

Employment and Employment Supports: A Guide to Ensuring Informed Choice for Individuals with Disabilities

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“Listen to our dreams about having a job. We want to work just like others.”

-Stirling Peebles,

Green Mountain Self-Advocates

As individuals with disabilities consider their employment options, questions often arise: Does the person want to work in competitive integrated employment? What kind of a job do they want? What are their career interests? And who is really making the decision: Is it the individual, or others on their behalf?

As people with disabilities consider their options and future direction in terms of employment, it is important that they do so within a process that puts them in the driver's seat in terms of decision-making. This process must ensure they have the necessary information to make the choice they feel is the right one for them, embracing not just choice, but informed choice.

But what is “informed choice”? And how we do ensure that a choice is truly “informed” and fully reflective of the individual's preferences?

This publication answers these questions. In it, we provide a guide to decision-making regarding employment and related services and supports, through a process where individuals understand their options, and make choices and decisions that are fully reflective of their own interests and preferences.

Informed Choice and Employment: Overview

What is informed choice?

Informed choice is the process of choosing from options based on accurate information, knowledge, and experiences.

Core principles of choice

- ▶ **Everyone is capable of making choices:** Everyone, regardless of their limitations, is capable of making choices, and needs opportunity, experience, and support to do so.
- ▶ **Choices are not unlimited:** Choice does not mean an individual can do whatever they want. Choice means selecting among available options, and clearly defining what those options are.
- ▶ **Choices have consequences:** And it is important to clearly understand what those consequences are.
- ▶ **All choices aren't equal:** Choices are made within the overall context of cultural and societal expectations. As a result, some choices are viewed as more acceptable and more positive than others.

Ensuring a choice that is truly informed

Like all of us, individuals with disabilities have the right to make choices over where they work and how they spend their days. However, people with disabilities too often have limited experiences on which to base choices, combined with lives in which well-intended professionals and family members have made choices on their behalf or had undue influence on their decisions.

**Informed choice is not:
“Do you want to work? Yes or no?”**

Studies have found that, when given repeated opportunities to make a choice and act upon that choice, through observing or trying jobs in the community, individuals with severe disabilities clearly express their vocational preferences, which often differ from what their caregivers recommend or presume is their choice (Martin et al., 2005).

Responding to Common Objections to Employment

Concern/Objection	Response
I'll mess up my benefits and lose my medical coverage.	There are ways to maintain critical benefits and still go to work. Connect the individual with a benefits planner (Work Incentives Planning and Assistance, etc.), and provide information on online benefits calculators (e.g., DB101).
I'm worried about my safety working in the community.	Generally people with disabilities are safe in the community. Ask if they have experienced safety problems in the past. Note the safety track record for other individuals who are working. Identify specific safety concerns in a planning meeting, and strategies for addressing them (for example, working with the employer on safety issues, practicing using a cell phone to call for help, asking a bus driver for assistance, etc.).
I'll miss my friends in the workshop or day program.	Discuss how all friends are made over time and new ones can be made. Find options that will allow new interactions with current friends. Make sure potential jobs are a good fit socially for the individual.
It sounds scary. The workshop/day program is all I know.	Use a person-centered approach to discuss interests they can explore, and provide job tryout options before conducting a job search. Hold meetings with peers/mentors who have had success in community employment. Point out examples in the individual's life when they've made changes that may have been scary/uncomfortable at first, but they liked in the end.
How do I know the job will last? What if I lose it, or don't like it?	There are no guarantees, but there are steps that can be taken to maximize success. Discuss the variety of jobs available in the local area and set up informational interviews with employers to create awareness of options. Discuss how the job development process will work, how job supports will be provided, and how re-placement will occur if needed. Provide examples of individual success, and connect with peers who have been successful. Provide agency statistics on both placement and retention rates.
I'm scared of feeling alone.	Stress the steps that will be taken via the planning and discovery process so the individual finds a job that is a good match for them socially, and that promotes interactions with others and full inclusion. Discuss how provider staff will work with the individual and employer to facilitate full social inclusion in the new workplace.
I don't even know what jobs are out there.	Conduct discovery activities such as job shadowing, short-term job tryouts, and volunteering.
My family and friends don't think I should work.	Identify and address the concerns family and friends may have through processes such as person-centered planning. Remind the person that while family and friends mean well, it is ultimately the individual's decision on whether and where they go to work.
I worked in the community before, and it was terrible.	Remind the individual that lots of people try different jobs (and sometimes fail) before they find the right one. Explore why the previous work experience went poorly, and how those issues can be addressed via a better job match and support. Find avenues to experience new work situations to build confidence (volunteering, job shadowing, and job tryouts) before pursuing a final job goal.
It's my choice to stay in the sheltered workshop or day program.	Validate that the individual has the right to stay in a sheltered workshop or day program (assuming funding and eligibility for these services continues). However, emphasize that the individual is capable of doing other things, and encourage them to take even a few steps to at least consider other options. Also, emphasize that working in the community provides a wide range of choices and options.

