of these assessments can help to create specific employment goals.
- ***Job Shadowing*** – the student follows an employee during a typical day on the job.
- ***Mentoring*** – the student is matched to an adult mentor who serves as an advisor and offers guidance.
- ***Apprenticeship*** – an adult professional teaches the student a specific trade.
- ***Workplace visits and tours*** – the student observes different work settings.
- ***Career Fairs and Career Days*** – local community members' visit a school to share career experiences with an interested group of students.
- ***Mock job interviews*** – partner with your local Workforce Center to set up mock interviews for students so that they can gain experience.
- ***Job Clubs*** – if available through your local school, job clubs can be great for peer level mentoring and encouragement in employment efforts and on-the-job issues.
- ***After-school and summer job placements*** – arranged and supported by school staff.
- ***Internships*** – paid or unpaid work experience for students.

Resources

Division of Vocational Rehabilitation (DVR)

The Division of Vocational Rehabilitation is a federal-state program that works with people who have physical or mental disabilities to prepare for, gain or retain employment.

Eligibility Criteria:

1. Individual has a physical or mental impairment.
2. Impairment poses a substantial impediment to employment.
3. Individual requires services from DVR to prepare for, gain, or retain employment.

Services that VR provides:

- As part of their core services, DVR provides to all clients eligibility assessments, counseling and guidance, information and referral services, and job search and job placement services. Any additional services that a person with a disability may need are individualized to their specific disability and employment goal.

Call 1-866-804-3678 or visit VR's website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Workforce Investment Act Program (WIA) (For Adults)

The Wyoming Department of Workforce Services uses Workforce Investment Act funding to help adults, dislocated workers and youth find employment that leads to self-sufficiency through various services available at its local Workforce Centers.

Eligibility Criteria:

- For individuals who are 18 years of age or older.
- Individuals who are unemployed and are unable to obtain employment through core services and have been determined to be in need of more intensive services in order to obtain employment; or
- Are employed and have been determined to be in need of services in order to obtain or retain employment that allows for self-sufficiency.
- Meet certain income guidelines.

Services that WIA provides:

- Occupations skills training;
- On-the-job training;
- Programs that combine workplace training with related instruction;
- Training programs operated by the private sector;
- Skills upgrading and retraining;
- Entrepreneurial training;
- Job readiness training;
- Adult Basic Education activities in conjunction with these activities; and
- Customized training with a commitment to employ trainees.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Workforce Investment Act Program (WIA)
(For Youth)

The Wyoming Department of Workforce Services uses Workforce Investment Act funding to help adults, dislocated workers and youth find employment that leads to self-sufficiency through varies services available at its local Workforce Centers.

Eligibility Criteria:

- For individuals aged 14-21.
- Services provided to eligible youth seeking assistance in achieving academic and employment success.

Services that WIA provides:

- Tutoring, study skills training and instruction leading to completion of secondary school, including dropout prevention strategies;
- Alternative secondary school services;
- Summer employment opportunities that are directly linked to academic and occupational learning;
- Paid or unpaid work experiences, including internships and job shadowing;
- Occupational skill training;

- Leadership development opportunities, which may include community service and peer-centered activities encouraging responsibility and other positive social behaviors during non-school hours;
- Supportive services;
- Adult mentoring for the period of participation and a subsequent period, for a total of not less than 12 months;
- Follow-up services for not less than 12 months after the completion of participation; and
- Comprehensive guidance and counseling which may include drug and alcohol abuse counseling and referral.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Department of Workforce Services (DWS)
Career Exploration and Aptitude Testing

The Wyoming Department of Workforce Services understands the need for students, parents, schools, job-seekers and others to explore their career aptitude and development. With this need in mind, the Wyoming Department of Workforce Services provides the following tools to further facilitate such career exploration:

- Start exploring career options with CareerOneStop, whether you are in high school, have graduated, have a vocational certificate, have a 2-year or 4-year college degree or have knowledge and skills acquired through training centers, on-the-job training, or work experience.
- The Wyoming Department of Workforce Services' local Workforce Centers have publicly-accessible computers with resume writing software, various books and videos on resume writing and interviewing, college catalogs, typing, spelling tests, and other resource materials.
- Wyoming at Work Career Services (https://www.wyomingatwork.com) is available. With it, a person can complete, through Wyoming at Work, occupational skills assessments to assist in career development and job placement.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Wyoming Services for Independent Living is a registered non-profit human service agency established to enable persons with significant disabilities to live as independently as possible in the community of their choice.

Eligibility Criteria:

- Presence of a significant disability that interferes with living independently
- Not determined by income levels
- Person motivated to maintain and/or increase levels of independence.

Services that WSIL provides:

- Individual and systems advocacy;
- Information and referral;
- Peer counseling;
- Independent Living Skills Training;
- ADA technical advice;
- Adaptive equipment;
- Home modification;
- Loan closet;
- Nursing Home Transition and Diversion; and
- Transportation Voucher.

Call 1-800-266-3061 to find an office near you or to learn more about their services.

wilr wyoming independent living rehabilitation

Wyoming Independent Living Rehabilitation educates and empowers Wyoming citizens with disabilities by providing the necessary tools to live with independence and dignity. All services are provided on a "consumer-driven" basis. You decide what you need to live independently.

Eligibility Criteria:

- Each program has different criteria to be eligible. Please contact WILR for more information and to see if you qualify.

Programs that WILR offers:

- Independent Living Services
  - Services to help people regain or maintain independence in their lives.
- Visually Impaired Program
  - Services for older adults who are blind or severely visually impaired.
- Consumer Directed Care
  - To provide the option of obtaining personal attendant care services provided by an individual of the consumer's choice, who is not necessarily medically trained to provide such services.
- Project Out
  - To transition consumers from nursing homes back into communities.
- ADA Consultant
  - To provide information to individuals, organizations, businesses and municipalities regarding the ADA and accessibility issues.
- Transportation Check Program
  - To provide transportation to consumers with disabilities
- Wyoming Technology Access Program (WYTAP)
  - Offers persons with disabilities an opportunity to finance assistive technology devices and services through low – or no – interest loans.
- Making Homes Accessible
  - A conditional block grant program to help low to moderate income people with disabilities to make their homes accessible.

Call 1-800-735-8322 or 266-6956 (in Casper) to find an office near you or to learn more about their services.

Job Accommodation Network (JAN)

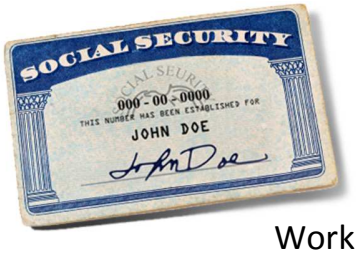
Identifying and arranging necessary accommodations and supports is a key part of assisting people with disabilities to find and keep employment – and is legally reinforced by the Americans with Disabilities Act. A job accommodation means that a job, workplace or way a job is done is modified to help the person with a disability do his/her job. There are several general types of job accommodations:

- Job restructuring, such as a change in work schedule or a decrease in the number of job duties
- Assistive devices – item, device or piece of equipment that is used to help the person with a disability perform a task.
- Training/teaching methods, such as an extended orientation period or audio version of a training manual
- Modification to the building, such as ramps, electronic door opener or flashing lights.

The Job Accommodation Network (JAN) is the leading source of free, expert, and confidential guidance on workplace accommodations and disability employment issues. Working toward practical solutions that benefit both employer and employee, JAN helps people with disabilities enhance their employability, and shows employers how to capitalize on the value and talent that people with disabilities add to the workplace.

JAN provides free, confidential technical assistance about job accommodations and the Americans with Disabilities Act (ADA). Call 1-800-526-7234 to get more information.

Appendix A: Social Security Work Incentive Information



Because many people with disabilities fear losing the SSA benefits and related health care due to being able to work and earn an income, they choose not to work. The SSA has made efforts to reduce this fear by creating and implementing programs known as SSA Work Incentives. Work incentives allow people who receive SSA benefits to work and earn an income while maintaining their benefits and their health insurance. There are specific conditions and requirements for each work incentive, and people must understand how the programs work, including the reporting requirements, in order to ensure proper implementation. Listed below are some of the work incentives offered by Social Security.

For complete information on all SSA's work incentives please visit their website at www.ssa.gov, call 1-800-772-1213 or contact your local Social Security Office.

Social Security Disability Insurance Program (SSDI)

The Social Security Disability Insurance Program (SSDI) provides a monthly benefit to individuals under full retirement age, who have enough quarters paid into the system, have worked five out of the last ten years, and meet the Social Security Administration's (SSA) definition of disability. These SSDI benefit payments will continue as long as the person is unable to engage in "substantial gainful activity" (SGA). A person who is earning more than a certain monthly amount in gross earnings is considered to be engaging in SGA. The SGA amount generally changes when the national average wage index changes. In 2015, the monthly SGA amount is $1090 for a non-blind individual and $1820 for a blind individual. There are work incentives that allow people to go to work after becoming eligible for SSDI. These work incentives allow a person to return to work, but have a safety net, allowing them to continue receiving their SSDI monthly benefit and Medicare coverage for a specific amount of time. Many people can work and keep their SSDI payments and Medicare if they are aware of the work incentives for SSDI.

Supplemental Security Income (SSI)

Supplemental Security Income (SSI) is based upon financial need. It provides monthly benefits to low income individuals who are disabled, blind, or over the age of 65 who are unable to engage in SGA and meet SSA's non-medical criteria for eligibility. The monthly benefit is based on the federal benefit rate (FBR) and generally changes annually based on cost of living increases. In 2015, the monthly FBR is $733.

SSI recipients are automatically eligible for Medicaid, a government health insurance program, and often are eligible for other federal programs such as SNAP, the food assistance program.

The definition of "disability" is the same for SSI and the SSDI programs. To qualify for SSI, a person must have a medically determinable physical or mental impairment that prevents them from engaging in substantial gainful activity. The impairment must have lasted for a continuous period of 12 months, be expected to last for a continuous period of 12 months, or be expected to result in death. In order to be eligible for SSI, the person with a qualifying disability must meet age requirements, residency, legal involvement, living arrangements, and resource and income requirements.

How Property and Assets are Treated Under SSI

Resource and income include, but are not limited to, real estate or real property other than the applicant's residence, vehicles (one car or truck is excluded), bank accounts, cash, stocks, bonds, or other investments. Cash value of life insurance policies, burial spaces, expense funds, certain trusts, and any money or property sold, transferred, or disposed of within 36 months prior to the application. To be eligible for SSI, total counted resources cannot exceed $2,000 per person or $3000 per couple. Income counted includes any earned or unearned income, rental income, child support, alimony, TANF, EITC's, self-employment wages, unemployment compensation, and any other income sources.

The following items DO NOT count as assets or resources for purposes of SSI eligibility:

- The applicant's home and the land it is on, provided that it is the primary residence.
- Household goods, personal property, and one car or truck, if it is necessary for daily activities.
- Life insurance with a face value less than $1500.
- Burial spaces and expense funds up to $1500.

As laws and policies change often, make certain that if there are additional options for keeping assets, such as special needs trusts, that these assets have been approved by the Social Security Administration.

How Income May Impact SSI Eligibility

Countable income can include both earned income and unearned income. This means that income which may impact the amount of the SSI payment includes money that is paid by an employer, Social Security payments, private pension payments, or some items of value that are received as gifts to pay for food, shelter, or utilities.

If a person is considered disabled under SSA rules and plans to work, his or her countable income can be reduced by special programs known as "work incentives." These programs allow a person receiving SSI and/or SSDI to work and continue to receive all or part of their disability payments as well as maintain eligibility for Medicare and/or Medicaid.

Employed Individuals with Disabilities (EID) Program
Medicaid Buy-in Coverage

The EID program provides work incentives for individuals with disabilities. Individuals with disabilities who work and have no health-care coverage, or who may lose their Medicaid coverage, should apply if they obtain employment, increase their work hours, or increase their rate of pay. People with disabilities who work will pay a monthly premium to receive Medicaid health-care coverage. The premium is (7.5%) of their monthly earned income and their yearly unearned income that is in excess of $600.

You may be eligible if you:

- Are employed
- Have a disability based on Social Security Administration guidelines
- Are a U.S. citizen or lawful permanent resident who has lived in the U.S. for at least five years
- A Wyoming resident
- Are 16 through 64 years of age
- Meet income guidelines (earned income is exempt)

Know your options. The Medicaid Buy In (EID program) allows you to work and have Medicaid health-care coverage for only 7.5% of your monthly earned income.

Benefits of the EID program:

- You will have Medicaid health-care coverage.
- You can work in the community.
- You can earn and save more money without the risk of losing health-care coverage.

Call the Wyoming Department of Health, Customer Service Center at 1-855-294-2127 to find out about the application process.

Impairment Related Work Expense (IRWE)

This work incentive applies to both SSI and SSDI at different times. An IRWE is an out of pocket cost that a person must pay that 1) is related to their disability and 2) is needed in order for them to work. The out of pocket costs reduce the income that SSA counts. Receipts must be sent into SSA monthly.

Examples of IRWE:

- Cost of taxis or drivers needed to travel to work because your disability prevents use of public transportation.
- Modified vehicles needed because of disability, e.g., special steering/braking equipment.
- Ramps, railings, or other modifications to the outside of your home that allow you to leave and go to work.
- Routine medication costs that help keep your disability related symptoms under control.

Subsidies and Special Conditions

A subsidy only applies to SSDI and is defined as the value of extra support a person receives on the job. The subsidy is provided by the employer and the worker must earn the same pay as other workers doing the same job. Examples include a job coach, mentor, extra supervision, or a reduced workload. The value of the subsidy is determined by the employer. Special conditions apply when the individual is not fully earning his or her wages because the work is performed under special conditions such as on-the-job coaching or substitution in which the job coach performs part or all of the individual's job duties. SSA will deduct the wages that are not considered "earned" by the individual.

Examples of subsidies:

- You receive more supervision than other workers doing the same or a similar job for the same pay.
- You have fewer or simpler tasks to complete than other workers who are doing the same job for the same pay.
- Job coach assistance.

Examples of special conditions:

- You receive close and continuous supervision.
- You receive on the job coaching and the job coach performs part or all of your tasks.

Unincurred Business Expense

"Unincurred business expenses" refers to self-employment business support that someone provides to you at no cost. In deciding whether you are working at the SGA level, SSA deducts unincurred business expenses from your net earnings from self-employment. Examples of unincurred business expenses are (1) a Vocational Rehabilitation agency gives you a computer that is used in a graphic arts business; and (2) a friend works for your business as unpaid help.

For an item or service to qualify as an unincurred business expense:

- It must be an item or service that the IRS would allow as a legitimate business expense if you had paid for it; and
- Given to you free of charge.

Unsuccessful Work Attempt

An unsuccessful work attempt is an effort by a disabled individual to do substantial work that either stopped or produced earnings below the SGA level after a short amount of time, no more than 6 months because of:

- The individual's disabling condition; or
- Elimination of the special conditions or assistance that the individual needed in order to work.

Trial Work Period

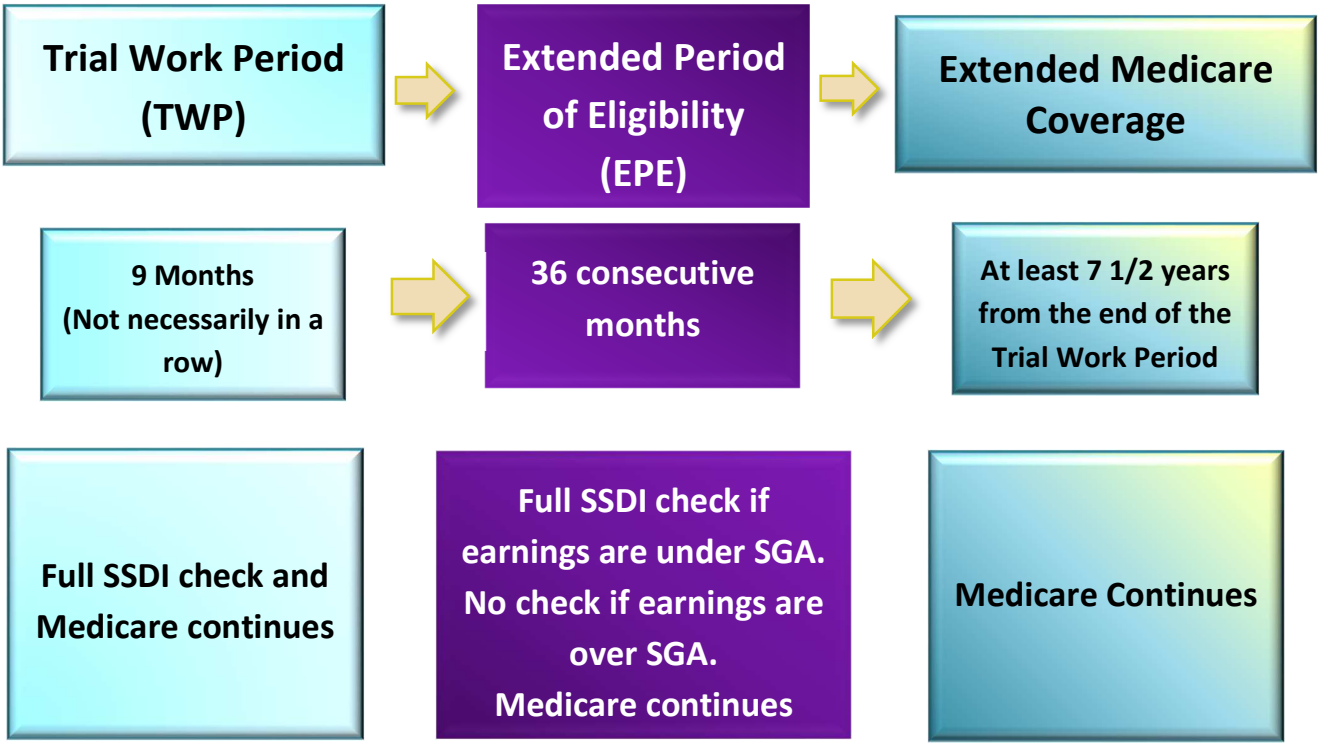
Applies to SSDI only – the Trial Work Period (TWP) allows you to test your ability to work by providing a period of nine (9) months of gross earnings during which your SSDI check is not affected. A month does not count towards your trial work period unless your gross earnings meet or exceed an amount set each year by SSA. In 2015, the TWP amount is $780. During your TWP, you will receive your full disability benefit regardless of how much you earn. You must report your work activity to SSA and continue to have a disabling impairment. The nine (9) months does not need to be consecutive, they are counted within a five-year period. Certain other rules apply. Medicare coverage will continue for ninety-three (93) months after the last month of the TWP.

If you are on SSDI, don't be afraid to work. You get a 9 month trial work period to test the waters of employment.

Extended Period of Eligibility

Applies to SSDI only – the Extended Period of Eligibility (EPE) begins after you have completed your trial work period and have gross earnings at or above the SGA level. The EPE lasts for thirty-six (36) months and allows an individual to receive their SSDI check in any month that their earnings fall below SGA. If work is discontinued during the EPE, the individual simply needs to contact SSA to reinstate benefits. You must continue to have a disabling impairment.

36 month extended period of eligibility AFTER your 9 trial work period months.



Earned Income Exclusion

Applies to SSI only – all SSI recipients receive a $20 general income exclusion. If SSI is the person's only income prior to working, he or she also gets an earned income exclusion of $65. After deducting the $85 in exclusions from your earned income, SSA then only considers half of your remaining earnings.

When you are on SSI, the Social Security Administration only counts $1 for every $2 you earn while working.

Example:

- John is receiving $733 in SSI each month.
- He returns to work and earns $500 in gross monthly earnings.
- Because John was only receiving SSI prior to working, he receives both income exclusions:

  $500 (*Earnings*) minus $85 (*Exclusions*) = $415
- SSA only counts half of the remaining earnings:

  $415 (*Considered earnings after exclusions*) divided by 2 = $207.50
- SSA will only count $207.50 of John's total earnings.
- His SSI check will then be reduced by $207.50.
- His new SSI amount will be **$525.50** (*$733-$207.50=$525.50*).
- **Johns total monthly income is now $500 (*earnings*) plus $525.50 (*SSI benefit*) = $1025.50.**
- John continues to receive Medicaid because his SSI benefit is at least $1.

Plan to Achieve Self-Support (PASS)

Applies to SSI only – a plan to achieve self-support allows you to set aside income or assets of a set amount of money for an established period of time towards a specific employment or vocational goal. Funds can be used for education, equipment, or starting a business, etc. Goals must generally be obtainable within three years, but some exceptions are possible. Funds must be used for a designated purpose or a person could be in overpayment and have to pay back to SSA. A PASS plan can help a person achieve their work or vocational goal. Your goal should be a job that allows you to earn enough to reduce or eliminate your need for benefits provided under the Social Security and Supplemental Security Income programs. SSA does not count the money or resources you set aside under an approved PASS plan when they decide your initial or continuing eligibility for SSI. Having a PASS may help you qualify for SSI or may increase the amount of your SSI payment.

Property Essential to Self-Support (PESS)

Applies to SSI only – SSA does not count some resources that are essential to your means of self-support when they decide if you are eligible for SSI. For example, they do not count property such as tools or equipment that you use for work. If you have a trade or business, they do not count property such as inventory. A person must be using the property that SSA is excluding under PESS, or be expected to start using it in a reasonable amount of time, typically within 12 months.

Federal Rule 1619(b)

Applies to SSI only – Section 1619(b) allows a person who is receiving SSI and working to continue to receive Medicaid at no cost, even when their earnings reduce their SSI benefit to $0. There are earnings threshold requirements. In 2014, for Wyoming, the threshold amount is $36,447. A person who meets the requirements of 1619(b) will receive full medical coverage under Medicaid.

To qualify:

- A person must have been eligible for an SSI cash payment for at least one month prior to accessing 1619(b).
- SSI benefit must have been reduced because of earnings.
- Must continue to meet SSA disability requirements.
- Continue to meet resource requirements for SSI.
- Need the medical assistance to work.
- Have gross earned income that is insufficient to replace the cost of medical assistance needed.

For assistance planning for employment, use our "Employment Pathway Planning Packet"

http://health.wyo.gov/DDD/cmforms.html

Start Your Employment Planning Now

If you are not employed now, but would like to pursue ***employment in the next year*** or ***employment in the next two (2) years***, ask yourself the following questions to begin your planning:

1. Have you ever volunteered in the community?
2. Do you want to learn a new skill?
3. When you are out in the community, are there jobs that you see people doing that you would like to know more about?
4. Do you want to learn about different types of jobs available?
5. If you could have any job, what would it be?
6. What interests you about your dream job?
7. Are there jobs that you don't want to do?
8. How much money will you need to make to meet your living expenses?
9. How much money will you need to buy things you want?
10. What is your greatest fear when you think about working?
11. Is there anything that worries you about getting a job?
12. What motivates you?
13. Will you need prevocational or employment discovery and customization services?
14. What supports will you need to begin competitive employment?
15. Who will help you set up the supports you need to gain and maintain competitive, integrated, and meaningful employment?
16. What is your employment goal date?

SSDI Trial Work Period (TWP) Tracking Chart

You are allowed nine (9) TWP months in a rolling sixty (60) month period

2015 Amount TWP= $780 SGA=$1090

Month	Gross Earned Income	Trial Work Month Yes or No	SSDI Cash Benefit	Total Income
Example: January	$800	Yes= TWP Month 1	$1000	$1800

Notes

Employment First

Pathway to Employment
Pathway to Integration
Pathway out of Poverty

"Working together to build a more prosperous Wyoming."

Wyoming Department of Health

Commit to your health.

BEHAVIORAL HEALTH DIVISION

Employment First Planning Guide

For adults ages 16+ with Intellectual Disabilities, their families, and the Circle of support.

Behavioral Health Division
Developmental Disabilities Section
6101 Yellowstone Road, Suite 220
Cheyenne, WY 82002
www.health.wyo.gov/ddd
800-510-0280 | 307-777-6494

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Introduction

The influence that parents, family, friends, teachers, and providers have on people with disabilities can be both influential and powerful. When it comes to setting expectations about work, those involved in the lives of people with disabilities need to convey the expectation that people with disabilities can work, can contribute, and can find great satisfaction in being part of the world of work.

People WORK for many reasons. For some, it provides a sense of self or meaning in one's life; for others, it is the social context of meeting and associating with others in a common effort or goal; and for still others, it is the means by which to gain status, either personal or economic, which allows for choice and discretion in determining one's "quality of life."

What Makes Life Good?

When asked, ***"What makes life good?"*** almost all people identify the same core components. While different people will use different words to describe a component or more highly value one component over another, the list of components is consistently the same:

- Freedom of choice and ease of access to the community;
- Positive, interdependent relationships with family and friends;
- A safe, comfortable home in a safe neighborhood;
- Being respected, included in and a member of your culture and community;
- Good health and access to good health care;
- Enjoying one's personal choice of hobbies, recreation, and leisure activities; and
- Satisfying employment and the economic benefits of contributing through work.

Although employment outcomes for individuals with disabilities still lag behind those compared to individuals without disabilities, it is clear that enormous barriers to employment are being overcome. It is far more common now to see people with disabilities in a wide range of jobs throughout the community than it was even a decade ago.

Supported employment is an alternative to traditional sheltered and competitive employment approaches. It is an attempt to meet the specific needs of individuals with disabilities and is based on fundamentally different principles and assumptions. The supported work model assumes that all individuals, regardless of the nature or extent of their disabilities, should have the opportunity and support to work in the community. There are no pre-requisite skills needed for community job success. Therefore, the task is not to identify and place "work ready" individuals, but rather to locate and/or modify meaningful jobs in the community and provide training and supports at the job site.

Supported employment will often take the form of "customized" employment. Customized employment is a flexible process designed to personalize the employment relationship between a job candidate and an employer in a way that meets the needs of both. It is based on an individualized match between the strengths, conditions, and interests of job candidate and the identified business needs of an employer. Customized employment utilizes an individualized approach to employment planning and job development – one person at a time, and one employer at a time.

This Employment Planning Guide is designed to help parents, participants, and providers start the process of finding competitive work for people with disabilities; learn about the resources, services, and the programs available to help people with disabilities in Wyoming pursue their own unique path to work, a career, and participate in community life.

"Given the choice between work and idleness, people will almost always choose work. Regardless of our station in life, the condition of our bodies and minds, or the amount of money in our bank accounts, the need to work remains one of our strongest drives. Work is central to our lives, and as such, gives a large measure of structure to our days. Common sense tells us that we feel better about ourselves when we are working regularly."

~Robert Drake, M.D.,

Meet Jane

Let's look at an example of what the new employment pathway might do for a participant.

We want to introduce a fictional waiver participant, Jane, who is a based upon people we know in Wyoming receiving services. We want to describe how the new employment pathway can realistically work for someone and change his or her life.

Jane has been going to day services and working in an enclave at the recycling center, and she receives group supported employment. Jane's team of family and providers encouraged her to start looking for other employment opportunities with the new employment services on the waiver.

At her team meeting, Jane and her team discuss what type of work she would like and want to do if she did not work at the recycling center. They ask her where in town she would like to work. They find out she likes flowers and gardening centers in stores, so they make a plan to set up mentor sites at flower shops and garden centers in department stores using the Employment Discovery and Customization service.

As Jane continues to work at the recycling center, her direct care staff start working with her on non-job-specific, work-related tasks that she might need for competitive employment at a flower shop through Prevocational Services. They also work with her on learning specific tasks in Group Supported Employment that would assist her in working with customers from the public.

Jane's staff helps her meet with the local Department of Vocational Rehabilitation office (DVR) and make an employment plan. After DVR opens a case and pays for job development, a job coach helps Jane fill out employment applications and assists her with interviewing for jobs.

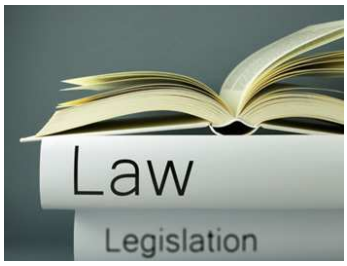
Finally, Jane finds a job working in a flower shop four days a week. DVR pays for supported employment for the time that she needs to obtain and maintain her job. Once she is successful and no longer needs a full-time job coach, DVR puts her case into "Status 22 – Employed." If during this time she needs a job coach,

the waiver will then pay for this service. ***(Please note: DVR cannot close a case successfully when services are still being offered. DVR must go three months or 90 days without paying for any services before they are able to close out a case successfully.)*** Participants, providers, and parents, must be aware of this DVR requirement.

Due to difficulty in learning all of her job tasks, Jane uses Individual Supported Employment through the waiver, which provides her with a job coach for a longer period of time. A job coach can assist her until she can perform the job fairly independently and begins receiving the help she needs from her co-workers, instead of the job coach. After a few months, Jane switches to Transportation Services to get to and from work and Jane's provider switches to Supported Employment Follow Along to check in on Jane's progress each month. Jane continues to learn and grow in her position. Occasionally the provider will provide job coaching to assist Jane and address any concerns that she or her employer has.

Jane now works four days a week and makes triple the money every month than she did at the recycling center. She has three new friends, who are also her co-workers! She also likes having extra money, which allows her to spend more time bowling and hanging out with her boyfriend.

2014 Employment First Legislation



An Act relating to persons with disabilities, which established employment first as a state policy to support competitive employment in an integrated setting, was enacted by the Wyoming Legislature in 2014. This Act requires agencies to support competitive and integrated employment; requires state agencies working with home and community based waiver service providers to implement employment first policies; requires state agencies to report on employment data; provides definitions; and provides for an effective date.

House Enrolled Act 53:

9-2-1002. Definitions; powers generally; duties of governor; provisions construed; cooperation with legislature and judiciary; divisions enumerated.

(xiii) **"Competitive employment"** means work in the competitive labor market that is performed on a fulltime or part-time basis in an integrated setting, and for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled;

(xiv) **"Employment first"** means a concept to facilitate the full inclusion of individuals with disabilities in the workplace and community. Under the employment first approach, community based, integrated employment is the first option for employment services for children and adults with disabilities. Employment first includes competitive employment in an integrated setting;

(xv) **"Integrated setting"** means with respect to an employment outcome, a setting typically found in the community in which applicants or eligible individuals interact with individuals who do not have disabilities, other than nondisabled individuals who are providing services to those applicants or eligible individuals, to the same extent that individuals who do not have disabilities interact with other persons in comparable positions.

9-2-1022. Duties of department performed through human resources division.

(n) In carrying out the duties of the division under this section, employment first shall be the policy of the state that competitive and integrated employment shall be considered its first option when serving persons with disabilities who are of working age to obtain employment. Employment first applies to programs and services that provide services and support to help obtain employment for persons with disabilities. All state agencies shall follow this policy and ensure that it is effectively implemented in their hiring and in all programs and services administered or funded by the agencies. Nothing in this section shall be construed to require any employer to give preference to hiring people with a disability. All state agencies shall coordinate efforts and shall collaborate within and among the agencies to ensure that state programs, policies, procedures and funding support competitive and integrated employment of individuals with disabilities. All state agencies shall, whenever feasible, share data and information across systems in order to track progress toward full implementation of this subsection.

Nothing in this section shall be construed as eliminating any supported employment services as an option when appropriate.

42-4-120. Contracts for waiver services; authority of department; emergency case services; cost based payments; training and certification of specialists.

(m) The department shall ensure that state agencies working with service providers receiving funds pursuant to this section shall have established employment first policies, including competitive employment in an integrated setting, consistent with the requirements of W.S. 9-2-1022.

Employment Talking Points

Employment means a job in the community that the person wants and can perform, with or without accommodation and support.

- When we talk about employment today, we mean having a job or vocation in the community that pays at least minimum wage.

Employment is an essential part of self-determination for many people.

- Employment is a way for people to achieve their personal dream of success, respect, and control.
- Having community employment can be an important part of one's self-identity and value in society today.

People with disabilities are successful workers.

- Thanks to new technology, new laws, and better teaching methods, jobs that were out of reach in the past for people with disabilities are accessible today.
- Job coaches are available to assist people who need assistance in locating, preparing for and successfully managing the job of their choice.
- Success is also supported by government programs, which provide real incentives for people with disabilities to work, keep more earned income for their personal use, and retain their needed benefits.

Some questions to get the employment process started.

- Does the participant need help figuring out the types of jobs and careers he/she would like and be good at doing?
- Will his/her support needs change over time? Are there times when more help will be needed?
- What is most important to the participant? Pay and benefits, fun people to work with, or safety and security?
- Will help be needed to manage benefits, such as Social Security and Medicaid?
- Will job coaching services be needed on the job and if so, how often and for how long?
- Will help be needed to identify activities for when he/she is not working?

Best Practices

Experience has shown that when certain principles are followed while supporting people with disabilities in their employment efforts, the most meaningful and successful outcomes are achieved. These principles are sometimes referred to as "best practices" in community employment services and they include:

- Focusing on individual jobs in the community, paid directly by the employer;
- Using a ***"person-centered planning"*** approach, where job placement is based on the individual's interests, needs and preferences, and the individual is supported to take control of his/her job planning process;
- Emphasizing ***"job matching"*** – searching for employment that closely matches what the job seeker wants, is good at doing, and where he or she will fit in and be comfortable;
- ***Thinking broadly*** about where the individual can work by not being limited to the ideas of traditional workplaces such as supermarkets and fast food chains;
- Taking advantage of personal networks – tapping into family and staff contacts to gather information, resources, and potential job leads;
- Using ***"natural supports"*** including family, friends, co-workers, and mentors to meet the needs of the individual on the job; and
- ***Fading out paid staff supports*** as the individual becomes more settled, comfortable, and independent in the workplace.

Person-Centered Planning is Best Practice

How Employment Affects My Benefits

While earned income can affect a person's eligibility for Social Security, food stamps, public housing and medical assistance benefits, State and Federal programs make it feasible for people to retain much more of their earnings than they could in the past without losing needed health care benefits and services. When taking advantage of State and Federal work incentives, people must report their earnings and assets or savings.

It is important to track your earnings each month and be familiar with the effects that it may have on other benefits you may be receiving.

Earned income WILL affect how much you receive in food stamps and public housing, BUT the amount you earn by becoming competitively employed far outweighs the reduction in food stamps and public housing assistance. You will be moving in the right direction to self-sufficiency!

Department of Health, Community Waiver Programs

The Comprehensive and Supports waivers offer five new employment services with better supports to help you gain and keep employment that match your strengths, needs, and interests. The two new waivers offer an employment pathway service overview with various employment support services to support and assist a participant who, because of their disability, needs intensive support to find and maintain a job in competitive, integrated work settings.

A range of supported employment services are available with varying levels of support and intensity to assist the participant in attaining and maintaining the highest level of paid, community integrated employment. Consistent with the *Olmstead Decision* and with person-centered planning, a participant's plan of care regarding employment services shall be constructed in a manner that reflects individual choice and goals related to employment and ensures provision of services in the most integrated setting appropriate.

Prevocational Services

Prevocational services are services designed to create a path to integrated community based employment for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals without disabilities.

Prevocational services should enable each individual to attain the highest level of work in the most integrated setting with a job matched to the individual's interests, strengths, priorities, abilities, and capabilities, while following applicable federal wage guidelines. These services provide learning and work experiences, including volunteer work where the individual can develop general, non-job-task-specific strengths and skills that contribute to employability through paid employment in an integrated community setting.

Prevocational services are time-limited, not to exceed 12 consecutive months and cannot be repeated during the subsequent plan year.

Employment Discovery and Customization

Employment Discovery and Customization is the individualized determination of the strengths, needs, and interests of the participant and is designed to meet the specific needs of the employee and employer relationship.

Employment discovery and customization includes employment developed through job carving, self-employment or entrepreneurial initiative, or other job development or restructuring strategies that result in job responsibilities being customized and individually negotiated to fit the needs of participants. Employment discovery and customization presumes the provision of reasonable accommodations and supports necessary to perform functions of a job that is individually negotiated and developed.

