

Employer Engagement to Increase Work-Based Learning Experiences for Students with Disabilities

A product of PA OVR's Job-Driven
Vocational Rehabilitation Technical
Assistance Center (JD-VRTAC) Project

TARGET AUDIENCE



- Business Services Representatives (BSRs)
 - Emphasis on PETS BSRs (Philadelphia/Pittsburgh)
- Business Services Counselors (BSCs)
- Early Reach Coordinators (ERCs)
- Vocational Rehabilitation Counselors (VRCs) with transition caseloads/responsibilities
- Vocational Rehabilitation Supervisors
- Assistant/District Administrators

- The Job-Driven Vocational Rehabilitation Technical Assistance Center (JD-VRTAC) is a national center for **improving VR responsiveness to job-driven needs** and is a part of the Institute for Community Inclusion (ICI) at the University of Massachusetts Boston.
- The JD-VRTAC strives to identify, adapt, embed, and sustain job-driven practices into VR agencies, **leading to improved employment outcomes** for people with disabilities.
- PA OVR was selected as one of 12 state agencies to receive intensive Technical Assistance through the JD-VRTAC for the project year: October 15, 2015 – October 14, 2016.
- PA OVR chose to work on a **two-part project** in-line with JD-VRTAC goals and the priorities set forth in the Workforce Innovation and Opportunity Act (WIOA).

- **PART 1: Integrating Labor Market Information (LMI) into the Vocational Rehabilitation (VR) Process**
 - Overall Goal: To equip field staff with the knowledge to blend existing information about labor market trends with customer abilities, limitations and interests to develop appropriate job goals, with the hope of increasing successful long-term placements.
- **PART 2: Employer Engagement to Increase Paid Work-Based Learning Experiences for Students with Disabilities**
 - Overall Goal: To develop an effective method to engage employers/ businesses to increase Work-Based Learning Experiences for Students with Disabilities, in order to meet this enhanced priority under WIOA.

FIVE BROAD GOALS

for the Commonwealth's Workforce Development system are:

- 1. To establish career pathways** as the primary model for skill, credential and degree attainment and provide all Pennsylvanians, with an emphasis on Pennsylvanians with barriers to employment, an opportunity to obtain a job that pays.
- 2. To expand public-private investment in the state's pipeline of workers** and in incumbent workers for targeted industry sectors from entry-level skills to middle skills through industry partnerships, WEDnetPA and other innovative strategies.
- 3. To increase opportunities for all youth to participate in work based learning** through summer employment, pre-apprenticeship, apprenticeship, internships and other similar experiences.
- 4. To engage employers through multi-employer workforce partnerships** to improve the connection and responsiveness of workforce programs to the demand side of the labor market, increase public-private investment in critical skills and support the spread of employer practices that create jobs that pay.
- 5. To strengthen data sharing across state agencies and workforce development partners** to better understand education and employment outcomes and rely more effectively on data to improve and target our efforts.

KEY AREAS OF WIOA EMPHASIS

1. Students with disabilities

**Pre-Employment Transition Services (PETS):* job exploration counseling, work-based learning experiences, counseling on opportunities for enrollment in post secondary education, work place readiness and instruction and self-advocacy.

2. Employer Engagement

**Dual Customer Model:* Customer and Business/Employer

3. Cross-Agency Collaboration

4. Assistive Technology

5. Competitive Integrated Employment

**Includes limitations on subminimum wage (July 2016)*

- Student with a Disability
 - Between the ages of 14-21
 - Enrolled in secondary education
 - Have an IEP or 504 plan, or identify themselves as a student with a disability
 - Eligible for OVR services
 - Potentially eligible for VR Services

NOTE: If the student has earned their diploma, dropped out, or is not enrolled in secondary school, they are not considered to be a student with a disability.

- Work Based Learning Experience(s)
 - In-school or after school opportunities
 - Outside the traditional school setting (including internships)
 - Provided in an integrated environment in the community to the maximum extent possible
 - **Paid part- or full- time positions, paid temp to hire positions, paid internships, paid apprenticeships, and structured on-the-job-training**
 - Possible Alternatives to paid work-based learning experiences: Work Site Visits, Job Shadowing, Disability Mentoring Day, Community Based Work Assessments (CBWA), Personal Work Adjustment Training (PWAT), Project SEARCH, Service Learning via AmeriCorps and AmeriCorps VISTA, etc.

