



Andy Beshear
Governor

Jamie Link
Education & Labor Cabinet Secretary

Kentucky Employment First Full Council Meeting Minutes

January 10, 2024

1:00pm – 3:00pm

Zoom/Virtual Format

Meeting ID: 837 1773 4370

Passcode: 044889

Members Present: Chair, Katie Wolf Whaley, Legislative Liaison, Diana Merzweiler, Bill Bates, Amanda Friend, Johnny Callebs, Tal Curry, Frank Huffman, Gretta Hylton, Cora McNabb, Lori Norton, Amanda Friend, Robert Larry Taylor, Jeff White, Andrew Johnson, Annette Jett, Amy Luttrell, and Merry Reid Sheffer.

Members Absent: Jessica Beaven, Dawn Gardner, Staci Cain, Jeff Edwards, Leslie Hoffman, Todd Coffey, Vice-Chair, Morgan Turner, Rebecca Wilson, and David Allgood.

Staff Present: Kentucky Office of Vocational Rehabilitation (KYOVR) Administrator, Nanci Howard, KYOVR Florence Branch Manager, Michelle Cobb, KYOVR Employer Services Branch Manager, Deana Wilson-Kimble, KYOVR CRP/SE Branch Manager, Ron O'Hair, KYOVR Staff Assistant, Betty Whittaker, KYOVR Deputy Executive Director, Susie Edwards, KYOVR Assistant Director II, Kristen Beach, KYOVR Assistant Director II, Jonathan White, and KYOVR Division Director, Holly Hendricks.

Guests Present: Lilly Kowalski, Cathy Anderson, Tracy Belfield, Kimberly Wickert, Carrie Wedding, Melanie Tyner Wilson, Melanie Lybarger, Zachary Sappenfield, Jason

Wheatley, Jason Cole, Stacia Cole, Megan Coleman, Truc Pham, Audra Shutt, and Lisa Carrico.

Interpreters: Tia Henson and Tera Eversole.

Roll/Call:

Administrator, Nanci Howard provided the roll call and determined there was a quorum.

Welcome: KYOVR Administrator, Nanci Howard and Council Chair, Katie Wolf Whaley welcomed everyone to the meeting. The agenda was reviewed by all participants.

Staff Report:

Project NEON: KYOVR Administrator Nanci Howard provided an update on Project NEON (National Expansion of Employment Opportunities Network). The council has collaborated with Project NEON for the past two years, benefiting from the technical assistance and guidance provided through a grant funded by the Department of Labor's Office of Disability Employment Policy (ODEP) and their project management partners, EconSys. The Kentucky Office of Vocational Rehabilitation been awarded 200 hours of technical assistance for 2025. A virtual NEON Core State call is scheduled for January 23rd at 10:00 a.m., with participation from EconSys, ODEP, OVR, and interested council members. Nanci stated if there are council members or guests wishing to participate in the work of Project NEON, to contact her or Council Chair, Katie Wolf Whaley.

Annual Report: Administrator, Nanci Howard stated that the Employment First Council submitted its annual report before the December 1st,2024, deadline (as per KRS 151B.211-214), The report has been accepted by the Governor's office.

Upcoming 2025 committee meetings: Administrator, Nanci Howard stated that invitations for upcoming 2025 committee meetings have been sent out via email. She stated if anyone had not received their committee or full council meeting invitations to contact her or Council Chair, Katie Wolf Whaley.

Employment First Council Committees and Member Term Expirations: Administrator, Nanci Howard began by highlighting the five Employment First Council committees:

- Advocacy and Education
- Employer Education and Engagement
- Public Policy
- Provider Capacity
- Transition
- Executive Committee

She encouraged council members to actively participate in committee meetings, noting that most of the council's work occurs within these committees. She also invited anyone interested in contributing to contact the council for involvement opportunities.

She discussed upcoming term expirations in October 2025, noting four current vacancies on the council. Two members are serving until successors are appointed, and three additional vacancies exist in the areas of business, industry, labor, and the Chamber of Commerce. These appointments are pending approval from the Governor's Office. To address these expirations, Nanci stated she plans to reach out to council members whose terms are ending to discuss their interest in continuing to serve. She will collect applications and resumes for submission to the Governor's Office and emphasized the importance of timely submissions. She shared her screen to display a list of members whose terms are expiring, noting that many will need to resubmit their applications and resumes. She committed to contacting these members to guide them through the process and noted that anyone can apply to serve by use of the Board and Commission [Website](#). Nanci concluded her report by inviting questions and suggestions. No questions were raised.

