

SB 810 STAFF MEASURE SUMMARY**Carrier:** Sen. Gelser Blouin**Senate Committee On Human Services****Action Date:** 02/06/25**Action:** Do pass.**Vote:** 5-0-0-0**Yeas:** 5 - Gelser Blouin, Linthicum, Nash, Prozanski, Reynolds**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** Matthew Perreault, LPRO Analyst**Meeting Dates:** 1/30, 2/6**WHAT THE MEASURE DOES:**

The measure modifies statutory definitions and provisions relating to employment and vocational rehabilitation programs and services for individuals with intellectual and developmental disabilities (IDD). The measure directs the Department of Human Services (ODHS), in collaboration with the Department of Education (ODE), to convene statewide and regional Employment First advisory committees to make recommendations to ODHS regarding competitive integrated employment for individuals with IDD. The measure directs ODHS to ensure that employment and vocational rehabilitation programs and services for individuals with IDD are designed to help them obtain competitive integrated employment and prohibits the use of sheltered work settings. The measure directs ODHS to collaborate with other state agencies to establish a State as Model Employer program.

Detailed Summary:**General**

- Adds a definition of "competitive integrated employment," as defined in federal law, to refer to employment for individuals with disabilities that provides comparable compensation and the same work environment and opportunities for advancement as provided for employees who are not individuals with disabilities.
- Removes references to "productivity" and adds references to "community participation" when referring to the employment of and services for individuals with intellectual and developmental disabilities (IDD).
- Specifies that employment laws apply to individuals with intellectual disabilities in addition to individuals with developmental disabilities.
- Replaces references to an "individual with a severe disability" with "individual with a significant disability" as defined in federal law.
- Replaces references to rehabilitation "facilities" with "programs" and removes references to sheltered employment.
- Takes effect on 91st day following adjournment sine die.

Employment First Advisory Committees

- Directs ODHS, in collaboration with ODE, to convene a statewide Employment First advisory committee to make recommendations to ODHS on expanding access to competitive integrated employment for individuals with IDD.
- Specifies advisory committee membership and scope of responsibilities.
- Requires ODHS and ODE to collect data on employment outcomes for individuals with IDD to be provided to the advisory committee.
- Requires ODHS to establish and provide limited staff support to regional Employment First committees that will report to the statewide advisory committee on local strategies to expand access to competitive integrated employment for individuals with IDD.
- Requires ODHS and ODE to take actions to coordinate interagency efforts to provide services and conduct outreach.

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- Authorizes ODHS and ODE to adopt necessary rules.
- Becomes operative January 1, 2026.

Employment and Vocational Rehabilitation Programs and Services

- Requires ODHS to ensure that employment services and vocational rehabilitation services for individuals with IDD are designed to help them obtain competitive integrated employment.
- Prohibits ODHS from funding employment services and vocational rehabilitation services that occur in sheltered work settings.
- Requires ODE to ensure that transition services for individuals with IDD do not occur in sheltered work settings or mock sheltered work settings.

State as Model Employer Program

- Directs ODHS to collaborate with other state agencies to establish a State as Model Employer program that would develop and promote strategies for inclusive practices for hiring and employment of individuals with IDD at state agencies.
- Authorizes ODHS to adopt rules necessary to implement the program.
- Becomes operative January 1, 2026.

ISSUES DISCUSSED:

- Background of *Lane v. Brown* settlement agreement
- Experiences of individuals working in competitive integrated employment

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Employment First refers to a framework for reforming employment laws and vocational rehabilitation programs to promote integrated employment opportunities for individuals with intellectual and developmental disabilities (IDD), as described by the [U.S. Department of Labor](#). Oregon adopted an Employment First policy in 2008, according to the [Department of Human Services](#). In 2012, a class-action lawsuit, *Lane v. Brown*, alleged that the state's continued operation of sheltered workshops, which are segregated work environments for individuals with IDD, violated the federal Americans with Disabilities Act of 1990. The state entered into a settlement agreement, agreeing to phase out the use of sheltered workshops and transition the affected workers into jobs in the community, and the case was ultimately dismissed in 2022. In addition, [Senate Bill 494 \(2019\)](#) required a phase-out of subminimum wages for workers with intellectual and developmental disabilities and required employers to provide equal pay by July 1, 2023.