COLORADO
Department of
Labor and Employment

Evaluation of Competitive Integrated Employment

Determinations of whether a job seeker's particular employment situation meets the criteria for competitive integrated employment (CIE) will be made on a case-by-case basis by DVR. DVR Counselors will use the Evaluation of Competitive Integrated Employment form and consult with their Supervisor, Rehabilitation Counselor II, and/or the Supported Employment Trainer/Coordinator when additional guidance is required to determine whether an employment situation is consistent with competitive integrated employment.

Supported employment services can be provided for up to 24 months, or longer if appropriate, for the client to achieve a CIE outcome. The client's team is to thoroughly discuss and provide options to effectively work toward a CIE outcome as the preferred option in employment.

Client Name:		Job Title:	
Business/Employer Name:			
Work Location/Address:			
Supervisor Name:		Title:	
Date Interview with Supervisor:			
Date of Initial Site Visit:		Date of Follow-up Site Visit, if applicable:	
If No Site Visit Completed, please explain:			
DVR Staff Completing Evaluation:			

Competitive Integrated Employment means work that:

1. Is performed on a full-time or part-time basis (including self-employment) for which the individual is compensated at a rate that--
    a. is not less than the higher of the Federal, State, or local minimum wage for the place of employment; and
    b. is not less than the customary rate paid by the employer for the same or similar work performed by other employees who are not individuals with disabilities who are in similar situations in similar occupations by the same employer and have similar training, experience, and skills.
2. Is at a location--
    a. typically found in the community; and
    b. where an employee with disabilities interacts for the purpose of performing the job duties of the position, with other employees within the particular work unit and the entire work site, and, as appropriate to the work performed, other persons (e.g. customers and vendors) who are not individuals with disabilities (not including supervisory personnel or individuals who are providing services to such employee) to

the **same** extent that employees who are not individuals with disabilities and who are in comparable positions, interact with these persons; and

3. Presents, as appropriate, opportunities for advancement that are similar to those for other employees who are not individuals with disabilities and who have similar positions.

All 3 sections (competitive wages, integrated location, opportunities for advancement) must be met to satisfy the CIE definition and criteria.

Competitive Wages

1) Is employee being paid competitive wages? *(Minimum wage or higher based on State or local minimum wage law for the place of employment)* *2)* Is employee paid a wage not less than the customary rate paid by the employer for the same or similar work performed by other employees who are not individuals with disabilities and who are similarly situated in similar occupations by the same employer and who have similar training, experience, and skills? Both questions must be answered YES to meet criteria for Competitive Wages. If one or both are answered NO, the employment does not meet competitive wages criteria and is not CIE, therefore further evaluation is not needed. In this case, skip to the Competitive Integrated Employment Determination section at bottom of page 4.	Yes ☐ No ☐ Yes ☐ No ☐

Integrated Setting

Is the employment setting found in the **competitive labor market**? 1) Was the position advertised and available to the general public. This could include posting on job search websites, newspapers, and more. 2) If the position was unadvertised, was it developed and/or customized with an employer to address a business need? One of these questions must have an answer of YES to be considered found in the competitive labor market.	Yes ☐ No ☐ Yes ☐ No ☐ NA ☐

An employee's specific work unit is evaluated in regard to integrated setting. Work units are considered to be dependent on the employer's organizational structure and may refer to a group of employees in a particular job category or who perform a specific task. Employees working together through a third party contract will typically be considered to make up the work unit.

For employment based on a **third party contract:** Complete questions below only when applicable. If not applicable, skip to the next section, "Work Unit".	NA ☐
1) Is it customary within the business or industry that the positions be filled through contracted services? (e.g., Janitorial within an office building, landscaping services, IT project management, etc.) If answer is NO, then the employment structured in this way would typically not represent competitive integrated employment since the business is not hiring individuals with disabilities directly.	Yes ☐ No ☐

The below questions must be answered with the following information in mind: The "Work Unit" must be integrated, meaning the employee with a disability interacts with others without disabilities on the work unit to same extent as other individuals without disabilities. Interactions do not need to be face-to-face, but must be consistent with the level and nature of interactions that occur for employees without disabilities in similar positions. Entities that are set up specifically for the purpose of providing employment to individuals with disabilities will likely not satisfy the definition's criteria. These entities often provide little to no opportunity for interaction between individuals with and without disabilities and are often considered sheltered or non-integrated employment sites.	
The employee must have meaningful interactions for the purpose of performing work tasks (e.g. casual and/or incidental interactions do not satisfy the criteria). For individuals who are self-employed, teleworking, or in similar situations, the level of interaction must be consistent with what individuals without disabilities in similar circumstances experience.	
1) Does the employee have meaningful interactions with coworkers (e.g. interactions solely with supervisory staff or those supporting the individual with a disability do not satisfy the criteria)?	Yes ☐ No ☐
2) Does the employee with a disability interact with others (e.g. customers and vendors) to the same extent as his or her colleagues without disabilities in similar positions?	Yes ☐ No ☐
Both questions must be answered YES to meet criteria for Integrated Setting. If any are answered NO, the employment does not meet integrated setting criteria and is not CIE, therefore further evaluation is not needed. In this case, skip to the Competitive Integrated Employment Determination section at bottom of page 4.	