Supported Employment

- ***Small Group Supported Employment***

Small Group Supported Employment services consist of intensive, on-going supports that enable a participant, for whom competitive employment is at or above the minimum wage is unlikely absent the provision of supports; and who, because of his/her disability, need supports to perform in a regular work setting, including mobile work crews or enclaves. These services are conducted in a variety of settings, particularly work-sites where persons without disabilities are employed.

Services include activities needed to sustain paid work, which includes supervision and training. When supported employment services are provided at a work-site where persons without disabilities are employed, payment is only made for the adaptations, supervision, and training that is required by a participant receiving waiver services as a result of their disability. It does not include payment for supervisory activities rendered as a normal part of the business setting.

- ***Individual Supported Employment***

Individual Supported Employment services are the 1:1 supports available to a participant who, because of their disability, needs intensive or on-going support to obtain and maintain an individual job in competitive or customized employment, or self-employment, in an integrated work setting, in the general workforce for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by an individual without a disability.

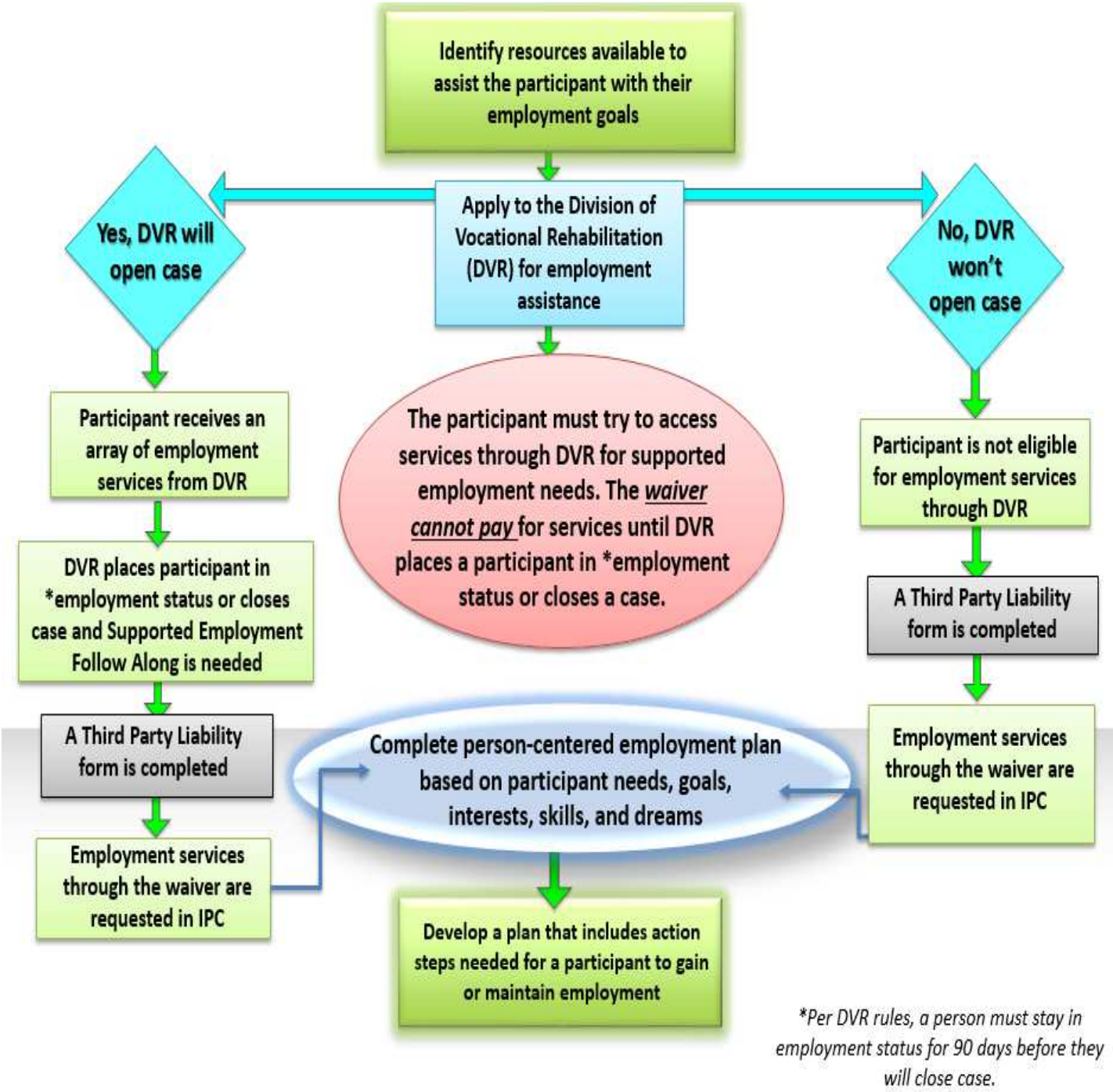
Services are conducted in a variety of settings, particularly work-sites where persons without disabilities are employed. Services include activities needed to sustain paid work by a participant, including supervision and training. When supported employment services are provided at a work-site where persons without disabilities are employed, payment is made only for the adaptations, supervision, and training required by participants receiving waiver services as a result of their disabilities, but does not include payment for the supervisory activities rendered as a normal part of the business setting.

- ***Supported Employment Follow Along***

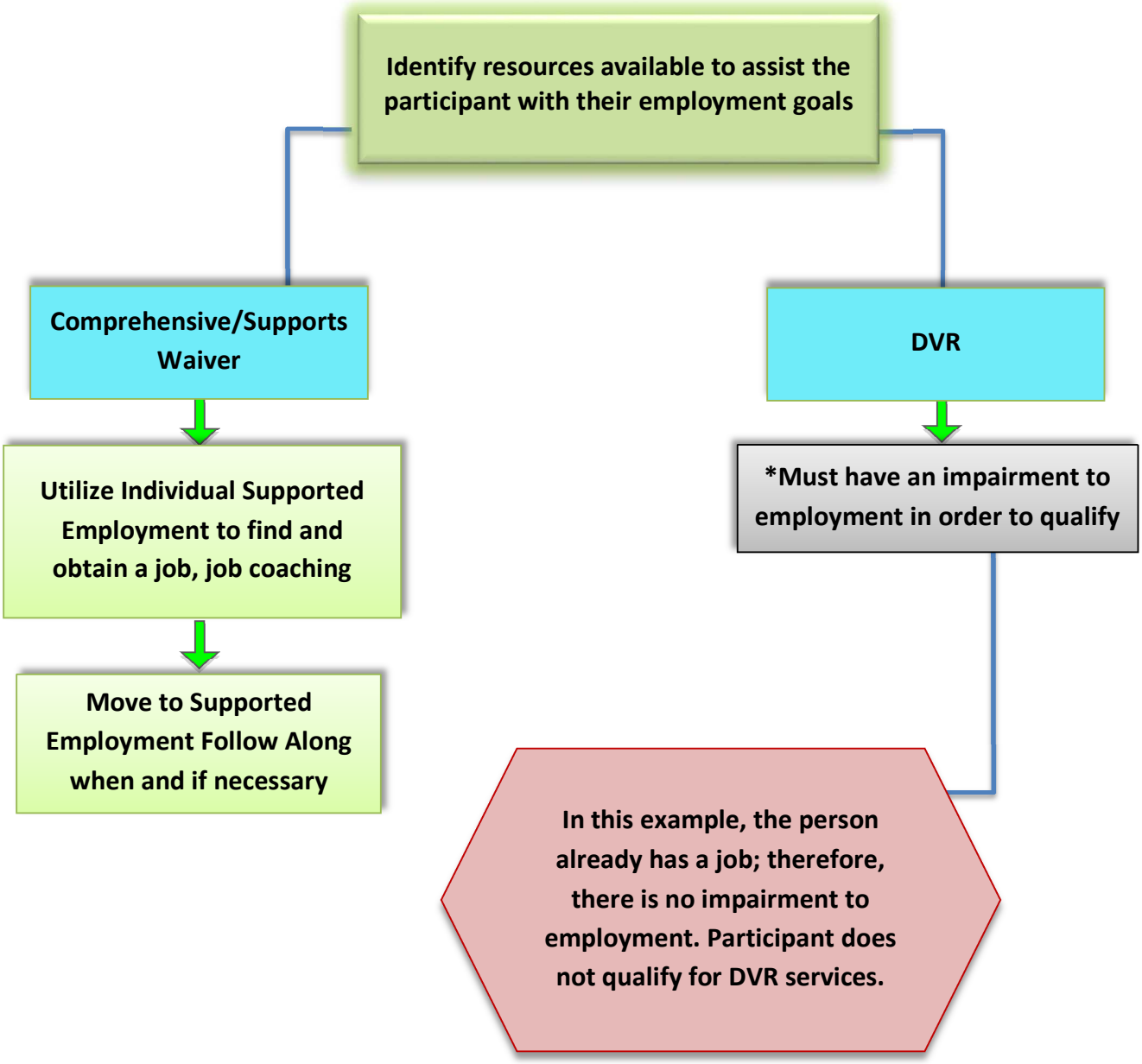
Supported Employment Follow Along are services and supports that enable a participant who is paid at or above the federal minimum wage to maintain employment in an integrated community setting. Service is provided for or on behalf of the participant through intermittent and occasional job support, communicating with the participant's supervisor or manager, whether in the presence of the participant or not.

DVR and Waiver Assistance on Your Employment Pathway

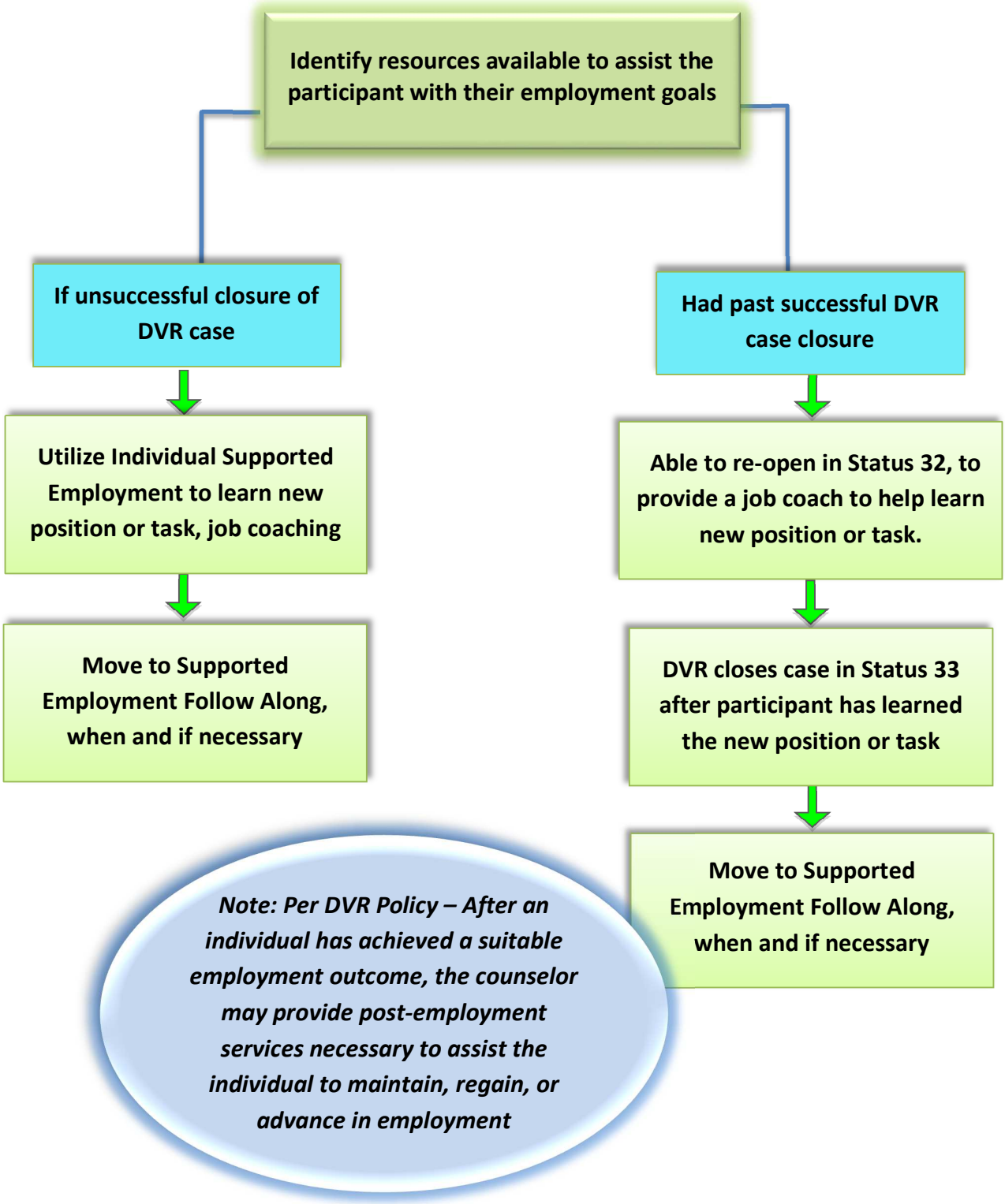
1. No community integrated job before



2. Currently have a job and looking to change jobs



3. Currently have a job and learning a new position or task



4. Currently have a part-time job and looking to obtain a 2nd part-time job

Volunteering

Volunteerism is an avenue that allows individuals to assist with improving their communities, gain marketable skills that could eventually lead to paid employment, test out interests and possible career paths, and develop personal and professional meaningful social connections. It also allows the individual to experience the pleasure and satisfaction of the activity itself and make a difference in the lives of others. Given the social isolation of many people with developmental disabilities, volunteering is important and one of the most useful ways for really getting to know other community members. Volunteering provides many opportunities to learn and practice skills that can be useful in paid employment.

There is value in volunteering and community service. An opportunity to learn, acquire work experience, and a sense of belonging.

Family and Friends

Family and friends of the participant are an important resource that is often overlooked. In many situations, employment opportunities can be found through the participant's family or friends, their school, or their business contacts. Support in finding and keeping a job can be provided informally, by a participant's friends or co-workers, without relying on a funded service. Even when employment services are provided by a community program, relatives and friends play a key role in contributing to the participant's job success by helping in areas of reporting income, preparation for work, transportation, etc.

Transportation

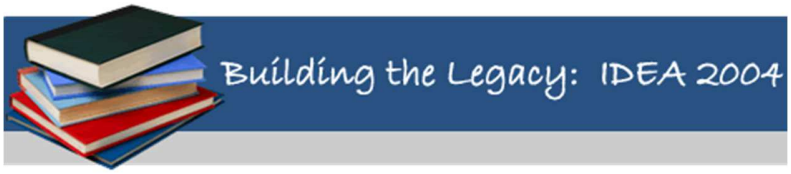
Planning for transportation is an essential part of the job planning process. Job seekers, families, and providers need to work together from the beginning to identify transportation options.

Here is a list of transportation issues to consider:

- Are any public transportation routes accessible?
  - If so, are they available on the days and hours the individual will be travelling to and from work?
- Are transportation services available from the provider and waiver service?
- Is carpooling or shared-ride transportation an option?
- What will the costs be, whether by private or public transportation?
- Are there health, behavior or risk issues that should be considered when selecting the means of transportation?
- Will the individual be able to use public transportation or other shared transit with proper training and support?

When planning transportation, "thinking outside the box" can result in a creative solution. For example, maybe your town's senior bus program can be helpful. Or perhaps your town's taxi company might negotiate a special discounted rate. Consider approaching relatives, co-workers and neighbors about carpooling options.

A plan for transportation is essential when planning for employment.



Employment Transition Planning for School Aged Individuals

Individuals with Disabilities Improvement Education Act

According to the Individuals with Disabilities Education Act (IDEA), special education means specially designed instruction, provided at no cost to the parent, to meet the unique needs of a child with a disability. This specially designed instruction involves adapting, as appropriate to the needs of an eligible student, the content, methodology or delivery of instruction:

- To address the unique needs of the child that result from his/her disability; and
- To ensure access of the child to the general curriculum, so that the child can meet the educational standards within the district that apply to all children.

In Wyoming, children who are eligible for special education are entitled to a free appropriate public education (FAPE) in the least restrictive environment (LRE) from the age of three through the school year in which the student turns 21 years old. School districts ensure the provision of FAPE in the LRE for each eligible child through the development and implementation of an Individualized Education Program (IEP), which is updated at least annually.

Transition Planning Form

In Wyoming, school districts are required by IDEA to include transition planning in the Individual Education Plan (IEPs) of students with disabilities by the time they are 16 (some states require transition planning to begin earlier). Transition planning is a coordinated set of activities that are designed within a results-oriented process, focused on improving academic and functional achievement to facilitate the student's movement from school to post-school activities. The IEP team, including the student, work to develop a plan that is based on age-appropriate transition assessments and individualized to address each child's unique needs.

Transition services and activities incorporated into the plan might include:

- ***Career Interest Inventories*** – these paper and pencil assessments can help the student identify work interest and preferences. The results of these assessments can help to create specific employment goals.
- ***Job Shadowing*** – the student follows an employee during a typical day on the job.
- ***Mentoring*** – the student is matched to an adult mentor who serves as an advisor and offers guidance.
- ***Apprenticeship*** – an adult professional teaches the student a specific trade.
- ***Workplace visits and tours*** – the student observes different work settings.
- ***Career Fairs and Career Days*** – local community members' visit a school to share career experiences with an interested group of students.
- ***Mock job interviews*** – partner with your local Workforce Center to set up mock interviews for students so that they can gain experience.
- ***Job Clubs*** – if available through your local school, job clubs can be great for peer level mentoring and encouragement in employment efforts and on-the-job issues.
- ***After-school and summer job placements*** – arranged and supported by school staff.
- ***Internships*** – paid or unpaid work experience for students.

Resources

Division of Vocational Rehabilitation (DVR)

The Division of Vocational Rehabilitation is a federal-state program that works with people who have physical or mental disabilities to prepare for, gain or retain employment.

Eligibility Criteria:

1. Individual has a physical or mental impairment.
2. Impairment poses a substantial impediment to employment.
3. Individual requires services from DVR to prepare for, gain, or retain employment.

Services that VR provides:

- As part of their core services, DVR provides to all clients eligibility assessments, counseling and guidance, information and referral services, and job search and job placement services. Any additional services that a person with a disability may need are individualized to their specific disability and employment goal.

Call 1-866-804-3678 or visit VR's website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Workforce Investment Act Program (WIA) (For Adults)

The Wyoming Department of Workforce Services uses Workforce Investment Act funding to help adults, dislocated workers and youth find employment that leads to self-sufficiency through various services available at its local Workforce Centers.

Eligibility Criteria:

- For individuals who are 18 years of age or older.
- Individuals who are unemployed and are unable to obtain employment through core services and have been determined to be in need of more intensive services in order to obtain employment; or
- Are employed and have been determined to be in need of services in order to obtain or retain employment that allows for self-sufficiency.
- Meet certain income guidelines.

Services that WIA provides:

- Occupations skills training;
- On-the-job training;
- Programs that combine workplace training with related instruction;
- Training programs operated by the private sector;
- Skills upgrading and retraining;
- Entrepreneurial training;
- Job readiness training;
- Adult Basic Education activities in conjunction with these activities; and
- Customized training with a commitment to employ trainees.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Workforce Investment Act Program (WIA)
(For Youth)

The Wyoming Department of Workforce Services uses Workforce Investment Act funding to help adults, dislocated workers and youth find employment that leads to self-sufficiency through varies services available at its local Workforce Centers.

Eligibility Criteria:

- For individuals aged 14-21.
- Services provided to eligible youth seeking assistance in achieving academic and employment success.

Services that WIA provides:

- Tutoring, study skills training and instruction leading to completion of secondary school, including dropout prevention strategies;
- Alternative secondary school services;
- Summer employment opportunities that are directly linked to academic and occupational learning;
- Paid or unpaid work experiences, including internships and job shadowing;
- Occupational skill training;

- Leadership development opportunities, which may include community service and peer-centered activities encouraging responsibility and other positive social behaviors during non-school hours;
- Supportive services;
- Adult mentoring for the period of participation and a subsequent period, for a total of not less than 12 months;
- Follow-up services for not less than 12 months after the completion of participation; and
- Comprehensive guidance and counseling which may include drug and alcohol abuse counseling and referral.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Department of Workforce Services (DWS)
Career Exploration and Aptitude Testing

The Wyoming Department of Workforce Services understands the need for students, parents, schools, job-seekers and others to explore their career aptitude and development. With this need in mind, the Wyoming Department of Workforce Services provides the following tools to further facilitate such career exploration:

- Start exploring career options with CareerOneStop, whether you are in high school, have graduated, have a vocational certificate, have a 2-year or 4-year college degree or have knowledge and skills acquired through training centers, on-the-job training, or work experience.
- The Wyoming Department of Workforce Services' local Workforce Centers have publicly-accessible computers with resume writing software, various books and videos on resume writing and interviewing, college catalogs, typing, spelling tests, and other resource materials.
- Wyoming at Work Career Services (https://www.wyomingatwork.com) is available. With it, a person can complete, through Wyoming at Work, occupational skills assessments to assist in career development and job placement.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Wyoming Services for Independent Living is a registered non-profit human service agency established to enable persons with significant disabilities to live as independently as possible in the community of their choice.

Eligibility Criteria:

- Presence of a significant disability that interferes with living independently
- Not determined by income levels
- Person motivated to maintain and/or increase levels of independence.

Services that WSIL provides:

- Individual and systems advocacy;
- Information and referral;
- Peer counseling;
- Independent Living Skills Training;
- ADA technical advice;
- Adaptive equipment;
- Home modification;
- Loan closet;
- Nursing Home Transition and Diversion; and
- Transportation Voucher.

Call 1-800-266-3061 to find an office near you or to learn more about their services.

wilr wyoming independent living rehabilitation

Wyoming Independent Living Rehabilitation educates and empowers Wyoming citizens with disabilities by providing the necessary tools to live with independence and dignity. All services are provided on a "consumer-driven" basis. You decide what you need to live independently.

Eligibility Criteria:

- Each program has different criteria to be eligible. Please contact WILR for more information and to see if you qualify.

Programs that WILR offers:

- Independent Living Services
  - Services to help people regain or maintain independence in their lives.
- Visually Impaired Program
  - Services for older adults who are blind or severely visually impaired.
- Consumer Directed Care
  - To provide the option of obtaining personal attendant care services provided by an individual of the consumer's choice, who is not necessarily medically trained to provide such services.
- Project Out
  - To transition consumers from nursing homes back into communities.
- ADA Consultant
  - To provide information to individuals, organizations, businesses and municipalities regarding the ADA and accessibility issues.
- Transportation Check Program
  - To provide transportation to consumers with disabilities
- Wyoming Technology Access Program (WYTAP)
  - Offers persons with disabilities an opportunity to finance assistive technology devices and services through low – or no – interest loans.
- Making Homes Accessible
  - A conditional block grant program to help low to moderate income people with disabilities to make their homes accessible.

Call 1-800-735-8322 or 266-6956 (in Casper) to find an office near you or to learn more about their services.

Job Accommodation Network (JAN)

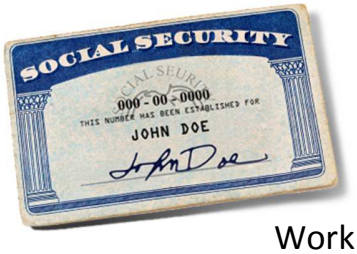
Identifying and arranging necessary accommodations and supports is a key part of assisting people with disabilities to find and keep employment – and is legally reinforced by the Americans with Disabilities Act. A job accommodation means that a job, workplace or way a job is done is modified to help the person with a disability do his/her job. There are several general types of job accommodations:

- Job restructuring, such as a change in work schedule or a decrease in the number of job duties
- Assistive devices – item, device or piece of equipment that is used to help the person with a disability perform a task.
- Training/teaching methods, such as an extended orientation period or audio version of a training manual
- Modification to the building, such as ramps, electronic door opener or flashing lights.

The Job Accommodation Network (JAN) is the leading source of free, expert, and confidential guidance on workplace accommodations and disability employment issues. Working toward practical solutions that benefit both employer and employee, JAN helps people with disabilities enhance their employability, and shows employers how to capitalize on the value and talent that people with disabilities add to the workplace.

JAN provides free, confidential technical assistance about job accommodations and the Americans with Disabilities Act (ADA). Call 1-800-526-7234 to get more information.

Appendix A: Social Security Work Incentive Information



Because many people with disabilities fear losing the SSA benefits and related health care due to being able to work and earn an income, they choose not to work. The SSA has made efforts to reduce this fear by creating and implementing programs known as SSA Work Incentives. Work incentives allow people who receive SSA benefits to work and earn an income while maintaining their benefits and their health insurance. There are specific conditions and requirements for each work incentive, and people must understand how the programs work, including the reporting requirements, in order to ensure proper implementation. Listed below are some of the work incentives offered by Social Security.

For complete information on all SSA's work incentives please visit their website at www.ssa.gov, call 1-800-772-1213 or contact your local Social Security Office.

Social Security Disability Insurance Program (SSDI)

The Social Security Disability Insurance Program (SSDI) provides a monthly benefit to individuals under full retirement age, who have enough quarters paid into the system, have worked five out of the last ten years, and meet the Social Security Administration's (SSA) definition of disability. These SSDI benefit payments will continue as long as the person is unable to engage in "substantial gainful activity" (SGA). A person who is earning more than a certain monthly amount in gross earnings is considered to be engaging in SGA. The SGA amount generally changes when the national average wage index changes. In 2015, the monthly SGA amount is $1090 for a non-blind individual and $1820 for a blind individual. There are work incentives that allow people to go to work after becoming eligible for SSDI. These work incentives allow a person to return to work, but have a safety net, allowing them to continue receiving their SSDI monthly benefit and Medicare coverage for a specific amount of time. Many people can work and keep their SSDI payments and Medicare if they are aware of the work incentives for SSDI.

Supplemental Security Income (SSI)

Supplemental Security Income (SSI) is based upon financial need. It provides monthly benefits to low income individuals who are disabled, blind, or over the age of 65 who are unable to engage in SGA and meet SSA's non-medical criteria for eligibility. The monthly benefit is based on the federal benefit rate (FBR) and generally changes annually based on cost of living increases. In 2015, the monthly FBR is $733.

SSI recipients are automatically eligible for Medicaid, a government health insurance program, and often are eligible for other federal programs such as SNAP, the food assistance program.

The definition of "disability" is the same for SSI and the SSDI programs. To qualify for SSI, a person must have a medically determinable physical or mental impairment that prevents them from engaging in substantial gainful activity. The impairment must have lasted for a continuous period of 12 months, be expected to last for a continuous period of 12 months, or be expected to result in death. In order to be eligible for SSI, the person with a qualifying disability must meet age requirements, residency, legal involvement, living arrangements, and resource and income requirements.

How Property and Assets are Treated Under SSI

Resource and income include, but are not limited to, real estate or real property other than the applicant's residence, vehicles (one car or truck is excluded), bank accounts, cash, stocks, bonds, or other investments. Cash value of life insurance policies, burial spaces, expense funds, certain trusts, and any money or property sold, transferred, or disposed of within 36 months prior to the application. To be eligible for SSI, total counted resources cannot exceed $2,000 per person or $3000 per couple. Income counted includes any earned or unearned income, rental income, child support, alimony, TANF, EITC's, self-employment wages, unemployment compensation, and any other income sources.

The following items DO NOT count as assets or resources for purposes of SSI eligibility:

- The applicant's home and the land it is on, provided that it is the primary residence.
- Household goods, personal property, and one car or truck, if it is necessary for daily activities.
- Life insurance with a face value less than $1500.
- Burial spaces and expense funds up to $1500.

As laws and policies change often, make certain that if there are additional options for keeping assets, such as special needs trusts, that these assets have been approved by the Social Security Administration.

How Income May Impact SSI Eligibility

Countable income can include both earned income and unearned income. This means that income which may impact the amount of the SSI payment includes money that is paid by an employer, Social Security payments, private pension payments, or some items of value that are received as gifts to pay for food, shelter, or utilities.

If a person is considered disabled under SSA rules and plans to work, his or her countable income can be reduced by special programs known as "work incentives." These programs allow a person receiving SSI and/or SSDI to work and continue to receive all or part of their disability payments as well as maintain eligibility for Medicare and/or Medicaid.

Employed Individuals with Disabilities (EID) Program
Medicaid Buy-in Coverage

The EID program provides work incentives for individuals with disabilities. Individuals with disabilities who work and have no health-care coverage, or who may lose their Medicaid coverage, should apply if they obtain employment, increase their work hours, or increase their rate of pay. People with disabilities who work will pay a monthly premium to receive Medicaid health-care coverage. The premium is (7.5%) of their monthly earned income and their yearly unearned income that is in excess of $600.

You may be eligible if you:

- Are employed
- Have a disability based on Social Security Administration guidelines
- Are a U.S. citizen or lawful permanent resident who has lived in the U.S. for at least five years
- A Wyoming resident
- Are 16 through 64 years of age
- Meet income guidelines (earned income is exempt)

Know your options. The Medicaid Buy In (EID program) allows you to work and have Medicaid health-care coverage for only 7.5% of your monthly earned income.

Benefits of the EID program:

- You will have Medicaid health-care coverage.
- You can work in the community.
- You can earn and save more money without the risk of losing health-care coverage.

Call the Wyoming Department of Health, Customer Service Center at 1-855-294-2127 to find out about the application process.

Impairment Related Work Expense (IRWE)

This work incentive applies to both SSI and SSDI at different times. An IRWE is an out of pocket cost that a person must pay that 1) is related to their disability and 2) is needed in order for them to work. The out of pocket costs reduce the income that SSA counts. Receipts must be sent into SSA monthly.

Examples of IRWE:

- Cost of taxis or drivers needed to travel to work because your disability prevents use of public transportation.
- Modified vehicles needed because of disability, e.g., special steering/braking equipment.
- Ramps, railings, or other modifications to the outside of your home that allow you to leave and go to work.
- Routine medication costs that help keep your disability related symptoms under control.

Subsidies and Special Conditions

A subsidy only applies to SSDI and is defined as the value of extra support a person receives on the job. The subsidy is provided by the employer and the worker must earn the same pay as other workers doing the same job. Examples include a job coach, mentor, extra supervision, or a reduced workload. The value of the subsidy is determined by the employer. Special conditions apply when the individual is not fully earning his or her wages because the work is performed under special conditions such as on-the-job coaching or substitution in which the job coach performs part or all of the individual's job duties. SSA will deduct the wages that are not considered "earned" by the individual.

Examples of subsidies:

- You receive more supervision than other workers doing the same or a similar job for the same pay.
- You have fewer or simpler tasks to complete than other workers who are doing the same job for the same pay.
- Job coach assistance.

Examples of special conditions:

- You receive close and continuous supervision.
- You receive on the job coaching and the job coach performs part or all of your tasks.

Unincurred Business Expense

"Unincurred business expenses" refers to self-employment business support that someone provides to you at no cost. In deciding whether you are working at the SGA level, SSA deducts unincurred business expenses from your net earnings from self-employment. Examples of unincurred business expenses are (1) a Vocational Rehabilitation agency gives you a computer that is used in a graphic arts business; and (2) a friend works for your business as unpaid help.

For an item or service to qualify as an unincurred business expense:

- It must be an item or service that the IRS would allow as a legitimate business expense if you had paid for it; and
- Given to you free of charge.

Unsuccessful Work Attempt

An unsuccessful work attempt is an effort by a disabled individual to do substantial work that either stopped or produced earnings below the SGA level after a short amount of time, no more than 6 months because of:

- The individual's disabling condition; or
- Elimination of the special conditions or assistance that the individual needed in order to work.

Trial Work Period

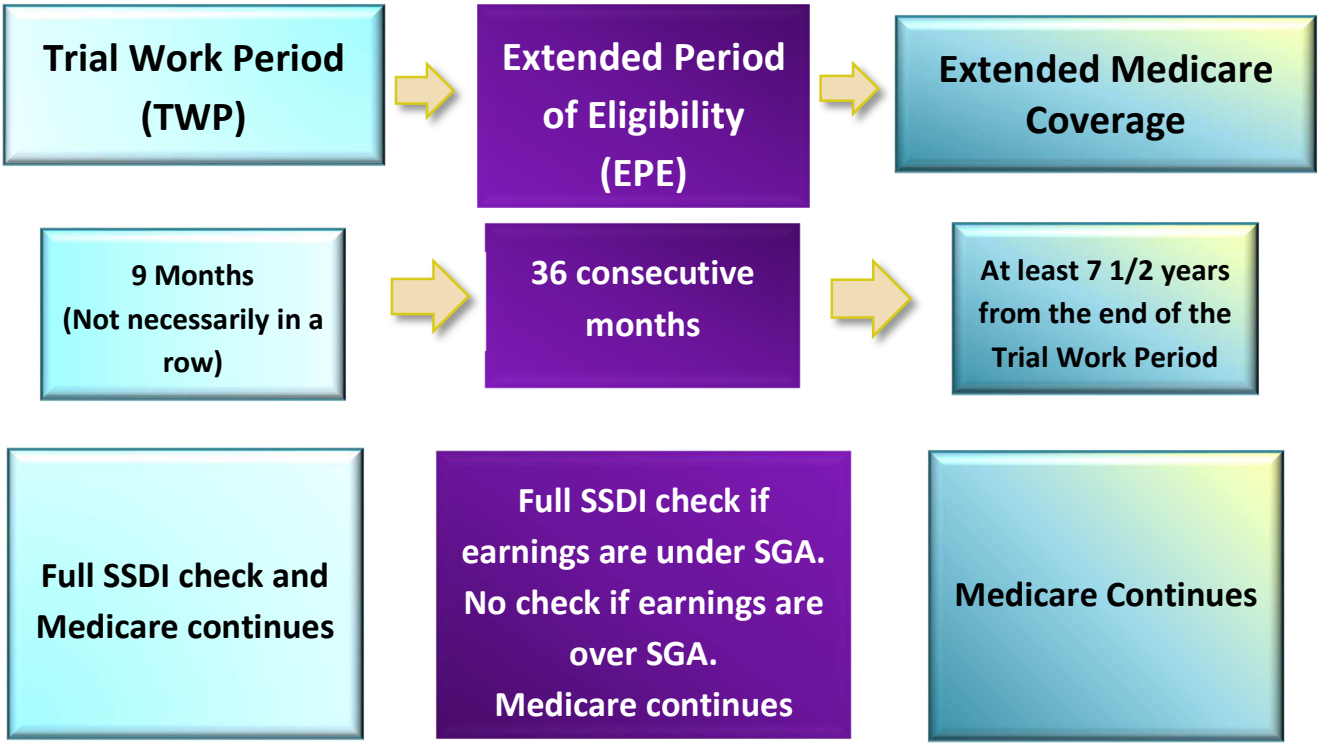
Applies to SSDI only – the Trial Work Period (TWP) allows you to test your ability to work by providing a period of nine (9) months of gross earnings during which your SSDI check is not affected. A month does not count towards your trial work period unless your gross earnings meet or exceed an amount set each year by SSA. In 2015, the TWP amount is $780. During your TWP, you will receive your full disability benefit regardless of how much you earn. You must report your work activity to SSA and continue to have a disabling impairment. The nine (9) months does not need to be consecutive, they are counted within a five-year period. Certain other rules apply. Medicare coverage will continue for ninety-three (93) months after the last month of the TWP.

If you are on SSDI, don't be afraid to work. You get a 9 month trial work period to test the waters of employment.

Extended Period of Eligibility

Applies to SSDI only – the Extended Period of Eligibility (EPE) begins after you have completed your trial work period and have gross earnings at or above the SGA level. The EPE lasts for thirty-six (36) months and allows an individual to receive their SSDI check in any month that their earnings fall below SGA. If work is discontinued during the EPE, the individual simply needs to contact SSA to reinstate benefits. You must continue to have a disabling impairment.

