



U.S. AbilityOne Commission Quarterly Public Meeting

October 24, 2024





Administrative Remarks

- This official meeting of the U.S. AbilityOne Commission is open to the general public and is being recorded
- ASL interpreters are pinned to the top of the Zoom screen; live captioning is enabled. To see captions on your screen, use the CC icon at the bottom of the Zoom window
- The Zoom setting for public attendees today is listen-only
- The Chat Box is enabled for comments or questions
- Screen reading software users can silence Zoom alerts (including chats), if desired, by muting your computer audio and joining the meeting by phone
- Meeting materials can be found on www.abilityone.gov





Agenda

- Chairperson's Opening Remarks
- National Disability Employment Awareness Month
- Regulations & Policy Subcommittee Update
- Executive Director Report
- Inspector General Presentation
- BREAK
- Review Data Collection Forms
- Public Engagement Session
 - “Data Collection Through Updated Compliance Forms”
- General Public Discussion
- Closing Remarks





NDEAM 2024 Recognition

#NDEAM
dol.gov/odep



Access to Good Jobs for All

National Disability Employment Awareness Month



OFFICE OF DISABILITY EMPLOYMENT POLICY
UNITED STATES DEPARTMENT OF LABOR





NDEAM Panel Conversation

Jennifer Sheehy, Moderator

Commission Member, and
Deputy Assistant Secretary of Labor
Office of Disability Employment Policy

Jeffrey Rudloff

Computerized Maintenance Management System Manager
2023 ServiceSource AbilityOne Employee of the Year
Mark Center, Alexandria, Virginia

Terrie Collins

Recruiter, Alphapointe
2024 NIB Milton J. Samuelson Career Achievement Employee of the Year
Kansas City, Missouri





Regulations and Policy Subcommittee Update



Compliance Transformation

What does transformation of the AbilityOne compliance approach and policies mean for AbilityOne Employees?

- Streamlined process for determining whether individuals are eligible for direct labor employment opportunities through qualifying documentation of legal blindness or significant disabilities (Policy 51.403)
- Clearly articulated rights of all employees and a process for the Commission to address complaints (Policy 51.406)





Compliance Transformation

What does transformation of the compliance approach and policies mean for Central Nonprofit Agencies (CNAs)?

- Clear roles and responsibilities, delineating front-line inspection duties and technical assistance performed by the CNAs (Policy 51.400)
- Standard compliance processes for inspections and corrective action; due process articulated for potential enforcement actions (Policy 51.407)





Compliance Transformation

What does transformation of the compliance approach and policies mean for Nonprofit Agencies?

- Updated standards for Program entry (Policy 51.401)
- Clear standards to remain in the Program (Policy 51.402)
- Streamlined process for determining whether individuals are eligible for direct labor positions (Policy 51.403)
- Direct labor tracking and reporting guidance (Policy 51.404)
- Clearly articulated rights of all employees and a process for the Commission to address complaints (Policy 51.406)
- Standard processes for inspections and corrective action; due process articulated for potential enforcement actions (Policy 51.407)





Executive Director Report



FY 2024 Highlights

Strategic Objective: Identify, Publicize, and Support the Increase of Good Jobs in the AbilityOne Program

- Toured AbilityOne service contract sites to observe employee interaction and hear directly from members of the workforce.
- Visited 5 NPAs that provide military resale and other AbilityOne products to observe production and talk with their employees.
- Met with AbilityOne qualified nonprofit agencies (NPAs) on-site and virtually to learn about the career development activities they provide.
- Obtained independent subject matter expertise to develop standards related to job individualization and career development programs.
- Published a Request for Information (RFI) in Federal Register and on [regulations.gov](https://www.regulations.gov) to gather input on Indirect Labor activities.





FY 2024 Highlights

Strategic Objective: Ensure Effective Governance and Results Across the AbilityOne Program

- Published final rule supporting competition in the Program.
- Updated and issued 7 final compliance policies.
- Published 3 proposed data collection forms for comments.
- Established parameters and objectives for Cooperative Agreements in preparation for upcoming negotiations.
- Processed more than 1,450 Procurement List transactions for additions, deletions, price changes, and other updates.
- Closed 31 financial and 11 non-financial audit recommendations.