Notes/Observations for Integrated Setting Section:	

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Opportunities for Advancement:

Does the employee have the same opportunities for advancement as are available to employees without disabilities in similar positions? If answer is NO, no further evaluation is necessary. The employment is not CIE.	Yes ☐ No ☐
Describe the basis for determination:	

Competitive Integrated Employment Determination:

It is determined that this employment meets all the requirements of competitive integrated employment as defined in the Rehabilitation Act and 34 CFR part 361, issued August 19, 2016.	Yes ☐ No ☐

DVR Staff Making Recommendation _____ Date _____

Secondary Reviewer (District Supervisor or I/DD SE Coordinator/Trainer _____ Date _____

*Follow-up activities to be completed by DVR Staff making recommendation **after secondary review**, if employment does not meet CIE:*

- *Communicate with client and support team regarding determination that DVR is unable to support a successful case closure within this position as CIE placement. (The Non-CIE Determination letter in AWARE Letters Catalog, along with copy Evaluation of Competitive Integrated Employment is to be sent to employer and Case Manager/Resource Coordinator, as appropriate).*
- *Consider whether position could be used as work experience or skill building opportunity toward CIE.*
- *Scan and email copy of completed Evaluation of Competitive Integrated Employment form to Darby Remley (Darby.Remley@state.co.us), I/DD Supported Employment Coordinator/Trainer*
- *File in client's hard copy file.*

COMPETITIVE INTEGRATED EMPLOYMENT EVALUATION

Michigan Department of Health and Human Services
Michigan Rehabilitation Services

Employer Information

Employer:	Position:
Pay Rate:	Work Location:

Work Setting – Typically found in the Community
All boxes must be checked to meet the standard of "Typically found in the Community."

☐ Position is "typically found in the community." "Typically found in the community" are those in the competitive labor market.

- A Community Rehabilitation Organization is defined as an agency, organization, or institution, or unit of an agency, organization, or institution that provides directly or facilitates the provision of vocational rehabilitation services or specific employment for individuals with disabilities as one of its major functions.
  - A position is considered "typically found in the community" if it is within a community rehabilitation organization structure, and is **not** established specifically for the purpose of employing individuals with disabilities.
- **Note:** A work setting, including settings operated by community rehabilitation organizations that exclusively service other individuals with disabilities (e.g., group homes, centers for independent living, inclusive child care centers, adult day programs, or peer support programs) may be considered "typically found in the community" and should be evaluated on a case by case basis.

☐ If the position is a direct labor position (not including supervision or managerial/administrative positions), funding for the position is not derived from Federal sources specifically established to assist with establishing positions for individuals with disabilities. Such positions are **not** "typically found in the community." Examples include:

- Javits-Wagner-O'Day (JWOD) – Act/Ability One contracts
  - An Ability One contract must have 75% of direct labor time dedicated for individuals with disabilities, if the CRO is counting the MRS customer as an individual with a disability then the position would not be an integrated position as it is not "typically found in the community" and is structured specifically for individuals with disabilities.
- Community Rehabilitation Organization Set-Aside contracts
- Any positions or occupations that are in place due to a funding stream or contract to specifically service individuals with disabilities.

Note: Federal hiring of individuals with disabilities through Schedule A is considered competitive integrated employment as they are "typically found in the community."

Note: As a form of self-employment and business ownership, the outcomes of individuals in the vending facilities established under the Randolph-Sheppard Act are deemed to be in integrated settings and are "typically found in the community."

☐ The position is not a Group or Enclave setting: Individuals with disabilities hired to perform work under service contracts, either alone, in mobile work crews, or in other group settings (e.g., landscaping or janitorial crews, call centers, workshops, etc.), whose interaction with individuals without disabilities is limited to customers or individuals working in or visiting the work location, is not "typically found in the community."

Comments:

Integrated Location and Work Unit

All boxes must be checked to be considered an Integrated Location and Work Unit.

- A work unit refers to all employees in a job category or to a group of employees working together to accomplish tasks.
- A work unit must contain individuals with and without disabilities that interact on a regular basis.
- A greater interaction must occur than merely a casual and social interaction.

☐ The individual with a disability interacts with employees of the employer in similar positions and interacts with other individuals without disabilities to the same extent that employees without disabilities interact with others.

☐ The individual with a disability interacts, while performing the job duties, with non-disabled peers in the work unit and the entire work site and, as appropriate to the work performed, other individuals (e.g., customers and vendors), who are not individuals with disabilities (not including supervisory personnel or individuals who are providing services to employees) to the same extent that employees who are not individuals with disabilities and who are in comparable positions interact with these individuals.

Comments:

Benefits and Rate of Pay

All boxes must be checked to be considered Competitively Employed.

☐ Position (including self-employment) is compensated at a rate that:

A. Is not less than the rate required under the State minimum wage law or Federal or local minimum wage, whichever is higher;

B. Is not less than the customary rate paid by the employer for the same or similar work performed by other employees who are not individuals with disabilities; and

C. In the case of self-employed, yields an income that is comparable to the income received by other individuals who are not individuals with disabilities and who are self-employed in similar occupations; and

D. Is eligible for the level of benefits provided to other employees.

☐ Presents, as appropriate, opportunities for advancement that are similar to those for other employees who are not individuals with disabilities and who have similar positions.

Comments:

The Michigan Department of Health and Human Services (MDHHS) does not discriminate against any individual or group because of race, religion, age, national origin, color, height, weight, marital status, genetic information, sex, sexual orientation, gender identity or expression, political beliefs or disability.