36 month extended period of eligibility AFTER your 9 trial work period months.



Earned Income Exclusion

Applies to SSI only – all SSI recipients receive a $20 general income exclusion. If SSI is the person's only income prior to working, he or she also gets an earned income exclusion of $65. After deducting the $85 in exclusions from your earned income, SSA then only considers half of your remaining earnings.

When you are on SSI, the Social Security Administration only counts $1 for every $2 you earn while working.

Example:

- John is receiving $733 in SSI each month.
- He returns to work and earns $500 in gross monthly earnings.
- Because John was only receiving SSI prior to working, he receives both income exclusions:

  $500 (*Earnings*) minus $85 (*Exclusions*) = $415
- SSA only counts half of the remaining earnings:

  $415 (*Considered earnings after exclusions*) divided by 2 = $207.50
- SSA will only count $207.50 of John's total earnings.
- His SSI check will then be reduced by $207.50.
- His new SSI amount will be **$525.50** (*$733-$207.50=$525.50*).
- **Johns total monthly income is now $500 (*earnings*) plus $525.50 (*SSI benefit*) = $1025.50.**
- John continues to receive Medicaid because his SSI benefit is at least $1.

Plan to Achieve Self-Support (PASS)

Applies to SSI only – a plan to achieve self-support allows you to set aside income or assets of a set amount of money for an established period of time towards a specific employment or vocational goal. Funds can be used for education, equipment, or starting a business, etc. Goals must generally be obtainable within three years, but some exceptions are possible. Funds must be used for a designated purpose or a person could be in overpayment and have to pay back to SSA. A PASS plan can help a person achieve their work or vocational goal. Your goal should be a job that allows you to earn enough to reduce or eliminate your need for benefits provided under the Social Security and Supplemental Security Income programs. SSA does not count the money or resources you set aside under an approved PASS plan when they decide your initial or continuing eligibility for SSI. Having a PASS may help you qualify for SSI or may increase the amount of your SSI payment.

Property Essential to Self-Support (PESS)

Applies to SSI only – SSA does not count some resources that are essential to your means of self-support when they decide if you are eligible for SSI. For example, they do not count property such as tools or equipment that you use for work. If you have a trade or business, they do not count property such as inventory. A person must be using the property that SSA is excluding under PESS, or be expected to start using it in a reasonable amount of time, typically within 12 months.

Federal Rule 1619(b)

Applies to SSI only – Section 1619(b) allows a person who is receiving SSI and working to continue to receive Medicaid at no cost, even when their earnings reduce their SSI benefit to $0. There are earnings threshold requirements. In 2014, for Wyoming, the threshold amount is $36,447. A person who meets the requirements of 1619(b) will receive full medical coverage under Medicaid.

To qualify:

- A person must have been eligible for an SSI cash payment for at least one month prior to accessing 1619(b).
- SSI benefit must have been reduced because of earnings.
- Must continue to meet SSA disability requirements.
- Continue to meet resource requirements for SSI.
- Need the medical assistance to work.
- Have gross earned income that is insufficient to replace the cost of medical assistance needed.

For assistance planning for employment, use our "Employment Pathway Planning Packet"

http://health.wyo.gov/DDD/cmforms.html

Start Your Employment Planning Now

If you are not employed now, but would like to pursue ***employment in the next year*** or ***employment in the next two (2) years***, ask yourself the following questions to begin your planning:

1. Have you ever volunteered in the community?
2. Do you want to learn a new skill?
3. When you are out in the community, are there jobs that you see people doing that you would like to know more about?
4. Do you want to learn about different types of jobs available?
5. If you could have any job, what would it be?
6. What interests you about your dream job?
7. Are there jobs that you don't want to do?
8. How much money will you need to make to meet your living expenses?
9. How much money will you need to buy things you want?
10. What is your greatest fear when you think about working?
11. Is there anything that worries you about getting a job?
12. What motivates you?
13. Will you need prevocational or employment discovery and customization services?
14. What supports will you need to begin competitive employment?
15. Who will help you set up the supports you need to gain and maintain competitive, integrated, and meaningful employment?
16. What is your employment goal date?

SSDI Trial Work Period (TWP) Tracking Chart

You are allowed nine (9) TWP months in a rolling sixty (60) month period

2015 Amount TWP= $780 SGA=$1090

Month	Gross Earned Income	Trial Work Month Yes or No	SSDI Cash Benefit	Total Income
Example: January	$800	Yes= TWP Month 1	$1000	$1800

Notes

Employment First

Pathway to Employment
Pathway to Integration
Pathway out of Poverty

"Working together to build a more prosperous Wyoming."

Wyoming Department of Health

Commit to your health.

BEHAVIORAL HEALTH DIVISION

Employment First Planning Guide

For adults ages 16+ with Intellectual Disabilities, their families, and the Circle of support.

Behavioral Health Division
Developmental Disabilities Section
6101 Yellowstone Road, Suite 220
Cheyenne, WY 82002
www.health.wyo.gov/ddd
800-510-0280 | 307-777-6494

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Introduction

The influence that parents, family, friends, teachers, and providers have on people with disabilities can be both influential and powerful. When it comes to setting expectations about work, those involved in the lives of people with disabilities need to convey the expectation that people with disabilities can work, can contribute, and can find great satisfaction in being part of the world of work.

People WORK for many reasons. For some, it provides a sense of self or meaning in one's life; for others, it is the social context of meeting and associating with others in a common effort or goal; and for still others, it is the means by which to gain status, either personal or economic, which allows for choice and discretion in determining one's "quality of life."

What Makes Life Good?

When asked, ***"What makes life good?"*** almost all people identify the same core components. While different people will use different words to describe a component or more highly value one component over another, the list of components is consistently the same:

- Freedom of choice and ease of access to the community;
- Positive, interdependent relationships with family and friends;
- A safe, comfortable home in a safe neighborhood;
- Being respected, included in and a member of your culture and community;
- Good health and access to good health care;
- Enjoying one's personal choice of hobbies, recreation, and leisure activities; and
- Satisfying employment and the economic benefits of contributing through work.

Although employment outcomes for individuals with disabilities still lag behind those compared to individuals without disabilities, it is clear that enormous barriers to employment are being overcome. It is far more common now to see people with disabilities in a wide range of jobs throughout the community than it was even a decade ago.

Supported employment is an alternative to traditional sheltered and competitive employment approaches. It is an attempt to meet the specific needs of individuals with disabilities and is based on fundamentally different principles and assumptions. The supported work model assumes that all individuals, regardless of the nature or extent of their disabilities, should have the opportunity and support to work in the community. There are no pre-requisite skills needed for community job success. Therefore, the task is not to identify and place "work ready" individuals, but rather to locate and/or modify meaningful jobs in the community and provide training and supports at the job site.

Supported employment will often take the form of "customized" employment. Customized employment is a flexible process designed to personalize the employment relationship between a job candidate and an employer in a way that meets the needs of both. It is based on an individualized match between the strengths, conditions, and interests of job candidate and the identified business needs of an employer. Customized employment utilizes an individualized approach to employment planning and job development – one person at a time, and one employer at a time.

This Employment Planning Guide is designed to help parents, participants, and providers start the process of finding competitive work for people with disabilities; learn about the resources, services, and the programs available to help people with disabilities in Wyoming pursue their own unique path to work, a career, and participate in community life.

"Given the choice between work and idleness, people will almost always choose work. Regardless of our station in life, the condition of our bodies and minds, or the amount of money in our bank accounts, the need to work remains one of our strongest drives. Work is central to our lives, and as such, gives a large measure of structure to our days. Common sense tells us that we feel better about ourselves when we are working regularly."

~Robert Drake, M.D.,

Meet Jane

Let's look at an example of what the new employment pathway might do for a participant.

We want to introduce a fictional waiver participant, Jane, who is a based upon people we know in Wyoming receiving services. We want to describe how the new employment pathway can realistically work for someone and change his or her life.

Jane has been going to day services and working in an enclave at the recycling center, and she receives group supported employment. Jane's team of family and providers encouraged her to start looking for other employment opportunities with the new employment services on the waiver.

At her team meeting, Jane and her team discuss what type of work she would like and want to do if she did not work at the recycling center. They ask her where in town she would like to work. They find out she likes flowers and gardening centers in stores, so they make a plan to set up mentor sites at flower shops and garden centers in department stores using the Employment Discovery and Customization service.

As Jane continues to work at the recycling center, her direct care staff start working with her on non-job-specific, work-related tasks that she might need for competitive employment at a flower shop through Prevocational Services. They also work with her on learning specific tasks in Group Supported Employment that would assist her in working with customers from the public.

Jane's staff helps her meet with the local Department of Vocational Rehabilitation office (DVR) and make an employment plan. After DVR opens a case and pays for job development, a job coach helps Jane fill out employment applications and assists her with interviewing for jobs.

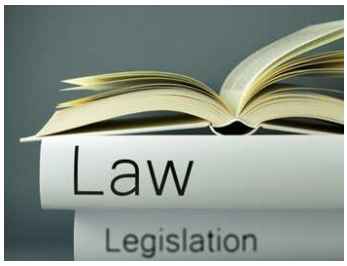
Finally, Jane finds a job working in a flower shop four days a week. DVR pays for supported employment for the time that she needs to obtain and maintain her job. Once she is successful and no longer needs a full-time job coach, DVR puts her case into "Status 22 – Employed." If during this time she needs a job coach,

the waiver will then pay for this service. ***(Please note: DVR cannot close a case successfully when services are still being offered. DVR must go three months or 90 days without paying for any services before they are able to close out a case successfully.)*** Participants, providers, and parents, must be aware of this DVR requirement.

Due to difficulty in learning all of her job tasks, Jane uses Individual Supported Employment through the waiver, which provides her with a job coach for a longer period of time. A job coach can assist her until she can perform the job fairly independently and begins receiving the help she needs from her co-workers, instead of the job coach. After a few months, Jane switches to Transportation Services to get to and from work and Jane's provider switches to Supported Employment Follow Along to check in on Jane's progress each month. Jane continues to learn and grow in her position. Occasionally the provider will provide job coaching to assist Jane and address any concerns that she or her employer has.

Jane now works four days a week and makes triple the money every month than she did at the recycling center. She has three new friends, who are also her co-workers! She also likes having extra money, which allows her to spend more time bowling and hanging out with her boyfriend.

2014 Employment First Legislation



An Act relating to persons with disabilities, which established employment first as a state policy to support competitive employment in an integrated setting, was enacted by the Wyoming Legislature in 2014. This Act requires agencies to support competitive and integrated employment; requires state agencies working with home and community based waiver service providers to implement employment first policies; requires state agencies to report on employment data; provides definitions; and provides for an effective date.

House Enrolled Act 53:

9-2-1002. Definitions; powers generally; duties of governor; provisions construed; cooperation with legislature and judiciary; divisions enumerated.

(xiii) **"Competitive employment"** means work in the competitive labor market that is performed on a fulltime or part-time basis in an integrated setting, and for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled;

(xiv) **"Employment first"** means a concept to facilitate the full inclusion of individuals with disabilities in the workplace and community. Under the employment first approach, community based, integrated employment is the first option for employment services for children and adults with disabilities. Employment first includes competitive employment in an integrated setting;

(xv) **"Integrated setting"** means with respect to an employment outcome, a setting typically found in the community in which applicants or eligible individuals interact with individuals who do not have disabilities, other than nondisabled individuals who are providing services to those applicants or eligible individuals, to the same extent that individuals who do not have disabilities interact with other persons in comparable positions.

9-2-1022. Duties of department performed through human resources division.

(n) In carrying out the duties of the division under this section, employment first shall be the policy of the state that competitive and integrated employment shall be considered its first option when serving persons with disabilities who are of working age to obtain employment. Employment first applies to programs and services that provide services and support to help obtain employment for persons with disabilities. All state agencies shall follow this policy and ensure that it is effectively implemented in their hiring and in all programs and services administered or funded by the agencies. Nothing in this section shall be construed to require any employer to give preference to hiring people with a disability. All state agencies shall coordinate efforts and shall collaborate within and among the agencies to ensure that state programs, policies, procedures and funding support competitive and integrated employment of individuals with disabilities. All state agencies shall, whenever feasible, share data and information across systems in order to track progress toward full implementation of this subsection.

Nothing in this section shall be construed as eliminating any supported employment services as an option when appropriate.

42-4-120. Contracts for waiver services; authority of department; emergency case services; cost based payments; training and certification of specialists.

(m) The department shall ensure that state agencies working with service providers receiving funds pursuant to this section shall have established employment first policies, including competitive employment in an integrated setting, consistent with the requirements of W.S. 9-2-1022.

Employment Talking Points

Employment means a job in the community that the person wants and can perform, with or without accommodation and support.

- When we talk about employment today, we mean having a job or vocation in the community that pays at least minimum wage.

Employment is an essential part of self-determination for many people.

- Employment is a way for people to achieve their personal dream of success, respect, and control.
- Having community employment can be an important part of one's self-identity and value in society today.

People with disabilities are successful workers.

- Thanks to new technology, new laws, and better teaching methods, jobs that were out of reach in the past for people with disabilities are accessible today.
- Job coaches are available to assist people who need assistance in locating, preparing for and successfully managing the job of their choice.
- Success is also supported by government programs, which provide real incentives for people with disabilities to work, keep more earned income for their personal use, and retain their needed benefits.

Some questions to get the employment process started.

- Does the participant need help figuring out the types of jobs and careers he/she would like and be good at doing?
- Will his/her support needs change over time? Are there times when more help will be needed?
- What is most important to the participant? Pay and benefits, fun people to work with, or safety and security?
- Will help be needed to manage benefits, such as Social Security and Medicaid?
- Will job coaching services be needed on the job and if so, how often and for how long?
- Will help be needed to identify activities for when he/she is not working?

Best Practices

Experience has shown that when certain principles are followed while supporting people with disabilities in their employment efforts, the most meaningful and successful outcomes are achieved. These principles are sometimes referred to as "best practices" in community employment services and they include:

- Focusing on individual jobs in the community, paid directly by the employer;
- Using a ***"person-centered planning"*** approach, where job placement is based on the individual's interests, needs and preferences, and the individual is supported to take control of his/her job planning process;
- Emphasizing ***"job matching"*** – searching for employment that closely matches what the job seeker wants, is good at doing, and where he or she will fit in and be comfortable;
- ***Thinking broadly*** about where the individual can work by not being limited to the ideas of traditional workplaces such as supermarkets and fast food chains;
- Taking advantage of personal networks – tapping into family and staff contacts to gather information, resources, and potential job leads;
- Using ***"natural supports"*** including family, friends, co-workers, and mentors to meet the needs of the individual on the job; and
- ***Fading out paid staff supports*** as the individual becomes more settled, comfortable, and independent in the workplace.

Person-Centered Planning is Best Practice

How Employment Affects My Benefits

While earned income can affect a person's eligibility for Social Security, food stamps, public housing and medical assistance benefits, State and Federal programs make it feasible for people to retain much more of their earnings than they could in the past without losing needed health care benefits and services. When taking advantage of State and Federal work incentives, people must report their earnings and assets or savings.

It is important to track your earnings each month and be familiar with the effects that it may have on other benefits you may be receiving.

Earned income WILL affect how much you receive in food stamps and public housing, BUT the amount you earn by becoming competitively employed far outweighs the reduction in food stamps and public housing assistance. You will be moving in the right direction to self-sufficiency!

Department of Health, Community Waiver Programs

The Comprehensive and Supports waivers offer five new employment services with better supports to help you gain and keep employment that match your strengths, needs, and interests. The two new waivers offer an employment pathway service overview with various employment support services to support and assist a participant who, because of their disability, needs intensive support to find and maintain a job in competitive, integrated work settings.

A range of supported employment services are available with varying levels of support and intensity to assist the participant in attaining and maintaining the highest level of paid, community integrated employment. Consistent with the *Olmstead Decision* and with person-centered planning, a participant's plan of care regarding employment services shall be constructed in a manner that reflects individual choice and goals related to employment and ensures provision of services in the most integrated setting appropriate.

Prevocational Services

Prevocational services are services designed to create a path to integrated community based employment for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals without disabilities.

Prevocational services should enable each individual to attain the highest level of work in the most integrated setting with a job matched to the individual's interests, strengths, priorities, abilities, and capabilities, while following applicable federal wage guidelines. These services provide learning and work experiences, including volunteer work where the individual can develop general, non-job-task-specific strengths and skills that contribute to employability through paid employment in an integrated community setting.

Prevocational services are time-limited, not to exceed 12 consecutive months and cannot be repeated during the subsequent plan year.

Employment Discovery and Customization

Employment Discovery and Customization is the individualized determination of the strengths, needs, and interests of the participant and is designed to meet the specific needs of the employee and employer relationship.

Employment discovery and customization includes employment developed through job carving, self-employment or entrepreneurial initiative, or other job development or restructuring strategies that result in job responsibilities being customized and individually negotiated to fit the needs of participants. Employment discovery and customization presumes the provision of reasonable accommodations and supports necessary to perform functions of a job that is individually negotiated and developed.

Supported Employment

- ***Small Group Supported Employment***

Small Group Supported Employment services consist of intensive, on-going supports that enable a participant, for whom competitive employment is at or above the minimum wage is unlikely absent the provision of supports; and who, because of his/her disability, need supports to perform in a regular work setting, including mobile work crews or enclaves. These services are conducted in a variety of settings, particularly work-sites where persons without disabilities are employed.

Services include activities needed to sustain paid work, which includes supervision and training. When supported employment services are provided at a work-site where persons without disabilities are employed, payment is only made for the adaptations, supervision, and training that is required by a participant receiving waiver services as a result of their disability. It does not include payment for supervisory activities rendered as a normal part of the business setting.

- ***Individual Supported Employment***

Individual Supported Employment services are the 1:1 supports available to a participant who, because of their disability, needs intensive or on-going support to obtain and maintain an individual job in competitive or customized employment, or self-employment, in an integrated work setting, in the general workforce for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by an individual without a disability.

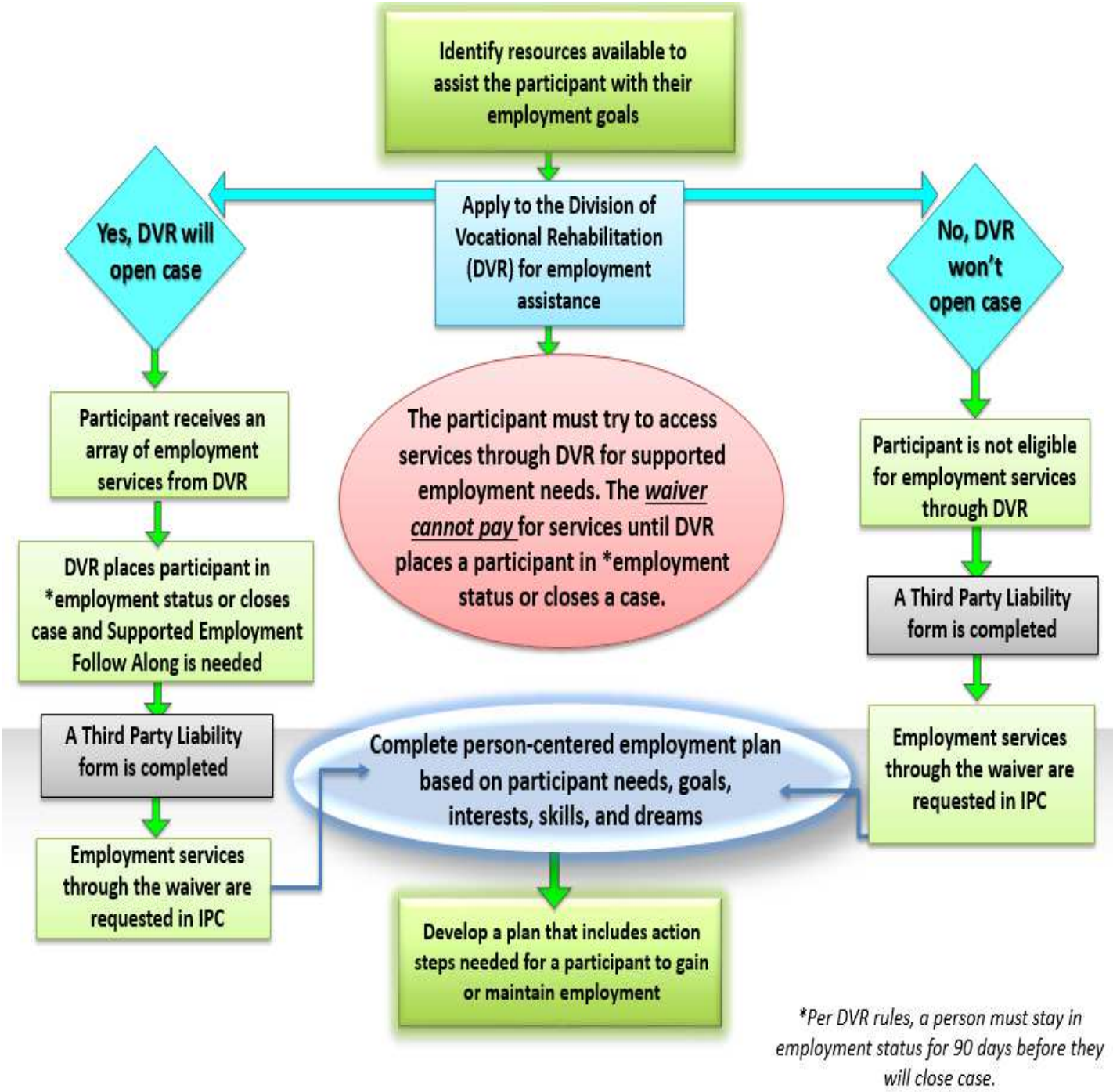
Services are conducted in a variety of settings, particularly work-sites where persons without disabilities are employed. Services include activities needed to sustain paid work by a participant, including supervision and training. When supported employment services are provided at a work-site where persons without disabilities are employed, payment is made only for the adaptations, supervision, and training required by participants receiving waiver services as a result of their disabilities, but does not include payment for the supervisory activities rendered as a normal part of the business setting.

- ***Supported Employment Follow Along***

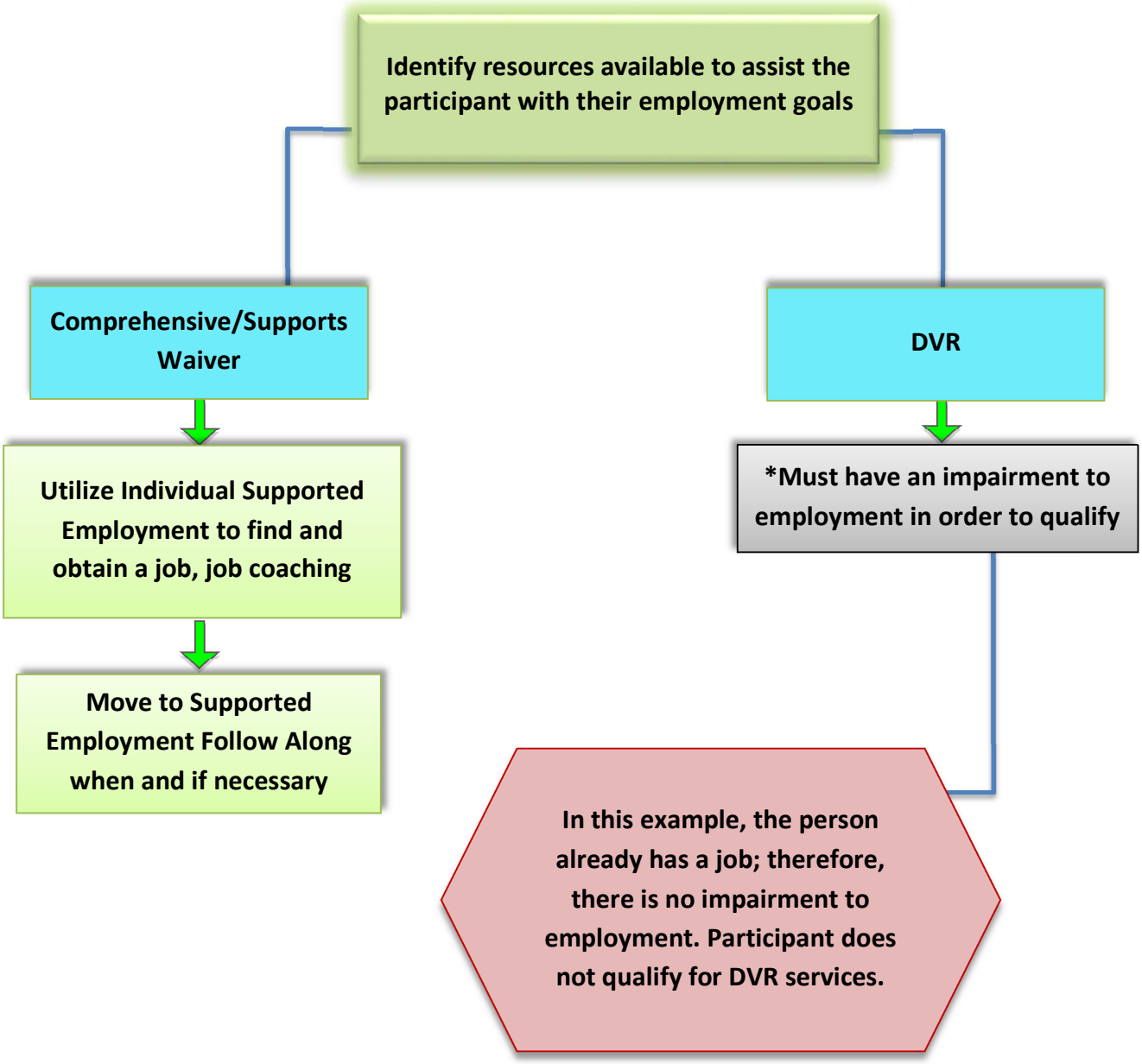
Supported Employment Follow Along are services and supports that enable a participant who is paid at or above the federal minimum wage to maintain employment in an integrated community setting. Service is provided for or on behalf of the participant through intermittent and occasional job support, communicating with the participant's supervisor or manager, whether in the presence of the participant or not.

DVR and Waiver Assistance on Your Employment Pathway

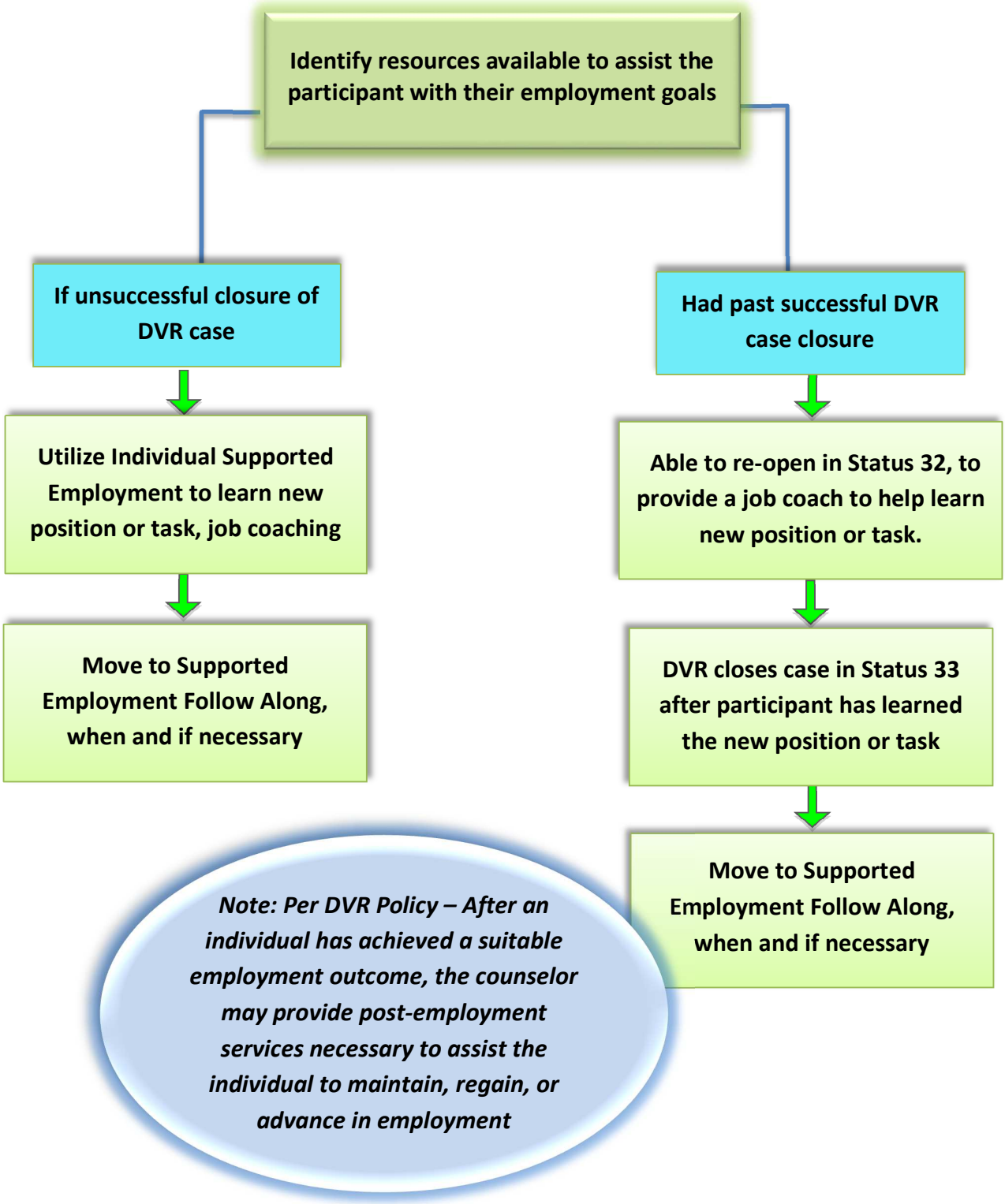
1. No community integrated job before



2. Currently have a job and looking to change jobs



3. Currently have a job and learning a new position or task



4. Currently have a part-time job and looking to obtain a 2nd part-time job

Volunteering

Volunteerism is an avenue that allows individuals to assist with improving their communities, gain marketable skills that could eventually lead to paid employment, test out interests and possible career paths, and develop personal and professional meaningful social connections. It also allows the individual to experience the pleasure and satisfaction of the activity itself and make a difference in the lives of others. Given the social isolation of many people with developmental disabilities, volunteering is important and one of the most useful ways for really getting to know other community members. Volunteering provides many opportunities to learn and practice skills that can be useful in paid employment.

There is value in volunteering and community service. An opportunity to learn, acquire work experience, and a sense of belonging.

Family and Friends

Family and friends of the participant are an important resource that is often overlooked. In many situations, employment opportunities can be found through the participant's family or friends, their school, or their business contacts. Support in finding and keeping a job can be provided informally, by a participant's friends or co-workers, without relying on a funded service. Even when employment services are provided by a community program, relatives and friends play a key role in contributing to the participant's job success by helping in areas of reporting income, preparation for work, transportation, etc.

Transportation

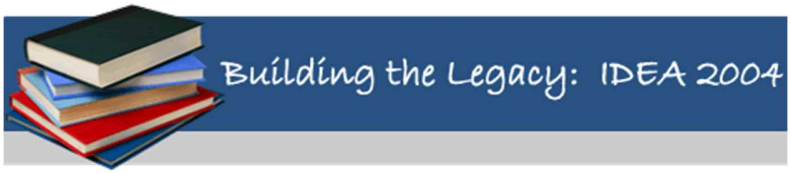
Planning for transportation is an essential part of the job planning process. Job seekers, families, and providers need to work together from the beginning to identify transportation options.

Here is a list of transportation issues to consider:

- Are any public transportation routes accessible?
  - If so, are they available on the days and hours the individual will be travelling to and from work?
- Are transportation services available from the provider and waiver service?
- Is carpooling or shared-ride transportation an option?
- What will the costs be, whether by private or public transportation?
- Are there health, behavior or risk issues that should be considered when selecting the means of transportation?
- Will the individual be able to use public transportation or other shared transit with proper training and support?

When planning transportation, "thinking outside the box" can result in a creative solution. For example, maybe your town's senior bus program can be helpful. Or perhaps your town's taxi company might negotiate a special discounted rate. Consider approaching relatives, co-workers and neighbors about carpooling options.

A plan for transportation is essential when planning for employment.



Employment Transition Planning for School Aged Individuals

Individuals with Disabilities Improvement Education Act

According to the Individuals with Disabilities Education Act (IDEA), special education means specially designed instruction, provided at no cost to the parent, to meet the unique needs of a child with a disability. This specially designed instruction involves adapting, as appropriate to the needs of an eligible student, the content, methodology or delivery of instruction:

- To address the unique needs of the child that result from his/her disability; and
- To ensure access of the child to the general curriculum, so that the child can meet the educational standards within the district that apply to all children.

In Wyoming, children who are eligible for special education are entitled to a free appropriate public education (FAPE) in the least restrictive environment (LRE) from the age of three through the school year in which the student turns 21 years old. School districts ensure the provision of FAPE in the LRE for each eligible child through the development and implementation of an Individualized Education Program (IEP), which is updated at least annually.

Transition Planning Form

In Wyoming, school districts are required by IDEA to include transition planning in the Individual Education Plan (IEPs) of students with disabilities by the time they are 16 (some states require transition planning to begin earlier). Transition planning is a coordinated set of activities that are designed within a results-oriented process, focused on improving academic and functional achievement to facilitate the student's movement from school to post-school activities. The IEP team, including the student, work to develop a plan that is based on age-appropriate transition assessments and individualized to address each child's unique needs.

Transition services and activities incorporated into the plan might include:

- ***Career Interest Inventories*** – these paper and pencil assessments can help the student identify work interest and preferences. The results of these assessments can help to create specific employment goals.
- ***Job Shadowing*** – the student follows an employee during a typical day on the job.
- ***Mentoring*** – the student is matched to an adult mentor who serves as an advisor and offers guidance.
- ***Apprenticeship*** – an adult professional teaches the student a specific trade.
- ***Workplace visits and tours*** – the student observes different work settings.
- ***Career Fairs and Career Days*** – local community members' visit a school to share career experiences with an interested group of students.
- ***Mock job interviews*** – partner with your local Workforce Center to set up mock interviews for students so that they can gain experience.
- ***Job Clubs*** – if available through your local school, job clubs can be great for peer level mentoring and encouragement in employment efforts and on-the-job issues.
- ***After-school and summer job placements*** – arranged and supported by school staff.
- ***Internships*** – paid or unpaid work experience for students.

Resources

Division of Vocational Rehabilitation (DVR)

The Division of Vocational Rehabilitation is a federal-state program that works with people who have physical or mental disabilities to prepare for, gain or retain employment.

Eligibility Criteria:

1. Individual has a physical or mental impairment.
2. Impairment poses a substantial impediment to employment.
3. Individual requires services from DVR to prepare for, gain, or retain employment.

Services that VR provides:

- As part of their core services, DVR provides to all clients eligibility assessments, counseling and guidance, information and referral services, and job search and job placement services. Any additional services that a person with a disability may need are individualized to their specific disability and employment goal.

Call 1-866-804-3678 or visit VR's website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Workforce Investment Act Program (WIA) (For Adults)

The Wyoming Department of Workforce Services uses Workforce Investment Act funding to help adults, dislocated workers and youth find employment that leads to self-sufficiency through various services available at its local Workforce Centers.

Eligibility Criteria:

- For individuals who are 18 years of age or older.
- Individuals who are unemployed and are unable to obtain employment through core services and have been determined to be in need of more intensive services in order to obtain employment; or
- Are employed and have been determined to be in need of services in order to obtain or retain employment that allows for self-sufficiency.
- Meet certain income guidelines.