- Dec 2015 Business Roundtable
 - 9 representatives from local businesses
 - Unique considerations associated with hiring minors
- Existing information readily available through Business Services and Outreach Division
- Reviewing information on relevant websites
- Informational phone calls and networking with relevant professional contacts
- Feedback/Revisions: JD-VRTAC Team, BSOD Committee, L&I OVR Legal Department

From an employer perspective, there are additional logistical factors to take into account when hiring minors.

TODAY'S GOAL IS:

To provide information and education about the unique circumstances associated with hiring minors.

TODAY'S GOAL IS NOT:

To provide a solution to every unique situation that an employer may face when hiring minors.

INTENDED OUTCOME:

Regardless of your specific role within OVR, each of you will be prepared to engage in an informed, open dialogue with an employer to reach individualized solutions. Effective employer engagement will increase paid work-based learning experiences for high school students with disabilities.

Questions or Comments?

Reflect on YOUR First Job



Think back to **YOUR** very first job...

- What was it?
- Why did you seek that first job? Was it an expectation or an internal desire?
- How did you land that first job? Did someone help you with the process?
- Looking back now, how did your first paid work experience impact you and your future?

WHY should we try to increase paid work-based learning experiences for high school students with disabilities?

For more information, see related article:

[Link to Federal Partners in Transition Fact Sheet - Benefits of WBLE](#)

- Benefit(s) to the student(s)
 - Work experience
 - Personal and professional growth
 - Ability to contribute
 - Opportunity to assess potential future careers
 - Income earned
 - Self-assessment of strengths and weaknesses
 - Expanded professional networks

- Benefit(s) to the business/employer
 - Affirmative action priorities and OFCCP compliance
 - Increased diversity, different abilities, new ideas and varied thought processes
 - Early exposure to the company could lead to a career within that company
 - Allow employers to tap into a pool of workers as option to address staffing challenges related to hard to fill shifts, high turnover, vacancies, and/or an aging workforce
 - Creates mentorship opportunities for existing employees

- Benefit(s) to the community
 - Allow the makeup of the surrounding community to be reflected in the workplace
 - Strengthens community partnerships through sharing the responsibilities of a successful work experience between service providers, educators, and employers
 - Assists state agencies with meeting requirements set forth by federal and state laws
 - Could spark a paradigm shift in setting expectations for students with disabilities to seek employment

Questions or Comments?

How Can We Increase WBLEs?



HOW can we try to support employers while increasing paid work-based learning experiences for high school students with disabilities?

Target Your Efforts



- Regardless of approach: COORDINATE EFFORTS
 - Local District Office communication
 - Resource sharing at Regional BSOD Meetings
 - Interagency collaboration meetings/communication
- Employers with existing relationships with OVR
 - Existing Y-OJT Providers, School Districts
 - Seasonal Jobs: State Parks, Amusement Parks, etc.
- Larger employers and/or smaller businesses
- Labor Market Information from CWIA's PA Workstats Website to target certain areas
- O*NET to select job titles with skill sets that are attainable by students
- Other suggestions from the field?

- **Be Focused on your Dual-Customer.**
 - Ask the employer what might fit the needs of their specific company/specific positions, **AND** match them to what your student has to offer.
- **Be Realistic and Optimistic.**
 - Acknowledge the unique circumstances related to hiring minors, **AND** highlight the opportunity.
- **Be Solution-Oriented and Flexible.**
 - Offer potential suggestions/solutions to address logistical concerns, **AND** welcome ideas from the employer as well.

Be prepared to answer “What’s In It For Me?”

- Affirmative action priorities and OFCCP compliance
- Increased diversity, different abilities, new ideas and varied thought processes
- Early exposure to the company could lead to a career within that company
- Allow employers to tap into a pool of workers as option to address staffing challenges related to hard to fill shifts, high turnover, vacancies, and/or an aging workforce
- Creates mentorship opportunities for existing employees

Ask the Employer Representative to think back to **HIS/HER** very first job...

- What was it?
- Why did you seek that first job? Was it an expectation or an internal desire?
- How did you land that first job? Did someone help you with the process?
- Looking back now, how did your first paid work experience impact you and your future?

Explain what your goal is to help a student with a disability have that same natural life experience, ***WHILE*** adding value to their company.

Questions or Comments?

- You will be more likely to engage businesses about the development of paid work-based learning experiences if you:
 - Know the company's mission/vision statement... AND connect to it.
 - Ask about the company's affirmative action plan and diversity initiatives... AND demonstrate how to reach goals.
 - Visit and tour work sites to get to know the business needs through observation and questions... AND offer solutions.

