

Section 4(h) – Supported Employment

Guidance

Given the proper supports, the majority of persons with disabilities, including those *individuals with the most significant disabilities**, are capable of maintaining *competitive employment**. *Supported employment services** are available to *individuals with the most significant disabilities** who have been unable to maintain *competitive employment** because of the severity of their disabilities. The goal is to assist these individuals to achieve employment in the most *integrated setting** possible.

Legal Requirements

A. Supported employment is defined as employment:

1. which is in the competitive labor market;
2. that is *integrated**;
3. for which the individual earns a competitive wage (i.e., at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for similar work performed by individuals without disabilities) or where the individual is working toward a competitive wage;
4. for *individuals with the most significant disabilities**:
 - a. for whom *competitive employment** has not traditionally occurred or has been interrupted or intermittent because of the disability; and
 - b. who need *ongoing support services** throughout the term of employment, including both initial intensive time-limited *supported employment services** through BRS and *extended services** from another source.

B. An Employment Plan with a goal of *supported employment** must specify the source of *extended services** or the basis of determining that there is a reasonable expectation that *ongoing supports** will be available after BRS *supported employment services** are completed. This is required for persons who need *supported employment services**, regardless of whether regular Title I or supported employment Title VI-B (943) funds are used.

To ensure that *extended supports** will be available to the individual, a written commitment from the source of extended supports is generally required. Planning with that source needs to ensure that the level and type of supports available are appropriate to the consumer's needs. If there is no source of *extended services** that will be available, an Employment Plan with the goal of supported employment cannot be approved.

Examples of resources for *extended services** include but are not limited to the Departments of Developmental Disabilities or Mental Health and Addiction Services, BRS Employment Opportunities Program, natural supports, provider in-kind services, family resources and Social Security impairment-related work expenses.

See Ch. III Sec. 2 for additional Employment Plan requirements for persons in supported employment.

- C. BRS can provide only the initial intensive supports, for a period of not more than 18 months, unless under special circumstances the consumer and BRS counselor jointly agree to extend the time in order to achieve the rehabilitation objectives in the Employment Plan.

The length of BRS support will vary greatly, depending on individual client needs. For most individuals, the period of time needed for the initial intensive training through BRS is less than 18 months. BRS supported employment services may exceed 18 months, but only in those unusual individual circumstances where there are specific achievable objectives that can be reached in a relatively limited period of time.

- D. BRS may provide discrete post-employment services that are unavailable from the *extended services** provider and that are necessary to maintain the job placement. Examples include job station redesign, repair and maintenance of assistive technology, and replacement of prosthetic and orthotic devices.