Approval of Minutes

Council of the Chair, Katie Wolf Whaley directed members to the meeting minutes from the October 11th, 2024, full council, quarterly meeting. **She called for a motion to accept the minutes as written. Larry Taylor made the motion to accept the October 11th, 2024, Council minutes. Second, Diana Merzweiler. No opposition. Motion carried.**

Chair Report:

2024 Annual Report and Future Goals: Council Chair, Katie Wolf Whaley began her report by thanking attendees and acknowledging the submission of the 2024 Annual Report by Administrator Nanci Howard. The report, emailed to council members on December 20th, highlights the year's accomplishments, goals and future steps. She reported that committees are preparing for Project NEON 2025. The technical assistance granted of 200 hours will provide additional technical assistance to support efforts in increasing employment rates. Katie highlighted updates to the new rate structure and commented it is a positive step forward.

Transition Committee Chair Vacancy: Katie announced the need for a new Chair and Co-Chair for the Transition Committee. Jessica Beaven and Frank Huffman are stepping down from the Transition Committee, on the Council. Katie expressed gratitude for their service and noted that the new Transition Committee Chair must be a governor-appointed council member. Attendees were encouraged to consider stepping into this leadership role. She opened the floor for volunteers. There were no volunteers from the floor so the Chair will serve as interim of the Transition Committee until the April Quartey Council meeting.

Kentucky's Olmstead Plan and Survey: Katie Wolf Whaley announced the Human Development Institute's initiative to gather input on Kentucky's Olmstead Plan. She provided a [link](#) to a survey regarding the Olmstead Plan and its implications for Kentucky. She announced the survey would be open until January 15th, 2025, seeks input from all Kentuckians, particularly those with disabilities, their families, and friends. Katie concluded her report by passing to Amanda Owen to continue the discussion on the roles of various agencies in aligning with employment first principles.

Employment First: The Provider Perspective:

1. Puzzle Pieces' Employment First Approach: Advocacy and Education Committee Chair, Amanda Owen begin by briefly introduced Puzzle Pieces.

- **Puzzle Pieces, Inc.:** A non-profit organization supporting over 400 individuals with disabilities. Founded 12 years ago and is a 501(c)(3) non-profit.
- **Employment First Approach:** Dedicated to the Employment First approach, focusing on getting individuals with disabilities into the workforce.
- **Training & Services:** Emphasize their commitment to an 'Employment First' approach, and they will provide an overview of their training methods, including the internal methods as well.
- **Service Offered by Puzzle Pieces:** Employment specialists work to promote the Employment First initiative and help identify barriers to employment for individuals with intellectual disabilities. While services mainly target individuals with intellectual disabilities, a wide range of support is available for others.
- **Programs Provided:** Vocational rehabilitation services to help individuals prepare for and find jobs. Pre-employment transition services (pre-ETS) to help youth with disabilities transition into the workforce. Adult vocational programming to help develop work-related skills. New college program developed in partnership with vocational rehabilitation and a local college to help individuals with disabilities attend college and pursue higher education.

2. New Program for Students with Autism at Community College:

Program Overview:

- Launched in fall 2024 to support students with autism in community college.
- Focuses on integrating Employment First thinking into academics.
- Helps autistic graduates find and maintain suitable jobs.

Success & Impact:

- Over 130 individuals with disabilities have been placed in local jobs.
- Success is attributed to a strong Employment First mindset across all services.

Community Education & Resources:

- A coalition formed in 2019 to educate HR professionals, businesses, and the community on disability employment opportunities.
- Uses resources like Kentucky RETAIN's "Lunch and Learns" to spread awareness.

2025 Future Goals & "AIM" Approach: Emphasizes addressing potential biases within staff to create a more supportive environment.

3. Day Training Program: Employment for Individuals with Disabilities:

Amanda Owen discussed the importance of shifting attitudes and structures to prioritize employment for individuals with disabilities.

Reevaluating Day Training Programs:

- Advocated for a new approach where skill-building happens alongside employment, rather than as a requirement beforehand.
- Called for changes in Day Training Programs and other services to support this shift.

Shared Responsibility in Skill Development:

- Highlighted that both service providers and employers should work together to help individuals build skills.
- Stressed that individuals with disabilities deserve opportunities to work, and employers should play an active role in training them.

Addressing Employment Barriers:

- Identified the current requirement of skill mastery before employment as a major barrier.
- Urged for this issue to be addressed to create more inclusive job opportunities.

4. Residential Services: Employment for Individuals with Disabilities:

Amanda Owen discussed the importance of shifting mindsets regarding employment for individuals with disabilities.

Changing Mindsets About Employment:

- Emphasized that behavioral challenges should not prevent individuals with disabilities from having job opportunities.
- Advocated for proactive strategies to manage behaviors while supporting employment goals.
- Stressed the importance of connecting skill-building activities to future jobs, even for young individuals (e.g., 14-year-olds).