FY 2024 Highlights

Strategic Objective: Engage in Partnerships to Increase Employment for People Who Are Blind or Have Significant Disabilities Within and Beyond the AbilityOne Program

- Presented updates about Program modernization and data collection at national and regional conferences held by National Industries for the Blind, SourceAmerica, and nonprofit agency associations.
- Educated over 6,100 Federal customers about AbilityOne through Commission's ABOR Program office.
- Engaged with USDA's Supplemental Nutritional Assistance Program to connect recipients with disabilities to AbilityOne job opportunities.
- Discussed opportunities to collaborate with Social Security Administration; more to follow in FY 2025.





U.S. AbilityOne Commission

Office of Inspector General



Stefania Porter, Inspector General
October 24, 2024





AbilityOne Program – OIG Continuous Learning

NPA visits – September 2024

Thank you for hosting us!

- Chicago Lighthouse – NIB
- Goodwill Great Lakes – SourceAmerica



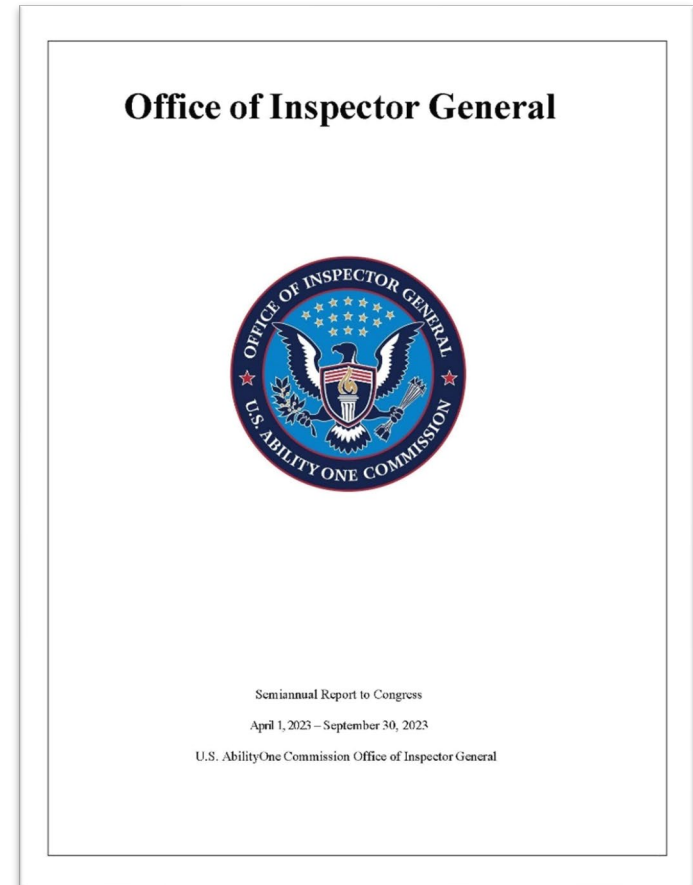


Semiannual Report to Congress

SAR - Fall 2024 - upcoming

Issued audits:

- Commission's Contract Administration Process
- Third-Party Service Provider Agreements
- Data Reliability, Availability, and Accessibility





OIG Oversight and Planning

Audits and Evaluations

Mandatory:

- FY24 FSA
- FY24 FISMA

Discretionary:

- Evaluation - the Commission's Strategic Plan (2022-2026)
- Audit of Commission's ERM - Effectiveness
- OIG to initiate new Evaluation - ERM's Maturity Level





Top Challenges Report

2023 – The Top Management and Performance Challenges facing the Commission

1) Implementation of the Strategic Plan:

- a) Implementation of new Cooperative Agreements with CNAs to Modernize and Enhance Program Compliance
- b) Successful Implementation of the Section 898 Panel Recommendations
- c) Use of an Enterprise-wide Risk Management (ERM) Framework

2) Breakdowns in Internal Control over Financial Management and Reporting

2024 Report
upcoming





OIG Oversight - Going Forward

OIG Evaluation - AbilityOne Commission's FY 2022-2026 Strategic Plan

Objective

Whether the 2022- 2026 Strategic Plan has the necessary framework, including specific operational initiatives/objectives and associated performance measures.

