

Competitive Integrated Employment

- I. Competitive integrated employment in the general workforce is the only outcome in the provision of DVR services that meets the criteria for a successful closure. When there is question if the work environment meets the definition of competitive integrated employment, it is the VR counselor's responsibility to evaluate the setting.
 - Federal hiring of individuals with disabilities through Schedule A is considered competitive integrated employment as the positions are 'typically found in the community.'
 - 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 within the definition of 'typically found in the community.'
 - Each AbilityOne contract work setting must be evaluated on a case-by-case basis to determine if it qualifies as competitive integrated employment. Just because a work setting is operated under an AbilityOne contract, does not automatically disqualify it as competitive integrated employment. Each case must be evaluated individually.

II. Definitions

- Competitive integrated employment:
 - Competitive earnings that are equal to or greater than the federal, state or local minimum wage rates, whichever is highest. Wages must be comparable to the customary rate paid by the employer to employees without disabilities in similar positions with comparable skills, experience and training. Finally, the employee with the disability must also receive benefits comparable to those of employees without disabilities in similar positions.
 - Integrated location is in a setting typically found in the community. It is in a setting in which the individual with the disability interacts while performing his or her job duties with employees without disabilities. The primary consideration is the interaction among employees with disabilities and their coworkers without disabilities in the work unit and across the employment site. DVR should not make a determination of integrated location on the basis of an individual's interaction with customers and vendors alone.
 - Employment settings that are "typically found in the community" are those in the competitive labor market. Settings established by community rehabilitation programs specifically for the purpose of employing individuals with disabilities do not constitute integrated settings.

- Funding, such as a placement fee, is not paid to the employer by a state agency.
- Job coaches are not provided by the individual's employer. Should the individual require a job coach, job coaching is contracted through an entity other than the employer.
- Employment settings established by a CRP, specifically for the purpose of employing individuals with disabilities, are not integrated settings.
- Community Rehabilitation Provider
 - An agency or organization that provides specific employment for individuals with disabilities as one of its major functions.
- Schedule A is a non-competitive hiring process Federal agencies use to hire persons with disabilities without requiring them to compete for the job.

III. Indicators of when a setting is or is not considered Competitive Integrated Employment.

It is the VR counselor's role to evaluate the work environment to determine if it meets these requirements. The evaluation needs to be conducted on a case-by-case basis of the work setting when the settings are operated by a Community Rehabilitation Provider or other service providers. The integration of the job site should not be determined on the basis of an individual's interaction with customers and vendors alone.

Prior to initiating the evaluation of the worksite, consult with the state office.

The *Competitive Integrated Employment Evaluation* form must be used by the VR counselor in making the determination of whether the employment meets the requirement of Competitive Integrated Employment prior to the individual beginning their employment.

- **DVR will not support the following:**
 - Javits-Wagner-O'Day Act (JWOD)/AbilityOne Programs if they don't meet the definition of competitive integrated employment
 - Group employment settings such as enclaves or mobile work crews for the purpose of employing individuals with disabilities
 - Business established by Community Rehab Providers or any other entity for the primary purpose of providing employment to People with Disabilities (PWD)
 - Employment as unpaid family member, homemaker or sheltered workshop

The competitive integrated employment policy is based on CFR §361.5(9).