**DRAFT Policy 51.405**

**Effective Date: xx/xx/xx**

**TITLE: JOB CUSTOMIZATIONS, PERSON-CENTERED EMPLOYMENT PLANS, AND CAREER ADVANCEMENT PROGRAMS**

1. **PURPOSE.**

This policy sets forth the U.S. AbilityOne Commission’s (“Commission”) expectations on job customizations, person-centered employment plans and career advancement programs in the AbilityOne Program (“Program”).

# APPLICABILITY.

This policy applies to the Commission, its designated Central Nonprofit Agencies (“CNAs”), and the Nonprofit Agencies (“NPAs”) in the Program.

# AUTHORITY.

1. 41 U.S.C. §§ 8501-8506, Javits-Wagner-O’Day (JWOD) Act
2. 41 C.F.R. Chapter 51, Committee for Purchase From People Who Are Blind or Severely Disabled

**SELECTED RESOURCES:**

The [Office of Disability Employment Policy](https://www.dol.gov/agencies/odep) (ODEP) promotes policies and coordinates with employers and all levels of government to increase workplace success for people with disabilities. To support this mission, ODEP sponsors the following policy development and technical assistance resources:

1. [Employers Assistance and Resource Network on Disability Inclusion (EARN)](https://www.askearn.org/)

### [National Center on Leadership for the Employment and Economic Advancement of People with Disabilities (LEAD Center)](https://leadcenter.org/)

### [The Center for Advancing Policy on Employment for Youth](https://capeyouth.org/)

### [Partnership on Employment & Accessible Technology (PEAT)](https://www.peatworks.org/)

1. [Job Accommodation Network (JAN)](https://www.askjan.org/)

Various government agencies also provide tangible support for people with significant disabilities who seek to enter or reenter the workforce:

1. [Social Security Administration’s Employment Networks](https://yourtickettowork.ssa.gov/employment-networks/individual-work-plan.html) offer employment services for a limited period of time that a participating employee may access upon entering employment in an AbilityOne contract.
2. [Home and Community Based Services under Medicaid](https://www.medicaid.gov/medicaid/home-community-based-services/index.html) offer a host of services in [different states](https://www.medicaid.gov/medicaid/home-community-based-services/statewide-transition-plans/index.html).
3. [State vocational rehabilitation agencies](https://rsa.ed.gov/about/programs/vocational-rehabilitation-state-grants) may provide support if consistent with the policies of the Rehabilitation Services Administration.
4. The [Veterans Readiness and Employment Program](https://www.benefits.va.gov/vocrehab/) provides various forms of employment support to veterans with disabilities.

**4. DEFINITIONS.**

Definitions, abbreviations and acronyms frequently used throughout this policy system are provided in Commission Policy 51.102. Definitions specific to this policy are noted below.

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| Term | Definition |
| Career Advancement Program | A program that is consistent with employees’ Person Centered Employment Plans (PCEPs) and supports the upward employment and/or outward employment of participating employees. |
| Job Customization | A flexible process designed to personalize the employment relationship between a participating employee and the NPA in a way that meets the needs of both. This involves an interactive process that identifies the individual’s capacities, interests and goals, as well as job supports that may be necessary for the individual to be successful on the job. |
| Outward employment | A position that is outside the NPA (e.g., a position in a for-profit company, a non-profit organization that is not an Ability-One contract holder, or a government agency) that is in alignment with the employee’s PCEP goals. |
| Participating Employee | An employee who is blind and/or has a significant disability, and can be counted towards the Direct Labor Hours (“DLH”) ratio. |
| Person-Centered Employment Plan (PCEP) | A written vocational plan that identifies the person’s strengths, goals, needs for services, desired outcomes with respect to employment, and includes benefits counseling. |
| Upward employment | Employment progression within an NPA (e.g., a more advanced position within an AbilityOne contract that counts toward the DLH ratio, a supervisory or other position in the contract that is considered indirect labor hours, or a position in an NPA) that is in alignment with the employee’s PCEP goals. |

