

**PURCHASING FROM PEOPLE WITH DISABILITIES
ADVISORY COMMITTEE MEETING MINUTES
August 3, 2016**

MINUTES NO. 4

PENDING SEPTEMBER 21, 2016 APPROVAL

A duly posted open meeting of the Purchasing from People with Disabilities Advisory Committee was held on Wednesday, August 3, 2016, at 11:00 a.m. at the San Antonio Lighthouse for the Blind 110 Eads Ave., San Antonio, Texas. A quorum was present.

MEMBERS PRESENT

Jean Langendorf
Larry Johnson
Linda Logan
Nicky Ooi
Michelle Wilkinson
Brandye Lacy
Sean Quigley
Kevin Jackson
Judy Zavalla
Brooke Hohfeld
Dave Wells
Lee Tillson

MEMBERS NOT PRESENT

Ron Pigott

I. INTRODUCTIONS OF ADVISORY COMMITTEE MEMBERS AND STAFF

Chairperson Jean Langendorf called the meeting to order. Each Advisory Committee member introduced themselves and gave a brief background.

Ed Serna, Deputy Executive Director, Texas Workforce Commission
Kelvin Moore, Program Manager, Texas Workforce Commission
Howard Joseph, Program Manager, Texas Workforce Commission

II. APPROVAL OF THE MINUTES FROM THE MAY 13, 2016 ADVISORY COMMITTEE MEETING

Committee member Sean Quigley moved to approve the May 13, 2016 Advisory Committee's meeting minutes. Committee member Kevin Jackson seconded the motion. The motion passed.

III. PUBLIC COMMENT

Sara Du Terroil advocated on behalf of her son Alexander Du Terroil. Mrs. Du Terroil handed out written copies of her public comment. (See attachment A)

James Meadours, gave public comment regarding subminimum wages. Mr. Meadours handed out written copies of his public comment. (See attachment B). Mr. Meadours thanked the Advisory Committee for allowing him to speak today.

Committee member Linda Logan asked if he was happy while working at a Sheltered Workshop. Mr. Meadours said no, because no one gave him choices or other options.

Kyle Piccola, gave public comment on behalf of the ARC of Texas, Mr. Piccola said that the ARC is a statewide organization that advocates alongside and on behalf of individuals with intellectual and developmental disabilities and that there are 32 local chapters. He also pointed out that there's a large local chapter in the San Antonio area. Mr. Piccola also wanted to comment on the practice of allowing people to be paid subminimum wages on state contracts. Mr. Piccola stated that one of the ARC of Texas 2016 Public Policy Priorities, which their Government Affairs/Board of Directors would like to accomplish, would like to phase out the practice of subminimum wages on state contracts. Mr. Piccola stated that they feel there is an idea that individuals with disabilities do not have the same skills as the nondisabled and cannot be paid a fair wage for their work. Mr. Piccola feels that minimum wage is set for a reason; regardless of your experience and that most of us wake up every day and expect to be paid at least minimum wage regardless of your experience. Mr. Piccola stated that we should expand our thinking that individuals with disabilities could only be on the couch or in a workshop. We should talk about solutions to phase out minimum wage. Mr. Piccola stated that we should expand more opportunities for individuals with disabilities. Mr. Piccola discussed two items from the Department of Labor WIOA rules that were recently adopted. (1) Organizations holding 14(c) waivers must obtain multiple documentations and keep records in order to pay below minimum wage to anyone under the age of twenty-four. (2) Anyone employed and receiving subminimum wage must receive workforce training, workforce options, education and access to self-advocacy during their first year. Mr. Piccola told the Advisory Committee that this would be good to consider when developing performance measures.

Mike Gilliam, CEO San Antonio Lighthouse for the Blind gave public comment. Mr. Gilliam discussed the programs the Lighthouse for the Blind provides for visually impaired individuals. Mr. Gilliam talked about integrated vs segregated employment. Mr. Gilliam thought that when integrated and segregated employment is compared many times we only look at the work environment and they're placed in an environment where there are 1 or 2 out of 300 employees. Mr. Gilliam said that at the Lighthouse it's about 50% blind and 50% sighted, and that their production floor is about 60% blind and 40% sighted. Mr. Gilliam feels that the work environment should include good benefits like those provided at the Lighthouse for the Blind. Mr. Gilliam said that the benefits at the Lighthouse for the Blind are better than when he worked at AT&T. Mr. Gilliam commented that we should talk about and consider the social environment. He said that individuals have met and was married here at work. Blind individuals push other blind individuals to maximize their potential and to be productive. Mr. Gilliam asked where would you find legislation that would invest millions of dollars to help blind individuals become productive or an organization that would design a facility by people who are blind for people who are blind like you would at the Lighthouse