Services that WIA provides:

- Occupations skills training;
- On-the-job training;
- Programs that combine workplace training with related instruction;
- Training programs operated by the private sector;
- Skills upgrading and retraining;
- Entrepreneurial training;
- Job readiness training;
- Adult Basic Education activities in conjunction with these activities; and
- Customized training with a commitment to employ trainees.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Workforce Investment Act Program (WIA)
(For Youth)

The Wyoming Department of Workforce Services uses Workforce Investment Act funding to help adults, dislocated workers and youth find employment that leads to self-sufficiency through varies services available at its local Workforce Centers.

Eligibility Criteria:

- For individuals aged 14-21.
- Services provided to eligible youth seeking assistance in achieving academic and employment success.

Services that WIA provides:

- Tutoring, study skills training and instruction leading to completion of secondary school, including dropout prevention strategies;
- Alternative secondary school services;
- Summer employment opportunities that are directly linked to academic and occupational learning;
- Paid or unpaid work experiences, including internships and job shadowing;
- Occupational skill training;

- Leadership development opportunities, which may include community service and peer-centered activities encouraging responsibility and other positive social behaviors during non-school hours;
- Supportive services;
- Adult mentoring for the period of participation and a subsequent period, for a total of not less than 12 months;
- Follow-up services for not less than 12 months after the completion of participation; and
- Comprehensive guidance and counseling which may include drug and alcohol abuse counseling and referral.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Department of Workforce Services (DWS)
Career Exploration and Aptitude Testing

The Wyoming Department of Workforce Services understands the need for students, parents, schools, job-seekers and others to explore their career aptitude and development. With this need in mind, the Wyoming Department of Workforce Services provides the following tools to further facilitate such career exploration:

- Start exploring career options with CareerOneStop, whether you are in high school, have graduated, have a vocational certificate, have a 2-year or 4-year college degree or have knowledge and skills acquired through training centers, on-the-job training, or work experience.
- The Wyoming Department of Workforce Services' local Workforce Centers have publicly-accessible computers with resume writing software, various books and videos on resume writing and interviewing, college catalogs, typing, spelling tests, and other resource materials.
- Wyoming at Work Career Services (https://www.wyomingatwork.com) is available. With it, a person can complete, through Wyoming at Work, occupational skills assessments to assist in career development and job placement.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Wyoming Services for Independent Living is a registered non-profit human service agency established to enable persons with significant disabilities to live as independently as possible in the community of their choice.

Eligibility Criteria:

- Presence of a significant disability that interferes with living independently
- Not determined by income levels
- Person motivated to maintain and/or increase levels of independence.

Services that WSIL provides:

- Individual and systems advocacy;
- Information and referral;
- Peer counseling;
- Independent Living Skills Training;
- ADA technical advice;
- Adaptive equipment;
- Home modification;
- Loan closet;
- Nursing Home Transition and Diversion; and
- Transportation Voucher.

Call 1-800-266-3061 to find an office near you or to learn more about their services.

wilr wyoming independent living rehabilitation

Wyoming Independent Living Rehabilitation educates and empowers Wyoming citizens with disabilities by providing the necessary tools to live with independence and dignity. All services are provided on a "consumer-driven" basis. You decide what you need to live independently.

Eligibility Criteria:

- Each program has different criteria to be eligible. Please contact WILR for more information and to see if you qualify.

Programs that WILR offers:

- Independent Living Services
  - Services to help people regain or maintain independence in their lives.
- Visually Impaired Program
  - Services for older adults who are blind or severely visually impaired.
- Consumer Directed Care
  - To provide the option of obtaining personal attendant care services provided by an individual of the consumer's choice, who is not necessarily medically trained to provide such services.
- Project Out
  - To transition consumers from nursing homes back into communities.
- ADA Consultant
  - To provide information to individuals, organizations, businesses and municipalities regarding the ADA and accessibility issues.
- Transportation Check Program
  - To provide transportation to consumers with disabilities
- Wyoming Technology Access Program (WYTAP)
  - Offers persons with disabilities an opportunity to finance assistive technology devices and services through low – or no – interest loans.
- Making Homes Accessible
  - A conditional block grant program to help low to moderate income people with disabilities to make their homes accessible.

Call 1-800-735-8322 or 266-6956 (in Casper) to find an office near you or to learn more about their services.

Job Accommodation Network (JAN)

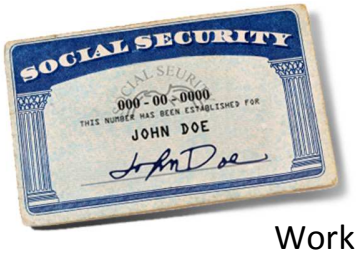
Identifying and arranging necessary accommodations and supports is a key part of assisting people with disabilities to find and keep employment – and is legally reinforced by the Americans with Disabilities Act. A job accommodation means that a job, workplace or way a job is done is modified to help the person with a disability do his/her job. There are several general types of job accommodations:

- Job restructuring, such as a change in work schedule or a decrease in the number of job duties
- Assistive devices – item, device or piece of equipment that is used to help the person with a disability perform a task.
- Training/teaching methods, such as an extended orientation period or audio version of a training manual
- Modification to the building, such as ramps, electronic door opener or flashing lights.

The Job Accommodation Network (JAN) is the leading source of free, expert, and confidential guidance on workplace accommodations and disability employment issues. Working toward practical solutions that benefit both employer and employee, JAN helps people with disabilities enhance their employability, and shows employers how to capitalize on the value and talent that people with disabilities add to the workplace.

JAN provides free, confidential technical assistance about job accommodations and the Americans with Disabilities Act (ADA). Call 1-800-526-7234 to get more information.

Appendix A: Social Security Work Incentive Information



Because many people with disabilities fear losing the SSA benefits and related health care due to being able to work and earn an income, they choose not to work. The SSA has made efforts to reduce this fear by creating and implementing programs known as SSA Work Incentives. Work incentives allow people who receive SSA benefits to work and earn an income while maintaining their benefits and their health insurance. There are specific conditions and requirements for each work incentive, and people must understand how the programs work, including the reporting requirements, in order to ensure proper implementation. Listed below are some of the work incentives offered by Social Security.

For complete information on all SSA's work incentives please visit their website at www.ssa.gov, call 1-800-772-1213 or contact your local Social Security Office.

Social Security Disability Insurance Program (SSDI)

The Social Security Disability Insurance Program (SSDI) provides a monthly benefit to individuals under full retirement age, who have enough quarters paid into the system, have worked five out of the last ten years, and meet the Social Security Administration's (SSA) definition of disability. These SSDI benefit payments will continue as long as the person is unable to engage in "substantial gainful activity" (SGA). A person who is earning more than a certain monthly amount in gross earnings is considered to be engaging in SGA. The SGA amount generally changes when the national average wage index changes. In 2015, the monthly SGA amount is $1090 for a non-blind individual and $1820 for a blind individual. There are work incentives that allow people to go to work after becoming eligible for SSDI. These work incentives allow a person to return to work, but have a safety net, allowing them to continue receiving their SSDI monthly benefit and Medicare coverage for a specific amount of time. Many people can work and keep their SSDI payments and Medicare if they are aware of the work incentives for SSDI.

Supplemental Security Income (SSI)

Supplemental Security Income (SSI) is based upon financial need. It provides monthly benefits to low income individuals who are disabled, blind, or over the age of 65 who are unable to engage in SGA and meet SSA's non-medical criteria for eligibility. The monthly benefit is based on the federal benefit rate (FBR) and generally changes annually based on cost of living increases. In 2015, the monthly FBR is $733.

SSI recipients are automatically eligible for Medicaid, a government health insurance program, and often are eligible for other federal programs such as SNAP, the food assistance program.

The definition of "disability" is the same for SSI and the SSDI programs. To qualify for SSI, a person must have a medically determinable physical or mental impairment that prevents them from engaging in substantial gainful activity. The impairment must have lasted for a continuous period of 12 months, be expected to last for a continuous period of 12 months, or be expected to result in death. In order to be eligible for SSI, the person with a qualifying disability must meet age requirements, residency, legal involvement, living arrangements, and resource and income requirements.

How Property and Assets are Treated Under SSI

Resource and income include, but are not limited to, real estate or real property other than the applicant's residence, vehicles (one car or truck is excluded), bank accounts, cash, stocks, bonds, or other investments. Cash value of life insurance policies, burial spaces, expense funds, certain trusts, and any money or property sold, transferred, or disposed of within 36 months prior to the application. To be eligible for SSI, total counted resources cannot exceed $2,000 per person or $3000 per couple. Income counted includes any earned or unearned income, rental income, child support, alimony, TANF, EITC's, self-employment wages, unemployment compensation, and any other income sources.

The following items DO NOT count as assets or resources for purposes of SSI eligibility:

- The applicant's home and the land it is on, provided that it is the primary residence.
- Household goods, personal property, and one car or truck, if it is necessary for daily activities.
- Life insurance with a face value less than $1500.
- Burial spaces and expense funds up to $1500.

As laws and policies change often, make certain that if there are additional options for keeping assets, such as special needs trusts, that these assets have been approved by the Social Security Administration.

How Income May Impact SSI Eligibility

Countable income can include both earned income and unearned income. This means that income which may impact the amount of the SSI payment includes money that is paid by an employer, Social Security payments, private pension payments, or some items of value that are received as gifts to pay for food, shelter, or utilities.

If a person is considered disabled under SSA rules and plans to work, his or her countable income can be reduced by special programs known as "work incentives." These programs allow a person receiving SSI and/or SSDI to work and continue to receive all or part of their disability payments as well as maintain eligibility for Medicare and/or Medicaid.

Employed Individuals with Disabilities (EID) Program
Medicaid Buy-in Coverage

The EID program provides work incentives for individuals with disabilities. Individuals with disabilities who work and have no health-care coverage, or who may lose their Medicaid coverage, should apply if they obtain employment, increase their work hours, or increase their rate of pay. People with disabilities who work will pay a monthly premium to receive Medicaid health-care coverage. The premium is (7.5%) of their monthly earned income and their yearly unearned income that is in excess of $600.

You may be eligible if you:

- Are employed
- Have a disability based on Social Security Administration guidelines
- Are a U.S. citizen or lawful permanent resident who has lived in the U.S. for at least five years
- A Wyoming resident
- Are 16 through 64 years of age
- Meet income guidelines (earned income is exempt)

Know your options. The Medicaid Buy In (EID program) allows you to work and have Medicaid health-care coverage for only 7.5% of your monthly earned income.

Benefits of the EID program:

- You will have Medicaid health-care coverage.
- You can work in the community.
- You can earn and save more money without the risk of losing health-care coverage.

Call the Wyoming Department of Health, Customer Service Center at 1-855-294-2127 to find out about the application process.

Impairment Related Work Expense (IRWE)

This work incentive applies to both SSI and SSDI at different times. An IRWE is an out of pocket cost that a person must pay that 1) is related to their disability and 2) is needed in order for them to work. The out of pocket costs reduce the income that SSA counts. Receipts must be sent into SSA monthly.

Examples of IRWE:

- Cost of taxis or drivers needed to travel to work because your disability prevents use of public transportation.
- Modified vehicles needed because of disability, e.g., special steering/braking equipment.
- Ramps, railings, or other modifications to the outside of your home that allow you to leave and go to work.
- Routine medication costs that help keep your disability related symptoms under control.

Subsidies and Special Conditions

A subsidy only applies to SSDI and is defined as the value of extra support a person receives on the job. The subsidy is provided by the employer and the worker must earn the same pay as other workers doing the same job. Examples include a job coach, mentor, extra supervision, or a reduced workload. The value of the subsidy is determined by the employer. Special conditions apply when the individual is not fully earning his or her wages because the work is performed under special conditions such as on-the-job coaching or substitution in which the job coach performs part or all of the individual's job duties. SSA will deduct the wages that are not considered "earned" by the individual.

Examples of subsidies:

- You receive more supervision than other workers doing the same or a similar job for the same pay.
- You have fewer or simpler tasks to complete than other workers who are doing the same job for the same pay.
- Job coach assistance.

Examples of special conditions:

- You receive close and continuous supervision.
- You receive on the job coaching and the job coach performs part or all of your tasks.

Unincurred Business Expense

"Unincurred business expenses" refers to self-employment business support that someone provides to you at no cost. In deciding whether you are working at the SGA level, SSA deducts unincurred business expenses from your net earnings from self-employment. Examples of unincurred business expenses are (1) a Vocational Rehabilitation agency gives you a computer that is used in a graphic arts business; and (2) a friend works for your business as unpaid help.

For an item or service to qualify as an unincurred business expense:

- It must be an item or service that the IRS would allow as a legitimate business expense if you had paid for it; and
- Given to you free of charge.

Unsuccessful Work Attempt

An unsuccessful work attempt is an effort by a disabled individual to do substantial work that either stopped or produced earnings below the SGA level after a short amount of time, no more than 6 months because of:

- The individual's disabling condition; or
- Elimination of the special conditions or assistance that the individual needed in order to work.

Trial Work Period

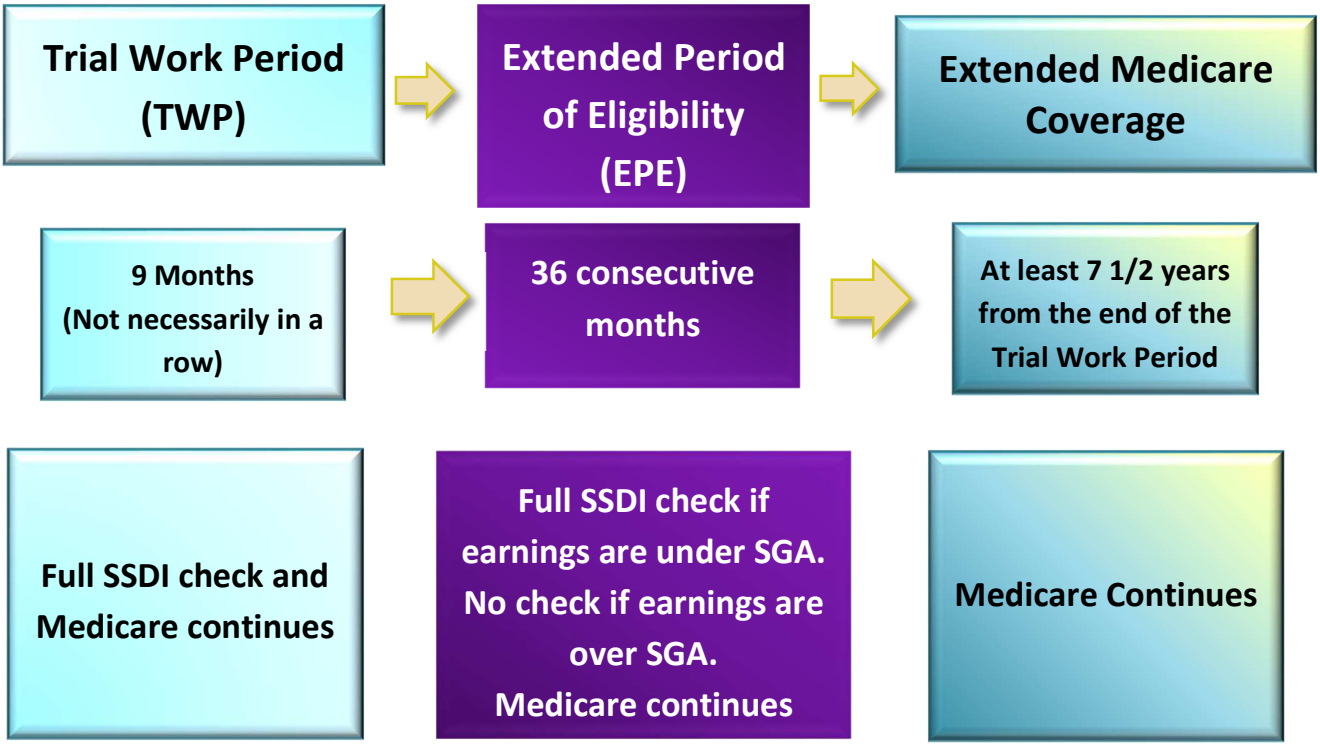
Applies to SSDI only – the Trial Work Period (TWP) allows you to test your ability to work by providing a period of nine (9) months of gross earnings during which your SSDI check is not affected. A month does not count towards your trial work period unless your gross earnings meet or exceed an amount set each year by SSA. In 2015, the TWP amount is $780. During your TWP, you will receive your full disability benefit regardless of how much you earn. You must report your work activity to SSA and continue to have a disabling impairment. The nine (9) months does not need to be consecutive, they are counted within a five-year period. Certain other rules apply. Medicare coverage will continue for ninety-three (93) months after the last month of the TWP.

If you are on SSDI, don't be afraid to work. You get a 9 month trial work period to test the waters of employment.

Extended Period of Eligibility

Applies to SSDI only – the Extended Period of Eligibility (EPE) begins after you have completed your trial work period and have gross earnings at or above the SGA level. The EPE lasts for thirty-six (36) months and allows an individual to receive their SSDI check in any month that their earnings fall below SGA. If work is discontinued during the EPE, the individual simply needs to contact SSA to reinstate benefits. You must continue to have a disabling impairment.

36 month extended period of eligibility AFTER your 9 trial work period months.



Earned Income Exclusion

Applies to SSI only – all SSI recipients receive a $20 general income exclusion. If SSI is the person's only income prior to working, he or she also gets an earned income exclusion of $65. After deducting the $85 in exclusions from your earned income, SSA then only considers half of your remaining earnings.

When you are on SSI, the Social Security Administration only counts $1 for every $2 you earn while working.

Example:

- John is receiving $733 in SSI each month.
- He returns to work and earns $500 in gross monthly earnings.
- Because John was only receiving SSI prior to working, he receives both income exclusions:

  $500 (*Earnings*) minus $85 (*Exclusions*) = $415
- SSA only counts half of the remaining earnings:

  $415 (*Considered earnings after exclusions*) divided by 2 = $207.50
- SSA will only count $207.50 of John's total earnings.
- His SSI check will then be reduced by $207.50.
- His new SSI amount will be **$525.50** (*$733-$207.50=$525.50*).
- **Johns total monthly income is now $500 (*earnings*) plus $525.50 (*SSI benefit*) = $1025.50.**
- John continues to receive Medicaid because his SSI benefit is at least $1.

Plan to Achieve Self-Support (PASS)

Applies to SSI only – a plan to achieve self-support allows you to set aside income or assets of a set amount of money for an established period of time towards a specific employment or vocational goal. Funds can be used for education, equipment, or starting a business, etc. Goals must generally be obtainable within three years, but some exceptions are possible. Funds must be used for a designated purpose or a person could be in overpayment and have to pay back to SSA. A PASS plan can help a person achieve their work or vocational goal. Your goal should be a job that allows you to earn enough to reduce or eliminate your need for benefits provided under the Social Security and Supplemental Security Income programs. SSA does not count the money or resources you set aside under an approved PASS plan when they decide your initial or continuing eligibility for SSI. Having a PASS may help you qualify for SSI or may increase the amount of your SSI payment.

Property Essential to Self-Support (PESS)

Applies to SSI only – SSA does not count some resources that are essential to your means of self-support when they decide if you are eligible for SSI. For example, they do not count property such as tools or equipment that you use for work. If you have a trade or business, they do not count property such as inventory. A person must be using the property that SSA is excluding under PESS, or be expected to start using it in a reasonable amount of time, typically within 12 months.

Federal Rule 1619(b)

Applies to SSI only – Section 1619(b) allows a person who is receiving SSI and working to continue to receive Medicaid at no cost, even when their earnings reduce their SSI benefit to $0. There are earnings threshold requirements. In 2014, for Wyoming, the threshold amount is $36,447. A person who meets the requirements of 1619(b) will receive full medical coverage under Medicaid.

To qualify:

- A person must have been eligible for an SSI cash payment for at least one month prior to accessing 1619(b).
- SSI benefit must have been reduced because of earnings.
- Must continue to meet SSA disability requirements.
- Continue to meet resource requirements for SSI.
- Need the medical assistance to work.
- Have gross earned income that is insufficient to replace the cost of medical assistance needed.

For assistance planning for employment, use our "Employment Pathway Planning Packet"

http://health.wyo.gov/DDD/cmforms.html

Start Your Employment Planning Now

If you are not employed now, but would like to pursue ***employment in the next year*** or ***employment in the next two (2) years***, ask yourself the following questions to begin your planning:

1. Have you ever volunteered in the community?
2. Do you want to learn a new skill?
3. When you are out in the community, are there jobs that you see people doing that you would like to know more about?
4. Do you want to learn about different types of jobs available?
5. If you could have any job, what would it be?
6. What interests you about your dream job?
7. Are there jobs that you don't want to do?
8. How much money will you need to make to meet your living expenses?
9. How much money will you need to buy things you want?
10. What is your greatest fear when you think about working?
11. Is there anything that worries you about getting a job?
12. What motivates you?
13. Will you need prevocational or employment discovery and customization services?
14. What supports will you need to begin competitive employment?
15. Who will help you set up the supports you need to gain and maintain competitive, integrated, and meaningful employment?
16. What is your employment goal date?

SSDI Trial Work Period (TWP) Tracking Chart

You are allowed nine (9) TWP months in a rolling sixty (60) month period

2015 Amount TWP= $780 SGA=$1090

Month	Gross Earned Income	Trial Work Month Yes or No	SSDI Cash Benefit	Total Income
Example: January	$800	Yes= TWP Month 1	$1000	$1800

Notes

Employment First

Pathway to Employment
Pathway to Integration
Pathway out of Poverty

"Working together to build a more prosperous Wyoming."

Wyoming Department of Health

Commit to your health.

BEHAVIORAL HEALTH DIVISION

Employment First Planning Guide

For adults ages 16+ with Intellectual Disabilities, their families, and the Circle of support.

Behavioral Health Division
Developmental Disabilities Section
6101 Yellowstone Road, Suite 220
Cheyenne, WY 82002
www.health.wyo.gov/ddd
800-510-0280 | 307-777-6494

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Introduction

The influence that parents, family, friends, teachers, and providers have on people with disabilities can be both influential and powerful. When it comes to setting expectations about work, those involved in the lives of people with disabilities need to convey the expectation that people with disabilities can work, can contribute, and can find great satisfaction in being part of the world of work.

People WORK for many reasons. For some, it provides a sense of self or meaning in one's life; for others, it is the social context of meeting and associating with others in a common effort or goal; and for still others, it is the means by which to gain status, either personal or economic, which allows for choice and discretion in determining one's "quality of life."

What Makes Life Good?

When asked, ***"What makes life good?"*** almost all people identify the same core components. While different people will use different words to describe a component or more highly value one component over another, the list of components is consistently the same:

- Freedom of choice and ease of access to the community;
- Positive, interdependent relationships with family and friends;
- A safe, comfortable home in a safe neighborhood;
- Being respected, included in and a member of your culture and community;
- Good health and access to good health care;
- Enjoying one's personal choice of hobbies, recreation, and leisure activities; and
- Satisfying employment and the economic benefits of contributing through work.

Although employment outcomes for individuals with disabilities still lag behind those compared to individuals without disabilities, it is clear that enormous barriers to employment are being overcome. It is far more common now to see people with disabilities in a wide range of jobs throughout the community than it was even a decade ago.

Supported employment is an alternative to traditional sheltered and competitive employment approaches. It is an attempt to meet the specific needs of individuals with disabilities and is based on fundamentally different principles and assumptions. The supported work model assumes that all individuals, regardless of the nature or extent of their disabilities, should have the opportunity and support to work in the community. There are no pre-requisite skills needed for community job success. Therefore, the task is not to identify and place "work ready" individuals, but rather to locate and/or modify meaningful jobs in the community and provide training and supports at the job site.

Supported employment will often take the form of "customized" employment. Customized employment is a flexible process designed to personalize the employment relationship between a job candidate and an employer in a way that meets the needs of both. It is based on an individualized match between the strengths, conditions, and interests of job candidate and the identified business needs of an employer. Customized employment utilizes an individualized approach to employment planning and job development – one person at a time, and one employer at a time.

This Employment Planning Guide is designed to help parents, participants, and providers start the process of finding competitive work for people with disabilities; learn about the resources, services, and the programs available to help people with disabilities in Wyoming pursue their own unique path to work, a career, and participate in community life.

"Given the choice between work and idleness, people will almost always choose work. Regardless of our station in life, the condition of our bodies and minds, or the amount of money in our bank accounts, the need to work remains one of our strongest drives. Work is central to our lives, and as such, gives a large measure of structure to our days. Common sense tells us that we feel better about ourselves when we are working regularly."

~Robert Drake, M.D.,

Meet Jane

Let's look at an example of what the new employment pathway might do for a participant.

We want to introduce a fictional waiver participant, Jane, who is a based upon people we know in Wyoming receiving services. We want to describe how the new employment pathway can realistically work for someone and change his or her life.

Jane has been going to day services and working in an enclave at the recycling center, and she receives group supported employment. Jane's team of family and providers encouraged her to start looking for other employment opportunities with the new employment services on the waiver.

At her team meeting, Jane and her team discuss what type of work she would like and want to do if she did not work at the recycling center. They ask her where in town she would like to work. They find out she likes flowers and gardening centers in stores, so they make a plan to set up mentor sites at flower shops and garden centers in department stores using the Employment Discovery and Customization service.

As Jane continues to work at the recycling center, her direct care staff start working with her on non-job-specific, work-related tasks that she might need for competitive employment at a flower shop through Prevocational Services. They also work with her on learning specific tasks in Group Supported Employment that would assist her in working with customers from the public.

Jane's staff helps her meet with the local Department of Vocational Rehabilitation office (DVR) and make an employment plan. After DVR opens a case and pays for job development, a job coach helps Jane fill out employment applications and assists her with interviewing for jobs.

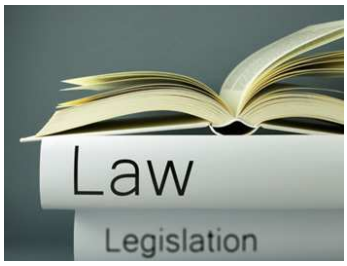
Finally, Jane finds a job working in a flower shop four days a week. DVR pays for supported employment for the time that she needs to obtain and maintain her job. Once she is successful and no longer needs a full-time job coach, DVR puts her case into "Status 22 – Employed." If during this time she needs a job coach,

the waiver will then pay for this service. ***(Please note: DVR cannot close a case successfully when services are still being offered. DVR must go three months or 90 days without paying for any services before they are able to close out a case successfully.)*** Participants, providers, and parents, must be aware of this DVR requirement.

Due to difficulty in learning all of her job tasks, Jane uses Individual Supported Employment through the waiver, which provides her with a job coach for a longer period of time. A job coach can assist her until she can perform the job fairly independently and begins receiving the help she needs from her co-workers, instead of the job coach. After a few months, Jane switches to Transportation Services to get to and from work and Jane's provider switches to Supported Employment Follow Along to check in on Jane's progress each month. Jane continues to learn and grow in her position. Occasionally the provider will provide job coaching to assist Jane and address any concerns that she or her employer has.

Jane now works four days a week and makes triple the money every month than she did at the recycling center. She has three new friends, who are also her co-workers! She also likes having extra money, which allows her to spend more time bowling and hanging out with her boyfriend.

2014 Employment First Legislation



An Act relating to persons with disabilities, which established employment first as a state policy to support competitive employment in an integrated setting, was enacted by the Wyoming Legislature in 2014. This Act requires agencies to support competitive and integrated employment; requires state agencies working with home and community based waiver service providers to implement employment first policies; requires state agencies to report on employment data; provides definitions; and provides for an effective date.

House Enrolled Act 53:

9-2-1002. Definitions; powers generally; duties of governor; provisions construed; cooperation with legislature and judiciary; divisions enumerated.

(xiii) **"Competitive employment"** means work in the competitive labor market that is performed on a fulltime or part-time basis in an integrated setting, and for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled;

(xiv) **"Employment first"** means a concept to facilitate the full inclusion of individuals with disabilities in the workplace and community. Under the employment first approach, community based, integrated employment is the first option for employment services for children and adults with disabilities. Employment first includes competitive employment in an integrated setting;

(xv) **"Integrated setting"** means with respect to an employment outcome, a setting typically found in the community in which applicants or eligible individuals interact with individuals who do not have disabilities, other than nondisabled individuals who are providing services to those applicants or eligible individuals, to the same extent that individuals who do not have disabilities interact with other persons in comparable positions.

9-2-1022. Duties of department performed through human resources division.

(n) In carrying out the duties of the division under this section, employment first shall be the policy of the state that competitive and integrated employment shall be considered its first option when serving persons with disabilities who are of working age to obtain employment. Employment first applies to programs and services that provide services and support to help obtain employment for persons with disabilities. All state agencies shall follow this policy and ensure that it is effectively implemented in their hiring and in all programs and services administered or funded by the agencies. Nothing in this section shall be construed to require any employer to give preference to hiring people with a disability. All state agencies shall coordinate efforts and shall collaborate within and among the agencies to ensure that state programs, policies, procedures and funding support competitive and integrated employment of individuals with disabilities. All state agencies shall, whenever feasible, share data and information across systems in order to track progress toward full implementation of this subsection.

Nothing in this section shall be construed as eliminating any supported employment services as an option when appropriate.

42-4-120. Contracts for waiver services; authority of department; emergency case services; cost based payments; training and certification of specialists.

(m) The department shall ensure that state agencies working with service providers receiving funds pursuant to this section shall have established employment first policies, including competitive employment in an integrated setting, consistent with the requirements of W.S. 9-2-1022.

Employment Talking Points

Employment means a job in the community that the person wants and can perform, with or without accommodation and support.

- When we talk about employment today, we mean having a job or vocation in the community that pays at least minimum wage.

Employment is an essential part of self-determination for many people.

- Employment is a way for people to achieve their personal dream of success, respect, and control.
- Having community employment can be an important part of one's self-identity and value in society today.

People with disabilities are successful workers.

- Thanks to new technology, new laws, and better teaching methods, jobs that were out of reach in the past for people with disabilities are accessible today.
- Job coaches are available to assist people who need assistance in locating, preparing for and successfully managing the job of their choice.
- Success is also supported by government programs, which provide real incentives for people with disabilities to work, keep more earned income for their personal use, and retain their needed benefits.

Some questions to get the employment process started.

- Does the participant need help figuring out the types of jobs and careers he/she would like and be good at doing?
- Will his/her support needs change over time? Are there times when more help will be needed?
- What is most important to the participant? Pay and benefits, fun people to work with, or safety and security?
- Will help be needed to manage benefits, such as Social Security and Medicaid?
- Will job coaching services be needed on the job and if so, how often and for how long?
- Will help be needed to identify activities for when he/she is not working?

Best Practices

Experience has shown that when certain principles are followed while supporting people with disabilities in their employment efforts, the most meaningful and successful outcomes are achieved. These principles are sometimes referred to as "best practices" in community employment services and they include:

- Focusing on individual jobs in the community, paid directly by the employer;
- Using a ***"person-centered planning"*** approach, where job placement is based on the individual's interests, needs and preferences, and the individual is supported to take control of his/her job planning process;
- Emphasizing ***"job matching"*** – searching for employment that closely matches what the job seeker wants, is good at doing, and where he or she will fit in and be comfortable;
- ***Thinking broadly*** about where the individual can work by not being limited to the ideas of traditional workplaces such as supermarkets and fast food chains;
- Taking advantage of personal networks – tapping into family and staff contacts to gather information, resources, and potential job leads;
- Using ***"natural supports"*** including family, friends, co-workers, and mentors to meet the needs of the individual on the job; and
- ***Fading out paid staff supports*** as the individual becomes more settled, comfortable, and independent in the workplace.

Person-Centered Planning is Best Practice

How Employment Affects My Benefits

While earned income can affect a person's eligibility for Social Security, food stamps, public housing and medical assistance benefits, State and Federal programs make it feasible for people to retain much more of their earnings than they could in the past without losing needed health care benefits and services. When taking advantage of State and Federal work incentives, people must report their earnings and assets or savings.

It is important to track your earnings each month and be familiar with the effects that it may have on other benefits you may be receiving.

Earned income WILL affect how much you receive in food stamps and public housing, BUT the amount you earn by becoming competitively employed far outweighs the reduction in food stamps and public housing assistance. You will be moving in the right direction to self-sufficiency!

Department of Health, Community Waiver Programs

The Comprehensive and Supports waivers offer five new employment services with better supports to help you gain and keep employment that match your strengths, needs, and interests. The two new waivers offer an employment pathway service overview with various employment support services to support and assist a participant who, because of their disability, needs intensive support to find and maintain a job in competitive, integrated work settings.

A range of supported employment services are available with varying levels of support and intensity to assist the participant in attaining and maintaining the highest level of paid, community integrated employment. Consistent with the *Olmstead Decision* and with person-centered planning, a participant's plan of care regarding employment services shall be constructed in a manner that reflects individual choice and goals related to employment and ensures provision of services in the most integrated setting appropriate.

Prevocational Services

Prevocational services are services designed to create a path to integrated community based employment for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals without disabilities.

Prevocational services should enable each individual to attain the highest level of work in the most integrated setting with a job matched to the individual's interests, strengths, priorities, abilities, and capabilities, while following applicable federal wage guidelines. These services provide learning and work experiences, including volunteer work where the individual can develop general, non-job-task-specific strengths and skills that contribute to employability through paid employment in an integrated community setting.

Prevocational services are time-limited, not to exceed 12 consecutive months and cannot be repeated during the subsequent plan year.

Employment Discovery and Customization

Employment Discovery and Customization is the individualized determination of the strengths, needs, and interests of the participant and is designed to meet the specific needs of the employee and employer relationship.

Employment discovery and customization includes employment developed through job carving, self-employment or entrepreneurial initiative, or other job development or restructuring strategies that result in job responsibilities being customized and individually negotiated to fit the needs of participants. Employment discovery and customization presumes the provision of reasonable accommodations and supports necessary to perform functions of a job that is individually negotiated and developed.

Supported Employment

- ***Small Group Supported Employment***

Small Group Supported Employment services consist of intensive, on-going supports that enable a participant, for whom competitive employment is at or above the minimum wage is unlikely absent the provision of supports; and who, because of his/her disability, need supports to perform in a regular work setting, including mobile work crews or enclaves. These services are conducted in a variety of settings, particularly work-sites where persons without disabilities are employed.

Services include activities needed to sustain paid work, which includes supervision and training. When supported employment services are provided at a work-site where persons without disabilities are employed, payment is only made for the adaptations, supervision, and training that is required by a participant receiving waiver services as a result of their disability. It does not include payment for supervisory activities rendered as a normal part of the business setting.

- ***Individual Supported Employment***

Individual Supported Employment services are the 1:1 supports available to a participant who, because of their disability, needs intensive or on-going support to obtain and maintain an individual job in competitive or customized employment, or self-employment, in an integrated work setting, in the general workforce for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by an individual without a disability.

