



Testimony on the Department of Labor's FY 2024 Budget
Joint Finance Committee Hearing
February 1, 2023

Good afternoon, Rep. Carson, Sen. Paradee, JFC Members, Secretary Hubbard, Director Jenkins, and my fellow Delawareans. I am Thomas Cook, Executive Director of the Ability Network of Delaware (A.N.D.).

In June 2021, the Delaware General Assembly enacted HB 122, the Jamie Wolfe Employment Act, which mandated the phase out of the “subminimum wage” (also known as the “commensurate wage”) in the state by January 2024. The legislation directed the Delaware Employment First Oversight Commission to develop and implement a plan to address the needs of individuals who would lose the employment opportunities they had previously. Among the components that the legislation required the plan to address were the following:

- 1) Resources and funding to ensure that all individuals with disabilities, regardless of the nature or severity of the disability, have the opportunity to become employed in competitive integrated employment.
- 2) Opportunities for competitive integrated employment for young adults as they transition from school, as well as adults who have not yet moved from other services into employment, like those individuals who were displaced when Elwyn closed.

Among the key priorities listed in the most recent draft of the plan were the following:

- 1) Expanding the pool of employers participating in supported employment programs:
- 2) Reviewing the DVR (Division of Vocational Rehabilitation) rates, including additional funding for job development, increased placement milestones, and/or increasing the job coaching rate.
- 3) Funding for capacity building/training and technical assistance for system providers.
- 4) Annual or bi-annual review DVR rates, including adding more funding for job development, increased placement milestones, and/or increasing the job coaching rate.

While meaningful progress has been made in closing the gap in employment between people with disabilities and people without disabilities in Delaware, it is still significant. The employment data collected by Institute of Community Inclusion, University of Massachusetts in 2021 indicated that people with intellectual and developmental disabilities (I/DD) are underserved by DVR. While people with cognitive disabilities

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comprise 47% percentage of adults with disabilities in Delaware, the percentage of DVR closures for people with cognitive disabilities is only 9.5%.

The Ability Network of Delaware is thankful that when the General Assembly passed HB 122, which discontinued the option for people with I/DD to earn wages commensurate with their productivity, the law recognized that something needed to be done to replace that option, not just for the people who lost that employment option, but for any individuals in the future who would have chosen that option. The Implementation Plan outlines what should be done by the state government to invest in enhancing the services needed to provide individuals who can no longer earn a commensurate wage with other employment options.

DVR's federal funding is static because Delaware has a population under one million people. Therefore, to continue meeting its federally mandated responsibilities, while at the same time responding to the recommendations of the HB 122 Implementation Plan, it would be important for the Joint Finance Committee to include additional state funds to the DVR budget line in the Department of Labor's budget for FY 2024.

We would respectfully suggest that the Joint Finance Committee, Controller General, and Office of Management and Budget reach out to the management team at DOL and DVR to find out what kind of funding increase would be needed to address the key priorities in the Implementation Plan.

Thank you for this opportunity to provide testimony on the FY 2024 state budget.