and who would provide services for about 4000 visually impaired individuals in San Antonio free of charge. Mr. Gilliam stated that everyone should look at this holistically, this is a social environment. The Lighthouse has a sports team, a blind choir, Lighthouse Lions Club and many more. Mr. Gilliam thinks that the Committee shouldn't force someone in an environment they do not want to be in. Mr. Gilliam believes that no one wants to be a token. The Lighthouse placed blind individuals in competitive employment and many come back wanting to feel normal.

Committee member Larry Johnson told Mr. Gilliam that the PPD Advisory Committee is considering performance measures for CRPs such as; a minimum of 2 hours per month of employment placement or counseling services per employee and there should be at least one employee placed in a competitive position outside the program. Mr. Johnson asked Mr. Gilliam would these measures impact you as a CRP. Are they realistic for your organization?

Mr. Gilliam said that those measures would be difficult and challenging. The Lighthouse can offer that type of counseling and training which is not difficult, but how do you accommodate someone that doesn't want integrated employment. How many years would you keep offering after an individual keeps telling you they don't want to?

Chairperson Jean Langendorf asked Mr. Gilliam what types of training the Lighthouse provides.

Mr. Gilliam said that the Lighthouse brings speakers for Social Security, mobility, diabetes training, and sports for the visually impaired. The Lighthouse also pays for GED and has a scholarship program which gives away \$25,000 to \$30,000 in scholarships every year. They encourage English as the Second Language training for individuals that do not speak English.

Committee member Larry Johnson said that's a little different area than what the Advisory Committee is looking at. He asked if the Lighthouse provides professional development training or employment placement training that would afford individuals the opportunity and skills to move up in the organization or outside of the organization? He asked if Mr. Gilliam knew how many employees transition to outside competitive employment.

Mr. Gilliam said that the Lighthouse has several training programs such as computer skills, English as the Second Language to help employees advance, Advocacy training, and upward mobility training from doing simple assembly to management and leadership training. Less than 10 individuals transitioned into competitive employment. The Lighthouse does not force individuals to work there. They have two full time placement specialists. Lighthouse for the Blind also has about 30 partners in the community and individuals said they would rather work at the Lighthouse because the Lighthouse can accommodate their needs.

Chairperson Jean Langendorf asked Mr. Gilliam if the Lighthouse tracks individual's upward mobility.

Mr. Gilliam said yes, every quarter the Lighthouse reports upward mobility to the national industries for the blind.

Committee member Brooke Hohfeld asked Mr. Gilliam about day care.

Mr. Gilliam said that the children's program is about independence. Our daycare is to help kids mainstream into schools with technology training, activities, and developing their other senses. For example: helping a young girl see her mom's face for the first time. Also we will be donating 30 flat screen computers with zoom lenses to children between the ages of 4 and 14. We also train juniors and seniors in high school on how to find jobs.

Committee member Michelle Wilkinson asked Mr. Gilliam how the Lighthouse recruits partners for outside job placement and what are the challenges. She also asked what would be incentives for employers to hire these individuals.

Mr. Gilliam said you would have to cultivate the relationship over a long period of time. The first step is to let them see visually impaired individuals in a working environment, because they're not convinced a blind individual can do much of anything. They need to see them making uniforms, aerospace quality. It changes their perspective when they see work done right. He said that it's a challenge for employees to work with our individuals, but we work with them for at least 90 days.

Committee member Kevin Jackson advised that employers get tax breaks for hiring individuals with disabilities. Most employers do not want to employ individuals with disabilities from the beginning.

Committee member Larry Johnson asked Mike Gilliam to talk about the Lighthouse's initiative with DARS to hire 25 people in 25 days, because of the 25th anniversary of the ADA.

Mr. Gilliam talked about how the Lighthouse worked with local employers to hire 25 individuals with disabilities in 25 days. They were successful.

Chairperson Jean Langendorf thanked Mr. Gilliam for his hospitality and providing members with a tour of his facility.

Chairperson Jean Langendorf called a brief recess for committee members to eat lunch.

IV. DISCUSSION AND POSSIBLE ACTION REGARDING STATE USE PERFORMANCE MEASURES

Chairperson Jean Langendorf called the meeting back to order.