Informed choice and transition

Ideally, people with disabilities will practice choice making from an early age. As transition planning begins during the teen years, opportunities for choice making should be expanded and begin to include decisions regarding employment and career options, using the philosophy of and processes for informed choice.

As the young person explores employment, provide opportunities for self-reflection by asking: What types of careers are you interested in looking at and why? What did you learn from a specific work experience? What did an experience teach you in terms of employment interests? How are you going to use this information to further explore job and career interests?

Responding to Common Objections Regarding Community Employment

In discussing community employment, individuals may express concerns or objections (see chart on page 6). It is important to be prepared with responses for these. The goal is not to downplay the concerns or objections, but to understand them and identify how you might support the individual to address them.

First, acknowledge the concern or objection. Ask follow-up questions if you need more information. Then engage the individual in identifying potential strategies to address the concern. Keep in mind that many individuals and their families have been part of the service system for a long time, and solutions have often been promised that may not have resolved their concerns. Their past experiences will influence their response to new opportunities.

You also do not have to have all the answers. Sometimes your best response may be to commit to work on an issue or potential barrier to employment with the individual, and when appropriate their family.

The Role of Guardianship in Informed Choice

Even if an individual with a disability is not their own legal guardian, they still have the right to informed choice. Per The Arc of the United States, all individuals “should be afforded opportunities to participate to the maximum extent possible in making and executing decisions about themselves. Guardians should engage individuals in the decision-making process, ensuring that their preferences and desires are known, considered, and achieved to the fullest extent possible.”

Consider these guidelines when dealing with guardianship issues:

- ▶ **Determine the parameters of the guardianship**—i.e., what specific issues the guardian has responsibility for, which can vary from individual to individual. In some cases, it may be legally necessary to involve the guardian in issues regarding employment, but in other cases that might not be required.
- ▶ **Learn what type and level of relationship the guardian has with the individual.** If the guardian is a family member, they have an emotional attachment and are potentially involved in day-to-day decisions. A state-appointed guardian will have a professional relationship and may have more limited contact with the individual.
- ▶ **As appropriate, involve the guardian, and advocate for their support of the informed choice process.** As explained by The Arc, it is the role of the guardian to know and understand the individual's needs and wishes and act in accordance with them whenever possible, and whenever any action will not negatively affect the individual's health, safety, financial security, and other welfare. If the guardian opposes the choices that an individual is making in terms of employment, assuming they have the right to do so, determine their reasons for opposition, and work to address the issues.

The National Guardianship Association Standards of Practice can be helpful regarding the appropriate role of a guardian in terms of informed choice. Among these standards are:

1. The guardian shall identify and advocate for the person's goals, needs, and preferences.
2. The guardian shall attempt to maximize the self-reliance and independence of the person.
3. The guardian shall encourage the person to participate, to the maximum extent of the person's abilities, in all decisions that affect him or her, to act on his or her own behalf in all matters in which the person is able to do so.
4. The guardian shall make and implement a plan that seeks to fulfill the person's goals, needs, and preferences. The plan shall emphasize the person's strengths, skills, and abilities to the fullest extent in order to favor the least restrictive setting.
5. The guardian shall wherever possible, seek to ensure that the person leads the planning process; and at a minimum to ensure that the person participates in the process.