As VR Professionals, what resistance might we typically anticipate when approaching an employer about hiring an OVR customer?

- Lack of funding and/or ability to pay wages?
- Concerns about disability-based limitations?
- Questions about necessary accommodations?

What do we offer now?



OVR'S COMMON ONBOARDING TOOLS

- **On-the-Job-Training (OJT)**
 - Reduces financial impact (immediate)
- **Work Opportunity Tax Credit (WOTC)**
 - Reduces financial impact (delayed)
- **Federal Bonding Program**
 - Reduces financial risk

- **Single Point of Contact (SPOC), Pre-Screened Candidates**
 - Simplifies the process for the employer
- **Consultation/Evaluation for Accommodations**
 - Increases efficiency in meeting employee needs

- **Supported Employment/Job Coaching**
 - Reduces personnel time for hands-on training
 - *Clarification: Typically used for permanent positions*

What if it's not that simple?



Is it possible that there are additional things to consider beyond available funding, disability limitations, and the accommodation process?

Our standard approach and/or tools may not address every unique factor associated with hiring minors.

Your "go-to" solution may not be enough...

It's time to GET CREATIVE!

Think outside the standard OVR toolbox.

- You will be more likely to engage businesses about the development of paid work-based learning experiences if you also:
 - Have a network of business contacts who have engaged in successful paid work-based learning experiences... AND orchestrate business-to-business mentorship connections.
 - **ARE PREPARED TO DISCUSS THE UNIQUE CIRCUMSTANCES RELATED TO HIRING MINORS**
 - **ARE ABLE TO SUGGEST POTENTIAL BUSINESS-ORIENTED SOLUTIONS TO ADDRESS THESE UNIQUE CIRCUMSTANCES...**

- Work Hours and Breaks
- Prohibited Occupations
- Confidentiality (HIPAA/FERPA)
- Clearances (Child Abuse, Background Check)
- State Licensing Requirements
- Civil Service Restrictions
- Unions and Protecting Bargaining Unit Work
- Other General Concerns

- **Fair Labor Standards Act (Federal)**
 - As a general rule, the FLSA sets 14 years of age as the minimum age for employment, and limits the number of hours worked by minors under 16.
 - Federal Child Labor Laws apply up until age 18.
- **Child Labor Act (PA)**
 - A minor is an individual under 18 years of age.
 - Under 16 years of age, a written statement by the minor's parent or legal guardian acknowledging understanding of the duties and hours of employment and granting permission to work is required.
 - Minors under 14 years of age may not be employed or permitted to work in any occupation, except on farms or in domestic service in private homes.
- **Student with a disability: Age 14-21 (WIOA/OVR)**
 - Ages 18-21 follow adult guidelines and common practices
 - Ages 14-17 may have additional issues to consider

For more information, please visit:
[Link to US DOL Youth Labor Resources](#)
[Link to PA Child Labor Act](#)

- At **Age 18+**, no restrictions.
- If **under Age 18**, restrictions on hours; work permits required.
 - Not more than 6 consecutive days (except Newspaper Delivery)
 - 30 minute meal period required on or before 5 consecutive hours of work
- **Ages 16-17 differ from Ages 14-15**
 - Under 16: Requires written statement by parent/guardian acknowledging the duties and hours of employment and granting permission to work
- **Under 14**
 - Very few options for very specific positions
 - Generally, 14 is considered the youngest age for employment

- **HOURS OF EMPLOYMENT**

- **School Vacations:** Maximum 8 hours/day; 40 hours/week.
- **School Term:** Maximum 3 hours on school days, 8 hours on any other day, and 18 hours per school week (Monday-Friday), and only at a time that does not interfere with school attendance. Plus 8 additional hours on Saturdays and Sundays.

- **WORK TIME**

- Prohibited after 7pm and before 7am

- **HOURS OF EMPLOYMENT**

- **School Vacations:** Maximum 10 hours/day; 48 hours/week; a minor may refuse any request to work greater than 44 hours/week.
- **School Term:** Maximum 8 hours a day; 28 hours per school week (Monday-Friday). Plus 8 additional hours on Saturdays and Sundays.

- **WORK TIME**

- Prohibited before 6am and after 12am

- If the management of hours/breaks is mentioned...
 - Junior Managers trained about the fines and legal ramifications of non-compliance to PA Child Labor Laws.
 - Posted sign: Make it positive and public
 - Special name badge, similar to a trainee name badge.
 - Names of those who need a break highlighted on posted schedule.
 - Managers schedule alarms in mobile device with each minor name, when their break is due.
- Other suggestions from the field?