Ed Serna, Deputy Executive Director, Texas Workforce Commission presented a draft copy of performance measures to the Purchasing from People with Disabilities Advisory Committee. (See Attachment C)

Mr. Serna stated that he, Kelvin Moore, and Howard Joseph put together draft measures for the committee's consideration. Mr. Serna also said that since they are not on the committee, these

measures are not final; but are intended to spur conversation. He advised the Advisory Committee to keep what they do like and change what they don't like.

Mr. Serna stated that the proposed performance measures are focused on the Community Rehabilitation Programs (CRPs), Central Nonprofit Agency (CNA), and the Texas Workforce Commission, which is not listed but it's internal. He also mentioned that the Comptroller's office is part of this equation but they cannot be measured.

Mr. Serna commented that the Texas Workforce Commission is placing more focus on measures that assist individuals with disabilities rather than how much the program is selling products or services.

Mr. Serna stated that CRPs are providing services to two types of individuals; those individuals who are employees of the CRPs and those individuals who are not employees but receive services from the CRP. The CRPs are doing a lot of good things but they're not being reflected.

Mr. Serna stated that he would like to get these measures approved early this Fiscal Year 2017, then we can measure the program's success.

Chairperson Jean Langendorf suggested that the Advisory Committee discuss the CRP section of the performance measures. Everyone is welcome to give their input. Ms. Langendorf reminded everyone that the Advisory Committee is charged with providing input on performance measures and the Certification process. Ms. Langendorf stated that the committee decided to postpone their input for the Certification process until later. Dave Wells reminded that it was not postponed. The Committee voted to make no changes at that time.

Committee member Larry Johnson stated that he liked the draft performance measures for the Community Rehabilitation Programs, but he questioned the targets for the measures. He thinks that targets turn into demands or requirements and some of the CRPs are not equipped to meet their targets. Mr. Johnson would rather see annual reports than targets.

Chairperson Jean Langendorf responded by saying if you have performance measures generally you should have targets.

Mr. Ed Serna commented that we need goals or targets in order to gauge success. Mr. Serna suggested that we add a variance to the performance measures. The measures are not intended to be penalties.

Committee member Sean Quigley was concerned that the measures would be detrimental to the CRPs if they didn't meet their goals by not being recertified.

Mr. Ed Serna stated that the recertification process for CRPs will examine their performances over the past three years, not just sales performance.

Chairperson Jean Langendorf commented that the state legislation says that the Advisory Committee should look at the percentage of persons with disabilities who participate in the program who are placed in competitive positions including competitive management or administrative positions within the CRP.

Mr. Ed Serna stated that Texas Workforce Commission refers to staff, especially the input of the Advisory Committee. Mr. Serna said he did not get indications from any of the three Commissioners that they wanted to measure anything. Otherwise he would have reflected their wishes.

We are open to any suggestions from the Advisory Committee.

Committee member Dave Wells commented that the West Texas Lighthouse for the Blind depends on the Workforce Commission for outplacements. They do not have Counselors. They are a manufacturing facility and have upward mobility and training, but they look to TWC for outplacement.

Mr. Ed Serna said that measurement can be reflected in how many opportunities West Texas Lighthouse for the Blind gives individuals with disabilities to interact with the Workforce Commission.

Committee member Dave Wells suggested that the Advisory Committee measure wages paid to individuals with disabilities.

Chairperson Jean Langendorf stated that we should not have measurements everyone can meet immediately.

Committee member Dave Wells stated that we have measure so we paint a successful picture of the program. Mr. Wells commented that if the CRPs are successful with their measures, would that be a bad thing.

Chairperson Jean Langendorf asked if they are measuring employees working in the Texas State Use Program.

Mr. Ed Serna said that the intent is the State Use Program, because we have no purview over other programs.

Mr. Serna proposed a revised number one performance measurement for CRPs: ***The percentage of individuals with disabilities participating in the program who are placed in competitive positions outside the program or received increased wages, responsibilities, or supervisory duties within the program.***

Fred Weber, TIBH Industries suggested that the CRPs should report this measure quarterly. The smaller CRPs may have a tendency not to keep track of reporting for a year and they're already reporting to TIBH each quarter.

Committee member Michelle Wilkinson asked how CRPs would know and track if employees received jobs outside the program. Some employees leave without notifying the CRP.

Committee member Linda Logan asked if we were going to track the number of individuals with disabilities who are paid minimum wage.

Mr. Serna stated that tracking the number of individuals with disabilities making under minimum wage can be a separate measure.

