

## **Customized Employment (CE)**

### **I. Policy Summary**

North Dakota Vocational Rehabilitation (NDVR) provides customized employment (CE) utilizing supported employment (SE) funds as authorized under Title VI of the Rehabilitation Act to those eligible individuals who, because of the significance of their disability, require a customized job description to gain competitive integrated employment and extended services to maintain employment.

Customized employment is distinguished from traditional supported employment by the use of flexible strategies, services and supports for individuals with the most significant disabilities, beginning with a person-centered determination of the individual's strengths, needs and interests. The goal of CE is a placement which meets the specific abilities of the individual and the employment needs of the business.

A VR counselor must document a reasonable expectation that extended services are, or will become, available to the individual prior to initiating planned services.

Only Community Rehabilitation Providers (CRPs) who have participated in VR's Customized Employment Training Initiative, coordinated through Minot State University, will be authorized to provide customized employment.

### **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. NDVR cannot make a determination of integrated location on the basis of an individual's interaction with customers and vendors alone.

Employment settings established by a CRP, specifically for the purpose of employing individuals with disabilities, are not integrated settings.

### **Customized Employment**

- Individualizing the employment relationship between employees and employers in ways that meet the needs of both. It is based on an individualized determination of the strengths, needs, and interests of the person with a disability, and is also designed to meet the specific needs of the employer. It may include employment developed through job carving, self-employment or entrepreneurial initiatives, or other job development or restructuring strategies that result in job responsibilities being customized and individually negotiated to fit the needs of individuals with a disability.

### **Discovery**

- An informal process of learning about the individual through a set of structured activities, observations and interviews with the individual and other people who are important to the job seeker such as teachers, friends, family, community leaders, etc. Discovery involves observing the individual in the community, work or volunteer site, and in the home doing activities the individual finds enjoyable.

### **Extended Services/Individual Employment Supports (IES)**

- Extended services, IES, and other appropriate services that are needed to support an individual with a most significant disability, including a youth with a most significant disability, receiving SE, and will need support once the VR case is closed.

### **Natural Supports**

- Extended services provided by a supervisor or co-workers on the job site or on a limited basis, family members. Natural supports should be used cautiously as they are often difficult to sustain on a long-term basis.

### **Person-Centered Planning (PCP)**

- Person Centered Planning is an approach designed to assist individuals plan their lives and support needs.

### **Supported Employment (SE)**

- Competitive integrated employment, including customized employment, in which an individual with a most significant disability, including a youth with a most significant disability, is working toward employment that is consistent with the unique strengths, abilities, interests and informed choice of the individual with extended services.

### III. Who is Eligible for Customized Employment?

Customized Employment is appropriate for individuals with the most significant disabilities who meet all four criteria:

- Require and meet criteria for supported employment services; and
- Who, because of the nature and severity of their disability, are not likely to meet the competitive demands set by employers in existing job descriptions even with the provision of supports; and
- Due to the nature and severity of their disability, would not likely benefit from traditional supported employment services or have been unsuccessful with traditional supported employment services; and
- Require employment that is individually negotiated to fit the individual's needs as well as employer or labor market needs.

Counselors may identify individuals (meeting the above requirements) as potential referrals for Customized Employment Services (CES) by also considering whether they fit into at least one of the criteria listed below:

- Previously closed unsuccessfully by VR as 'too severe'; or
- Have had two or more supported employment opportunities in the past five years where the individual lost the supported employment position, either before or after successful closure by VR, primarily because the individual was unable to meet the expectations of the employer(s) for the position being filled; or
- Has been in supported employment job development for an extended period of time (ex: 12-24 months) and has not obtained employment and/or made reasonable progress; or
- New applicant to VR and in counselor's judgment, is unlikely to be successful in obtaining competitive integrated employment consistent with their unique strengths, abilities, interests, and informed choice through the use of traditional supported employment practices;
- Any individuals who have been placed, or would traditionally be considered for placement, in small group placement, subminimum wage employment, or a sheltered workshop environment; or
- Any individuals who, due to a disability, require support and alternative means of making decisions and communicating about their vocational interests, skills, abilities, and preferences; or

- Individuals whose skills and abilities are not readily identified through traditional approaches (e.g. self-report, vocational evaluation, assessments, academic testing).

#### **IV. Identify Extended Services**

A VR counselor must document a reasonable expectation that extended services are, or will become, available to the individual prior to initiating planned services.

#### **V. Components of Customized Employment**

Customized Employment Service (CES) is a person-centered and team-oriented placement strategy combined with employment support strategies. It is a process-driven concept with three required components:

- **Discovery:** A person-centered planning process that is used to determine the job seeker's interests, skills, preferences and ideal employment conditions that guide the development of a customized job.
- **Job Development and Negotiation:** Working collaboratively with the job seeker and the employer to negotiate a customized job; the provision of supports, terms of employment, conditions necessary for success and the specific unmet needs of the employer that will be fulfilled by the job-seekers contributions.
- **Job Supports and Retention:** Through the provision of supported employment (training and stabilization) and extended services to ensure satisfaction of both the individual and employer.

#### **VI. Job Loss Prior to Successful Closure**

The CRP, VR counselor, and VR regional administrator must meet to discuss the circumstances surrounding the job loss. Factors for consideration include the reason for the job loss, if a new employment goal is necessary, if the disability has worsened, if there is a new disability, etc. For additional information, see the Customized Employment Standardized Procedure.

#### **VII. Successful Closure Requirements**

The following requirements must be satisfied before a VR counselor can close a case:

- The individual must have completed CE, which may be received for up to 24 months, or longer if the VR counselor and the individual have determined that such services are needed to support and maintain the individual in CE. Should CE take longer than 24 months, it must be approved by the State office and documented on the IPE and in the case notes.

- The individual has maintained employment and achieved stability in the work setting for a minimum of 90 days after transitioning to extended services.
- The job must meet the definition of competitive integrated employment consistent with the strengths, abilities, interests, and informed choice of the individual.
- The individual must be employed in an integrated setting and earning at least minimum wage or a wage commensurate with people without a disability performing the same or similar tasks, whichever wage is higher.

### **VIII. Re-Employment or Career Advancement for Individuals in Extended Services and the VR Case has been Closed**

Utilization of CE services for re-employment or career advancement must be approved by the VR regional administrator.

*Authority: 34CFR §361.46(b)*