Addressing Common Employment Barriers:

- Safety concerns and the misconception that 24-hour supervision is always necessary.
- Living support needs do not mean someone is incapable of working.
- The false belief that individuals whose basic needs (shelter, food, clothing) are met lack motivation for employment.

Reframing Employment as More Than Just Financial Gain:

- Highlighted the self-worth, purpose, and independence that come from having a job.
- Encouraged shifting perspectives to recognize the intrinsic value of employment.

Practical Strategies for an "Employment-First" Mindset:

- Linking household chores to future job tasks.
- Encouraging exploration and participation outside the home.

Key Barriers to Employment & Solutions:

- Transportation challenges - Example: A grant-funded program providing driver simulation training to improve transportation options.
- Guardians' mindsets - Encouraging more employment-focused thinking.
- Limitations in the education system - Addressing gaps in job readiness programs.
- Employer education gaps - Raising awareness about hiring individuals with disabilities.

5. Addressing Barriers to Employment for Individuals with Disabilities:

She discussed the barriers to employment for individuals with disabilities.

- **Key Barrier: Guardians' Mindset:** Many guardians hesitate to support employment for individuals with disabilities.
- **Addressing the Barrier:** Ongoing efforts at the council and state levels focus on sharing success stories and providing financial resources.
- **Education System Challenges:** Schools often focus on moving students through grades instead of preparing them for long-term employment.
- **Employer Education:** Employers need support to overcome fears and misconceptions about hiring individuals with disabilities.
- **Employment-First Mindset:** Even staff within support organizations need training to challenge assumptions and prioritize employment.
- **Power of Storytelling:** Sharing real success stories helps shift perspectives on employment for individuals with disabilities.
- **Employment-First Approach:** Prioritizing employment as the preferred option for individuals with disabilities, with definitions varying by state.
- **Integrating Employment-First Mindset:** This mindset should be embedded across all services, not just those focused directly on job placement.

HB214: House Bill 214 (Frank Huffman Act): Council Chair, Katie Wolf Whaley discussed House Bill 214, known as the Frank Huffman Act. The bill was introduced by Frank Huffman, who represents individuals with disabilities on the council. It was passed into law during the 2024 Regular Session, and Governor Andy Beshear held a ceremonial bill signing on November 18, 2024, at 3:00 p.m. in the Capitol Rotunda.

Frank, who also serves on the Employment First Council, discussed the Frank Huffman Act, which defines "developmental disabilities" and outlines state legislative findings on the rights of individuals with intellectual and developmental disabilities. Unfortunately, the law was altered after its passage, making its enforcement currently impossible.

Committee Reports:

Advocacy and Education Committee: Committee Chair, Amanda Owen presented the Advocacy and Education committee's work on creating FAQs about Employment First, targeting various audiences (guardians, professionals, self-advocates). A Google Doc containing a rough draft of these FAQs has been shared to the Council. The committee is seeking council review and input. Amanda requested that each

committee chair review the document and provide feedback during their next meetings. The goal is to ensure consistency and clarity in messaging about Employment First across the council. She stated that the Advocacy and Education Committee has made significant progress on the document and is aiming to finalize a draft soon. Amanda requested committee members to review the Google Doc, highlighting questions and answers with comments, so the Executive Committee can finalize the document before the next council meeting for approval. Amanda expressed gratitude to the committee members, particularly Katie Wolf Whaley, for their tireless efforts.

Employer Education and Engagement Committee: Committee Chair, Merry Reid Sheffer provided an update on the activities of the Employer Education and Engagement Committee. The committee is assisting Kimberly Wickert in finalizing topics for the employer seminar series.

Upcoming Seminars:

- **January 14, 2025 (12:00-12:45 PM):** Entitled “Trauma-Informed Leadership, Kellie Burke will present on the definition and goals of trauma-informed leadership. The seminar will cover strategies to develop trauma-informed leaders. It will also review how trauma-informed leaders can promote worker mental wellness. SHRM Professional Development Credits are available.
- **February 18, 2025 (12:00-12:45 PM):** Entitled “Resources Employers Can Use to Promote Stay at and Return to Work. Presented by RETAIN Kentucky and Employment First. Elizabeth Thompson and Kimberly Wickert will present this seminar. It will cover resources for employers to help employees stay at work and return to work. Registration and social media posting [Link](#) were shared. The committee encourages organizations and agencies to share these seminar announcements on social media.
- **Partnerships and Referrals:** Merry Reid Sheffer emphasized that the RETAIN Kentucky and Employment First Council partnership extends beyond the committee. She welcomed referrals to Kimberly Wickert or herself from anyone working with employers or community members.
- **Open to Future Suggestions:** The committee remains open to suggestions for future projects that align with their interests and available time.

Provider Capacity Committee: Committee Chair, Jeff White provided an update on the Provider Capacity Committee’s.

