Meeting Employer Demand: Health Workforce Trends and Federal Regulatory Opportunities

California Committee on Employment of People with Disabilities (CCEPD)
Sarah Triano, Executive Officer
Rachel Stewart, Staff Manager
LaCandice McCray, Program Analyst
Jonathan Elson, Workgroup Member, Disability Rights California (DRC)
Presentation Overview

- Overview of CCEPD and DRC
- Healthcare Industry Statistics and Hiring Trends
- Federal Contractor Statistics within California’s Health Services Industry*
- New Rules: Section 503 of the Rehabilitation Act and Section 402 of the Vietnam Era Veterans Readjustment Assistance Act (VEVRAA)*
- Disability Considerations
- Outreach and Resources*

Learning Objectives

- Learn top high growth occupations within healthcare industry;
- Increase awareness of federal requirements to hire people with disabilities and veterans;
- Understand definitions of disability, program eligibility, and rights & responsibilities of pipeline programs; and
- Acquire outreach list, including employers who are federal contractors and service providers preparing people with disabilities for employment.
Overview of CCEPD

- CCEPD is a statutorily-established committee charged with consulting and advising the Secretaries of the California Labor and Workforce Development Agency and the California Health and Human Services Agency on all issues related to full inclusion in the workforce of persons with disabilities.
  - Four full-time professional staff: Executive Officer, Staff Manager, 2 Program Analysts
  - Staffing provided by Department of Rehabilitation (DOR); Funding provided by Employment Development Department (EDD)
CCEPD Membership 1 of 2

- **State Department Directors** (or designees):
  - Employment Development Department
  - Department of Rehabilitation
  - Department of Health Care Services
  - Department of Developmental Services
  - Department of Social Services
CCEPD Membership 2 of 2

- California Workforce Investment Board (CWIB) representative
- Local Workforce Investment Board representative
- 4 Individuals with Disabilities
- 3 Business representatives
- Provider representatives
- State Independent Living Council representative
- California Health Incentives Improvement Project (CHIIP) representative
- 2 Higher Education representatives:
  - Western University on Health Sciences
  - California Community Colleges Chancellor’s Office
Why do we exist?

Mission: To achieve an employment rate for people with disabilities that is in parity with that of the general population.

32.1% vs. 77.7%

- As of June, 2012, the national labor force participation rate (LFPR) for working age adults with disabilities was 32.1% (compared to 77.7% for adults without disabilities);

1988- Today = no change

- This rate has not changed at all since 1988, despite the passage of the Americans with Disabilities Act.
In 2005, the labor force participation rate of working age adults with disabilities in California was 37.4%, but as of 2012 it was 20.8%.

California currently ranks last in the nation in the LFPR of people with disabilities.
What is Disability Rights California?

- Disability Rights California is a statewide private, nonprofit agency that advocates for the rights of persons with disabilities.
- We work through advocacy, training, litigation, legislation and investigations to advance and protect the rights of Californians with disabilities.
DRC Advocacy Services

We provide advocacy in the areas of:

- Community Integration
- Access & Discrimination
- Employment
- Special Education
- Mental Health
- Rights in Facilities
- Regional Center Services
CCEPD Healthcare Industry Focus for FY 2013-2014

- High growth industry: Between 2010 and 2020 the health care sector is projected to add over 4.2 million jobs
- Jobs slated to grow 27% by 2020 in California
- Low employment of people with disabilities in the health services industry (3.7%)
  - Impacts perceptions of health professionals and patients:
- Successful models for employing people with disabilities (i.e. “Project Search”, Walgreens)
- Match customer base: “Nothing about us without us”
Health Professionals with Disabilities: Culturally Relevant Care

- Video Clip from: “Open the Door, Get ‘Em a Locker”
- Racial & ethnic diversity linked with quality of care
- Health professionals with disabilities may:
  - Enhance psychosocial skills (e.g., understand multicultural perspectives)
  - Redefine clinical skills (adaptive technology which will become standard practice, such as amplified stethoscopes)
  - Advance cultural competence in the field
  - “If you have a daughter who uses a wheelchair and that child’s doctor wheels into the room, you have just in that one moment completely transformed that child’s life.”
Healthcare Industry Data & Hiring Trends

Most Openings (Top 5)