**5. RESPONSIBILITIES.**

1. The Commission:
2. Sets forth expectations for job customizations, PCEPs, and career advancement programs in the Program in accordance with applicable statutes and regulations.
3. Establishes standards for job customizations, PCEPs, and career advancement programs in the Program, determined in consultation with the CNAs and subject matter experts.
4. Ensures that the CNAs effectively implement the Commission’s standards regarding job customizations, PCEPs, and career advancement programs, including through use of appropriate phase-in timelines.
5. Conducts inspections as determined necessary.
6. The CNA:
7. Consults with the Commission in developing standards for job customizations, PCEPs and career advancement programs.
8. Effectively implements the Commission’s standards regarding job customizations, PCEPs and career advancement programs, including through a recommended phase-in schedule for the NPAs and the provision of technical assistance.
9. The NPAs:
   1. Comply with the Commission’s standards on job customizations, PCEPs, and career advancement programs.

**6. POLICY**

1. AbilityOne jobs should provide quality employment opportunities and, where desired by participating employees, should serve as a springboard to additional employment opportunities.
2. A participating employee should receive a job customization to ensure that the job meets the skills and interests of the employee and to ensure that the accommodations and/or job supports employee needs are clearly identified.
3. Participating employees should receive the benefit of a PCEP. The Commission recognizes that participating employees will have different desires with regard to job advancement and the PCEP should reflect those individual choices.
4. An NPA should provide PCEPs through its own resources (if available), through assistance provided by the CNA ((if available) or through use of federal, state or local government resources, including the Social Security Administration, Medicaid Home and Community Based Services, state vocational rehabilitation agencies, and the Veterans Administration.
5. If an NPA is unable to provide PCEPs due to a lack of resources, the NPA should follow the procedures established pursuant to Section 7.
6. An NPA shall make available to participating employees a career advancement program. The NPA shall establish this program with its own resources (if available), with assistance provided by the CNA ((if available) or through use of federal, state, or local government resources, including the Social Security Administration, Medicaid Home and Community Based Services, state vocational rehabilitation agencies, and the Veterans Administration.
7. If an NPA is unable to provide a career advancement program because of a lack of resources, the NPA should follow the procedures established pursuant to Section 7.
8. The CNAs are essential partners in effectuating this policy. Towards that end, the CNAs shall:
   1. Consult with the Commission in developing standards for job customizations, PCEPs, and career advancement programs;
   2. Educate NPAs regarding the standards of job customizations, PCEPs, and career advancement programs;
   3. Educate NPAs on available resources to carry out job customizations, PCEPs, and career advancement programs;
   4. Partner with NPAs in developing implementation plans and timelines for providing job customizations, PCEPs, and career advancement programs;
   5. collect and evaluate data on an NPA’s progress in providing job customizations, PCEPs, and career advancement programs and on the resources that have been used to provide those programs; and
   6. Share the data and evaluations described in subsection (v) with the Commission in a mutually agreeable electronic format.

(i) Participating NPAs shall:

* 1. Comply with the Commission’s standards on job customizations, PCEPs, and career advancement programs.
  2. Be well versed in the standards of job customizations, PCEPs, and career advancement programs.
  3. Comply with inspections, requests for data, and other requests of the CNA and the Commission.
  4. Partner with the CNAs in developing implementation plans and timelines for providing job customizations, PCEPs, and career advancement programs.

**7. PROCEDURES**

1. The Commission, in consultation with the CNAs and subject matter experts, will develop standards for job customizations, PCEPs, and career advancement programs.
2. The standards will include details on the professionals qualified to engage in such activities, the necessary components of each activity to be effective, the timing at which each activity shall take place and how often the activities shall take place, and any other items that the Commission deems appropriate.
3. If an NPA is unable to provide PCEPs or a career advancement program due to a lack of resources, the NPA shall request an exemption. The request shall be sent first to its designated CNA. The CNA shall review and evaluate the facts proffered to justify the exemption and shall recommend to the Commission whether an exemption should be granted, either in full or with conditions. The Commission will determine whether an exemption will be granted, either in full or with conditions.

**8. EXCEPTION TO POLICY.**

Any exceptions to the requirements require the approval of the Commission.

**9. SUPERSESSION.**

None.

**10. EFFECTIVE DATE.**

This policy is effective on DATE.

This policy will be implemented over the course of FY2023.

**APPROVED: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Date: \_\_\_\_\_\_\_\_\_\_\_\_**