Prohibited Occupations



Due safety/liability, several of the trades and technical occupations are prohibited for students under the age of 18:

- Operating elevators
- Welding
- Operating Wire Stitch Machines
- Meter Testing and Reading
- Operating Roller Mills
- Performing Electrical Work
- Roofing

For more information, please visit:

[Link to PA Regulations Governing the Employment of Minors in Industry](#)

- **Apprentice**

- 16+ years old, and
- Employed in a craft recognized as an apprenticeship by PA Apprenticeship and Training Council

- **Laboratory Student Aide**

- 16+ years old, and
- Enrolled in scientific studies at an educational institution, and
- Employed in research and development, and
- Under close supervision of a qualified scientist

- **Student Learners**

- Minors enrolled in a course of study/training at a COOP vocational training program under a local educational authority.

Brainstorm: Prohibited Occupations



- If seeking Prohibited Occupations...
 - Avoid strictly Prohibited Occupations
 - Ask about existing Apprenticeships
 - Suggest developing new Apprenticeships

- Other suggestions from the field?

- Student employees are held to the same standards as adult employees
- Employers should follow universal Confidentiality procedures, as required by HIPAA, FERPA, etc.

- If Confidentiality Constraints are mentioned...
 - Ask how confidentiality is typically managed for permanent employees over the age of 18
 - Suggest that it can be handled for students in the same way it is handled for employees over the age of 18
 - Use Project SEARCH (hospital setting) as an example
 - Suggest group orientation to Confidentiality
 - Suggest parental buy-in/signature in addition to student's

- Other suggestions from the field?

- Certain individuals, in order to work or volunteer with children, are required to obtain clearances which may include:
 - PA State Police Criminal Record Check
 - FBI Criminal Background Check
 - PA Child Abuse History Clearance
 - **Employees having contact with children**, Foster/ Adoptive parents, School employees governed by the Public School Code, School employees not governed by the Public School Code, Volunteers

For more information, please visit:

[Link to Keep Kids Safe PA Home Page](#)

IMPORTANT:

OVR staff do not advise regarding clearances or other legal matters.

Employers should consult their own legal counsel for specific guidance and direction to ensure appropriate compliance.

Clearances: Who Needs Them?

- Student Employees
 - Child Abuse Clearance
 - PA State Police Background Check
 - Likely exempt from FBI Clearance (certain conditions)
 - ***Employer should consult their own legal counsel for specific guidance. OVR staff do not advise.***
- Other On-Site Employees
 - Direct Supervisor of Student Employee may need clearances to oversee an internship, externship, work-study, co-op or similar program.
 - ***Employer should consult their own legal counsel for specific guidance. OVR staff do not advise.***

For more information, please visit:

[Link to Who Needs Clearances via Keep Kids Safe](#)

- If seeking positions within agencies that serve children, or otherwise require Background/Child Abuse Clearances...
 - ***Employer should consult their own legal counsel for specific guidance. OVR staff do not advise.***
 - Offer *Keep Kids Safe PA Website* for guidance
 - Put cost for existing employee into perspective
 - Consider OVR support to cover the cost of the student's required clearances
- Other suggestions from the field?

- May have minimum position standards required.
 - **Nursing Homes:** High school diploma *OR* CNA
 - **Human Services:** 18 years old *AND* High school diploma/GED
- May apply one overall hiring policy aligned with these standards, even for other general positions that may not fall under licensing requirements.

- If seeking positions with companies that have strict age/education requirements...
 - Ask if the hiring guidelines are set based State Licensing Requirements
 - Ask about positions that do not have age/education mandates
 - Ask about flexible hiring options
- Other suggestions from the field?

Similar restrictions as state licensing:

- 18 years old; HS diploma or GED
- Civil Service Testing, Hiring Process

A Few Existing Options...

- Bureau of State Employment's Youth Internship Program (TANF recipients only, age 16-18)
- PennDOT's year-long STEP Program (on hold)
- Labor and Industry's Summer Youth Internship Program* (low-income students, age 16-18)
- PA Human Relations Commission
- Department of Conservation and Natural Resources (DCNR)

- If seeking positions within Civil Service...
 - Seek/Create Internship Programs within Civil Service
 - Highlight the opportunity to encourage younger workers to engage in Civil Service positions
 - Consider similar Non-Civil Service positions
- Other suggestions from the field?