1. **Office Clerks (General)**: 109,400 job openings statewide
2. **Registered Nurses**: 99,800 job openings statewide
3. **Customer Service Reps**: 92,600 job openings statewide
4. **Home Health Aides**: 39,900 job openings statewide
5. **Nursing Aides and Attendants**: 38,800

Fastest Growing Occupations (Top 5)

1. **Home Health Aides**: 52.4% growth
2. **Emergency Medical Techs & Paramedics**: 42.1% growth
3. **Medical Scientists**: 41.4% growth
4. **Marriage & Family Therapists**: 39.3% growth
5. **Diagnostic Medical Sonographers**: 37.7% growth
National Federal Contractor Employment Opportunities

- Of the 155,486,000 civilians in the U.S. workforce as of August 2013, approximately 22%, or an estimated 34 million workers, are employed by over 200,000 Federal contractors and subcontractor companies.
- Nearly $700 billion in Federal funds (roughly 14% of the Federal budget) was spent on Federal contracts in FY 2012.

Sources:
- U.S. Department of Labor, Office of Federal Contract Compliance Programs (www.dol.gov/ofccp/)
Strengthens the affirmative action provisions to help Federal contractors in their efforts to recruit, employ, train, promote and retain individuals with disabilities

Establishes a nationwide 7 percent utilization goal for employing qualified individuals with disabilities

- Must apply the goal to each of their job groups, or to their entire workforce if the contractor has 100 or fewer employees
- Must conduct an annual utilization analysis and assessment of problem areas, and establish specific action-oriented programs to address any identified problems.

Employers can meet the 7 percent goal by:
- Inviting current employees to self-identify
- Inviting applicants to self-identify
Section 503 New Rule 2 of 2

- Requires that Federal contractors document and update annually, quantitative comparisons for the number of individuals with disabilities who apply for jobs and the number hired.

- Final rules published on September 24, 2013, and changes become effective on March 24, 2014, 180 days from publication.
Definition of Federal Contractor and Exemptions

- Any contract in excess of $10,000 entered into by any Federal department or agency for the procurement of personal property and nonpersonal services (including construction) for the United States.

- Exempt:
  - Those not exceeding $10,000
  - Those for work that is performed outside the U.S.
  - Those with state or local governments, except for the specific government entity that participates in work on or under the contract
Section 503: Who’s Covered?

Federal contractor 503 obligations based on the size of the contract and number of employees

- Affirmative Action requirements apply to all Federal contractors and subcontractors with $10,000 or more in awards
- Federal contractors/subcontractors must prepare and maintain an Affirmative Action Program (AAP) if they have $50,000 or more in awards and 50 or more employees
- Federal contractors with $100,000 or more in awards secured after 2003 are required to post job openings with an employment service delivery system such as:
  - American Job Centers
  - State Vocational Rehabilitation (VR) agencies
  - Employment Networks
Definition of Disability

Same as ADAAA:

(A) a physical or mental impairment that substantially limits one or more of the major life activities of such individual (includes episodic impairments);

(B) a record of such an impairment; or

(C) being regarded as having such impairment.

Also covered are people who have an association with someone with a disability.
Disclosure of Disability

- Voluntary disclosure can now be solicited at the pre-offer stage
- Employers can also invite current employees to voluntarily disclose disability
- Disclosure is voluntary (employers may not compel or coerce individuals to self-identify)
- Self-identified information must be kept confidential by employer
Employers with 15 or more employees are required to provide reasonable accommodations to qualified individuals with disabilities.

A reasonable accommodation is any change in procedures, policies, or environment that allows a person to:
- Participate in the application process.
- Be qualified to perform “essential functions” of the job.
- Enjoy benefits and privileges of employment.
Some examples of reasonable accommodations are:

- Modified work schedules
- Acquiring or modifying equipment or devices
- Making the workplace accessible
- The provision of qualified readers or interpreters
Vietnam Era Veterans’ Readjustment Assistance Act (VEVRAA): Section 402 New Rule 1 of 2

- **Hiring benchmarks**: Provides contractors with a quantifiable means to measure their success in recruiting and employing veterans by requiring that contractors annually adopt a benchmark based on the national percentage of veterans in the workforce (currently 8%), or their own benchmark based on the best available data.

- **Data collection**: Contractors must document and update annually several quantitative comparisons for the number of veterans who apply for jobs and the number of veterans they hire.