Committee member Sean Quigley commented that his CRP (On Our Own Services) can segregate out non State Use hours because they only perform services.

Chairperson Jean Langendorf asked about temporary employment services. Mr. Serna said that our intent was not to include temporary employment services, they are employed by the CRP but they aren't doing anything inside the CRP job or while they are placed on a temporary basis and are never employed inside the CRP. They are employees of the CRP with full benefits.

Committee member Sean Quigley suggested that CRPs ***report quarterly and the target is 1% a quarter or 4% a year.***

Chairperson Jean Langendorf asked if everyone felt comfortable with number 1. We can begin with performance measure number 2.

Committee member Linda Logan suggested that we define some of these terms.

Committee member Larry Johnson also suggested two changes 1) the committee change "Employment Placement and Counseling Service" to "Career Counseling Service".

2nd We should have a target of one day a year; CRPs get a group of individual training once out the year.

Committee member Sean Quigley liked that suggestion.

Committee member Linda Logan disagreed with that suggestion, she stated that the intent of the State Use Program was to augment and support individuals with disabilities to move to meaningful employment. Ms. Logan said that three days a year did not seem excessive and we should check what's industry standard for staff development and workforce enrichment activities.

Committee member Dave Wells asked Ms. Logan, if she was suggesting that employment with the State Use Program is not meaningful.

Committee member Linda Logan said that she's not suggesting that individuals with disabilities employed in the program do not have meaningful work. She said, if we assume that the point of the state use program is to support people with disabilities finding meaningful employment.

Mr. Wells asked Ms Logan, so people in the State Use Program don't have meaningful employment.

Committee member Lee Tillson said that's what it sounded like to him and if you asked every one of our (East Texas Lighthouse for the Blind) employees they would tell you their job was very meaningful.

Ms. Logan said if that's what it sounded like that's not what she meant. She meant more meaningful employment.

Chairperson Jean Langendorf asked if there are best practices for supporting employees.

Committee member Lee Tillson said that there are about 120 CRPs and everyone is different in some form or fashion. The East Texas Lighthouse's minimum wage is \$10.10 an hour and some of their employees pay is maxed out because of social security disability benefits. Their jobs are very meaningful to them and they wouldn't leave their jobs to go anywhere else. DARS considers East Texas Lighthouse for the Blind competitive employment.

Ms. Logan said that Mr. Tillson makes a good point. There are an array of differences between CRPs we're talking about and they come to the table with different capacity to support three days of training a year.

Committee member Lee Tillson suggested that the Advisory Committee measure the number of hours offered to anyone whether the individual works for the CRP or not.

Mr. Ed Serna asked Committee Member Larry Johnson what Career Counseling Service entails.

Committee member Mr. Johnson said that his view of Career Counseling Services entails sharing with employees their opportunities and strategies for placement outside the organization or advancement within the organization.

Committee member Larry Johnson suggested that the Advisory Committee combine number 2 and 3 from the proposed measures for Community Rehabilitation Programs. (See Attachment C)

Chairperson Jean Langendorf suggested the following measure after combing number 2 and 3:
Number of hours offered of career Counseling services or training or professional development or education opportunities that would assist employees with disabilities advancing within the organization or accepting competitive employment outside the CRP.

Report: Quarterly
Target: 2 hours per month
3 days a year

Chairperson Jean Langendorf asked if everyone can support this measure. This will eliminate number 2.

Committee member Linda Logan suggested we include the number of disabilities in the program paid below minimum wage.

Mr. Serna stated that since that's a total number it should be a Central Nonprofit Agency measure and not a Community Rehabilitation Program measure.

Committee member Larry Johnson suggested that staff prepare a measurement that would address the minimum wage issue.

Committee member Larry Johnson also wanted to see more individuals with disabilities benefit from the State Use Program through recruiting and geographic distribution location of more CRPs. There are individuals with disabilities in rural communities not finding employment.

Chairperson Jean Langendorf said that the Central Nonprofit Agency will be the Advisory Committee's focus for the next meeting.

Committee member Larry Johnson requested a distribution location of the CRPs.

Fred Weber, TIBH Industries, state TIBH would provide that a distribution location list of all the CRPs in the program.

V. ESTABLISH NEXT MEETING DATE

Next meeting date will be at 11:00 a.m. on Wednesday, September 21, 2016 at the Double Tree Hotel, Austin, Texas.

Chairperson Jean Langendorf motioned to adjourn.