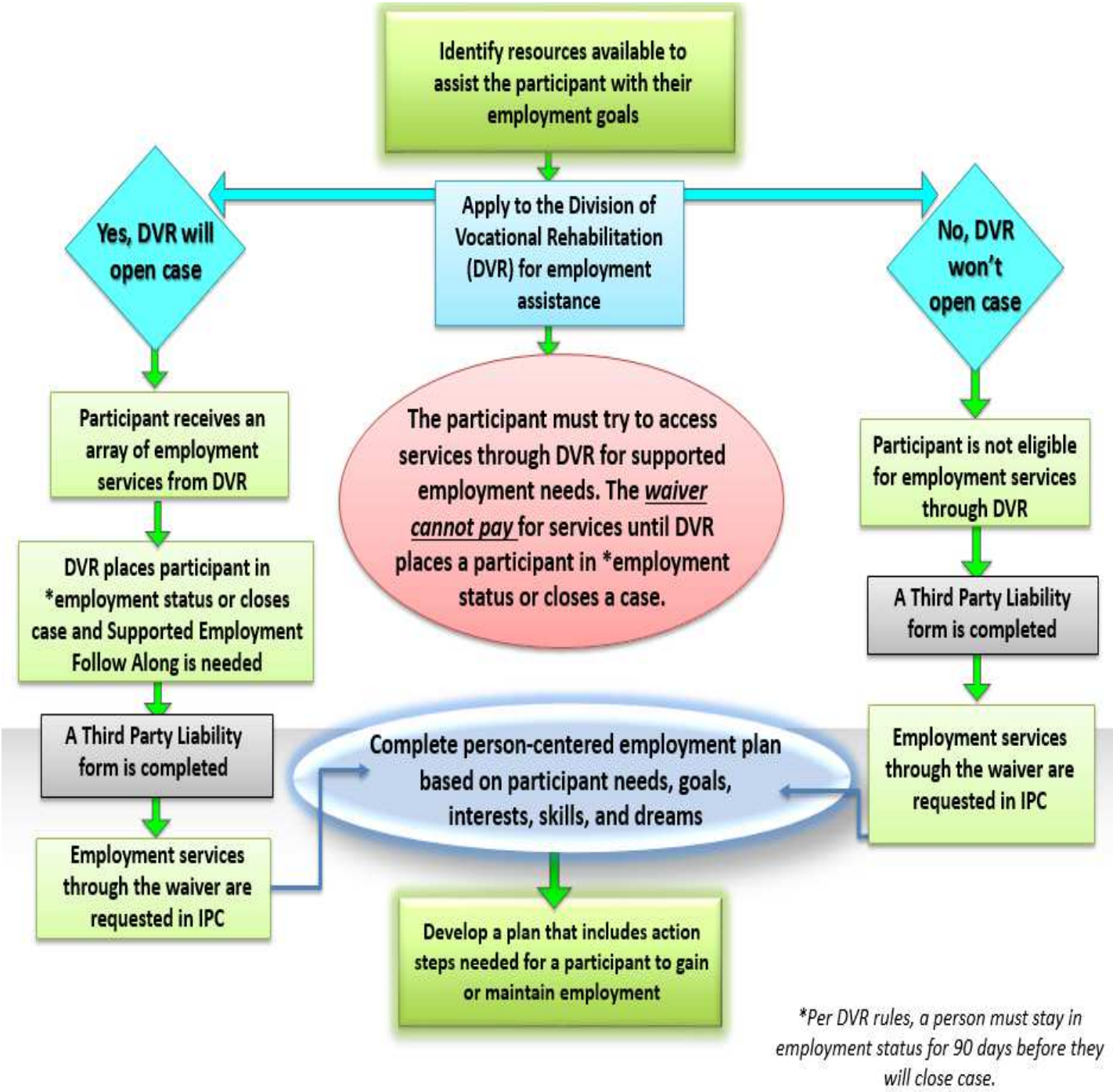
Services are conducted in a variety of settings, particularly work-sites where persons without disabilities are employed. Services include activities needed to sustain paid work by a participant, including supervision and training. When supported employment services are provided at a work-site where persons without disabilities are employed, payment is made only for the adaptations, supervision, and training required by participants receiving waiver services as a result of their disabilities, but does not include payment for the supervisory activities rendered as a normal part of the business setting.

- ***Supported Employment Follow Along***

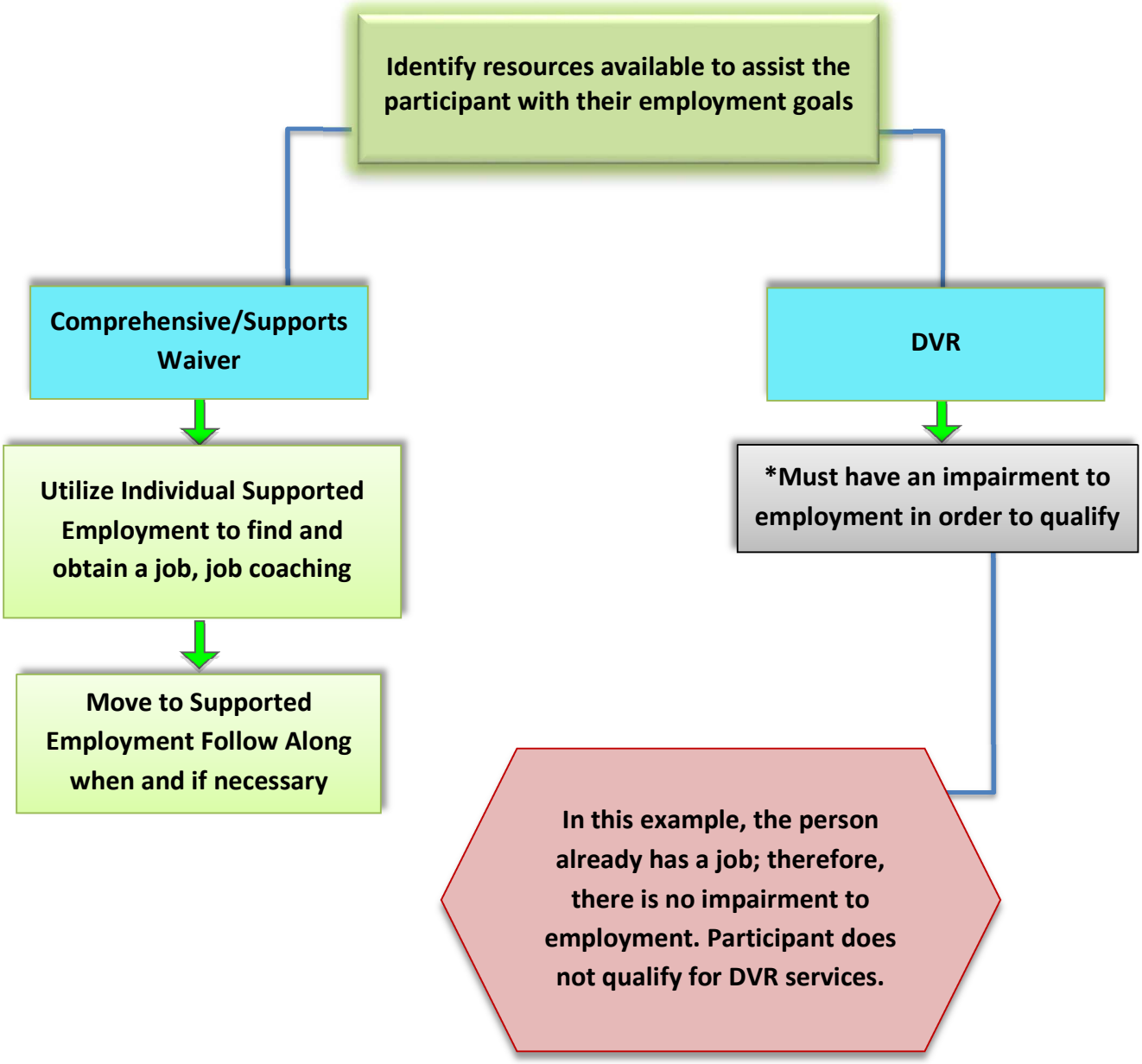
Supported Employment Follow Along are services and supports that enable a participant who is paid at or above the federal minimum wage to maintain employment in an integrated community setting. Service is provided for or on behalf of the participant through intermittent and occasional job support, communicating with the participant's supervisor or manager, whether in the presence of the participant or not.

DVR and Waiver Assistance on Your Employment Pathway

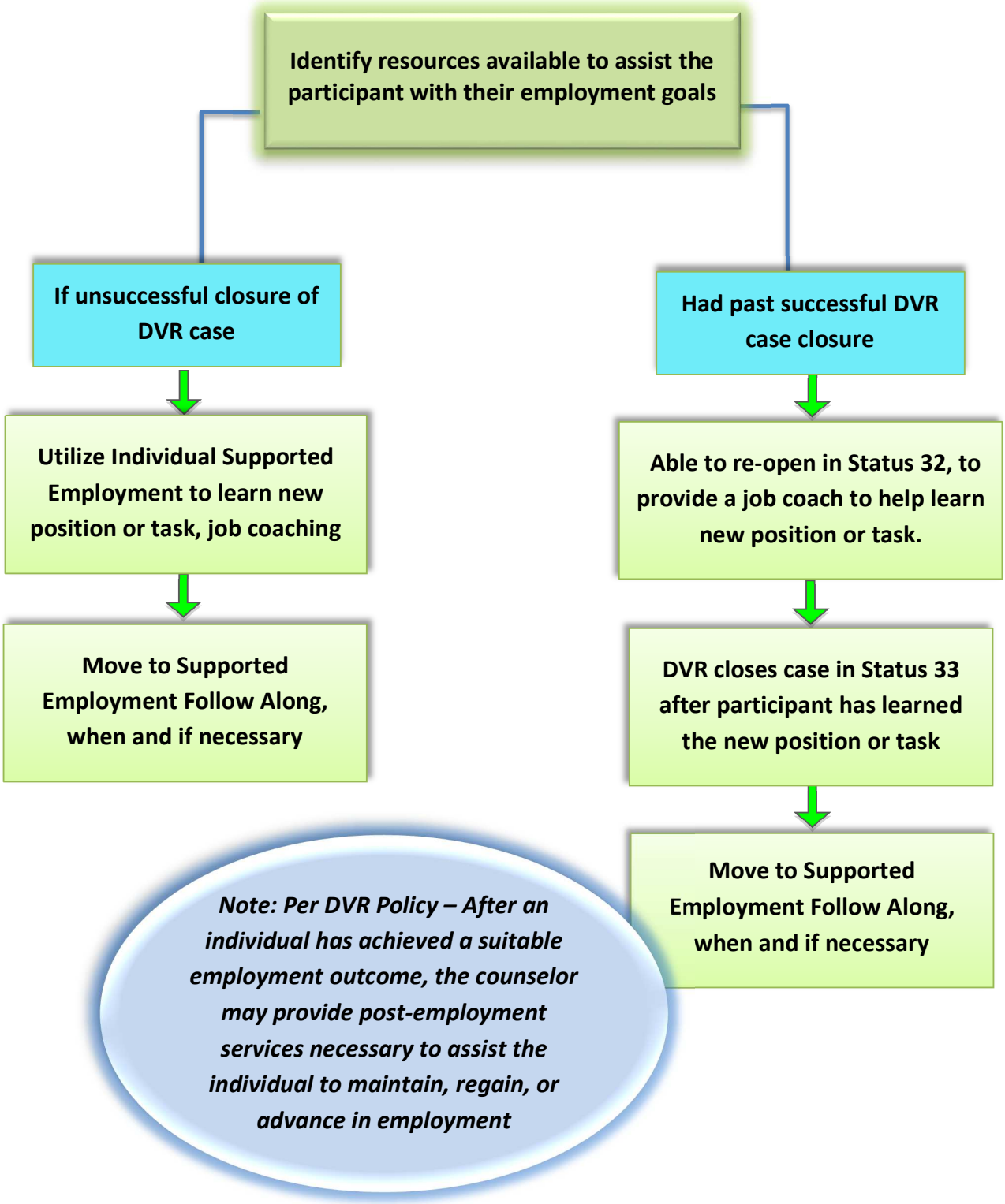
1. No community integrated job before



2. Currently have a job and looking to change jobs



3. Currently have a job and learning a new position or task



4. Currently have a part-time job and looking to obtain a 2nd part-time job

Volunteering

Volunteerism is an avenue that allows individuals to assist with improving their communities, gain marketable skills that could eventually lead to paid employment, test out interests and possible career paths, and develop personal and professional meaningful social connections. It also allows the individual to experience the pleasure and satisfaction of the activity itself and make a difference in the lives of others. Given the social isolation of many people with developmental disabilities, volunteering is important and one of the most useful ways for really getting to know other community members. Volunteering provides many opportunities to learn and practice skills that can be useful in paid employment.

There is value in volunteering and community service. An opportunity to learn, acquire work experience, and a sense of belonging.

Family and Friends

Family and friends of the participant are an important resource that is often overlooked. In many situations, employment opportunities can be found through the participant's family or friends, their school, or their business contacts. Support in finding and keeping a job can be provided informally, by a participant's friends or co-workers, without relying on a funded service. Even when employment services are provided by a community program, relatives and friends play a key role in contributing to the participant's job success by helping in areas of reporting income, preparation for work, transportation, etc.

Transportation

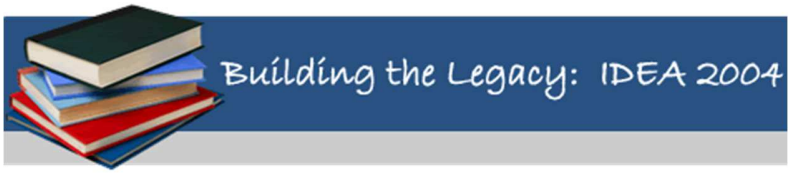
Planning for transportation is an essential part of the job planning process. Job seekers, families, and providers need to work together from the beginning to identify transportation options.

Here is a list of transportation issues to consider:

- Are any public transportation routes accessible?
  - If so, are they available on the days and hours the individual will be travelling to and from work?
- Are transportation services available from the provider and waiver service?
- Is carpooling or shared-ride transportation an option?
- What will the costs be, whether by private or public transportation?
- Are there health, behavior or risk issues that should be considered when selecting the means of transportation?
- Will the individual be able to use public transportation or other shared transit with proper training and support?

When planning transportation, "thinking outside the box" can result in a creative solution. For example, maybe your town's senior bus program can be helpful. Or perhaps your town's taxi company might negotiate a special discounted rate. Consider approaching relatives, co-workers and neighbors about carpooling options.

A plan for transportation is essential when planning for employment.



Employment Transition Planning for School Aged Individuals

Individuals with Disabilities Improvement Education Act

According to the Individuals with Disabilities Education Act (IDEA), special education means specially designed instruction, provided at no cost to the parent, to meet the unique needs of a child with a disability. This specially designed instruction involves adapting, as appropriate to the needs of an eligible student, the content, methodology or delivery of instruction:

- To address the unique needs of the child that result from his/her disability; and
- To ensure access of the child to the general curriculum, so that the child can meet the educational standards within the district that apply to all children.

In Wyoming, children who are eligible for special education are entitled to a free appropriate public education (FAPE) in the least restrictive environment (LRE) from the age of three through the school year in which the student turns 21 years old. School districts ensure the provision of FAPE in the LRE for each eligible child through the development and implementation of an Individualized Education Program (IEP), which is updated at least annually.

Transition Planning Form

In Wyoming, school districts are required by IDEA to include transition planning in the Individual Education Plan (IEPs) of students with disabilities by the time they are 16 (some states require transition planning to begin earlier). Transition planning is a coordinated set of activities that are designed within a results-oriented process, focused on improving academic and functional achievement to facilitate the student's movement from school to post-school activities. The IEP team, including the student, work to develop a plan that is based on age-appropriate transition assessments and individualized to address each child's unique needs.

Transition services and activities incorporated into the plan might include:

- ***Career Interest Inventories*** – these paper and pencil assessments can help the student identify work interest and preferences. The results of these assessments can help to create specific employment goals.
- ***Job Shadowing*** – the student follows an employee during a typical day on the job.
- ***Mentoring*** – the student is matched to an adult mentor who serves as an advisor and offers guidance.
- ***Apprenticeship*** – an adult professional teaches the student a specific trade.
- ***Workplace visits and tours*** – the student observes different work settings.
- ***Career Fairs and Career Days*** – local community members' visit a school to share career experiences with an interested group of students.
- ***Mock job interviews*** – partner with your local Workforce Center to set up mock interviews for students so that they can gain experience.
- ***Job Clubs*** – if available through your local school, job clubs can be great for peer level mentoring and encouragement in employment efforts and on-the-job issues.
- ***After-school and summer job placements*** – arranged and supported by school staff.
- ***Internships*** – paid or unpaid work experience for students.

Resources

Division of Vocational Rehabilitation (DVR)

The Division of Vocational Rehabilitation is a federal-state program that works with people who have physical or mental disabilities to prepare for, gain or retain employment.

Eligibility Criteria:

1. Individual has a physical or mental impairment.
2. Impairment poses a substantial impediment to employment.
3. Individual requires services from DVR to prepare for, gain, or retain employment.

Services that VR provides:

- As part of their core services, DVR provides to all clients eligibility assessments, counseling and guidance, information and referral services, and job search and job placement services. Any additional services that a person with a disability may need are individualized to their specific disability and employment goal.

Call 1-866-804-3678 or visit VR's website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Workforce Investment Act Program (WIA) (For Adults)

The Wyoming Department of Workforce Services uses Workforce Investment Act funding to help adults, dislocated workers and youth find employment that leads to self-sufficiency through various services available at its local Workforce Centers.

Eligibility Criteria:

- For individuals who are 18 years of age or older.
- Individuals who are unemployed and are unable to obtain employment through core services and have been determined to be in need of more intensive services in order to obtain employment; or
- Are employed and have been determined to be in need of services in order to obtain or retain employment that allows for self-sufficiency.
- Meet certain income guidelines.

Services that WIA provides:

- Occupations skills training;
- On-the-job training;
- Programs that combine workplace training with related instruction;
- Training programs operated by the private sector;
- Skills upgrading and retraining;
- Entrepreneurial training;
- Job readiness training;
- Adult Basic Education activities in conjunction with these activities; and
- Customized training with a commitment to employ trainees.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Workforce Investment Act Program (WIA)
(For Youth)

The Wyoming Department of Workforce Services uses Workforce Investment Act funding to help adults, dislocated workers and youth find employment that leads to self-sufficiency through varies services available at its local Workforce Centers.

Eligibility Criteria:

- For individuals aged 14-21.
- Services provided to eligible youth seeking assistance in achieving academic and employment success.

Services that WIA provides:

- Tutoring, study skills training and instruction leading to completion of secondary school, including dropout prevention strategies;
- Alternative secondary school services;
- Summer employment opportunities that are directly linked to academic and occupational learning;
- Paid or unpaid work experiences, including internships and job shadowing;
- Occupational skill training;

- Leadership development opportunities, which may include community service and peer-centered activities encouraging responsibility and other positive social behaviors during non-school hours;
- Supportive services;
- Adult mentoring for the period of participation and a subsequent period, for a total of not less than 12 months;
- Follow-up services for not less than 12 months after the completion of participation; and
- Comprehensive guidance and counseling which may include drug and alcohol abuse counseling and referral.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Department of Workforce Services (DWS)
Career Exploration and Aptitude Testing

The Wyoming Department of Workforce Services understands the need for students, parents, schools, job-seekers and others to explore their career aptitude and development. With this need in mind, the Wyoming Department of Workforce Services provides the following tools to further facilitate such career exploration:

- Start exploring career options with CareerOneStop, whether you are in high school, have graduated, have a vocational certificate, have a 2-year or 4-year college degree or have knowledge and skills acquired through training centers, on-the-job training, or work experience.
- The Wyoming Department of Workforce Services' local Workforce Centers have publicly-accessible computers with resume writing software, various books and videos on resume writing and interviewing, college catalogs, typing, spelling tests, and other resource materials.
- Wyoming at Work Career Services (https://www.wyomingatwork.com) is available. With it, a person can complete, through Wyoming at Work, occupational skills assessments to assist in career development and job placement.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Wyoming Services for Independent Living is a registered non-profit human service agency established to enable persons with significant disabilities to live as independently as possible in the community of their choice.

Eligibility Criteria:

- Presence of a significant disability that interferes with living independently
- Not determined by income levels
- Person motivated to maintain and/or increase levels of independence.

Services that WSIL provides:

- Individual and systems advocacy;
- Information and referral;
- Peer counseling;
- Independent Living Skills Training;
- ADA technical advice;
- Adaptive equipment;
- Home modification;
- Loan closet;
- Nursing Home Transition and Diversion; and
- Transportation Voucher.

Call 1-800-266-3061 to find an office near you or to learn more about their services.

wilr wyoming independent living rehabilitation

Wyoming Independent Living Rehabilitation educates and empowers Wyoming citizens with disabilities by providing the necessary tools to live with independence and dignity. All services are provided on a "consumer-driven" basis. You decide what you need to live independently.

Eligibility Criteria:

- Each program has different criteria to be eligible. Please contact WILR for more information and to see if you qualify.

Programs that WILR offers:

- Independent Living Services
  - Services to help people regain or maintain independence in their lives.
- Visually Impaired Program
  - Services for older adults who are blind or severely visually impaired.
- Consumer Directed Care
  - To provide the option of obtaining personal attendant care services provided by an individual of the consumer's choice, who is not necessarily medically trained to provide such services.
- Project Out
  - To transition consumers from nursing homes back into communities.
- ADA Consultant
  - To provide information to individuals, organizations, businesses and municipalities regarding the ADA and accessibility issues.
- Transportation Check Program
  - To provide transportation to consumers with disabilities
- Wyoming Technology Access Program (WYTAP)
  - Offers persons with disabilities an opportunity to finance assistive technology devices and services through low – or no – interest loans.
- Making Homes Accessible
  - A conditional block grant program to help low to moderate income people with disabilities to make their homes accessible.

Call 1-800-735-8322 or 266-6956 (in Casper) to find an office near you or to learn more about their services.

Job Accommodation Network (JAN)

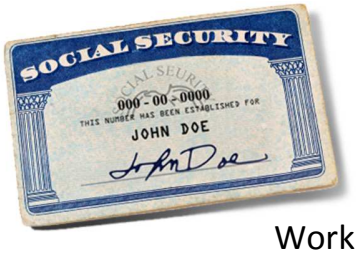
Identifying and arranging necessary accommodations and supports is a key part of assisting people with disabilities to find and keep employment – and is legally reinforced by the Americans with Disabilities Act. A job accommodation means that a job, workplace or way a job is done is modified to help the person with a disability do his/her job. There are several general types of job accommodations:

- Job restructuring, such as a change in work schedule or a decrease in the number of job duties
- Assistive devices – item, device or piece of equipment that is used to help the person with a disability perform a task.
- Training/teaching methods, such as an extended orientation period or audio version of a training manual
- Modification to the building, such as ramps, electronic door opener or flashing lights.

The Job Accommodation Network (JAN) is the leading source of free, expert, and confidential guidance on workplace accommodations and disability employment issues. Working toward practical solutions that benefit both employer and employee, JAN helps people with disabilities enhance their employability, and shows employers how to capitalize on the value and talent that people with disabilities add to the workplace.

JAN provides free, confidential technical assistance about job accommodations and the Americans with Disabilities Act (ADA). Call 1-800-526-7234 to get more information.

Appendix A: Social Security Work Incentive Information



Because many people with disabilities fear losing the SSA benefits and related health care due to being able to work and earn an income, they choose not to work. The SSA has made efforts to reduce this fear by creating and implementing programs known as SSA Work Incentives. Work incentives allow people who receive SSA benefits to work and earn an income while maintaining their benefits and their health insurance. There are specific conditions and requirements for each work incentive, and people must understand how the programs work, including the reporting requirements, in order to ensure proper implementation. Listed below are some of the work incentives offered by Social Security.

For complete information on all SSA's work incentives please visit their website at www.ssa.gov, call 1-800-772-1213 or contact your local Social Security Office.

Social Security Disability Insurance Program (SSDI)

The Social Security Disability Insurance Program (SSDI) provides a monthly benefit to individuals under full retirement age, who have enough quarters paid into the system, have worked five out of the last ten years, and meet the Social Security Administration's (SSA) definition of disability. These SSDI benefit payments will continue as long as the person is unable to engage in "substantial gainful activity" (SGA). A person who is earning more than a certain monthly amount in gross earnings is considered to be engaging in SGA. The SGA amount generally changes when the national average wage index changes. In 2015, the monthly SGA amount is $1090 for a non-blind individual and $1820 for a blind individual. There are work incentives that allow people to go to work after becoming eligible for SSDI. These work incentives allow a person to return to work, but have a safety net, allowing them to continue receiving their SSDI monthly benefit and Medicare coverage for a specific amount of time. Many people can work and keep their SSDI payments and Medicare if they are aware of the work incentives for SSDI.

Supplemental Security Income (SSI)

Supplemental Security Income (SSI) is based upon financial need. It provides monthly benefits to low income individuals who are disabled, blind, or over the age of 65 who are unable to engage in SGA and meet SSA's non-medical criteria for eligibility. The monthly benefit is based on the federal benefit rate (FBR) and generally changes annually based on cost of living increases. In 2015, the monthly FBR is $733.

SSI recipients are automatically eligible for Medicaid, a government health insurance program, and often are eligible for other federal programs such as SNAP, the food assistance program.

The definition of "disability" is the same for SSI and the SSDI programs. To qualify for SSI, a person must have a medically determinable physical or mental impairment that prevents them from engaging in substantial gainful activity. The impairment must have lasted for a continuous period of 12 months, be expected to last for a continuous period of 12 months, or be expected to result in death. In order to be eligible for SSI, the person with a qualifying disability must meet age requirements, residency, legal involvement, living arrangements, and resource and income requirements.

How Property and Assets are Treated Under SSI

Resource and income include, but are not limited to, real estate or real property other than the applicant's residence, vehicles (one car or truck is excluded), bank accounts, cash, stocks, bonds, or other investments. Cash value of life insurance policies, burial spaces, expense funds, certain trusts, and any money or property sold, transferred, or disposed of within 36 months prior to the application. To be eligible for SSI, total counted resources cannot exceed $2,000 per person or $3000 per couple. Income counted includes any earned or unearned income, rental income, child support, alimony, TANF, EITC's, self-employment wages, unemployment compensation, and any other income sources.

The following items DO NOT count as assets or resources for purposes of SSI eligibility:

- The applicant's home and the land it is on, provided that it is the primary residence.
- Household goods, personal property, and one car or truck, if it is necessary for daily activities.
- Life insurance with a face value less than $1500.
- Burial spaces and expense funds up to $1500.

As laws and policies change often, make certain that if there are additional options for keeping assets, such as special needs trusts, that these assets have been approved by the Social Security Administration.

How Income May Impact SSI Eligibility

Countable income can include both earned income and unearned income. This means that income which may impact the amount of the SSI payment includes money that is paid by an employer, Social Security payments, private pension payments, or some items of value that are received as gifts to pay for food, shelter, or utilities.

If a person is considered disabled under SSA rules and plans to work, his or her countable income can be reduced by special programs known as "work incentives." These programs allow a person receiving SSI and/or SSDI to work and continue to receive all or part of their disability payments as well as maintain eligibility for Medicare and/or Medicaid.

Employed Individuals with Disabilities (EID) Program
Medicaid Buy-in Coverage

The EID program provides work incentives for individuals with disabilities. Individuals with disabilities who work and have no health-care coverage, or who may lose their Medicaid coverage, should apply if they obtain employment, increase their work hours, or increase their rate of pay. People with disabilities who work will pay a monthly premium to receive Medicaid health-care coverage. The premium is (7.5%) of their monthly earned income and their yearly unearned income that is in excess of $600.

You may be eligible if you:

- Are employed
- Have a disability based on Social Security Administration guidelines
- Are a U.S. citizen or lawful permanent resident who has lived in the U.S. for at least five years
- A Wyoming resident
- Are 16 through 64 years of age
- Meet income guidelines (earned income is exempt)

Know your options. The Medicaid Buy In (EID program) allows you to work and have Medicaid health-care coverage for only 7.5% of your monthly earned income.

Benefits of the EID program:

- You will have Medicaid health-care coverage.
- You can work in the community.
- You can earn and save more money without the risk of losing health-care coverage.

Call the Wyoming Department of Health, Customer Service Center at 1-855-294-2127 to find out about the application process.

Impairment Related Work Expense (IRWE)

This work incentive applies to both SSI and SSDI at different times. An IRWE is an out of pocket cost that a person must pay that 1) is related to their disability and 2) is needed in order for them to work. The out of pocket costs reduce the income that SSA counts. Receipts must be sent into SSA monthly.

Examples of IRWE:

- Cost of taxis or drivers needed to travel to work because your disability prevents use of public transportation.
- Modified vehicles needed because of disability, e.g., special steering/braking equipment.
- Ramps, railings, or other modifications to the outside of your home that allow you to leave and go to work.
- Routine medication costs that help keep your disability related symptoms under control.

Subsidies and Special Conditions

A subsidy only applies to SSDI and is defined as the value of extra support a person receives on the job. The subsidy is provided by the employer and the worker must earn the same pay as other workers doing the same job. Examples include a job coach, mentor, extra supervision, or a reduced workload. The value of the subsidy is determined by the employer. Special conditions apply when the individual is not fully earning his or her wages because the work is performed under special conditions such as on-the-job coaching or substitution in which the job coach performs part or all of the individual's job duties. SSA will deduct the wages that are not considered "earned" by the individual.

Examples of subsidies:

- You receive more supervision than other workers doing the same or a similar job for the same pay.
- You have fewer or simpler tasks to complete than other workers who are doing the same job for the same pay.
- Job coach assistance.

Examples of special conditions:

- You receive close and continuous supervision.
- You receive on the job coaching and the job coach performs part or all of your tasks.

Unincurred Business Expense

"Unincurred business expenses" refers to self-employment business support that someone provides to you at no cost. In deciding whether you are working at the SGA level, SSA deducts unincurred business expenses from your net earnings from self-employment. Examples of unincurred business expenses are (1) a Vocational Rehabilitation agency gives you a computer that is used in a graphic arts business; and (2) a friend works for your business as unpaid help.

For an item or service to qualify as an unincurred business expense:

- It must be an item or service that the IRS would allow as a legitimate business expense if you had paid for it; and
- Given to you free of charge.

Unsuccessful Work Attempt

An unsuccessful work attempt is an effort by a disabled individual to do substantial work that either stopped or produced earnings below the SGA level after a short amount of time, no more than 6 months because of:

- The individual's disabling condition; or
- Elimination of the special conditions or assistance that the individual needed in order to work.

Trial Work Period

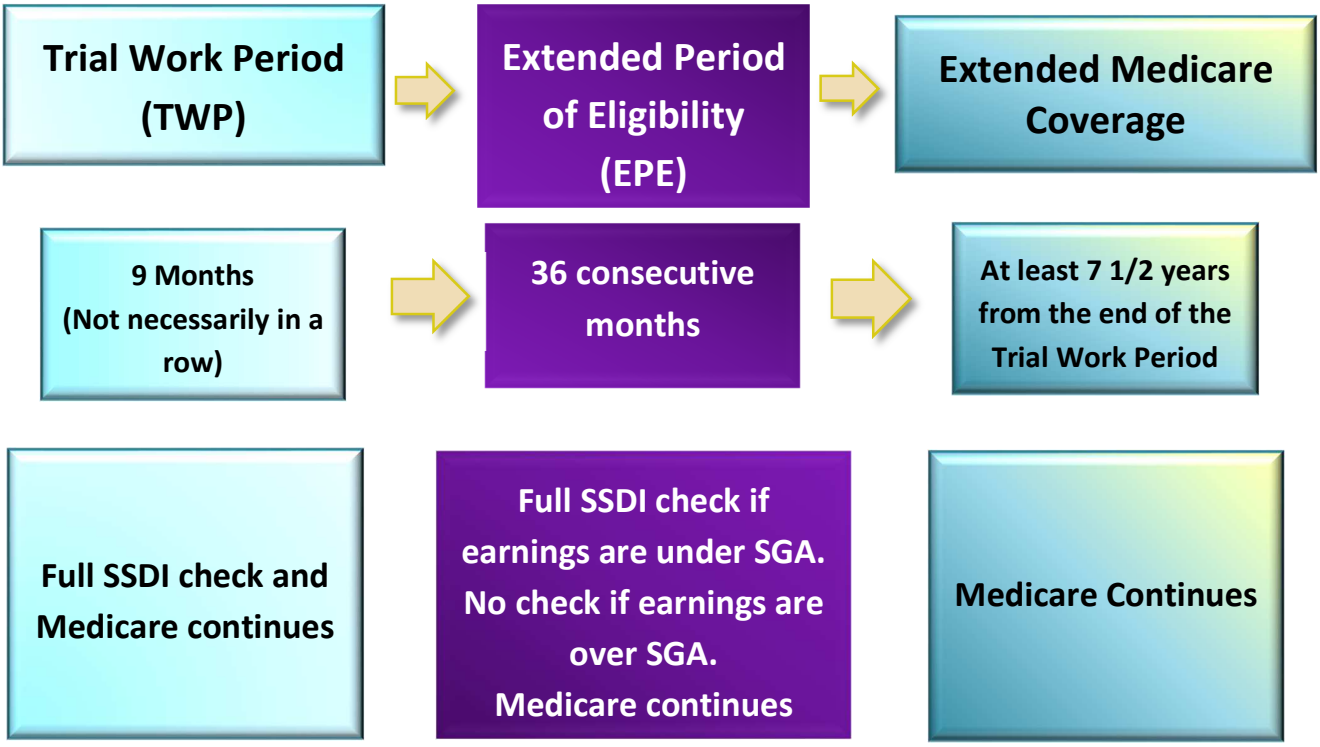
Applies to SSDI only – the Trial Work Period (TWP) allows you to test your ability to work by providing a period of nine (9) months of gross earnings during which your SSDI check is not affected. A month does not count towards your trial work period unless your gross earnings meet or exceed an amount set each year by SSA. In 2015, the TWP amount is $780. During your TWP, you will receive your full disability benefit regardless of how much you earn. You must report your work activity to SSA and continue to have a disabling impairment. The nine (9) months does not need to be consecutive, they are counted within a five-year period. Certain other rules apply. Medicare coverage will continue for ninety-three (93) months after the last month of the TWP.

If you are on SSDI, don't be afraid to work. You get a 9 month trial work period to test the waters of employment.

Extended Period of Eligibility

Applies to SSDI only – the Extended Period of Eligibility (EPE) begins after you have completed your trial work period and have gross earnings at or above the SGA level. The EPE lasts for thirty-six (36) months and allows an individual to receive their SSDI check in any month that their earnings fall below SGA. If work is discontinued during the EPE, the individual simply needs to contact SSA to reinstate benefits. You must continue to have a disabling impairment.

36 month extended period of eligibility AFTER your 9 trial work period months.



Earned Income Exclusion

Applies to SSI only – all SSI recipients receive a $20 general income exclusion. If SSI is the person's only income prior to working, he or she also gets an earned income exclusion of $65. After deducting the $85 in exclusions from your earned income, SSA then only considers half of your remaining earnings.

When you are on SSI, the Social Security Administration only counts $1 for every $2 you earn while working.

Example:

- John is receiving $733 in SSI each month.
- He returns to work and earns $500 in gross monthly earnings.
- Because John was only receiving SSI prior to working, he receives both income exclusions:

  $500 (*Earnings*) minus $85 (*Exclusions*) = $415
- SSA only counts half of the remaining earnings:

  $415 (*Considered earnings after exclusions*) divided by 2 = $207.50
- SSA will only count $207.50 of John's total earnings.
- His SSI check will then be reduced by $207.50.
- His new SSI amount will be **$525.50** (*$733-$207.50=$525.50*).
- **Johns total monthly income is now $500 (*earnings*) plus $525.50 (*SSI benefit*) = $1025.50.**
- John continues to receive Medicaid because his SSI benefit is at least $1.

Plan to Achieve Self-Support (PASS)

Applies to SSI only – a plan to achieve self-support allows you to set aside income or assets of a set amount of money for an established period of time towards a specific employment or vocational goal. Funds can be used for education, equipment, or starting a business, etc. Goals must generally be obtainable within three years, but some exceptions are possible. Funds must be used for a designated purpose or a person could be in overpayment and have to pay back to SSA. A PASS plan can help a person achieve their work or vocational goal. Your goal should be a job that allows you to earn enough to reduce or eliminate your need for benefits provided under the Social Security and Supplemental Security Income programs. SSA does not count the money or resources you set aside under an approved PASS plan when they decide your initial or continuing eligibility for SSI. Having a PASS may help you qualify for SSI or may increase the amount of your SSI payment.

Property Essential to Self-Support (PESS)

Applies to SSI only – SSA does not count some resources that are essential to your means of self-support when they decide if you are eligible for SSI. For example, they do not count property such as tools or equipment that you use for work. If you have a trade or business, they do not count property such as inventory. A person must be using the property that SSA is excluding under PESS, or be expected to start using it in a reasonable amount of time, typically within 12 months.