- **Invitation to self-identify**: Contractors must invite applicants to self-identify as protected veterans at both the pre-offer and post-offer phases of the application process.
Incorporation of the EO clause: Requires that specific language be used when incorporating the equal opportunity clause into a subcontract by reference

Job listings: Contractors must make the job listings available to job seekers through the appropriate State or local job service

Records access: Contractors must allow OFCCP to review documents related to a compliance check or focused review, either on-site or off-site, at OFCCP’s option
600,000 workers with disabilities and 200,000 veterans added to the workforce in just the first year

“These new rules are a win-win. They will benefit veterans and people with disabilities, who belong in the economic mainstream of the nation but have faced unfair barriers in the job market. They will benefit employers who do business with the federal government, increasing their access to a large, diverse pool of qualified workers. And they will benefit the entire nation, as these rules help us fulfill the American promise of equal opportunity for all.”

Tom Perez, Secretary
U.S. Department of Labor
Official Blog of U.S. Department of Labor
August 27, 2013
Federal Contractor Data within California’s Health Services Industry

- Overall: 11,784 federal contractors in California; $34 billion in federal contracts
- Total dollars: $2,752,918,222
- Total number of contractors: 411
- Top 5 Products or Services:
  - General Health Care Services
  - Evaluation and Screening
  - Other Medical Services
  - Laboratory Testing Services
  - Medical/Psychiatric Consultation Services
Top 5 Health Contractors in California by Amount

1. Health Net, Inc, $2,503,136,721
2. Lockheed Martin Corporation, $162,233,774 (partner to Department of Veterans Affairs)
3. State of California, $6,396,871
   - Department of Veterans Affairs and Agriculture (medical services)
4. Lompoc Valley Community Health Care Org Inc, $5,020,678
5. Loma Linda University Health Care, $4,308,048
Start Planning Now

- Begin developing expertise and becoming familiar with Federal contractor opportunities and Section 503 requirements
- Research Federal contractors in your area now
- Reach out to Federal contractors, America’s Job Centers, and your local Department of Rehabilitation office to establish relationships prior to March 2014. Tell them about your services. Offer assistance in identifying resources. Discuss establishing a partnership and a system for referring qualified job applicants.
- Consider developing marketing materials targeted specifically to Federal contractor employers
- Start creating internal screening and training components that can be used to identify qualified individuals and prepare them to apply for positions with Federal contractors
Outreach List

- Department of Rehabilitation: www.dor.ca.gov
- America’s Job Centers: http://americasjobcenter.ca.gov/
- Local Independent Living Center: www.cfilc.org/find-ilc/
- Local Chambers of Commerce: http://www.calchamber.com/chambers/Pages/default.aspx
Resource List

- For more information on the Section 503 final rule, visit: http://www.dol.gov/ofccp/regs/compliance/section503.htm
- For more information on the VEVRAA final rule, visit: http://www.dol.gov/ofccp/regs/compliance/vevraa.htm
Using Federal Data Banks and Resources

The Federal Procurement Data System – Next Generation (FPDS-NG): Use the FPDS-NG website to access data that provides details on the procurement activities of more than 60 Federal departments. Review the Successful Search Techniques section prior to using the system. Visit: https://www.fpds.gov/fpdsng_cms/

General Services Administration (GSA): Use the GSA Subcontracting Directory to locate large prime contractors who have received Federal contracts, other than construction, valued at over $650,000; and large prime contractors who have received Federal contracts for construction valued at over $1.5 million. Visit: http://www.gsa.gov/portal/content/101195

Register Your program with OFCCP: Programs can register on the DOL OFCCP Employment Resource Referral Directory (ERRD) as references to assist hiring of qualified applicants by contractors. Visit: http://www.dol.gov/ofccp/ERRD/errsrvs.htm
Federal Contractor Organizations

Some of the regional/national organizations representing the interests of Federal contractors:

- The National Industry Liaison Group (http://www.nationalilg.org)

- Regional Industry Liaison Groups (access links on the national website listed above)

- The Professional Services Council (http://www.pscouncil.org)
Questions and Answers
Contact Us

California Committee on Employment of People with Disabilities
Email: CCEPD@dor.ca.gov
Phone: (855) 894-3436
Website: www.dor.ca.gov/ccepd
Facebook: www.facebook.com/CCEPD

Disability Rights California
Email: Services@disabilityrightsca.org
Phone: (800) 776-5746
Website: www.disabilityrightsca.org