



**ANDY BESHEAR**  
**GOVERNOR**

**EXECUTIVE ORDER**

**Secretary of State**  
Frankfort  
Kentucky

**2020-552**  
**June 29, 2020**

**RELATING TO THE EMPLOYMENT FIRST COUNCIL**

**WHEREAS**, Kentucky ranks 47<sup>th</sup> in the country in per capita income; and

**WHEREAS**, the Commonwealth of Kentucky envisions a brighter future for all of its citizens, including better paying jobs and breaking cycles of poverty; and

**WHEREAS**, the Commonwealth of Kentucky is committed to righting inequities and remedying social injustices that have befallen many of its citizens, including individuals with disabilities; and

**WHEREAS**, the Commonwealth of Kentucky acknowledges and depends on the significant contributions that individuals with disabilities make to its workforce, and values the role of families, self-advocates, and public and private providers in achieving positive employment outcomes for our citizen with disabilities; and

**WHEREAS**, the Commonwealth of Kentucky is committed to supporting competitive integrated employment as defined in Public Law 113-128, as the first and primary option when providing publicly funded services and supports to working age citizens with disabilities, regardless of the level of disability; and

**WHEREAS**, there are over 13 million adults of working age in the United States receiving disability benefits from Social Security; and

**WHEREAS**, the workforce participation rate for individuals with disabilities is approximately one-third that of people without disabilities; and

**WHEREAS**, working age adults with disabilities live below the poverty line at twice the rate of the general population; and

**WHEREAS**, research indicates the value of collaboration between the public and private sectors and its ability to improve employment outcomes of persons with disabilities; and



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**WHEREAS**, the Commonwealth of Kentucky further recognizes that improving employment outcomes requires coordinated efforts that cross multiple state and federal government agencies; and

**WHEREAS**, the Commonwealth of Kentucky can provide a centralized location for data collection and facilitate the dissemination of training and resource information among members of the public and private sectors; and

**WHEREAS**, the Commonwealth of Kentucky recognizes the barriers to competitive integrated employment that exist for many individuals with disabilities; and

**WHEREAS**, the Commonwealth of Kentucky is committed to leading by example in doing what is necessary to achieve the common good for all its citizens; and

**WHEREAS**, this Executive Order will enable the Commonwealth to call particular attention to this historically disadvantaged population to assist them in achieving successful employment outcomes, full engagement with the community, and in changing the trajectory of their lives and the next generation of their family:

**NOW, THEREFORE**, I, Andy Beshear, Governor of the Commonwealth of Kentucky, by virtue of the authority vested in me by the Kentucky Constitution, Sections 69 and 81, and KRS 12.029, do hereby Order and Direct the following:

- I. It is the policy of the Commonwealth of Kentucky that competitive integrated employment in the community shall be considered the first and primary option for persons with disabilities of working age who desire to become employed.
- II. In furtherance of this policy, the Employment First Council is hereby authorized to serve as an advisory body of state government to pursue the purposes set forth in this Executive Order. This council shall be a collaborative body among individuals with family members who have disabilities, government agencies, and constituent employment groups who have an interest in employing individuals with a disability in a competitive integrated work environment.
- III. The Employment First Council is hereby charged to increase



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meaningful opportunities for competitive integrated employment for citizens with a disability seeking employment, regardless of their level of disability.

- IV. The Employment First Council shall act in an advisory capacity to the Governor and other executive branch agencies and officers, and shall:
- a. Identify state policies that create disincentives to employment of people with disabilities and develop recommendations to address and eliminate those disincentives;
  - b. Develop training and resources for families, self-advocates, public and private providers, and employers on the benefits of competitive integrated employment;
  - c. Recommend the development and implementation of policies and effective practices for providers of supported employment services that increase employment opportunities for workers with a disability;
  - d. Utilize appropriate metrics to assess progress of efforts to increase the competitive integrated employment of workers with a disability; and
  - e. Provide an Annual Report to the Governor on the progress toward these goals.
- V. The members shall include the following:
- a. One (1) representative from the Office of Vocational Rehabilitation;
  - b. One (1) representative from the Workforce Innovation Board;
  - c. One (1) representative from the Department of Education;
  - d. One (1) representative from Career and Technical Education;
  - e. One (1) representative from the Department for Medicaid Services;
  - f. One (1) representative from the Division of Developmental and Intellectual Disabilities;
  - g. One (1) representative from the Commonwealth Council on Developmental Disabilities;
  - h. One (1) representative from Kentucky Protection and Advocacy;
  - i. One (1) representative from Disability Determination Services;
  - j. One (1) representative from the Division of Behavioral Health
  - k. One (1) representative from the Autism Training Center;
  - l. One (1) representative from the Office of Autism;
  - m. One (1) representative from the Human Development Institute - University of Kentucky;
  - n. At least four (4) representatives, to be appointed by the Governor, who have a physical or mental impairment that substantially limits one or more major life activities, someone who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment;
  - o. At least two (2) representatives, to be appointed by the Governor, who have an immediate family member with a disability;




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- p. Two (2) representatives, to be appointed by the Governor, from a provider agency;
  - q. One (1) representative from Statewide Council for Vocational Rehabilitation;
  - r. One (1) representative from the Chamber of Commerce;
  - s. One (1) representative from the Council of State Governments; and
  - t. At least four (4) members, to be appointed by the Governor, who represent employers.
- VI. The Employment First Council shall meet at least quarterly.
- VII. The Employment First Council shall be administered at the University of Kentucky Human Development Institute, Kentucky's University Center for Excellence in Disabilities Education, Research, and Service.
- VIII. The Employment First Council shall be effective from July 1, 2020, until June 30, 2022, unless otherwise extended by subsequent executive order or legislation.
- IX. Nothing in this order shall be construed to require any employer to give preference to hiring persons with disabilities nor shall anything be construed to mandate that those program participants having no desire to become employed be forced to do so.



ANDY BESHEAR, Governor  
Commonwealth of Kentucky



MICHAEL G. ADAMS  
Secretary of State