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JOHN ELIAS BALDACCI
GOVERNOR

STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND
FINANCIAL SERVICES
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AUGUSTA, MAINE 04333-0078

RYAN LOW
COMMISSIONER
DOMNA GIATAS
DEPUTY COMMISSIONER

March 2, 2009

Senator Troy Jackson, Chair
Representative John Tuttle, Chair
Members of the Joint Standing Committee on Labor
State House Station
Augusta, Maine 04333

Dear Senator Jackson, Representative Tuttle and Committee Members,

Enclosed please find the Biennial Report on the State's Plan to Increase Employment Opportunities for Individuals with Disabilities. This report is provided pursuant to Title 5 MRSA Section 23001.

If you require any additional information, please do not hesitate to contact me or Alicia Kellogg, Director of the Bureau of Human Resources.

Sincerely,



Ryan Low
Commissioner

cc: Alicia Kellogg, Director of the Bureau of Human Resources
Laurel Shippee, State EEO Coordinator

Biennial Report on the State's Plan to Increase Employment Opportunities
for Individuals with Disabilities

Submitted by
the Department of Administrative and Financial Service,
Bureau of Human Resources

to
Governor John E. Baldacci and
the Joint Standing Committee on State and Local Government and
the Joint Standing Committee on Labor

March 2009

Pursuant to Title 5 MRSA Section, 23001, sub-2-A, this report describes the efforts undertaken to ensure that State government is a model employer of people with disabilities.

Given the work already underway in accordance with the Maine State Government Equal Employment Opportunity/Affirmative Action Plan, the decision was made to complete these efforts centrally before requiring action by individual agencies. This will ensure a coordinated process as moving forward and will be far more effective than individual agency plans.

A primary focus of the EEO/AA Plan is to increase employment opportunities for people with disabilities and, once again, to ensure the State of Maine is a model employer in this regard. A Model Employer Task Group was established in early 2008 with representatives from agencies across state government to develop recommendations in achieving these goals. The recommendations were submitted to the Bureau of Human Resources (BHR) in December 2008. Work is currently underway to implement these recommendations in as timely a manner as possible.

The recommendations have been accepted by the Bureau of Human Resources and are outlined here with the expected impact on the goal of being a model employer.

Recommendation #1 The Bureau of Rehabilitation and the Bureau of Human Resources will work together to finalize a comprehensive description of how the Special Appointment Program process functions, to include a provision for ongoing meetings between the bureaus to assess how the program is functioning. Once developed, training needs to be provided to appropriate HR and Rehabilitation staff in order to assure the ongoing utilization of the program.

The first recommendation of the Model Employer Task Group will most likely have the most significant impact since it will encourage more use of the Special Appointment Program for people with disabilities by Rehabilitation counselors working to place clients into positions. The ongoing communication between VR and BHR as well as the training

requirement is expected to increase the overall effectiveness of the program as well.

- Recommendation #2 Develop and implement a comprehensive training plan to include:
- A “Working for the State” workshop for all community rehabilitation providers and Career Center staff (including Rehabilitation counselors);
 - An accessible on-line tutorial about “Working for the State”;
 - ADA training for supervisors and managers in both workshop and on-line formats.

Implementation of this recommendation will be difficult during the current hiring freeze in State government; nonetheless, work is currently ongoing in preparation for implementation when active recruitment for State positions is initiated.

- Recommendation #3 Examine the State’s websites, particularly the State Homepage and the BHR webpage, for opportunities to highlight our interest in and efforts to recruit and hire people with disabilities (e.g. providing links to such documents as the Executive Order concerning the State as a Model Employer, the Reasonable Accommodation policy, List of agency EEO Officers, etc.).

The Bureau of Human Resources has worked on several issues related to the employment of people with disabilities with the Muskie School of Public Service. The Muskie School has indicated an interest in working on this recommendation with the Bureau, and recommendations on improvements to the website are expected before the end of the year.

- Recommendation #4 Review all job bulletins to identify and correct language that would discourage some otherwise qualified people with disabilities from applying if not absolutely required for the position. At a minimum, a statement regarding the availability of

accommodations for people with disabilities should be on all bulletins.

Steps have already been taken to put a statement regarding the availability of accommodations on the BHR website where all bulletins are posted. Review of position specifications will be an ongoing process and undertaken as positions are recruited. Agencies will be requested to ensure that their internal postings are reviewed and contain an accommodation statement as well.

Recommendation #5 Make career counseling for state jobs available through BHR/service centers for job seekers with disabilities and train Career Center staff to ultimately provide this service.

Due to the current strains on BHR staff, this is not realistic at this time; however it will be a consideration when the hiring freeze is no longer in place and recruitment efforts are renewed.

Recommendation #6 Conduct exit interviews for employees with disabilities who are leaving their positions for reasons other than promotion.

This recommendation will necessitate reissuing an invitation to all state employees to self-identify if they have a physical or mental disability. This invitation is currently being developed.

Recommendation #7 Explore establishing a statewide policy regarding the use/display of TTY (NexTalk) numbers on all state letterheads, websites, brochures, business cards, etc. as well as statements regarding auxiliary aids for people with disabilities seeking state services.

Recommendation #8 Establish a statewide ADA accommodations database to document and track information about the provision of reasonable accommodations.

- Recommendation #9 Research Vermont's model of requiring mandatory interviews for qualified applicants with disabilities to determine applicability in Maine.
- Recommendation #10 Explore the possibility of seeking a blanket waiver from the hiring freeze for (a) employees with disabilities being reassigned under the ADA; and (b) VR clients being placed through the Special Appointment Program.
- Recommendation #11 Explore the possibility of creating a centralized fund for accommodations and/or a central list of equipment purchased as an accommodation which may no longer be in use, as a means to saving on the cost of accommodations.
- Recommendation #12 Develop a Succession Planning Team for State government, with representation from VR to identify critical vacancies now and projected for the future.

Recommendations 7-12 are being reviewed and prioritized by the group of EEO Coordinators responsible for implementing these recommendations. It is expected that the next report will provide details on significant progress made in preparing for an aggressive recruitment and hiring program for people with disabilities when State government is in a position to resume such a program.