Next

Oversight planning for 2025





OIG Contact Information

AbilityOne Office of Inspector General

<https://abilityone.oversight.gov>

To SUBMIT a COMPLAINT to OIG:

Please submit complaints using our Portal

<https://abilityone.oversight.gov/hotline>

You may also submit a complaint via our:

Hotline Toll-Free Number: 1-844-496-1536

Email: hotline@oig.abilityone.gov





Break



Data Collection Overview



Overarching Commission Focus

Build a stronger, better & bigger AbilityOne Program

- Ensure that jobs received through the contracts go to individuals with **qualifying disabilities**.
- Ensure that all NPAs deliver **quality services and products** to Federal customers—to sustain and grow the number of contracts.
- Ensure that jobs offered by the contracts are **good jobs that meet employees' skills and career goals** and can serve as a **springboard for other jobs, if desired** by the employee.





Strength of the Program

- **In many jobs:** People who are blind or have significant disabilities face **discrimination**; they do not receive the **accommodations** they need; they are blocked from **promotions**; and they do not receive any focused **career development**.
- **In a federal contract job through the Program:** there is a **financial incentive to hire** people who are blind or have significant disabilities; we expect NPAs **to provide appropriate accommodations** for employees; and we will soon expect a focus on **skills development and employee career development**.





Data Collection Objectives

Data can demonstrate how our federal contract jobs operate now and can create a baseline to demonstrate changes in the Program. We need data to show that:

- ✓ The contracts employ individuals with **qualifying disabilities**;
- ✓ The jobs are **good jobs**;
- ✓ The jobs are **tailored to an employee's skills** and the employees are receiving appropriate **accommodations**;
- ✓ When fully implemented, employees are receiving **career development**.

Positive outcomes: Increased skills; pay increases; upward and (when desired) outward mobility.





Current Individualized Data Collection

Individual Eligibility Evaluation (IEE) -- Process

- ✓ An IEE is completed for all individuals with disabilities counted towards the DLH ratio on any NPA contract.
- ✓ The IEE is completed at on-boarding and annually.
- ✓ The IEE includes the name of the employee.
- ✓ The IEE can be filled out manually and stored as a paper file. Some NPAs complete the form electronically.
- ✓ Medical documentation to support the IEE is kept with the IEE.
- ✓ When a CNA does an oversight visit, it either reviews all the IEEs (if the number of employees is small enough) or a random sample of IEEs. The CNA staff reviews the employee's medical documentation and accommodations. (Need consent forms for HIPPA and ADA.)





IEE -- Data Collected

For blind individuals:

- ✓ A signed eye exam with the person's visual acuity or a signed government documentation that the individual is blind;
- ✓ Whether the person is currently capable of competitive employment; whether the person desires to be placed competitive employment and, if so, what steps the NPA has taken to place the individual in a community job.

For individuals with significant disabilities:

- ✓ A signed letter from a medical professional or a signed letter from a government agency certifying the individual's disability
- ✓ A completed chart with all the individual's disabilities and a notation of the disability that impairs one or more of six major life functions (mobility, communication; self-care; self-direction; work tolerance; work skills);
- ✓ Whether the person is currently capable of competitive employment, and if not, the details of the individual's functional limitations and the details of the accommodations or supports being provided to the individual.





New Form 1: Disability Qualification Determination (DQD)

Process

- ✓ Replaces part of the current IEE form.
- ✓ Completed for all individuals with disabilities counted towards the direct labor hour (DLH) ratio on any NPA contract.
- ✓ Identified solely with a form reference number, not employee's name.
- ✓ Completed electronically and submitted to CNA electronic data system.
- ✓ Completed once for individuals w/permanent disabilities; every 7 years for those with non-permanent disabilities.
- ✓ Includes several dropdown check boxes to replace need for narrative.
- ✓ NPA must have all documentation related to the form available for CNA staff conducting compliance visits.