Federal Rule 1619(b)

Applies to SSI only – Section 1619(b) allows a person who is receiving SSI and working to continue to receive Medicaid at no cost, even when their earnings reduce their SSI benefit to $0. There are earnings threshold requirements. In 2014, for Wyoming, the threshold amount is $36,447. A person who meets the requirements of 1619(b) will receive full medical coverage under Medicaid.

To qualify:

- A person must have been eligible for an SSI cash payment for at least one month prior to accessing 1619(b).
- SSI benefit must have been reduced because of earnings.
- Must continue to meet SSA disability requirements.
- Continue to meet resource requirements for SSI.
- Need the medical assistance to work.
- Have gross earned income that is insufficient to replace the cost of medical assistance needed.

For assistance planning for employment, use our "Employment Pathway Planning Packet"

http://health.wyo.gov/DDD/cmforms.html

Start Your Employment Planning Now

If you are not employed now, but would like to pursue ***employment in the next year*** or ***employment in the next two (2) years***, ask yourself the following questions to begin your planning:

1. Have you ever volunteered in the community?
2. Do you want to learn a new skill?
3. When you are out in the community, are there jobs that you see people doing that you would like to know more about?
4. Do you want to learn about different types of jobs available?
5. If you could have any job, what would it be?
6. What interests you about your dream job?
7. Are there jobs that you don't want to do?
8. How much money will you need to make to meet your living expenses?
9. How much money will you need to buy things you want?
10. What is your greatest fear when you think about working?
11. Is there anything that worries you about getting a job?
12. What motivates you?
13. Will you need prevocational or employment discovery and customization services?
14. What supports will you need to begin competitive employment?
15. Who will help you set up the supports you need to gain and maintain competitive, integrated, and meaningful employment?
16. What is your employment goal date?

SSDI Trial Work Period (TWP) Tracking Chart

You are allowed nine (9) TWP months in a rolling sixty (60) month period

2015 Amount TWP= $780 SGA=$1090

Month	Gross Earned Income	Trial Work Month Yes or No	SSDI Cash Benefit	Total Income
Example: January	$800	Yes= TWP Month 1	$1000	$1800

Notes

Employment First

Pathway to Employment
Pathway to Integration
Pathway out of Poverty

"Working together to build a more prosperous Wyoming."

Wyoming Department of Health

Commit to your health.

BEHAVIORAL HEALTH DIVISION

Employment First Planning Guide

For adults ages 16+ with Intellectual Disabilities, their families, and the Circle of support.

Behavioral Health Division
Developmental Disabilities Section
6101 Yellowstone Road, Suite 220
Cheyenne, WY 82002
www.health.wyo.gov/ddd
800-510-0280 | 307-777-6494

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Introduction

The influence that parents, family, friends, teachers, and providers have on people with disabilities can be both influential and powerful. When it comes to setting expectations about work, those involved in the lives of people with disabilities need to convey the expectation that people with disabilities can work, can contribute, and can find great satisfaction in being part of the world of work.

People WORK for many reasons. For some, it provides a sense of self or meaning in one's life; for others, it is the social context of meeting and associating with others in a common effort or goal; and for still others, it is the means by which to gain status, either personal or economic, which allows for choice and discretion in determining one's "quality of life."

What Makes Life Good?

When asked, ***"What makes life good?"*** almost all people identify the same core components. While different people will use different words to describe a component or more highly value one component over another, the list of components is consistently the same:

- Freedom of choice and ease of access to the community;
- Positive, interdependent relationships with family and friends;
- A safe, comfortable home in a safe neighborhood;
- Being respected, included in and a member of your culture and community;
- Good health and access to good health care;
- Enjoying one's personal choice of hobbies, recreation, and leisure activities; and
- Satisfying employment and the economic benefits of contributing through work.

Although employment outcomes for individuals with disabilities still lag behind those compared to individuals without disabilities, it is clear that enormous barriers to employment are being overcome. It is far more common now to see people with disabilities in a wide range of jobs throughout the community than it was even a decade ago.

Supported employment is an alternative to traditional sheltered and competitive employment approaches. It is an attempt to meet the specific needs of individuals with disabilities and is based on fundamentally different principles and assumptions. The supported work model assumes that all individuals, regardless of the nature or extent of their disabilities, should have the opportunity and support to work in the community. There are no pre-requisite skills needed for community job success. Therefore, the task is not to identify and place "work ready" individuals, but rather to locate and/or modify meaningful jobs in the community and provide training and supports at the job site.

Supported employment will often take the form of "customized" employment. Customized employment is a flexible process designed to personalize the employment relationship between a job candidate and an employer in a way that meets the needs of both. It is based on an individualized match between the strengths, conditions, and interests of job candidate and the identified business needs of an employer. Customized employment utilizes an individualized approach to employment planning and job development – one person at a time, and one employer at a time.

This Employment Planning Guide is designed to help parents, participants, and providers start the process of finding competitive work for people with disabilities; learn about the resources, services, and the programs available to help people with disabilities in Wyoming pursue their own unique path to work, a career, and participate in community life.

"Given the choice between work and idleness, people will almost always choose work. Regardless of our station in life, the condition of our bodies and minds, or the amount of money in our bank accounts, the need to work remains one of our strongest drives. Work is central to our lives, and as such, gives a large measure of structure to our days. Common sense tells us that we feel better about ourselves when we are working regularly."

~Robert Drake, M.D.,

Meet Jane

Let's look at an example of what the new employment pathway might do for a participant.

We want to introduce a fictional waiver participant, Jane, who is a based upon people we know in Wyoming receiving services. We want to describe how the new employment pathway can realistically work for someone and change his or her life.

Jane has been going to day services and working in an enclave at the recycling center, and she receives group supported employment. Jane's team of family and providers encouraged her to start looking for other employment opportunities with the new employment services on the waiver.

At her team meeting, Jane and her team discuss what type of work she would like and want to do if she did not work at the recycling center. They ask her where in town she would like to work. They find out she likes flowers and gardening centers in stores, so they make a plan to set up mentor sites at flower shops and garden centers in department stores using the Employment Discovery and Customization service.

As Jane continues to work at the recycling center, her direct care staff start working with her on non-job-specific, work-related tasks that she might need for competitive employment at a flower shop through Prevocational Services. They also work with her on learning specific tasks in Group Supported Employment that would assist her in working with customers from the public.

Jane's staff helps her meet with the local Department of Vocational Rehabilitation office (DVR) and make an employment plan. After DVR opens a case and pays for job development, a job coach helps Jane fill out employment applications and assists her with interviewing for jobs.

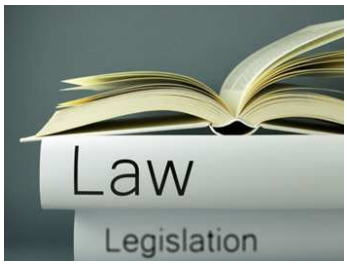
Finally, Jane finds a job working in a flower shop four days a week. DVR pays for supported employment for the time that she needs to obtain and maintain her job. Once she is successful and no longer needs a full-time job coach, DVR puts her case into "Status 22 – Employed." If during this time she needs a job coach,

the waiver will then pay for this service. ***(Please note: DVR cannot close a case successfully when services are still being offered. DVR must go three months or 90 days without paying for any services before they are able to close out a case successfully.)*** Participants, providers, and parents, must be aware of this DVR requirement.

Due to difficulty in learning all of her job tasks, Jane uses Individual Supported Employment through the waiver, which provides her with a job coach for a longer period of time. A job coach can assist her until she can perform the job fairly independently and begins receiving the help she needs from her co-workers, instead of the job coach. After a few months, Jane switches to Transportation Services to get to and from work and Jane's provider switches to Supported Employment Follow Along to check in on Jane's progress each month. Jane continues to learn and grow in her position. Occasionally the provider will provide job coaching to assist Jane and address any concerns that she or her employer has.

Jane now works four days a week and makes triple the money every month than she did at the recycling center. She has three new friends, who are also her co-workers! She also likes having extra money, which allows her to spend more time bowling and hanging out with her boyfriend.

2014 Employment First Legislation



An Act relating to persons with disabilities, which established employment first as a state policy to support competitive employment in an integrated setting, was enacted by the Wyoming Legislature in 2014. This Act requires agencies to support competitive and integrated employment; requires state agencies working with home and community based waiver service providers to implement employment first policies; requires state agencies to report on employment data; provides definitions; and provides for an effective date.

House Enrolled Act 53:

9-2-1002. Definitions; powers generally; duties of governor; provisions construed; cooperation with legislature and judiciary; divisions enumerated.

(xiii) **"Competitive employment"** means work in the competitive labor market that is performed on a fulltime or part-time basis in an integrated setting, and for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled;

(xiv) **"Employment first"** means a concept to facilitate the full inclusion of individuals with disabilities in the workplace and community. Under the employment first approach, community based, integrated employment is the first option for employment services for children and adults with disabilities. Employment first includes competitive employment in an integrated setting;

(xv) **"Integrated setting"** means with respect to an employment outcome, a setting typically found in the community in which applicants or eligible individuals interact with individuals who do not have disabilities, other than nondisabled individuals who are providing services to those applicants or eligible individuals, to the same extent that individuals who do not have disabilities interact with other persons in comparable positions.

9-2-1022. Duties of department performed through human resources division.

(n) In carrying out the duties of the division under this section, employment first shall be the policy of the state that competitive and integrated employment shall be considered its first option when serving persons with disabilities who are of working age to obtain employment. Employment first applies to programs and services that provide services and support to help obtain employment for persons with disabilities. All state agencies shall follow this policy and ensure that it is effectively implemented in their hiring and in all programs and services administered or funded by the agencies. Nothing in this section shall be construed to require any employer to give preference to hiring people with a disability. All state agencies shall coordinate efforts and shall collaborate within and among the agencies to ensure that state programs, policies, procedures and funding support competitive and integrated employment of individuals with disabilities. All state agencies shall, whenever feasible, share data and information across systems in order to track progress toward full implementation of this subsection.

Nothing in this section shall be construed as eliminating any supported employment services as an option when appropriate.

42-4-120. Contracts for waiver services; authority of department; emergency case services; cost based payments; training and certification of specialists.

(m) The department shall ensure that state agencies working with service providers receiving funds pursuant to this section shall have established employment first policies, including competitive employment in an integrated setting, consistent with the requirements of W.S. 9-2-1022.

Employment Talking Points

Employment means a job in the community that the person wants and can perform, with or without accommodation and support.

- When we talk about employment today, we mean having a job or vocation in the community that pays at least minimum wage.

Employment is an essential part of self-determination for many people.

- Employment is a way for people to achieve their personal dream of success, respect, and control.
- Having community employment can be an important part of one's self-identity and value in society today.

People with disabilities are successful workers.

- Thanks to new technology, new laws, and better teaching methods, jobs that were out of reach in the past for people with disabilities are accessible today.
- Job coaches are available to assist people who need assistance in locating, preparing for and successfully managing the job of their choice.
- Success is also supported by government programs, which provide real incentives for people with disabilities to work, keep more earned income for their personal use, and retain their needed benefits.

Some questions to get the employment process started.

- Does the participant need help figuring out the types of jobs and careers he/she would like and be good at doing?
- Will his/her support needs change over time? Are there times when more help will be needed?
- What is most important to the participant? Pay and benefits, fun people to work with, or safety and security?
- Will help be needed to manage benefits, such as Social Security and Medicaid?
- Will job coaching services be needed on the job and if so, how often and for how long?
- Will help be needed to identify activities for when he/she is not working?

Best Practices

Experience has shown that when certain principles are followed while supporting people with disabilities in their employment efforts, the most meaningful and successful outcomes are achieved. These principles are sometimes referred to as "best practices" in community employment services and they include:

- Focusing on individual jobs in the community, paid directly by the employer;
- Using a ***"person-centered planning"*** approach, where job placement is based on the individual's interests, needs and preferences, and the individual is supported to take control of his/her job planning process;
- Emphasizing ***"job matching"*** – searching for employment that closely matches what the job seeker wants, is good at doing, and where he or she will fit in and be comfortable;
- ***Thinking broadly*** about where the individual can work by not being limited to the ideas of traditional workplaces such as supermarkets and fast food chains;
- Taking advantage of personal networks – tapping into family and staff contacts to gather information, resources, and potential job leads;
- Using ***"natural supports"*** including family, friends, co-workers, and mentors to meet the needs of the individual on the job; and
- ***Fading out paid staff supports*** as the individual becomes more settled, comfortable, and independent in the workplace.

Person-Centered Planning is Best Practice

How Employment Affects My Benefits

While earned income can affect a person's eligibility for Social Security, food stamps, public housing and medical assistance benefits, State and Federal programs make it feasible for people to retain much more of their earnings than they could in the past without losing needed health care benefits and services. When taking advantage of State and Federal work incentives, people must report their earnings and assets or savings.

It is important to track your earnings each month and be familiar with the effects that it may have on other benefits you may be receiving.

Earned income WILL affect how much you receive in food stamps and public housing, BUT the amount you earn by becoming competitively employed far outweighs the reduction in food stamps and public housing assistance. You will be moving in the right direction to self-sufficiency!

Department of Health, Community Waiver Programs

The Comprehensive and Supports waivers offer five new employment services with better supports to help you gain and keep employment that match your strengths, needs, and interests. The two new waivers offer an employment pathway service overview with various employment support services to support and assist a participant who, because of their disability, needs intensive support to find and maintain a job in competitive, integrated work settings.

A range of supported employment services are available with varying levels of support and intensity to assist the participant in attaining and maintaining the highest level of paid, community integrated employment. Consistent with the *Olmstead Decision* and with person-centered planning, a participant's plan of care regarding employment services shall be constructed in a manner that reflects individual choice and goals related to employment and ensures provision of services in the most integrated setting appropriate.

Prevocational Services

Prevocational services are services designed to create a path to integrated community based employment for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals without disabilities.

Prevocational services should enable each individual to attain the highest level of work in the most integrated setting with a job matched to the individual's interests, strengths, priorities, abilities, and capabilities, while following applicable federal wage guidelines. These services provide learning and work experiences, including volunteer work where the individual can develop general, non-job-task-specific strengths and skills that contribute to employability through paid employment in an integrated community setting.

Prevocational services are time-limited, not to exceed 12 consecutive months and cannot be repeated during the subsequent plan year.

Employment Discovery and Customization

Employment Discovery and Customization is the individualized determination of the strengths, needs, and interests of the participant and is designed to meet the specific needs of the employee and employer relationship.

Employment discovery and customization includes employment developed through job carving, self-employment or entrepreneurial initiative, or other job development or restructuring strategies that result in job responsibilities being customized and individually negotiated to fit the needs of participants. Employment discovery and customization presumes the provision of reasonable accommodations and supports necessary to perform functions of a job that is individually negotiated and developed.

Supported Employment

- ***Small Group Supported Employment***

Small Group Supported Employment services consist of intensive, on-going supports that enable a participant, for whom competitive employment is at or above the minimum wage is unlikely absent the provision of supports; and who, because of his/her disability, need supports to perform in a regular work setting, including mobile work crews or enclaves. These services are conducted in a variety of settings, particularly work-sites where persons without disabilities are employed.

Services include activities needed to sustain paid work, which includes supervision and training. When supported employment services are provided at a work-site where persons without disabilities are employed, payment is only made for the adaptations, supervision, and training that is required by a participant receiving waiver services as a result of their disability. It does not include payment for supervisory activities rendered as a normal part of the business setting.

- ***Individual Supported Employment***

Individual Supported Employment services are the 1:1 supports available to a participant who, because of their disability, needs intensive or on-going support to obtain and maintain an individual job in competitive or customized employment, or self-employment, in an integrated work setting, in the general workforce for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by an individual without a disability.

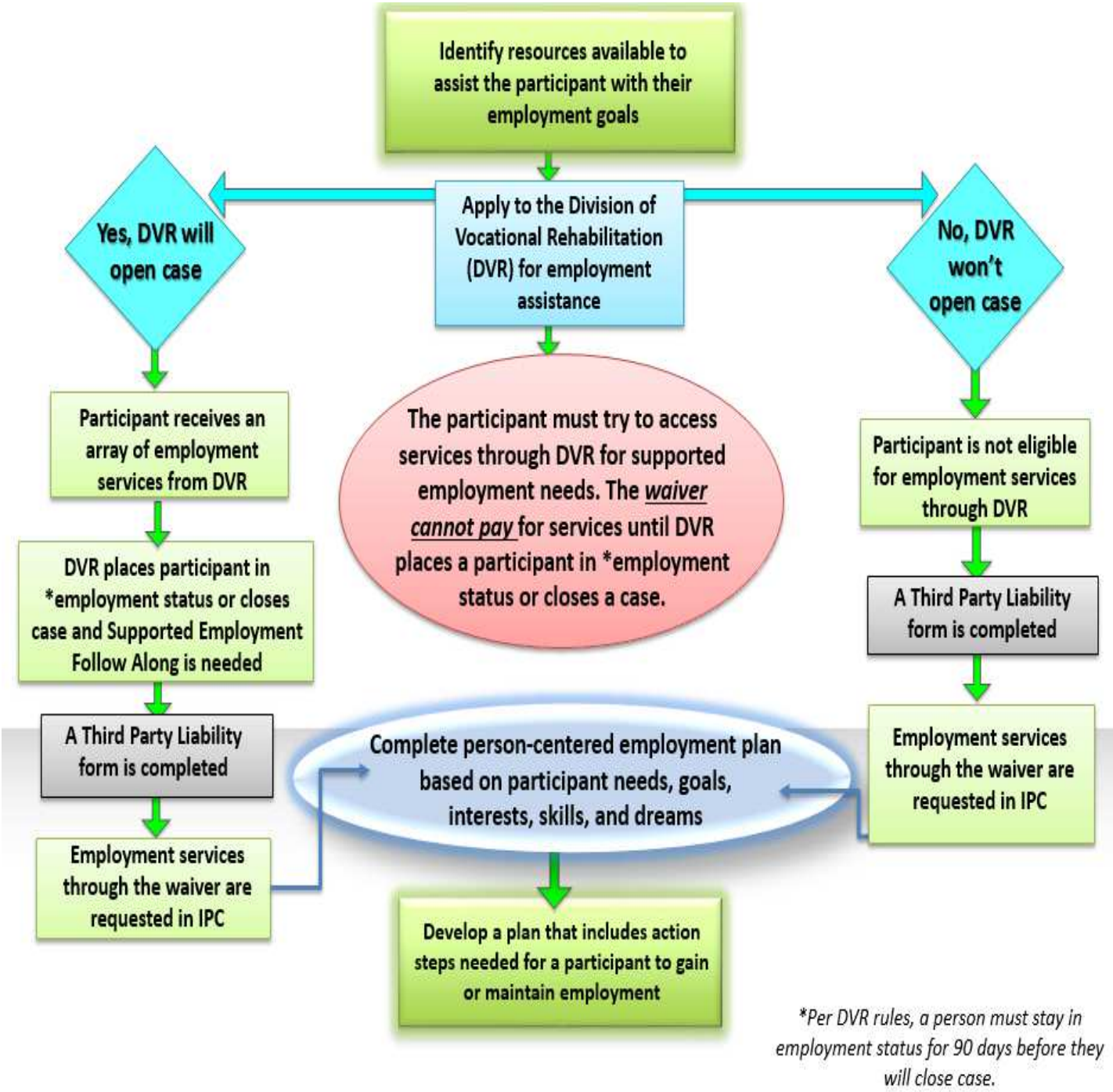
Services are conducted in a variety of settings, particularly work-sites where persons without disabilities are employed. Services include activities needed to sustain paid work by a participant, including supervision and training. When supported employment services are provided at a work-site where persons without disabilities are employed, payment is made only for the adaptations, supervision, and training required by participants receiving waiver services as a result of their disabilities, but does not include payment for the supervisory activities rendered as a normal part of the business setting.

- ***Supported Employment Follow Along***

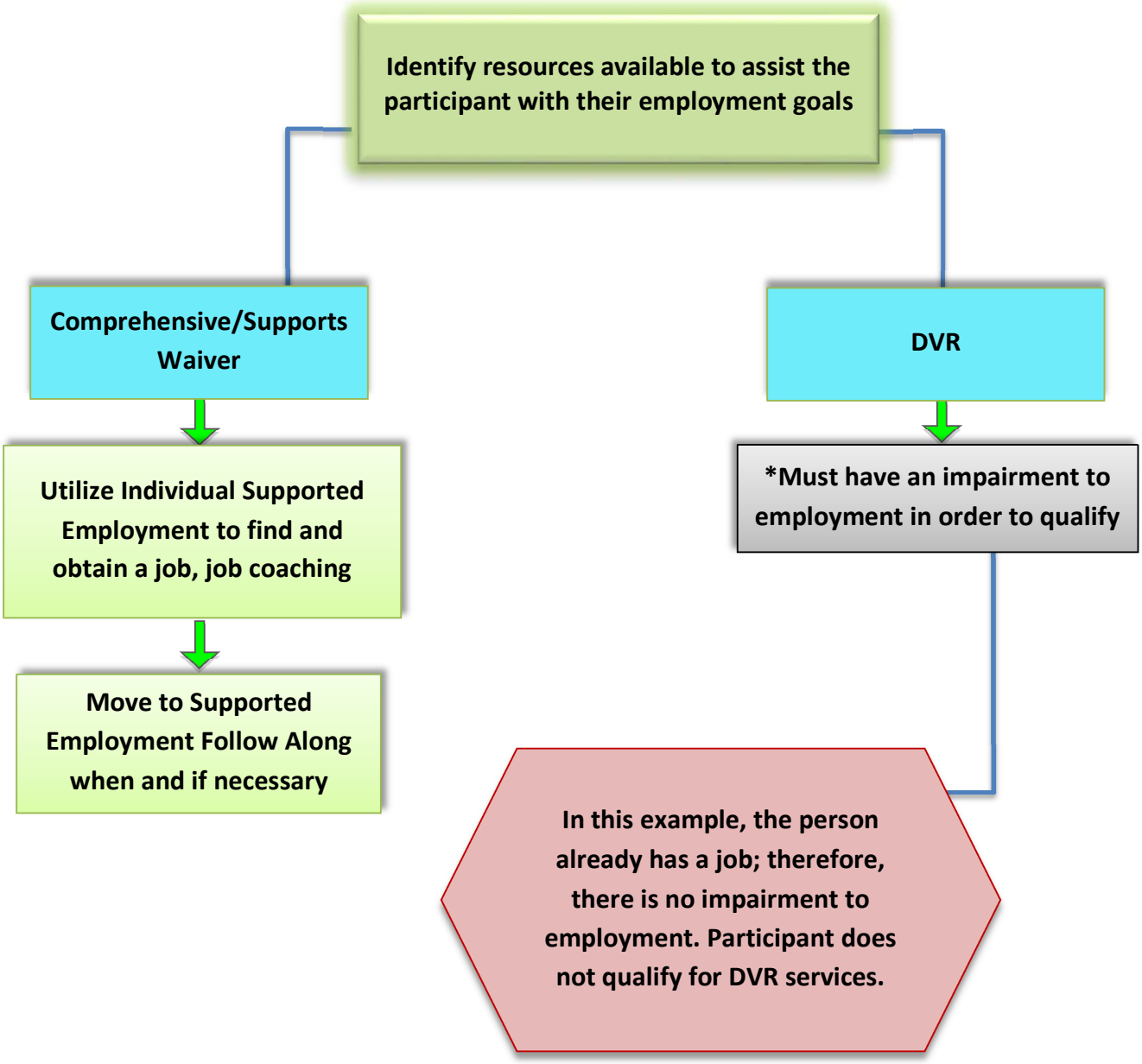
Supported Employment Follow Along are services and supports that enable a participant who is paid at or above the federal minimum wage to maintain employment in an integrated community setting. Service is provided for or on behalf of the participant through intermittent and occasional job support, communicating with the participant's supervisor or manager, whether in the presence of the participant or not.

DVR and Waiver Assistance on Your Employment Pathway

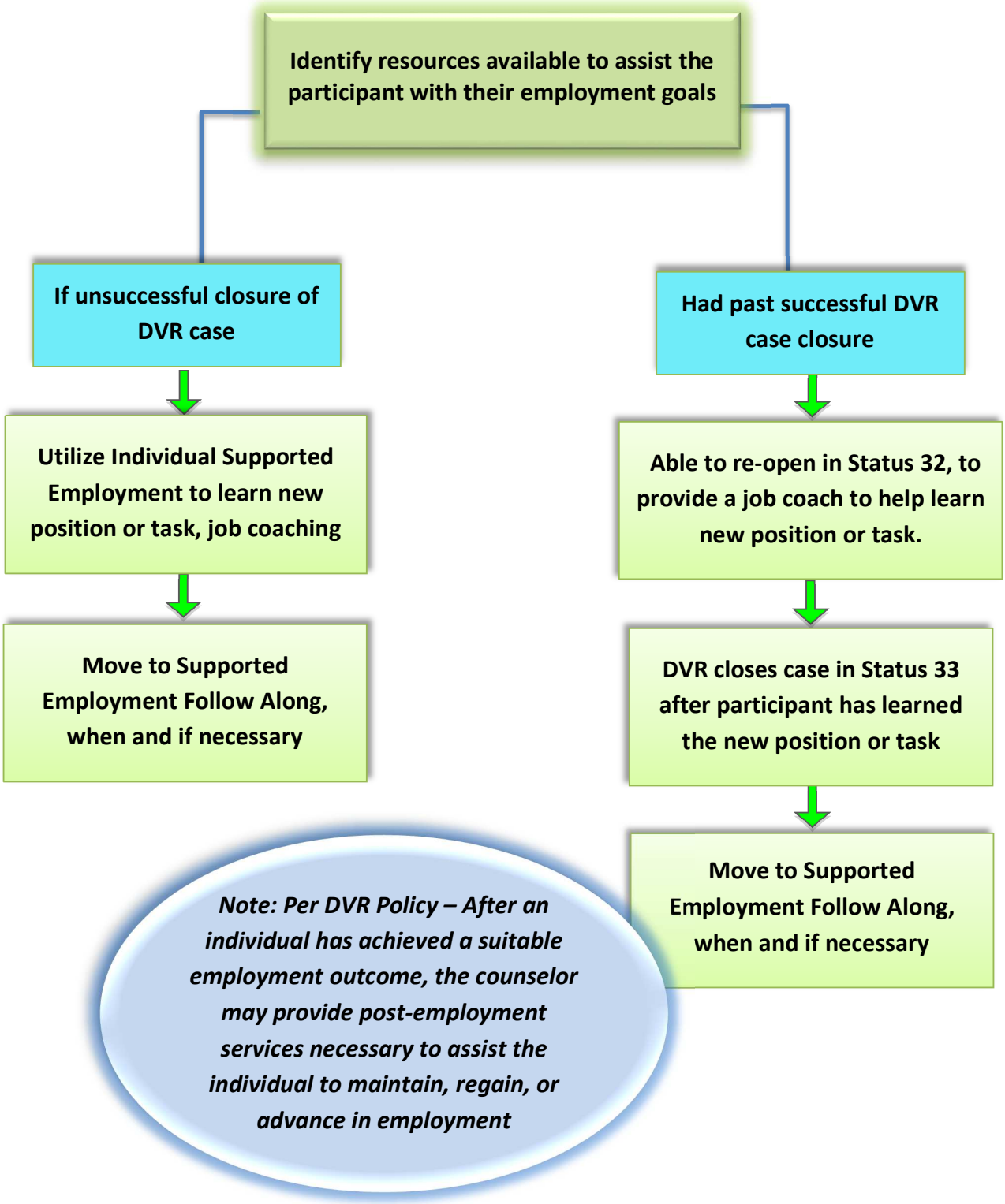
1. No community integrated job before



2. Currently have a job and looking to change jobs



3. Currently have a job and learning a new position or task



4. Currently have a part-time job and looking to obtain a 2nd part-time job

Volunteering

Volunteerism is an avenue that allows individuals to assist with improving their communities, gain marketable skills that could eventually lead to paid employment, test out interests and possible career paths, and develop personal and professional meaningful social connections. It also allows the individual to experience the pleasure and satisfaction of the activity itself and make a difference in the lives of others. Given the social isolation of many people with developmental disabilities, volunteering is important and one of the most useful ways for really getting to know other community members. Volunteering provides many opportunities to learn and practice skills that can be useful in paid employment.

There is value in volunteering and community service. An opportunity to learn, acquire work experience, and a sense of belonging.

Family and Friends

Family and friends of the participant are an important resource that is often overlooked. In many situations, employment opportunities can be found through the participant's family or friends, their school, or their business contacts. Support in finding and keeping a job can be provided informally, by a participant's friends or co-workers, without relying on a funded service. Even when employment services are provided by a community program, relatives and friends play a key role in contributing to the participant's job success by helping in areas of reporting income, preparation for work, transportation, etc.

Transportation

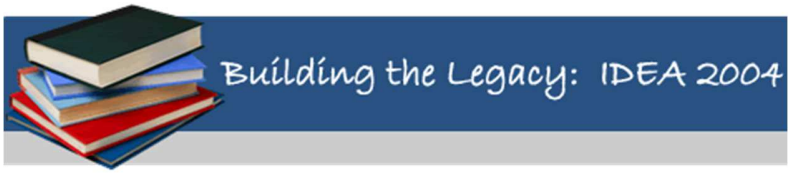
Planning for transportation is an essential part of the job planning process. Job seekers, families, and providers need to work together from the beginning to identify transportation options.

Here is a list of transportation issues to consider:

- Are any public transportation routes accessible?
  - If so, are they available on the days and hours the individual will be travelling to and from work?
- Are transportation services available from the provider and waiver service?
- Is carpooling or shared-ride transportation an option?
- What will the costs be, whether by private or public transportation?
- Are there health, behavior or risk issues that should be considered when selecting the means of transportation?
- Will the individual be able to use public transportation or other shared transit with proper training and support?

When planning transportation, "thinking outside the box" can result in a creative solution. For example, maybe your town's senior bus program can be helpful. Or perhaps your town's taxi company might negotiate a special discounted rate. Consider approaching relatives, co-workers and neighbors about carpooling options.

A plan for transportation is essential when planning for employment.



Employment Transition Planning for School Aged Individuals

Individuals with Disabilities Improvement Education Act

According to the Individuals with Disabilities Education Act (IDEA), special education means specially designed instruction, provided at no cost to the parent, to meet the unique needs of a child with a disability. This specially designed instruction involves adapting, as appropriate to the needs of an eligible student, the content, methodology or delivery of instruction:

- To address the unique needs of the child that result from his/her disability; and
- To ensure access of the child to the general curriculum, so that the child can meet the educational standards within the district that apply to all children.

In Wyoming, children who are eligible for special education are entitled to a free appropriate public education (FAPE) in the least restrictive environment (LRE) from the age of three through the school year in which the student turns 21 years old. School districts ensure the provision of FAPE in the LRE for each eligible child through the development and implementation of an Individualized Education Program (IEP), which is updated at least annually.

Transition Planning Form

In Wyoming, school districts are required by IDEA to include transition planning in the Individual Education Plan (IEPs) of students with disabilities by the time they are 16 (some states require transition planning to begin earlier). Transition planning is a coordinated set of activities that are designed within a results-oriented process, focused on improving academic and functional achievement to facilitate the student's movement from school to post-school activities. The IEP team, including the student, work to develop a plan that is based on age-appropriate transition assessments and individualized to address each child's unique needs.

Transition services and activities incorporated into the plan might include:

- ***Career Interest Inventories*** – these paper and pencil assessments can help the student identify work interest and preferences. The results of these assessments can help to create specific employment goals.
- ***Job Shadowing*** – the student follows an employee during a typical day on the job.
- ***Mentoring*** – the student is matched to an adult mentor who serves as an advisor and offers guidance.
- ***Apprenticeship*** – an adult professional teaches the student a specific trade.
- ***Workplace visits and tours*** – the student observes different work settings.
- ***Career Fairs and Career Days*** – local community members' visit a school to share career experiences with an interested group of students.
- ***Mock job interviews*** – partner with your local Workforce Center to set up mock interviews for students so that they can gain experience.
- ***Job Clubs*** – if available through your local school, job clubs can be great for peer level mentoring and encouragement in employment efforts and on-the-job issues.
- ***After-school and summer job placements*** – arranged and supported by school staff.
- ***Internships*** – paid or unpaid work experience for students.

Resources

Division of Vocational Rehabilitation (DVR)

The Division of Vocational Rehabilitation is a federal-state program that works with people who have physical or mental disabilities to prepare for, gain or retain employment.

Eligibility Criteria:

1. Individual has a physical or mental impairment.
2. Impairment poses a substantial impediment to employment.
3. Individual requires services from DVR to prepare for, gain, or retain employment.

Services that VR provides:

- As part of their core services, DVR provides to all clients eligibility assessments, counseling and guidance, information and referral services, and job search and job placement services. Any additional services that a person with a disability may need are individualized to their specific disability and employment goal.

Call 1-866-804-3678 or visit VR's website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Workforce Investment Act Program (WIA) (For Adults)

The Wyoming Department of Workforce Services uses Workforce Investment Act funding to help adults, dislocated workers and youth find employment that leads to self-sufficiency through various services available at its local Workforce Centers.

Eligibility Criteria:

- For individuals who are 18 years of age or older.
- Individuals who are unemployed and are unable to obtain employment through core services and have been determined to be in need of more intensive services in order to obtain employment; or
- Are employed and have been determined to be in need of services in order to obtain or retain employment that allows for self-sufficiency.
- Meet certain income guidelines.

Services that WIA provides:

- Occupations skills training;
- On-the-job training;
- Programs that combine workplace training with related instruction;
- Training programs operated by the private sector;
- Skills upgrading and retraining;
- Entrepreneurial training;
- Job readiness training;
- Adult Basic Education activities in conjunction with these activities; and
- Customized training with a commitment to employ trainees.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Workforce Investment Act Program (WIA)
(For Youth)

The Wyoming Department of Workforce Services uses Workforce Investment Act funding to help adults, dislocated workers and youth find employment that leads to self-sufficiency through varies services available at its local Workforce Centers.

Eligibility Criteria:

- For individuals aged 14-21.
- Services provided to eligible youth seeking assistance in achieving academic and employment success.

Services that WIA provides:

- Tutoring, study skills training and instruction leading to completion of secondary school, including dropout prevention strategies;
- Alternative secondary school services;
- Summer employment opportunities that are directly linked to academic and occupational learning;
- Paid or unpaid work experiences, including internships and job shadowing;
- Occupational skill training;

- Leadership development opportunities, which may include community service and peer-centered activities encouraging responsibility and other positive social behaviors during non-school hours;
- Supportive services;
- Adult mentoring for the period of participation and a subsequent period, for a total of not less than 12 months;
- Follow-up services for not less than 12 months after the completion of participation; and
- Comprehensive guidance and counseling which may include drug and alcohol abuse counseling and referral.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Department of Workforce Services (DWS)
Career Exploration and Aptitude Testing

The Wyoming Department of Workforce Services understands the need for students, parents, schools, job-seekers and others to explore their career aptitude and development. With this need in mind, the Wyoming Department of Workforce Services provides the following tools to further facilitate such career exploration:

- Start exploring career options with CareerOneStop, whether you are in high school, have graduated, have a vocational certificate, have a 2-year or 4-year college degree or have knowledge and skills acquired through training centers, on-the-job training, or work experience.
- The Wyoming Department of Workforce Services' local Workforce Centers have publicly-accessible computers with resume writing software, various books and videos on resume writing and interviewing, college catalogs, typing, spelling tests, and other resource materials.
- Wyoming at Work Career Services (https://www.wyomingatwork.com) is available. With it, a person can complete, through Wyoming at Work, occupational skills assessments to assist in career development and job placement.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Wyoming Services for Independent Living is a registered non-profit human service agency established to enable persons with significant disabilities to live as independently as possible in the community of their choice.

Eligibility Criteria:

- Presence of a significant disability that interferes with living independently
- Not determined by income levels
- Person motivated to maintain and/or increase levels of independence.