• **Provider Capacity Map Revision:**

- He provided an update on the work of the Provider Capacity Committee in revising the provider capacity map.
- The map analyzes the supply and demand for employment services for people with disabilities across Kentucky.
- The analysis showed stable employment capacity, but significant variations in demand, ranging from near zero in Robertson County to thousands in Jefferson County.
- Over 5,000 individuals in the waiver population have expressed interest in community employment.

- **Key Barriers Identified:**
 - Recent changes to the OVR rate structure and fees have made supported employment financially viable for providers.
- **Financial Comparison of Supported Employment vs. Day Training:**
 - Materials were created to compare the financial outcomes of supported employment versus day training.
 - Findings showed that supporting one individual in supported employment generates the same net income as serving seven individuals in day training, making supported employment a lucrative opportunity for providers.
- **Job Availability & Employment Climate in Kentucky:**
 - Data from the workforce innovation board shows 739,000 job openings in Kentucky by 2031.
 - Of these, 39,000 openings are accessible to individuals without formal educational credentials, highlighting the positive employment climate.
- **Transportation & Wages Impact:**
 - Transportation barriers remain a persistent challenge, with efforts to address them through future transportation planning initiatives.
 - The impact of wages on benefits was also noted as an important consideration.
- **OVR's Efforts & Upcoming Initiative:**
 - Jeff White praised efforts in making DB 101 accessible, which helps families and individuals understand employment possibilities.
 - An upcoming email to waiver providers will outline the supported employment initiative and available resources, aiming to expand the number of participating providers.
 - A clearer picture of participation is expected by next month.
- **Regulatory Changes & IPS Standards:**
 - Regulatory changes for waivers are on track.
 - Lori Norton is assisting in maintaining IPS standards for these initiatives.

Public Policy Committee: Committee Chair, Diana Merzweiler provided the Public Policy Committee report.

- **CIE Definition Update:** Diana provided an update on the committee's work, highlighting optimism about legislative progress on updating the CIE (Competitive Integrated Employment) definition. The committee expects news within the next 30-60 days, though a weather-related delay may occur. This effort has been ongoing for 14-15 months. The legislative recommendation currently sits with the Education and Labor Cabinet.
- **Collaboration with Kentucky Department of Education:** The committee plans to work with the Kentucky Department of Education on their IEP (Individualized Education Program) guidance document. There's potential to form an ad hoc committee of IEP process experts to provide suggestions aimed at increasing employment opportunities during education.

- **Document on Waiver Employment Disqualification:** Justin Jeter, Jeff White, and Amy Luttrell are developing a document for the Executive Committee's review. The document aims to address the issue of employed individuals holding waivers who are being disqualified due eligibility and SGA requirements.
- **Outreach to Legislative Channels:** Amy Luttrell provided an update on outreach efforts to legislative channels, in collaboration with Adam Haley, Justin Jeter, and Jeff White. The focus is on addressing the high number of Kentuckians with disabilities receiving benefits and the low labor force participation rate in this group. The goal is to highlight work disincentives within public benefits programs and advocate for policies that encourage employment. Adam Haley and Michael Dalto are working together to understand these issues better and inform legislators.

Transition Committee: Council Chair, Katie Wolf Whaley noted that Frank Huffman and Jessica Beaven have stepped down. Additionally, Katie highlighted the transition committee's work in the last meeting packets, emphasizing the idea of creating resources about transition and how different parties, teachers, and families can approach, and the transition 360 curriculums referred to the previous presentation by Jason Wheatley.

Additional Discussion: Katie reiterated that if anyone is interested in becoming the Transition Committee Chair, those interested members can reach out to discuss workload prior to a vote in April for a new committee chair.

Department of Labor Notice on 14(c) Certificates: Council Member, Johnny Callebs provided an update on the work encompassing different systems and then informs the group about the Department of Labor notice proposing to end the issuance of 14(c) certificates, which allow employers to pay subminimum wages. The public comment period ends on January 17, 2025. He encouraged committee members in the comment period to support the rule's progression. The proposed rule would halt new 14(c) certificates and phase out existing ones, allowing existing certificate holders to apply for renewals up to three years. He explained that there will be an endpoint to 14(c) certificates and encouraged participants to submit comments. The National Association supports the rule, and the provided link contains relevant information. He suggested including firsthand stories from individuals who have transitioned from 14(c) environments to successful employment.

Public Comment: No comment Addressed.

Adjournment:

Council Chair, Katie Wolf Whaley called for a motion to adjourn the meeting. **Member, Lori Norton made the motion to adjourn. Member, Annett Jett provided a second to the motion. Members voted. The motion passed and the meeting was adjourned.** Chair, Katie Wolf Whaley thanked everyone for their contribution and adjourned the meeting.

Next Meeting:

- **Date: April 11,2025.**
- **Time: 1:00 pm to 3:00 pm**



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