DQD (Form 1) -- Data Collected

- ✓ Is the individual blind (signed doctor certification)
- ✓ Is the individual receiving or eligible for Social Security disability benefits or Medicaid (govt documentation does not need to be signed)
- ✓ Is the individual receiving or eligible for other governmental benefits based on disability (e.g., voc rehab; veterans benefits etc.) (govt documentation does not need to be signed)
- ✓ Does the individual have signed documentation from a licensed health professional certifying the disability
- ✓ If the individual is not receiving or eligible for Social Security disability benefits or Medicaid, what job supports or accommodations does the individual require in order to perform the job?
- ✓ How often are the job support(s) needed and why are they necessary?

Consistent with Commission Policy 51.403.





New Form 2: Participating Employee Information (PEI)

Process

- ✓ Replaces part of the current IEE form.
- ✓ Completed annually for each **participating employee** – defined as an employee with a qualifying disability **working on an AbilityOne contract** and counted toward the DLH ratio.
- ✓ Identified solely with a form reference number and not with the employee's name.
- ✓ Completed electronically and submitted to a CNA's electronic data system.
- ✓ Has drop down menu boxes for most questions.





PEI (Form 2) -- Data Collected

- ✓ The employee's wages (W-2 wages and average hourly wage)
- ✓ The employee's disability(ies)
- ✓ Job supports and accommodations the employee is receiving
- ✓ The resources that are paying for the job supports and accommodations (NPA or third party)
- ✓ Career development activities in which employee has participated; resources paying for such activities (NPA or third party)
- ✓ Info on "employee career plans" that will be applicable after the Commission issues Policy 51.405
- ✓ The employee's career mobility – lateral mobility; upward mobility; outward mobility
- ✓ A statement of an employee's choice not to engage in career mobility (if applicable)





New Form 3: Updated Reps and Certs

Process

- ✓ Consists primarily of aggregate data
- ✓ Is required only annually by the Commission
- ✓ Is completed electronically and submitted to the CNA's electronic data system.
- ✓ Because Forms 1 and 2 are submitted to the same CNA data system, several data fields in Form 3 should automatically roll-up from data submitted in Forms 1 and 2.
- Contains fewer yes/no questions and fewer lines of data in tables; includes drop-down menus
- Much shorter than the existing form





Reps & Certs – Data Collected

- AbilityOne revenue
- Source of employees' disability eligibility
- Number of participating employees
- DLH ratio
- Wages paid to participating employees and to DLH non-participating employees
- Employment benefits offered to participating employees
- Career mobility of participating employees
- Subcontracting – NPA as prime; NPA as subcontractor
- For total NPA contracts: DLH ratio





Reps & Certs Data (cont'd)

- Number of veterans and wages paid to veterans
- IRS 990
- Independent financial audit report or NPA financial statement
- Number of NPA board members that voluntarily self-identify as a person with a disability
- Number of AbilityOne contract sites represented by a union; number of participating employees who are members of a union





Links

Previous Individual Eligibility Evaluation (IEE) form:

https://www.abilityone.gov/laws,_regulations_and_policy/individual_eligibility_evaluation.html

Proposed new forms:

- [Disability Qualification Documentation \(DQD\) form](#)
- [Participating Employee Information \(PEI\) form](#)
- [Annual Reps and Certs \(ARC\) form](#)





Public Engagement Session

Data Collection Through Updated Compliance Forms



Panel Speakers

- Larysa Kautz, Melwood, President & CEO
- Glenn Adler, Service Employees International Union, Assistant Director for Policy
- Bruce Patterson, ServiceSource, President & CEO
- Megan Schuller, Bazelon Center for Mental Health Law, Legal Director
- Bartholomew Devon, Alliance for Expanding America's Workforce, Executive Director
- Michael Lewis, American Association of People with Disabilities, Vice President of Policy
- Vanessa Ferguson, PCSI, Senior VP-Workforce Development
- Soraya Correa, National Industries for the Blind, President & CEO
- Richard Belden, SourceAmerica, President & CEO





Audience Comments and General Public Discussion



Chairperson Closing Remarks