Services that WSIL provides:

- Individual and systems advocacy;
- Information and referral;
- Peer counseling;
- Independent Living Skills Training;
- ADA technical advice;
- Adaptive equipment;
- Home modification;
- Loan closet;
- Nursing Home Transition and Diversion; and
- Transportation Voucher.

Call 1-800-266-3061 to find an office near you or to learn more about their services.

wilr wyoming independent living rehabilitation

Wyoming Independent Living Rehabilitation educates and empowers Wyoming citizens with disabilities by providing the necessary tools to live with independence and dignity. All services are provided on a "consumer-driven" basis. You decide what you need to live independently.

Eligibility Criteria:

- Each program has different criteria to be eligible. Please contact WILR for more information and to see if you qualify.

Programs that WILR offers:

- Independent Living Services
  - Services to help people regain or maintain independence in their lives.
- Visually Impaired Program
  - Services for older adults who are blind or severely visually impaired.
- Consumer Directed Care
  - To provide the option of obtaining personal attendant care services provided by an individual of the consumer's choice, who is not necessarily medically trained to provide such services.
- Project Out
  - To transition consumers from nursing homes back into communities.
- ADA Consultant
  - To provide information to individuals, organizations, businesses and municipalities regarding the ADA and accessibility issues.
- Transportation Check Program
  - To provide transportation to consumers with disabilities
- Wyoming Technology Access Program (WYTAP)
  - Offers persons with disabilities an opportunity to finance assistive technology devices and services through low – or no – interest loans.
- Making Homes Accessible
  - A conditional block grant program to help low to moderate income people with disabilities to make their homes accessible.

Call 1-800-735-8322 or 266-6956 (in Casper) to find an office near you or to learn more about their services.

Job Accommodation Network (JAN)

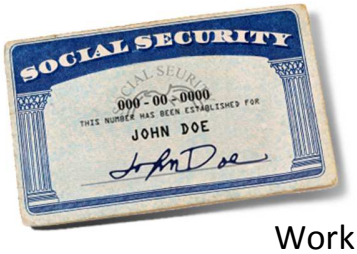
Identifying and arranging necessary accommodations and supports is a key part of assisting people with disabilities to find and keep employment – and is legally reinforced by the Americans with Disabilities Act. A job accommodation means that a job, workplace or way a job is done is modified to help the person with a disability do his/her job. There are several general types of job accommodations:

- Job restructuring, such as a change in work schedule or a decrease in the number of job duties
- Assistive devices – item, device or piece of equipment that is used to help the person with a disability perform a task.
- Training/teaching methods, such as an extended orientation period or audio version of a training manual
- Modification to the building, such as ramps, electronic door opener or flashing lights.

The Job Accommodation Network (JAN) is the leading source of free, expert, and confidential guidance on workplace accommodations and disability employment issues. Working toward practical solutions that benefit both employer and employee, JAN helps people with disabilities enhance their employability, and shows employers how to capitalize on the value and talent that people with disabilities add to the workplace.

JAN provides free, confidential technical assistance about job accommodations and the Americans with Disabilities Act (ADA). Call 1-800-526-7234 to get more information.

Appendix A: Social Security Work Incentive Information



Because many people with disabilities fear losing the SSA benefits and related health care due to being able to work and earn an income, they choose not to work. The SSA has made efforts to reduce this fear by creating and implementing programs known as SSA Work Incentives. Work incentives allow people who receive SSA benefits to work and earn an income while maintaining their benefits and their health insurance. There are specific conditions and requirements for each work incentive, and people must understand how the programs work, including the reporting requirements, in order to ensure proper implementation. Listed below are some of the work incentives offered by Social Security.

For complete information on all SSA's work incentives please visit their website at www.ssa.gov, call 1-800-772-1213 or contact your local Social Security Office.

Social Security Disability Insurance Program (SSDI)

The Social Security Disability Insurance Program (SSDI) provides a monthly benefit to individuals under full retirement age, who have enough quarters paid into the system, have worked five out of the last ten years, and meet the Social Security Administration's (SSA) definition of disability. These SSDI benefit payments will continue as long as the person is unable to engage in "substantial gainful activity" (SGA). A person who is earning more than a certain monthly amount in gross earnings is considered to be engaging in SGA. The SGA amount generally changes when the national average wage index changes. In 2015, the monthly SGA amount is $1090 for a non-blind individual and $1820 for a blind individual. There are work incentives that allow people to go to work after becoming eligible for SSDI. These work incentives allow a person to return to work, but have a safety net, allowing them to continue receiving their SSDI monthly benefit and Medicare coverage for a specific amount of time. Many people can work and keep their SSDI payments and Medicare if they are aware of the work incentives for SSDI.

Supplemental Security Income (SSI)

Supplemental Security Income (SSI) is based upon financial need. It provides monthly benefits to low income individuals who are disabled, blind, or over the age of 65 who are unable to engage in SGA and meet SSA's non-medical criteria for eligibility. The monthly benefit is based on the federal benefit rate (FBR) and generally changes annually based on cost of living increases. In 2015, the monthly FBR is $733.

SSI recipients are automatically eligible for Medicaid, a government health insurance program, and often are eligible for other federal programs such as SNAP, the food assistance program.

The definition of "disability" is the same for SSI and the SSDI programs. To qualify for SSI, a person must have a medically determinable physical or mental impairment that prevents them from engaging in substantial gainful activity. The impairment must have lasted for a continuous period of 12 months, be expected to last for a continuous period of 12 months, or be expected to result in death. In order to be eligible for SSI, the person with a qualifying disability must meet age requirements, residency, legal involvement, living arrangements, and resource and income requirements.

How Property and Assets are Treated Under SSI

Resource and income include, but are not limited to, real estate or real property other than the applicant's residence, vehicles (one car or truck is excluded), bank accounts, cash, stocks, bonds, or other investments. Cash value of life insurance policies, burial spaces, expense funds, certain trusts, and any money or property sold, transferred, or disposed of within 36 months prior to the application. To be eligible for SSI, total counted resources cannot exceed $2,000 per person or $3000 per couple. Income counted includes any earned or unearned income, rental income, child support, alimony, TANF, EITC's, self-employment wages, unemployment compensation, and any other income sources.

The following items DO NOT count as assets or resources for purposes of SSI eligibility:

- The applicant's home and the land it is on, provided that it is the primary residence.
- Household goods, personal property, and one car or truck, if it is necessary for daily activities.
- Life insurance with a face value less than $1500.
- Burial spaces and expense funds up to $1500.

As laws and policies change often, make certain that if there are additional options for keeping assets, such as special needs trusts, that these assets have been approved by the Social Security Administration.

How Income May Impact SSI Eligibility

Countable income can include both earned income and unearned income. This means that income which may impact the amount of the SSI payment includes money that is paid by an employer, Social Security payments, private pension payments, or some items of value that are received as gifts to pay for food, shelter, or utilities.

If a person is considered disabled under SSA rules and plans to work, his or her countable income can be reduced by special programs known as "work incentives." These programs allow a person receiving SSI and/or SSDI to work and continue to receive all or part of their disability payments as well as maintain eligibility for Medicare and/or Medicaid.

Employed Individuals with Disabilities (EID) Program
Medicaid Buy-in Coverage

The EID program provides work incentives for individuals with disabilities. Individuals with disabilities who work and have no health-care coverage, or who may lose their Medicaid coverage, should apply if they obtain employment, increase their work hours, or increase their rate of pay. People with disabilities who work will pay a monthly premium to receive Medicaid health-care coverage. The premium is (7.5%) of their monthly earned income and their yearly unearned income that is in excess of $600.

You may be eligible if you:

- Are employed
- Have a disability based on Social Security Administration guidelines
- Are a U.S. citizen or lawful permanent resident who has lived in the U.S. for at least five years
- A Wyoming resident
- Are 16 through 64 years of age
- Meet income guidelines (earned income is exempt)

Know your options. The Medicaid Buy In (EID program) allows you to work and have Medicaid health-care coverage for only 7.5% of your monthly earned income.

Benefits of the EID program:

- You will have Medicaid health-care coverage.
- You can work in the community.
- You can earn and save more money without the risk of losing health-care coverage.

Call the Wyoming Department of Health, Customer Service Center at 1-855-294-2127 to find out about the application process.

Impairment Related Work Expense (IRWE)

This work incentive applies to both SSI and SSDI at different times. An IRWE is an out of pocket cost that a person must pay that 1) is related to their disability and 2) is needed in order for them to work. The out of pocket costs reduce the income that SSA counts. Receipts must be sent into SSA monthly.

Examples of IRWE:

- Cost of taxis or drivers needed to travel to work because your disability prevents use of public transportation.
- Modified vehicles needed because of disability, e.g., special steering/braking equipment.
- Ramps, railings, or other modifications to the outside of your home that allow you to leave and go to work.
- Routine medication costs that help keep your disability related symptoms under control.

Subsidies and Special Conditions

A subsidy only applies to SSDI and is defined as the value of extra support a person receives on the job. The subsidy is provided by the employer and the worker must earn the same pay as other workers doing the same job. Examples include a job coach, mentor, extra supervision, or a reduced workload. The value of the subsidy is determined by the employer. Special conditions apply when the individual is not fully earning his or her wages because the work is performed under special conditions such as on-the-job coaching or substitution in which the job coach performs part or all of the individual's job duties. SSA will deduct the wages that are not considered "earned" by the individual.

Examples of subsidies:

- You receive more supervision than other workers doing the same or a similar job for the same pay.
- You have fewer or simpler tasks to complete than other workers who are doing the same job for the same pay.
- Job coach assistance.

Examples of special conditions:

- You receive close and continuous supervision.
- You receive on the job coaching and the job coach performs part or all of your tasks.

Unincurred Business Expense

"Unincurred business expenses" refers to self-employment business support that someone provides to you at no cost. In deciding whether you are working at the SGA level, SSA deducts unincurred business expenses from your net earnings from self-employment. Examples of unincurred business expenses are (1) a Vocational Rehabilitation agency gives you a computer that is used in a graphic arts business; and (2) a friend works for your business as unpaid help.

For an item or service to qualify as an unincurred business expense:

- It must be an item or service that the IRS would allow as a legitimate business expense if you had paid for it; and
- Given to you free of charge.

Unsuccessful Work Attempt

An unsuccessful work attempt is an effort by a disabled individual to do substantial work that either stopped or produced earnings below the SGA level after a short amount of time, no more than 6 months because of:

- The individual's disabling condition; or
- Elimination of the special conditions or assistance that the individual needed in order to work.

Trial Work Period

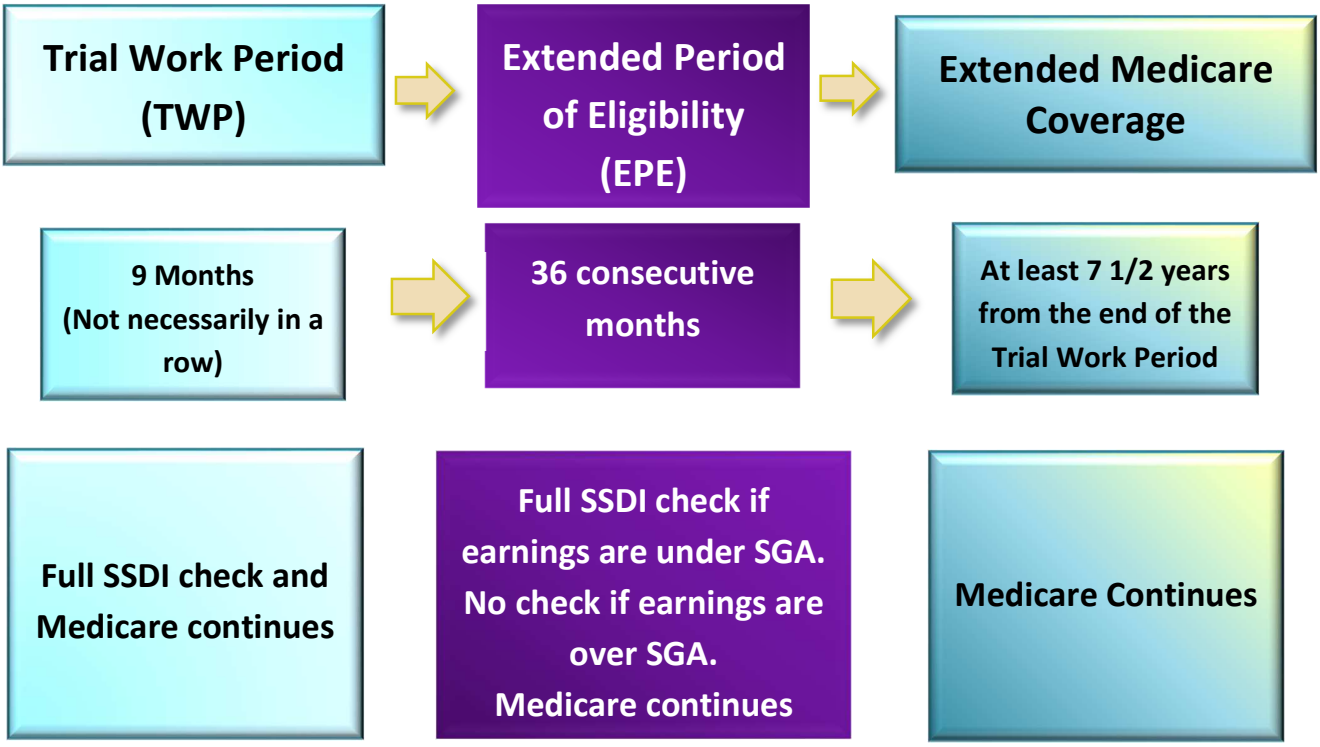
Applies to SSDI only – the Trial Work Period (TWP) allows you to test your ability to work by providing a period of nine (9) months of gross earnings during which your SSDI check is not affected. A month does not count towards your trial work period unless your gross earnings meet or exceed an amount set each year by SSA. In 2015, the TWP amount is $780. During your TWP, you will receive your full disability benefit regardless of how much you earn. You must report your work activity to SSA and continue to have a disabling impairment. The nine (9) months does not need to be consecutive, they are counted within a five-year period. Certain other rules apply. Medicare coverage will continue for ninety-three (93) months after the last month of the TWP.

If you are on SSDI, don't be afraid to work. You get a 9 month trial work period to test the waters of employment.

Extended Period of Eligibility

Applies to SSDI only – the Extended Period of Eligibility (EPE) begins after you have completed your trial work period and have gross earnings at or above the SGA level. The EPE lasts for thirty-six (36) months and allows an individual to receive their SSDI check in any month that their earnings fall below SGA. If work is discontinued during the EPE, the individual simply needs to contact SSA to reinstate benefits. You must continue to have a disabling impairment.

36 month extended period of eligibility AFTER your 9 trial work period months.



Earned Income Exclusion

Applies to SSI only – all SSI recipients receive a $20 general income exclusion. If SSI is the person's only income prior to working, he or she also gets an earned income exclusion of $65. After deducting the $85 in exclusions from your earned income, SSA then only considers half of your remaining earnings.

When you are on SSI, the Social Security Administration only counts $1 for every $2 you earn while working.

Example:

- John is receiving $733 in SSI each month.
- He returns to work and earns $500 in gross monthly earnings.
- Because John was only receiving SSI prior to working, he receives both income exclusions:

  $500 (*Earnings*) minus $85 (*Exclusions*) = $415
- SSA only counts half of the remaining earnings:

  $415 (*Considered earnings after exclusions*) divided by 2 = $207.50
- SSA will only count $207.50 of John's total earnings.
- His SSI check will then be reduced by $207.50.
- His new SSI amount will be **$525.50** (*$733-$207.50=$525.50*).
- **Johns total monthly income is now $500 (*earnings*) plus $525.50 (*SSI benefit*) = $1025.50.**
- John continues to receive Medicaid because his SSI benefit is at least $1.

Plan to Achieve Self-Support (PASS)

Applies to SSI only – a plan to achieve self-support allows you to set aside income or assets of a set amount of money for an established period of time towards a specific employment or vocational goal. Funds can be used for education, equipment, or starting a business, etc. Goals must generally be obtainable within three years, but some exceptions are possible. Funds must be used for a designated purpose or a person could be in overpayment and have to pay back to SSA. A PASS plan can help a person achieve their work or vocational goal. Your goal should be a job that allows you to earn enough to reduce or eliminate your need for benefits provided under the Social Security and Supplemental Security Income programs. SSA does not count the money or resources you set aside under an approved PASS plan when they decide your initial or continuing eligibility for SSI. Having a PASS may help you qualify for SSI or may increase the amount of your SSI payment.

Property Essential to Self-Support (PESS)

Applies to SSI only – SSA does not count some resources that are essential to your means of self-support when they decide if you are eligible for SSI. For example, they do not count property such as tools or equipment that you use for work. If you have a trade or business, they do not count property such as inventory. A person must be using the property that SSA is excluding under PESS, or be expected to start using it in a reasonable amount of time, typically within 12 months.

Federal Rule 1619(b)

Applies to SSI only – Section 1619(b) allows a person who is receiving SSI and working to continue to receive Medicaid at no cost, even when their earnings reduce their SSI benefit to $0. There are earnings threshold requirements. In 2014, for Wyoming, the threshold amount is $36,447. A person who meets the requirements of 1619(b) will receive full medical coverage under Medicaid.

To qualify:

- A person must have been eligible for an SSI cash payment for at least one month prior to accessing 1619(b).
- SSI benefit must have been reduced because of earnings.
- Must continue to meet SSA disability requirements.
- Continue to meet resource requirements for SSI.
- Need the medical assistance to work.
- Have gross earned income that is insufficient to replace the cost of medical assistance needed.

For assistance planning for employment, use our "Employment Pathway Planning Packet"

http://health.wyo.gov/DDD/cmforms.html

Start Your Employment Planning Now

If you are not employed now, but would like to pursue ***employment in the next year*** or ***employment in the next two (2) years***, ask yourself the following questions to begin your planning:

1. Have you ever volunteered in the community?
2. Do you want to learn a new skill?
3. When you are out in the community, are there jobs that you see people doing that you would like to know more about?
4. Do you want to learn about different types of jobs available?
5. If you could have any job, what would it be?
6. What interests you about your dream job?
7. Are there jobs that you don't want to do?
8. How much money will you need to make to meet your living expenses?
9. How much money will you need to buy things you want?
10. What is your greatest fear when you think about working?
11. Is there anything that worries you about getting a job?
12. What motivates you?
13. Will you need prevocational or employment discovery and customization services?
14. What supports will you need to begin competitive employment?
15. Who will help you set up the supports you need to gain and maintain competitive, integrated, and meaningful employment?
16. What is your employment goal date?

SSDI Trial Work Period (TWP) Tracking Chart

You are allowed nine (9) TWP months in a rolling sixty (60) month period

2015 Amount TWP= $780 SGA=$1090

Month	Gross Earned Income	Trial Work Month Yes or No	SSDI Cash Benefit	Total Income
Example: January	$800	Yes= TWP Month 1	$1000	$1800

Notes

Employment First

Pathway to Employment
Pathway to Integration
Pathway out of Poverty

"Working together to build a more prosperous Wyoming."

Wyoming Department of Health

Commit to your health.

BEHAVIORAL HEALTH DIVISION

Employment First Planning Guide

For adults ages 16+ with Intellectual Disabilities, their families, and the Circle of support.

Behavioral Health Division
Developmental Disabilities Section
6101 Yellowstone Road, Suite 220
Cheyenne, WY 82002
www.health.wyo.gov/ddd
800-510-0280 | 307-777-6494

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Introduction

The influence that parents, family, friends, teachers, and providers have on people with disabilities can be both influential and powerful. When it comes to setting expectations about work, those involved in the lives of people with disabilities need to convey the expectation that people with disabilities can work, can contribute, and can find great satisfaction in being part of the world of work.

People WORK for many reasons. For some, it provides a sense of self or meaning in one's life; for others, it is the social context of meeting and associating with others in a common effort or goal; and for still others, it is the means by which to gain status, either personal or economic, which allows for choice and discretion in determining one's "quality of life."

What Makes Life Good?

When asked, ***"What makes life good?"*** almost all people identify the same core components. While different people will use different words to describe a component or more highly value one component over another, the list of components is consistently the same:

- Freedom of choice and ease of access to the community;
- Positive, interdependent relationships with family and friends;
- A safe, comfortable home in a safe neighborhood;
- Being respected, included in and a member of your culture and community;
- Good health and access to good health care;
- Enjoying one's personal choice of hobbies, recreation, and leisure activities; and
- Satisfying employment and the economic benefits of contributing through work.

Although employment outcomes for individuals with disabilities still lag behind those compared to individuals without disabilities, it is clear that enormous barriers to employment are being overcome. It is far more common now to see people with disabilities in a wide range of jobs throughout the community than it was even a decade ago.

Supported employment is an alternative to traditional sheltered and competitive employment approaches. It is an attempt to meet the specific needs of individuals with disabilities and is based on fundamentally different principles and assumptions. The supported work model assumes that all individuals, regardless of the nature or extent of their disabilities, should have the opportunity and support to work in the community. There are no pre-requisite skills needed for community job success. Therefore, the task is not to identify and place "work ready" individuals, but rather to locate and/or modify meaningful jobs in the community and provide training and supports at the job site.

Supported employment will often take the form of "customized" employment. Customized employment is a flexible process designed to personalize the employment relationship between a job candidate and an employer in a way that meets the needs of both. It is based on an individualized match between the strengths, conditions, and interests of job candidate and the identified business needs of an employer. Customized employment utilizes an individualized approach to employment planning and job development – one person at a time, and one employer at a time.

This Employment Planning Guide is designed to help parents, participants, and providers start the process of finding competitive work for people with disabilities; learn about the resources, services, and the programs available to help people with disabilities in Wyoming pursue their own unique path to work, a career, and participate in community life.

"Given the choice between work and idleness, people will almost always choose work. Regardless of our station in life, the condition of our bodies and minds, or the amount of money in our bank accounts, the need to work remains one of our strongest drives. Work is central to our lives, and as such, gives a large measure of structure to our days. Common sense tells us that we feel better about ourselves when we are working regularly."

~Robert Drake, M.D.,

Meet Jane

Let's look at an example of what the new employment pathway might do for a participant.

We want to introduce a fictional waiver participant, Jane, who is a based upon people we know in Wyoming receiving services. We want to describe how the new employment pathway can realistically work for someone and change his or her life.

Jane has been going to day services and working in an enclave at the recycling center, and she receives group supported employment. Jane's team of family and providers encouraged her to start looking for other employment opportunities with the new employment services on the waiver.

At her team meeting, Jane and her team discuss what type of work she would like and want to do if she did not work at the recycling center. They ask her where in town she would like to work. They find out she likes flowers and gardening centers in stores, so they make a plan to set up mentor sites at flower shops and garden centers in department stores using the Employment Discovery and Customization service.

As Jane continues to work at the recycling center, her direct care staff start working with her on non-job-specific, work-related tasks that she might need for competitive employment at a flower shop through Prevocational Services. They also work with her on learning specific tasks in Group Supported Employment that would assist her in working with customers from the public.

Jane's staff helps her meet with the local Department of Vocational Rehabilitation office (DVR) and make an employment plan. After DVR opens a case and pays for job development, a job coach helps Jane fill out employment applications and assists her with interviewing for jobs.

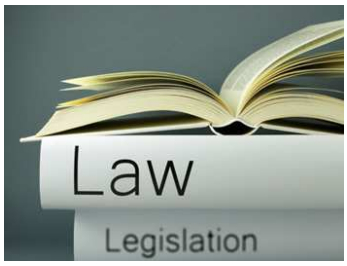
Finally, Jane finds a job working in a flower shop four days a week. DVR pays for supported employment for the time that she needs to obtain and maintain her job. Once she is successful and no longer needs a full-time job coach, DVR puts her case into "Status 22 – Employed." If during this time she needs a job coach,

the waiver will then pay for this service. ***(Please note: DVR cannot close a case successfully when services are still being offered. DVR must go three months or 90 days without paying for any services before they are able to close out a case successfully.)*** Participants, providers, and parents, must be aware of this DVR requirement.

Due to difficulty in learning all of her job tasks, Jane uses Individual Supported Employment through the waiver, which provides her with a job coach for a longer period of time. A job coach can assist her until she can perform the job fairly independently and begins receiving the help she needs from her co-workers, instead of the job coach. After a few months, Jane switches to Transportation Services to get to and from work and Jane's provider switches to Supported Employment Follow Along to check in on Jane's progress each month. Jane continues to learn and grow in her position. Occasionally the provider will provide job coaching to assist Jane and address any concerns that she or her employer has.

Jane now works four days a week and makes triple the money every month than she did at the recycling center. She has three new friends, who are also her co-workers! She also likes having extra money, which allows her to spend more time bowling and hanging out with her boyfriend.

2014 Employment First Legislation



An Act relating to persons with disabilities, which established employment first as a state policy to support competitive employment in an integrated setting, was enacted by the Wyoming Legislature in 2014. This Act requires agencies to support competitive and integrated employment; requires state agencies working with home and community based waiver service providers to implement employment first policies; requires state agencies to report on employment data; provides definitions; and provides for an effective date.

House Enrolled Act 53:

9-2-1002. Definitions; powers generally; duties of governor; provisions construed; cooperation with legislature and judiciary; divisions enumerated.

(xiii) **"Competitive employment"** means work in the competitive labor market that is performed on a fulltime or part-time basis in an integrated setting, and for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled;

(xiv) **"Employment first"** means a concept to facilitate the full inclusion of individuals with disabilities in the workplace and community. Under the employment first approach, community based, integrated employment is the first option for employment services for children and adults with disabilities. Employment first includes competitive employment in an integrated setting;

(xv) **"Integrated setting"** means with respect to an employment outcome, a setting typically found in the community in which applicants or eligible individuals interact with individuals who do not have disabilities, other than nondisabled individuals who are providing services to those applicants or eligible individuals, to the same extent that individuals who do not have disabilities interact with other persons in comparable positions.

9-2-1022. Duties of department performed through human resources division.

(n) In carrying out the duties of the division under this section, employment first shall be the policy of the state that competitive and integrated employment shall be considered its first option when serving persons with disabilities who are of working age to obtain employment. Employment first applies to programs and services that provide services and support to help obtain employment for persons with disabilities. All state agencies shall follow this policy and ensure that it is effectively implemented in their hiring and in all programs and services administered or funded by the agencies. Nothing in this section shall be construed to require any employer to give preference to hiring people with a disability. All state agencies shall coordinate efforts and shall collaborate within and among the agencies to ensure that state programs, policies, procedures and funding support competitive and integrated employment of individuals with disabilities. All state agencies shall, whenever feasible, share data and information across systems in order to track progress toward full implementation of this subsection.

Nothing in this section shall be construed as eliminating any supported employment services as an option when appropriate.

42-4-120. Contracts for waiver services; authority of department; emergency case services; cost based payments; training and certification of specialists.

(m) The department shall ensure that state agencies working with service providers receiving funds pursuant to this section shall have established employment first policies, including competitive employment in an integrated setting, consistent with the requirements of W.S. 9-2-1022.

Employment Talking Points

Employment means a job in the community that the person wants and can perform, with or without accommodation and support.

- When we talk about employment today, we mean having a job or vocation in the community that pays at least minimum wage.

Employment is an essential part of self-determination for many people.

- Employment is a way for people to achieve their personal dream of success, respect, and control.
- Having community employment can be an important part of one's self-identity and value in society today.

People with disabilities are successful workers.

- Thanks to new technology, new laws, and better teaching methods, jobs that were out of reach in the past for people with disabilities are accessible today.
- Job coaches are available to assist people who need assistance in locating, preparing for and successfully managing the job of their choice.
- Success is also supported by government programs, which provide real incentives for people with disabilities to work, keep more earned income for their personal use, and retain their needed benefits.

Some questions to get the employment process started.

- Does the participant need help figuring out the types of jobs and careers he/she would like and be good at doing?
- Will his/her support needs change over time? Are there times when more help will be needed?
- What is most important to the participant? Pay and benefits, fun people to work with, or safety and security?
- Will help be needed to manage benefits, such as Social Security and Medicaid?
- Will job coaching services be needed on the job and if so, how often and for how long?
- Will help be needed to identify activities for when he/she is not working?

Best Practices

Experience has shown that when certain principles are followed while supporting people with disabilities in their employment efforts, the most meaningful and successful outcomes are achieved. These principles are sometimes referred to as "best practices" in community employment services and they include:

- Focusing on individual jobs in the community, paid directly by the employer;
- Using a ***"person-centered planning"*** approach, where job placement is based on the individual's interests, needs and preferences, and the individual is supported to take control of his/her job planning process;
- Emphasizing ***"job matching"*** – searching for employment that closely matches what the job seeker wants, is good at doing, and where he or she will fit in and be comfortable;
- ***Thinking broadly*** about where the individual can work by not being limited to the ideas of traditional workplaces such as supermarkets and fast food chains;
- Taking advantage of personal networks – tapping into family and staff contacts to gather information, resources, and potential job leads;
- Using ***"natural supports"*** including family, friends, co-workers, and mentors to meet the needs of the individual on the job; and
- ***Fading out paid staff supports*** as the individual becomes more settled, comfortable, and independent in the workplace.

Person-Centered Planning is Best Practice

How Employment Affects My Benefits

While earned income can affect a person's eligibility for Social Security, food stamps, public housing and medical assistance benefits, State and Federal programs make it feasible for people to retain much more of their earnings than they could in the past without losing needed health care benefits and services. When taking advantage of State and Federal work incentives, people must report their earnings and assets or savings.

It is important to track your earnings each month and be familiar with the effects that it may have on other benefits you may be receiving.

Earned income WILL affect how much you receive in food stamps and public housing, BUT the amount you earn by becoming competitively employed far outweighs the reduction in food stamps and public housing assistance. You will be moving in the right direction to self-sufficiency!

Department of Health, Community Waiver Programs

The Comprehensive and Supports waivers offer five new employment services with better supports to help you gain and keep employment that match your strengths, needs, and interests. The two new waivers offer an employment pathway service overview with various employment support services to support and assist a participant who, because of their disability, needs intensive support to find and maintain a job in competitive, integrated work settings.

A range of supported employment services are available with varying levels of support and intensity to assist the participant in attaining and maintaining the highest level of paid, community integrated employment. Consistent with the *Olmstead Decision* and with person-centered planning, a participant's plan of care regarding employment services shall be constructed in a manner that reflects individual choice and goals related to employment and ensures provision of services in the most integrated setting appropriate.

Prevocational Services

Prevocational services are services designed to create a path to integrated community based employment for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals without disabilities.

Prevocational services should enable each individual to attain the highest level of work in the most integrated setting with a job matched to the individual's interests, strengths, priorities, abilities, and capabilities, while following applicable federal wage guidelines. These services provide learning and work experiences, including volunteer work where the individual can develop general, non-job-task-specific strengths and skills that contribute to employability through paid employment in an integrated community setting.

Prevocational services are time-limited, not to exceed 12 consecutive months and cannot be repeated during the subsequent plan year.

Employment Discovery and Customization

Employment Discovery and Customization is the individualized determination of the strengths, needs, and interests of the participant and is designed to meet the specific needs of the employee and employer relationship.

Employment discovery and customization includes employment developed through job carving, self-employment or entrepreneurial initiative, or other job development or restructuring strategies that result in job responsibilities being customized and individually negotiated to fit the needs of participants. Employment discovery and customization presumes the provision of reasonable accommodations and supports necessary to perform functions of a job that is individually negotiated and developed.

Supported Employment

- ***Small Group Supported Employment***

Small Group Supported Employment services consist of intensive, on-going supports that enable a participant, for whom competitive employment is at or above the minimum wage is unlikely absent the provision of supports; and who, because of his/her disability, need supports to perform in a regular work setting, including mobile work crews or enclaves. These services are conducted in a variety of settings, particularly work-sites where persons without disabilities are employed.

Services include activities needed to sustain paid work, which includes supervision and training. When supported employment services are provided at a work-site where persons without disabilities are employed, payment is only made for the adaptations, supervision, and training that is required by a participant receiving waiver services as a result of their disability. It does not include payment for supervisory activities rendered as a normal part of the business setting.

- ***Individual Supported Employment***

Individual Supported Employment services are the 1:1 supports available to a participant who, because of their disability, needs intensive or on-going support to obtain and maintain an individual job in competitive or customized employment, or self-employment, in an integrated work setting, in the general workforce for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by an individual without a disability.

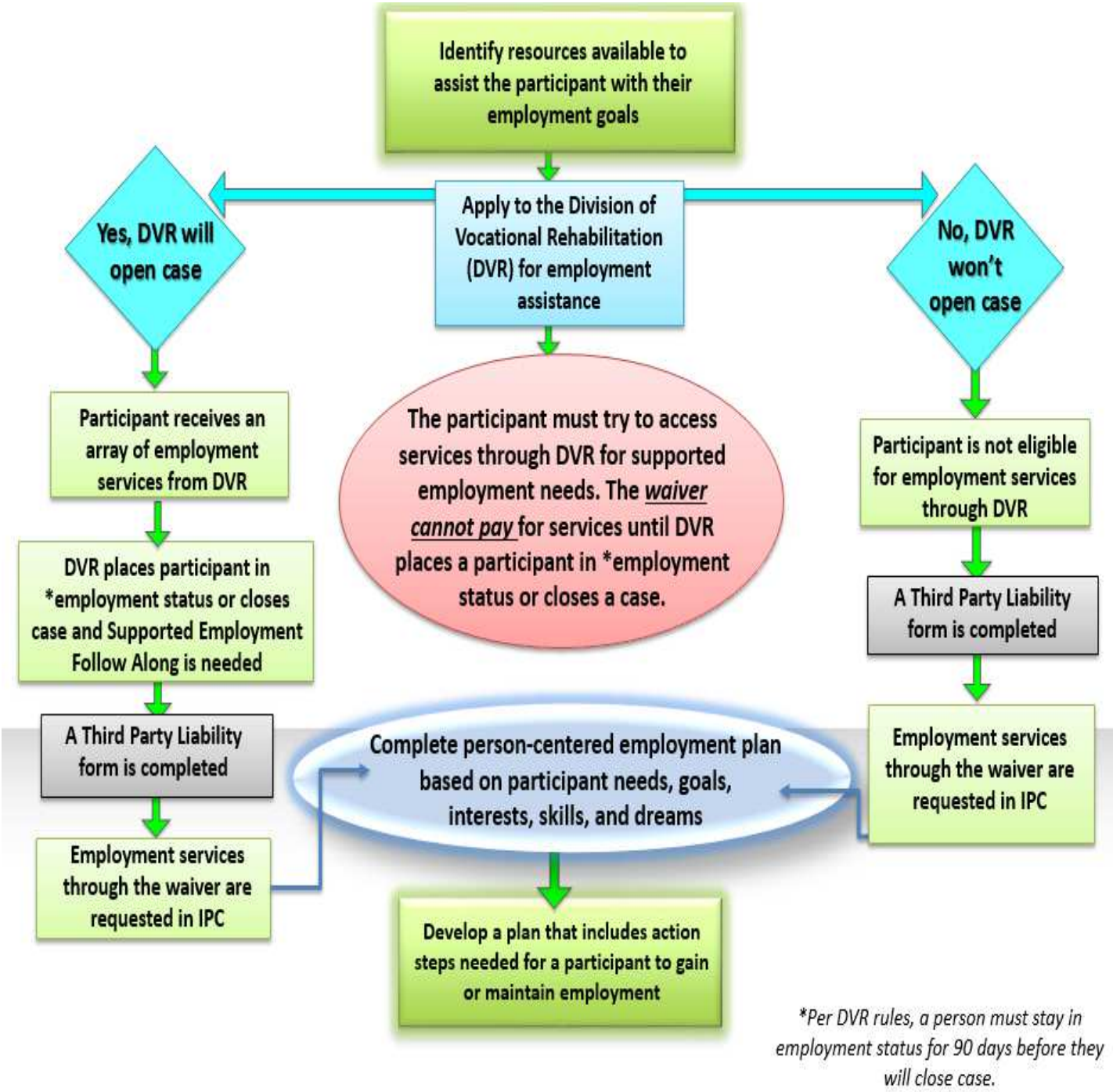
Services are conducted in a variety of settings, particularly work-sites where persons without disabilities are employed. Services include activities needed to sustain paid work by a participant, including supervision and training. When supported employment services are provided at a work-site where persons without disabilities are employed, payment is made only for the adaptations, supervision, and training required by participants receiving waiver services as a result of their disabilities, but does not include payment for the supervisory activities rendered as a normal part of the business setting.