- The desire to protect bargaining unit work may influence the positions and job duties made available to students.
- Student workers may/may not be eligible for union membership. Union membership may/may not be required.
- Union investment and concerns will vary depending on the specific union, contract language and provisions, industry, employer, etc.

- If seeking positions within a Union Environment...
 - Ask about existing contract language that could support/prohibit internships or apprenticeships
 - Consider involving a union representative in the meeting
 - Highlight the opportunity to continue to strengthen the future of union employees by engaging younger workers
 - Ask about non-union positions as alternatives

- Other suggestions from the field?

- Availability of the proper supports to help the students learn what they need to do
- Under-Developed “Soft Skills”
 - Professional appearance
 - Being on time and ongoing time management
 - Responsibility and reliability
 - DOs and DON'Ts of the workplace
 - Eliminating “text lingo” at work
 - Social media and cell phone use at work
- Sense of Entitlement
- Financial skills, budgeting and money management

- Know your student well enough to know that they will make a good first impression
- Offer supportive Counseling and Guidance about making a good first impression
- Utilize or suggest resources such as *Skills to Pay the Bills: Mastering Soft Skills for Workplace Success*
- Authorize available services to proactively address common gaps in “soft skills”
- If limitations remain, discuss them with the employer and make a plan to address them. Put appropriate supports and/or preventative strategies in place, if at all possible

- Other suggestions from the field?

Questions or Comments?

Resources: YouthRules!



- YouthRules! is an initiative to promote positive and safe work experiences for teens by distributing information about young workers to youth, parents, employers and educators.
- Components of the initiative include a website, printed materials, outreach events, training seminars and partnering activities.
- Includes Fact Sheets about various industries.

For more information, please visit:

[Youth Rules Home Page](#) (Demo, if time allows)

- *Skills to Pay the Bills: Mastering Soft Skills for Workplace Success* is a curriculum developed by the US Department of Labor's (DOL) Office of Disability Employment Policy (ODEP) focused on teaching workforce readiness skills to youth, including youth with disabilities (ages 14 to 21 in both in-school and out-of-school environments).
- Comprised of modular, hands-on, engaging activities that focus on six key skill areas: communication, enthusiasm and attitude, teamwork, networking, problem solving and critical thinking, and professionalism.

For more information, please visit:

[Skills to Pay the Bills Homepage](#) (Display briefly, if time allows)

For more information, please visit:

[Link to US DOL Youth Labor Resources](#)

For more information, please visit:

[Link to PA Child Labor Act](#)

[Link to PA Child Labor Law](#)

For more information, please visit:

[Link to PA Regulations Governing the Employment of Minors in Industry](#)

Keep Kids Safe PA

For more information, please visit:

[Link to Keep Kids Safe PA Home Page](#)

Child Abuse History Clearance Forms

For more information, please visit:

[Link to DHS Child Abuse Clearance Forms](#)

Now What?

Possible Next Steps

- **BSCs/BSRs**

- Work together to develop a pre-vocational job readiness group for OVR customers who are still students.
- Consider having a discussion with local temporary agencies focused on short-term positions for minors

- **VRCs**

- Connect with school-to-work coordinators at your local high schools to discuss the unique circumstances associated with finding paid work-based learning experiences. Work together towards solutions.

- **ERCs**

- Develop group sessions for students and parents regarding the logistics involved with obtaining a job as a minor.

- **Other field staff**
 - If working with younger customers, consider sharing information to help them be more prepared for active involvement in job-seeking activities or an active VR case when they are ready.
- **DAs/ADAs/Supervisors**
 - Consider and discuss how you would like to see your local team work together to put this information into action. Brainstorm together.
 - Consider educating relevant providers (e.g., supported employment and/or WBLE coordination providers, Providers through I&E Projects, etc.)
- **Everyone**
 - Think about how you might apply this information to your individual role within OVR.
 - Connect with other team members to share responsibilities.

- Consider alternatives that require less of a commitment, such as:
 - Informational Interviews
 - Mock Interviews
 - Work Site Visits
 - Job Shadowing
 - Community Based Work Assessments (CBWA)
 - Involvement with Disability Mentoring Day
- **Get them to say YES to SOMETHING.**
- **Get them involved, keep them engaged, and build from there.**

In Closing...



You are now aware that hiring minors presents a unique set of challenges for employers.

You are now equipped to engage in an informed, open dialogue with an employer to reach individualized solutions to increase paid work-based learning experiences for students with disabilities.

Your individual approach will vary based on your role within OVR, your personality, your territory, the employer's industry, your customer, etc.

GOOD LUCK!