- ***Supported Employment Follow Along***

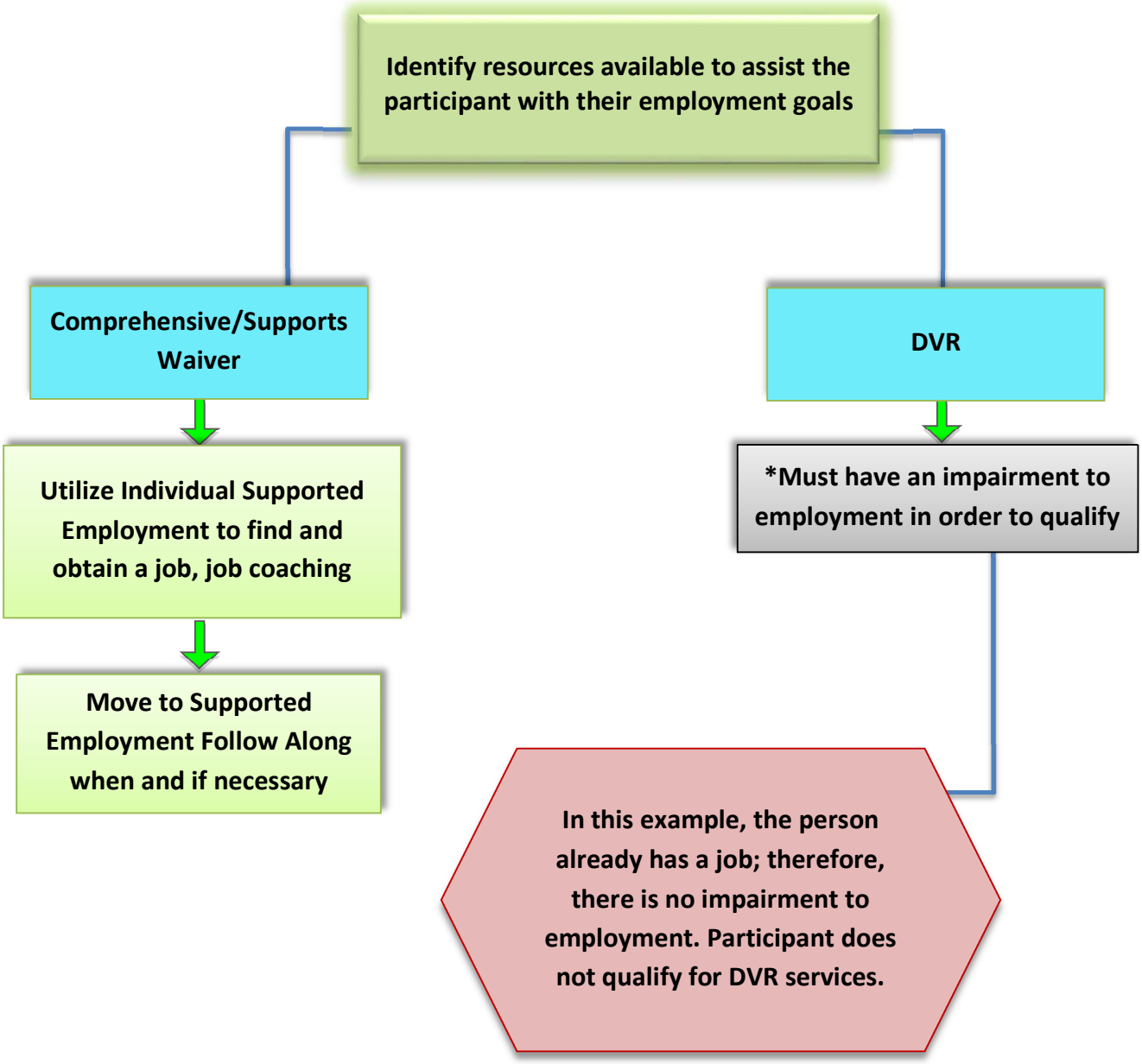
Supported Employment Follow Along are services and supports that enable a participant who is paid at or above the federal minimum wage to maintain employment in an integrated community setting. Service is provided for or on behalf of the participant through intermittent and occasional job support, communicating with the participant's supervisor or manager, whether in the presence of the participant or not.

DVR and Waiver Assistance on Your Employment Pathway

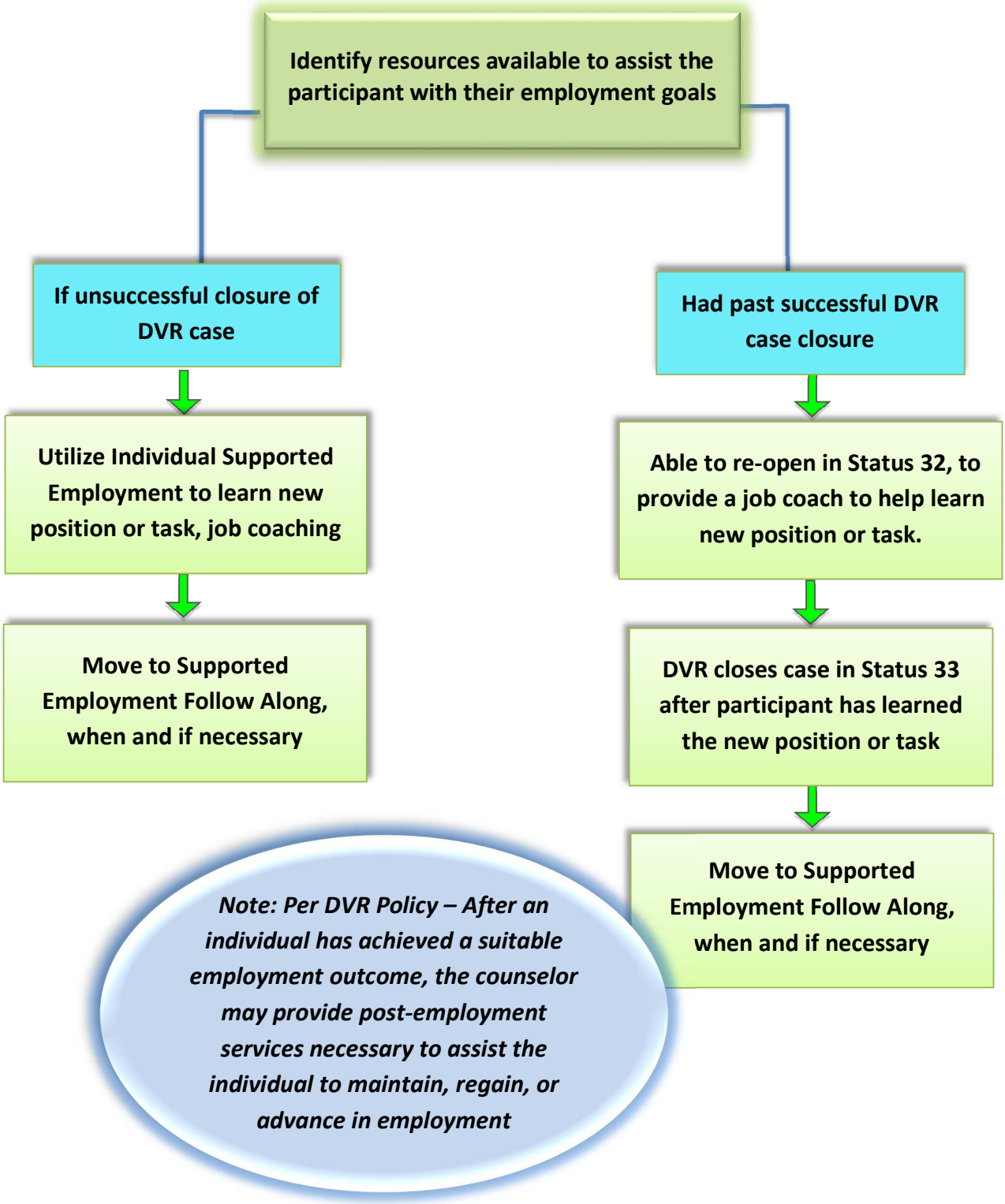
1. No community integrated job before



2. Currently have a job and looking to change jobs



3. Currently have a job and learning a new position or task



4. Currently have a part-time job and looking to obtain a 2nd part-time job

Volunteering

Volunteerism is an avenue that allows individuals to assist with improving their communities, gain marketable skills that could eventually lead to paid employment, test out interests and possible career paths, and develop personal and professional meaningful social connections. It also allows the individual to experience the pleasure and satisfaction of the activity itself and make a difference in the lives of others. Given the social isolation of many people with developmental disabilities, volunteering is important and one of the most useful ways for really getting to know other community members. Volunteering provides many opportunities to learn and practice skills that can be useful in paid employment.

There is value in volunteering and community service. An opportunity to learn, acquire work experience, and a sense of belonging.

Family and Friends

Family and friends of the participant are an important resource that is often overlooked. In many situations, employment opportunities can be found through the participant's family or friends, their school, or their business contacts. Support in finding and keeping a job can be provided informally, by a participant's friends or co-workers, without relying on a funded service. Even when employment services are provided by a community program, relatives and friends play a key role in contributing to the participant's job success by helping in areas of reporting income, preparation for work, transportation, etc.

Transportation

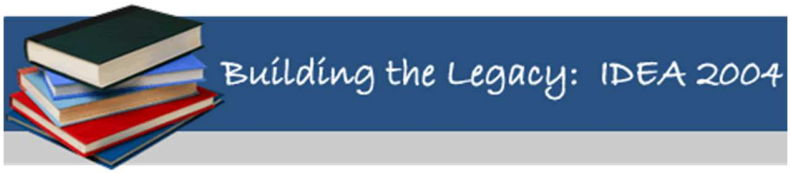
Planning for transportation is an essential part of the job planning process. Job seekers, families, and providers need to work together from the beginning to identify transportation options.

Here is a list of transportation issues to consider:

- Are any public transportation routes accessible?
  - If so, are they available on the days and hours the individual will be travelling to and from work?
- Are transportation services available from the provider and waiver service?
- Is carpooling or shared-ride transportation an option?
- What will the costs be, whether by private or public transportation?
- Are there health, behavior or risk issues that should be considered when selecting the means of transportation?
- Will the individual be able to use public transportation or other shared transit with proper training and support?

When planning transportation, "thinking outside the box" can result in a creative solution. For example, maybe your town's senior bus program can be helpful. Or perhaps your town's taxi company might negotiate a special discounted rate. Consider approaching relatives, co-workers and neighbors about carpooling options.

A plan for transportation is essential when planning for employment.



Employment Transition Planning for School Aged Individuals

Individuals with Disabilities Improvement Education Act

According to the Individuals with Disabilities Education Act (IDEA), special education means specially designed instruction, provided at no cost to the parent, to meet the unique needs of a child with a disability. This specially designed instruction involves adapting, as appropriate to the needs of an eligible student, the content, methodology or delivery of instruction:

- To address the unique needs of the child that result from his/her disability; and
- To ensure access of the child to the general curriculum, so that the child can meet the educational standards within the district that apply to all children.

In Wyoming, children who are eligible for special education are entitled to a free appropriate public education (FAPE) in the least restrictive environment (LRE) from the age of three through the school year in which the student turns 21 years old. School districts ensure the provision of FAPE in the LRE for each eligible child through the development and implementation of an Individualized Education Program (IEP), which is updated at least annually.

Transition Planning Form

In Wyoming, school districts are required by IDEA to include transition planning in the Individual Education Plan (IEPs) of students with disabilities by the time they are 16 (some states require transition planning to begin earlier). Transition planning is a coordinated set of activities that are designed within a results-oriented process, focused on improving academic and functional achievement to facilitate the student's movement from school to post-school activities. The IEP team, including the student, work to develop a plan that is based on age-appropriate transition assessments and individualized to address each child's unique needs.

Transition services and activities incorporated into the plan might include:

- ***Career Interest Inventories*** – these paper and pencil assessments can help the student identify work interest and preferences. The results of these assessments can help to create specific employment goals.
- ***Job Shadowing*** – the student follows an employee during a typical day on the job.
- ***Mentoring*** – the student is matched to an adult mentor who serves as an advisor and offers guidance.
- ***Apprenticeship*** – an adult professional teaches the student a specific trade.
- ***Workplace visits and tours*** – the student observes different work settings.
- ***Career Fairs and Career Days*** – local community members' visit a school to share career experiences with an interested group of students.
- ***Mock job interviews*** – partner with your local Workforce Center to set up mock interviews for students so that they can gain experience.
- ***Job Clubs*** – if available through your local school, job clubs can be great for peer level mentoring and encouragement in employment efforts and on-the-job issues.
- ***After-school and summer job placements*** – arranged and supported by school staff.
- ***Internships*** – paid or unpaid work experience for students.

Resources

Division of Vocational Rehabilitation (DVR)

The Division of Vocational Rehabilitation is a federal-state program that works with people who have physical or mental disabilities to prepare for, gain or retain employment.

Eligibility Criteria:

1. Individual has a physical or mental impairment.
2. Impairment poses a substantial impediment to employment.
3. Individual requires services from DVR to prepare for, gain, or retain employment.

Services that VR provides:

- As part of their core services, DVR provides to all clients eligibility assessments, counseling and guidance, information and referral services, and job search and job placement services. Any additional services that a person with a disability may need are individualized to their specific disability and employment goal.

Call 1-866-804-3678 or visit VR's website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Workforce Investment Act Program (WIA) (For Adults)

The Wyoming Department of Workforce Services uses Workforce Investment Act funding to help adults, dislocated workers and youth find employment that leads to self-sufficiency through various services available at its local Workforce Centers.

Eligibility Criteria:

- For individuals who are 18 years of age or older.
- Individuals who are unemployed and are unable to obtain employment through core services and have been determined to be in need of more intensive services in order to obtain employment; or
- Are employed and have been determined to be in need of services in order to obtain or retain employment that allows for self-sufficiency.
- Meet certain income guidelines.

Services that WIA provides:

- Occupations skills training;
- On-the-job training;
- Programs that combine workplace training with related instruction;
- Training programs operated by the private sector;
- Skills upgrading and retraining;
- Entrepreneurial training;
- Job readiness training;
- Adult Basic Education activities in conjunction with these activities; and
- Customized training with a commitment to employ trainees.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Workforce Investment Act Program (WIA)
(For Youth)

The Wyoming Department of Workforce Services uses Workforce Investment Act funding to help adults, dislocated workers and youth find employment that leads to self-sufficiency through varies services available at its local Workforce Centers.

Eligibility Criteria:

- For individuals aged 14-21.
- Services provided to eligible youth seeking assistance in achieving academic and employment success.

Services that WIA provides:

- Tutoring, study skills training and instruction leading to completion of secondary school, including dropout prevention strategies;
- Alternative secondary school services;
- Summer employment opportunities that are directly linked to academic and occupational learning;
- Paid or unpaid work experiences, including internships and job shadowing;
- Occupational skill training;

- Leadership development opportunities, which may include community service and peer-centered activities encouraging responsibility and other positive social behaviors during non-school hours;
- Supportive services;
- Adult mentoring for the period of participation and a subsequent period, for a total of not less than 12 months;
- Follow-up services for not less than 12 months after the completion of participation; and
- Comprehensive guidance and counseling which may include drug and alcohol abuse counseling and referral.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Department of Workforce Services (DWS)
Career Exploration and Aptitude Testing

The Wyoming Department of Workforce Services understands the need for students, parents, schools, job-seekers and others to explore their career aptitude and development. With this need in mind, the Wyoming Department of Workforce Services provides the following tools to further facilitate such career exploration:

- Start exploring career options with CareerOneStop, whether you are in high school, have graduated, have a vocational certificate, have a 2-year or 4-year college degree or have knowledge and skills acquired through training centers, on-the-job training, or work experience.
- The Wyoming Department of Workforce Services' local Workforce Centers have publicly-accessible computers with resume writing software, various books and videos on resume writing and interviewing, college catalogs, typing, spelling tests, and other resource materials.
- Wyoming at Work Career Services (https://www.wyomingatwork.com) is available. With it, a person can complete, through Wyoming at Work, occupational skills assessments to assist in career development and job placement.

Call 1-307-777-3700 or visit their website to find an office near you or to read more about their services (http://www.wyomingworkforce.org).

Wyoming Services for Independent Living is a registered non-profit human service agency established to enable persons with significant disabilities to live as independently as possible in the community of their choice.

Eligibility Criteria:

- Presence of a significant disability that interferes with living independently
- Not determined by income levels
- Person motivated to maintain and/or increase levels of independence.

Services that WSIL provides:

- Individual and systems advocacy;
- Information and referral;
- Peer counseling;
- Independent Living Skills Training;
- ADA technical advice;
- Adaptive equipment;
- Home modification;
- Loan closet;
- Nursing Home Transition and Diversion; and
- Transportation Voucher.

Call 1-800-266-3061 to find an office near you or to learn more about their services.

wilr wyoming independent living rehabilitation

Wyoming Independent Living Rehabilitation educates and empowers Wyoming citizens with disabilities by providing the necessary tools to live with independence and dignity. All services are provided on a "consumer-driven" basis. You decide what you need to live independently.

Eligibility Criteria:

- Each program has different criteria to be eligible. Please contact WILR for more information and to see if you qualify.

Programs that WILR offers:

- Independent Living Services
  - Services to help people regain or maintain independence in their lives.
- Visually Impaired Program
  - Services for older adults who are blind or severely visually impaired.
- Consumer Directed Care
  - To provide the option of obtaining personal attendant care services provided by an individual of the consumer's choice, who is not necessarily medically trained to provide such services.
- Project Out
  - To transition consumers from nursing homes back into communities.
- ADA Consultant
  - To provide information to individuals, organizations, businesses and municipalities regarding the ADA and accessibility issues.
- Transportation Check Program
  - To provide transportation to consumers with disabilities
- Wyoming Technology Access Program (WYTAP)
  - Offers persons with disabilities an opportunity to finance assistive technology devices and services through low – or no – interest loans.
- Making Homes Accessible
  - A conditional block grant program to help low to moderate income people with disabilities to make their homes accessible.

Call 1-800-735-8322 or 266-6956 (in Casper) to find an office near you or to learn more about their services.

Job Accommodation Network (JAN)

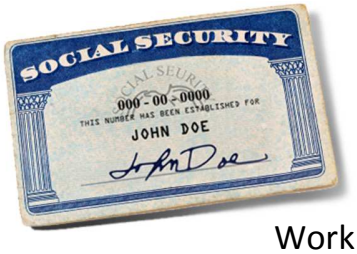
Identifying and arranging necessary accommodations and supports is a key part of assisting people with disabilities to find and keep employment – and is legally reinforced by the Americans with Disabilities Act. A job accommodation means that a job, workplace or way a job is done is modified to help the person with a disability do his/her job. There are several general types of job accommodations:

- Job restructuring, such as a change in work schedule or a decrease in the number of job duties
- Assistive devices – item, device or piece of equipment that is used to help the person with a disability perform a task.
- Training/teaching methods, such as an extended orientation period or audio version of a training manual
- Modification to the building, such as ramps, electronic door opener or flashing lights.

The Job Accommodation Network (JAN) is the leading source of free, expert, and confidential guidance on workplace accommodations and disability employment issues. Working toward practical solutions that benefit both employer and employee, JAN helps people with disabilities enhance their employability, and shows employers how to capitalize on the value and talent that people with disabilities add to the workplace.

JAN provides free, confidential technical assistance about job accommodations and the Americans with Disabilities Act (ADA). Call 1-800-526-7234 to get more information.

Appendix A: Social Security Work Incentive Information



Because many people with disabilities fear losing the SSA benefits and related health care due to being able to work and earn an income, they choose not to work. The SSA has made efforts to reduce this fear by creating and implementing programs known as SSA Work Incentives. Work incentives allow people who receive SSA benefits to work and earn an income while maintaining their benefits and their health insurance. There are specific conditions and requirements for each work incentive, and people must understand how the programs work, including the reporting requirements, in order to ensure proper implementation. Listed below are some of the work incentives offered by Social Security.

For complete information on all SSA's work incentives please visit their website at www.ssa.gov, call 1-800-772-1213 or contact your local Social Security Office.

Social Security Disability Insurance Program (SSDI)

The Social Security Disability Insurance Program (SSDI) provides a monthly benefit to individuals under full retirement age, who have enough quarters paid into the system, have worked five out of the last ten years, and meet the Social Security Administration's (SSA) definition of disability. These SSDI benefit payments will continue as long as the person is unable to engage in "substantial gainful activity" (SGA). A person who is earning more than a certain monthly amount in gross earnings is considered to be engaging in SGA. The SGA amount generally changes when the national average wage index changes. In 2015, the monthly SGA amount is $1090 for a non-blind individual and $1820 for a blind individual. There are work incentives that allow people to go to work after becoming eligible for SSDI. These work incentives allow a person to return to work, but have a safety net, allowing them to continue receiving their SSDI monthly benefit and Medicare coverage for a specific amount of time. Many people can work and keep their SSDI payments and Medicare if they are aware of the work incentives for SSDI.

Supplemental Security Income (SSI)

Supplemental Security Income (SSI) is based upon financial need. It provides monthly benefits to low income individuals who are disabled, blind, or over the age of 65 who are unable to engage in SGA and meet SSA's non-medical criteria for eligibility. The monthly benefit is based on the federal benefit rate (FBR) and generally changes annually based on cost of living increases. In 2015, the monthly FBR is $733.

SSI recipients are automatically eligible for Medicaid, a government health insurance program, and often are eligible for other federal programs such as SNAP, the food assistance program.

The definition of "disability" is the same for SSI and the SSDI programs. To qualify for SSI, a person must have a medically determinable physical or mental impairment that prevents them from engaging in substantial gainful activity. The impairment must have lasted for a continuous period of 12 months, be expected to last for a continuous period of 12 months, or be expected to result in death. In order to be eligible for SSI, the person with a qualifying disability must meet age requirements, residency, legal involvement, living arrangements, and resource and income requirements.

How Property and Assets are Treated Under SSI

Resource and income include, but are not limited to, real estate or real property other than the applicant's residence, vehicles (one car or truck is excluded), bank accounts, cash, stocks, bonds, or other investments. Cash value of life insurance policies, burial spaces, expense funds, certain trusts, and any money or property sold, transferred, or disposed of within 36 months prior to the application. To be eligible for SSI, total counted resources cannot exceed $2,000 per person or $3000 per couple. Income counted includes any earned or unearned income, rental income, child support, alimony, TANF, EITC's, self-employment wages, unemployment compensation, and any other income sources.

The following items DO NOT count as assets or resources for purposes of SSI eligibility:

- The applicant's home and the land it is on, provided that it is the primary residence.
- Household goods, personal property, and one car or truck, if it is necessary for daily activities.
- Life insurance with a face value less than $1500.
- Burial spaces and expense funds up to $1500.

As laws and policies change often, make certain that if there are additional options for keeping assets, such as special needs trusts, that these assets have been approved by the Social Security Administration.

How Income May Impact SSI Eligibility

Countable income can include both earned income and unearned income. This means that income which may impact the amount of the SSI payment includes money that is paid by an employer, Social Security payments, private pension payments, or some items of value that are received as gifts to pay for food, shelter, or utilities.

If a person is considered disabled under SSA rules and plans to work, his or her countable income can be reduced by special programs known as "work incentives." These programs allow a person receiving SSI and/or SSDI to work and continue to receive all or part of their disability payments as well as maintain eligibility for Medicare and/or Medicaid.

Employed Individuals with Disabilities (EID) Program
Medicaid Buy-in Coverage

The EID program provides work incentives for individuals with disabilities. Individuals with disabilities who work and have no health-care coverage, or who may lose their Medicaid coverage, should apply if they obtain employment, increase their work hours, or increase their rate of pay. People with disabilities who work will pay a monthly premium to receive Medicaid health-care coverage. The premium is (7.5%) of their monthly earned income and their yearly unearned income that is in excess of $600.

You may be eligible if you:

- Are employed
- Have a disability based on Social Security Administration guidelines
- Are a U.S. citizen or lawful permanent resident who has lived in the U.S. for at least five years
- A Wyoming resident
- Are 16 through 64 years of age
- Meet income guidelines (earned income is exempt)

Know your options. The Medicaid Buy In (EID program) allows you to work and have Medicaid health-care coverage for only 7.5% of your monthly earned income.

Benefits of the EID program:

- You will have Medicaid health-care coverage.
- You can work in the community.
- You can earn and save more money without the risk of losing health-care coverage.

Call the Wyoming Department of Health, Customer Service Center at 1-855-294-2127 to find out about the application process.

Impairment Related Work Expense (IRWE)

This work incentive applies to both SSI and SSDI at different times. An IRWE is an out of pocket cost that a person must pay that 1) is related to their disability and 2) is needed in order for them to work. The out of pocket costs reduce the income that SSA counts. Receipts must be sent into SSA monthly.

Examples of IRWE:

- Cost of taxis or drivers needed to travel to work because your disability prevents use of public transportation.
- Modified vehicles needed because of disability, e.g., special steering/braking equipment.
- Ramps, railings, or other modifications to the outside of your home that allow you to leave and go to work.
- Routine medication costs that help keep your disability related symptoms under control.

Subsidies and Special Conditions

A subsidy only applies to SSDI and is defined as the value of extra support a person receives on the job. The subsidy is provided by the employer and the worker must earn the same pay as other workers doing the same job. Examples include a job coach, mentor, extra supervision, or a reduced workload. The value of the subsidy is determined by the employer. Special conditions apply when the individual is not fully earning his or her wages because the work is performed under special conditions such as on-the-job coaching or substitution in which the job coach performs part or all of the individual's job duties. SSA will deduct the wages that are not considered "earned" by the individual.

Examples of subsidies:

- You receive more supervision than other workers doing the same or a similar job for the same pay.
- You have fewer or simpler tasks to complete than other workers who are doing the same job for the same pay.
- Job coach assistance.

Examples of special conditions:

- You receive close and continuous supervision.
- You receive on the job coaching and the job coach performs part or all of your tasks.

Unincurred Business Expense

"Unincurred business expenses" refers to self-employment business support that someone provides to you at no cost. In deciding whether you are working at the SGA level, SSA deducts unincurred business expenses from your net earnings from self-employment. Examples of unincurred business expenses are (1) a Vocational Rehabilitation agency gives you a computer that is used in a graphic arts business; and (2) a friend works for your business as unpaid help.

For an item or service to qualify as an unincurred business expense:

- It must be an item or service that the IRS would allow as a legitimate business expense if you had paid for it; and
- Given to you free of charge.

Unsuccessful Work Attempt

An unsuccessful work attempt is an effort by a disabled individual to do substantial work that either stopped or produced earnings below the SGA level after a short amount of time, no more than 6 months because of:

- The individual's disabling condition; or
- Elimination of the special conditions or assistance that the individual needed in order to work.

Trial Work Period

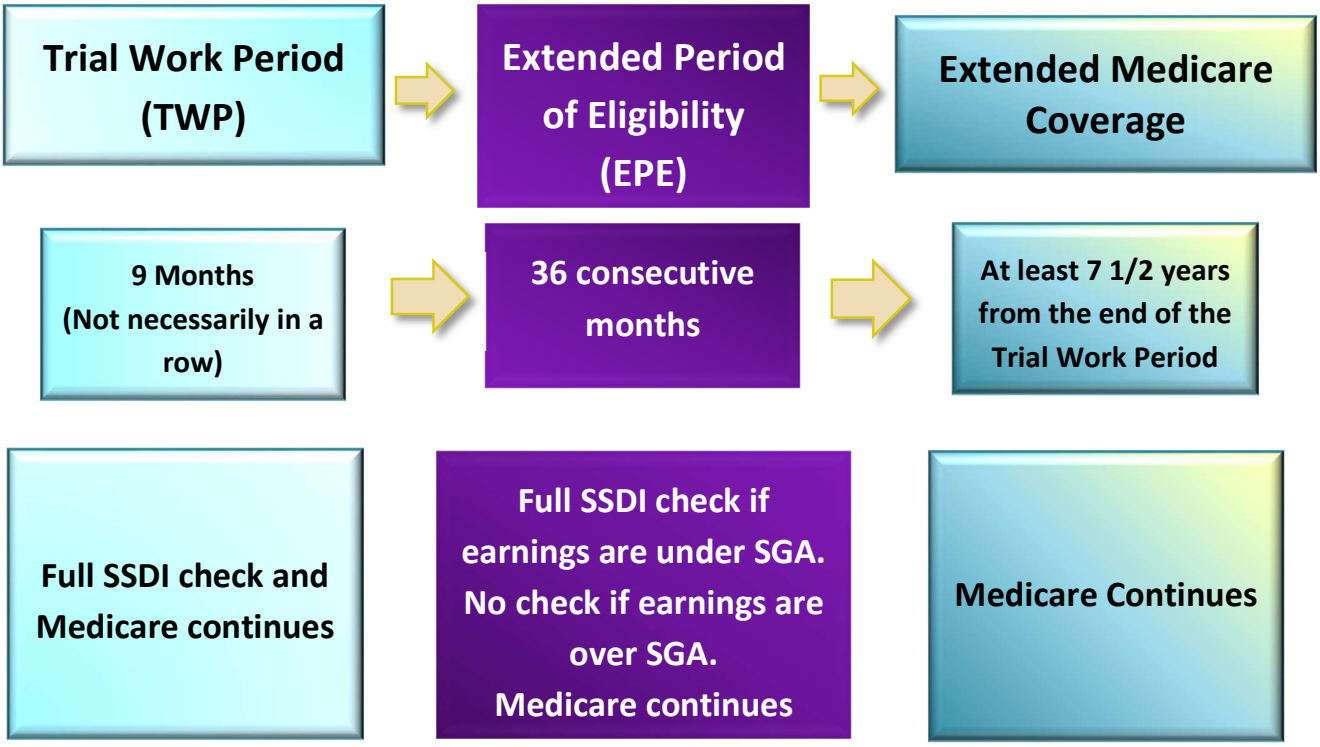
Applies to SSDI only – the Trial Work Period (TWP) allows you to test your ability to work by providing a period of nine (9) months of gross earnings during which your SSDI check is not affected. A month does not count towards your trial work period unless your gross earnings meet or exceed an amount set each year by SSA. In 2015, the TWP amount is $780. During your TWP, you will receive your full disability benefit regardless of how much you earn. You must report your work activity to SSA and continue to have a disabling impairment. The nine (9) months does not need to be consecutive, they are counted within a five-year period. Certain other rules apply. Medicare coverage will continue for ninety-three (93) months after the last month of the TWP.

If you are on SSDI, don't be afraid to work. You get a 9 month trial work period to test the waters of employment.

Extended Period of Eligibility

Applies to SSDI only – the Extended Period of Eligibility (EPE) begins after you have completed your trial work period and have gross earnings at or above the SGA level. The EPE lasts for thirty-six (36) months and allows an individual to receive their SSDI check in any month that their earnings fall below SGA. If work is discontinued during the EPE, the individual simply needs to contact SSA to reinstate benefits. You must continue to have a disabling impairment.

36 month extended period of eligibility AFTER your 9 trial work period months.



Earned Income Exclusion

Applies to SSI only – all SSI recipients receive a $20 general income exclusion. If SSI is the person's only income prior to working, he or she also gets an earned income exclusion of $65. After deducting the $85 in exclusions from your earned income, SSA then only considers half of your remaining earnings.

When you are on SSI, the Social Security Administration only counts $1 for every $2 you earn while working.

Example:

- John is receiving $733 in SSI each month.
- He returns to work and earns $500 in gross monthly earnings.
- Because John was only receiving SSI prior to working, he receives both income exclusions:

  $500 (*Earnings*) minus $85 (*Exclusions*) = $415
- SSA only counts half of the remaining earnings:

  $415 (*Considered earnings after exclusions*) divided by 2 = $207.50
- SSA will only count $207.50 of John's total earnings.
- His SSI check will then be reduced by $207.50.
- His new SSI amount will be **$525.50** (*$733-$207.50=$525.50*).
- **Johns total monthly income is now $500 (*earnings*) plus $525.50 (*SSI benefit*) = $1025.50.**
- John continues to receive Medicaid because his SSI benefit is at least $1.

Plan to Achieve Self-Support (PASS)

Applies to SSI only – a plan to achieve self-support allows you to set aside income or assets of a set amount of money for an established period of time towards a specific employment or vocational goal. Funds can be used for education, equipment, or starting a business, etc. Goals must generally be obtainable within three years, but some exceptions are possible. Funds must be used for a designated purpose or a person could be in overpayment and have to pay back to SSA. A PASS plan can help a person achieve their work or vocational goal. Your goal should be a job that allows you to earn enough to reduce or eliminate your need for benefits provided under the Social Security and Supplemental Security Income programs. SSA does not count the money or resources you set aside under an approved PASS plan when they decide your initial or continuing eligibility for SSI. Having a PASS may help you qualify for SSI or may increase the amount of your SSI payment.

Property Essential to Self-Support (PESS)

Applies to SSI only – SSA does not count some resources that are essential to your means of self-support when they decide if you are eligible for SSI. For example, they do not count property such as tools or equipment that you use for work. If you have a trade or business, they do not count property such as inventory. A person must be using the property that SSA is excluding under PESS, or be expected to start using it in a reasonable amount of time, typically within 12 months.

Federal Rule 1619(b)

Applies to SSI only – Section 1619(b) allows a person who is receiving SSI and working to continue to receive Medicaid at no cost, even when their earnings reduce their SSI benefit to $0. There are earnings threshold requirements. In 2014, for Wyoming, the threshold amount is $36,447. A person who meets the requirements of 1619(b) will receive full medical coverage under Medicaid.

To qualify:

- A person must have been eligible for an SSI cash payment for at least one month prior to accessing 1619(b).
- SSI benefit must have been reduced because of earnings.
- Must continue to meet SSA disability requirements.
- Continue to meet resource requirements for SSI.
- Need the medical assistance to work.
- Have gross earned income that is insufficient to replace the cost of medical assistance needed.

For assistance planning for employment, use our "Employment Pathway Planning Packet"

http://health.wyo.gov/DDD/cmforms.html

Start Your Employment Planning Now

If you are not employed now, but would like to pursue ***employment in the next year*** or ***employment in the next two (2) years***, ask yourself the following questions to begin your planning:

1. Have you ever volunteered in the community?
2. Do you want to learn a new skill?
3. When you are out in the community, are there jobs that you see people doing that you would like to know more about?
4. Do you want to learn about different types of jobs available?
5. If you could have any job, what would it be?
6. What interests you about your dream job?
7. Are there jobs that you don't want to do?
8. How much money will you need to make to meet your living expenses?
9. How much money will you need to buy things you want?
10. What is your greatest fear when you think about working?
11. Is there anything that worries you about getting a job?
12. What motivates you?
13. Will you need prevocational or employment discovery and customization services?
14. What supports will you need to begin competitive employment?
15. Who will help you set up the supports you need to gain and maintain competitive, integrated, and meaningful employment?
16. What is your employment goal date?

SSDI Trial Work Period (TWP) Tracking Chart

You are allowed nine (9) TWP months in a rolling sixty (60) month period

2015 Amount TWP= $780 SGA=$1090

Month	Gross Earned Income	Trial Work Month Yes or No	SSDI Cash Benefit	Total Income
Example: January	$800	Yes= TWP Month 1	$1000	$1800

Notes