CASE REPORT


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A 39-year-old man with cerebral palsy, spastic quadriplegic type, and with a strong desire to obtain a paid, community-integrated job, is the focus of this case report. On the basis of his expressed employment interest, the participant was referred to Transition Services, a supported-employment agency in Fort Collins, Colorado. Transition Services assists adults with severe disabilities as they seek paid employment in their communities. At Transition Services, an interdisciplinary team is assembled for each referred person to address the specific goal of community-integrated, paid employment that matches the participant's abilities and interests. Supported employment services are provided in three stages: (a) functional community-referenced assessment, (b) job development and placement, and (c) job-related support. The Americans with Disabilities Act of 1990 (ADA) (Public Law 101-336) can aid the person described in this report by providing him with expanded employment and transportation opportunities.

The participant was referred to Transition Services by the sheltered workshop where he had been employed for many years. For months before his referral, he had expressed a strong interest in working in the community. He subsequently resigned from his sheltered workshop position and spent several months unemployed. At the time that he was referred to Transition Services, the participant was spending his days at home watching television, eating, and sleeping. His work experience was limited to the segregated sheltered workshop setting.

At the time of his referral, because of cerebral palsy, the participant had permanent deformities, primarily in the hips and spine, which limited his mobility and positioning options. Additionally, due to a severely weakened condition caused by inactivity and a poor fit, he used his wheelchair infrequently. He had functional use of his upper extremities, although speed and fine coordination were impaired. He communicated verbally, although his speech was difficult to understand, particularly for persons who were unaccustomed to his speech patterns. His other disabilities were mild mental retardation, asthma, and chronic stomach problems related to years of poor diet.

Functional Community-Referenced Assessment

To assess the participant, the Transition Services team used a functional community-referenced assessment process. The primary purpose of the assessment was to identify the participant's job-related strengths and interests as well as support needs or barriers that could interfere with future employment. A secondary purpose was to identify, on a preliminary basis, the types of accommodations that the participant would require in the areas of transportation and employment. The assessment involved interviews with the participant and significant others combined with the direct observation of the partici-
pant’s performance in four major performance areas: (a) at home, (b) in the community (i.e., his access to public transportation), (c) in work settings through a series of unpaid work-trials, and (d) during recreational or leisure activities.

The interview and observations, which are described below, revealed that the participant had clear strengths, interests, and abilities in all four environments as well as incredible and seemingly insurmountable barriers in these areas. Until resolved, these barriers could exclude him from community-integrated employment. The Transition Services staff’s knowledge of the ADA proved to be an asset as barriers were systematically addressed.

Home Environment

In the home, the participant demonstrated an unwillingness and an inability to use his wheelchair. His home was so small that he found it easier to crawl than to navigate the wheelchair through narrow doorways and crowded rooms. The participant stated that he was much more comfortable lying on the floor than sitting upright. He had become accustomed to eating, sleeping, and watching television while on the floor. Because the team considered this living situation unsafe, unhealthy, and complicated by a lack of physical access, they discussed alternative living arrangements. It became clear that for the participant to become a successful worker in the community, he would need to maximize his independence in his own home and assume healthy, safe living habits. The ADA does not directly address living environments for persons with disabilities. Responsibility for the participant’s housing needs, therefore, fell squarely on the Transition Services team and local community resources. The outcome was a move to a transitional living situation pending the availability of permanent and accessible housing.

Community Environment

The participant rarely traveled into the community. He was nonambulatory, did not drive, was unable to propel himself in his wheelchair for any great distance, and could not access the public bus system. He stated that he did not use his wheelchair outside of his home because the public buses could not physically accommodate it. As an alternative to the public bus system, Transition Services staff approached a specialized transportation service specifically for persons with disabilities and the elderly, only to find that the service could or would not fit the participant into the schedule and repeatedly refused his requests for rides. The participant finally gave up and stopped asking this service for transportation assistance. Because so many months had gone by with the participant not using his wheelchair and not being able to leave his home, his physical condition had deteriorated to the point where he found it difficult to sit in an upright position for any extended period of time. Additionally, he had gained weight as a result of his sedentary life-style and poor diet, which made it very difficult for him to transfer independently in and out of his wheelchair.

During the community observation portion of the assessment process, with transportation being provided by a Transition Services staff member, the participant agreed to use his wheelchair to do some shopping at the local mall. This assessment was brief, because the participant was only able to tolerate sitting in the wheelchair for 30 min. Additionally, the participant was unable to independently operate the manual wheelchair even on a smooth, flat surface and needed to be pushed. Transition Services staff became aware that the participant would need intense support and assistance to regain his physical strength and endurance so that he could become employed. In light of the many transportation-related barriers experienced by the participant, Transition Services staff also began to develop an advocacy plan to facilitate local compliance with the ADA by the public transportation providers.

Work Environment

The participant’s work assessments were delayed until he regained physical capacity through slowly increasing his time sitting in and operating the wheelchair. Meanwhile, Transition Services staff took the participant to community settings where he had the opportunity to practice maneuvering his wheelchair and to increase his endurance. After approximately 3 months, when his physical capacity increased, work trials were set up at three local businesses (at a video store, a day-care facility, and a restaurant) in response to some of the participant’s stated interests. The results of these trials indicated three needs: (a) for a job environment that accommodated the participant’s large wheelchair, characterized by open, uncluttered areas for him to move around in; (b) to work from a sitting position on a work surface that was the correct height; and (c) for co-workers to bring inaccessible supplies to him as well as monitor his ongoing work-related needs. Results of the vocational part of the functional community-referenced assessment indicated that the participant’s employment needs and barriers were related primarily to transportation and physical access and only minimally to his cognitive disabilities. The cognitive disabilities could be accommodated easily by slight modification of interaction and communication styles with co-workers and supervisors. On the basis of these findings, the Transition Services team formulated a job development plan for working with prospective employers related to the reasonable accommodation of the participant’s physical limitations.
Recreational and Leisure Environments

When the participant was assessed in recreational and leisure environments, transportation and physical accessibility again surfaced as the primary barriers. These barriers prevented him from participating in activities outside of his home.

Job Development and Placement

The Transition Services team led an extensive job-development and job-search effort over a 3-month period. The job developer on the team relied on direct employer contacts, interviews, job analysis to ensure a positive worker-job match, and extensive follow-up calls and contacts. A direct and proactive marketing approach was used with prospective employers focusing on the participant's strengths and low-cost solutions to his physical access needs (reasonable accommodations). His strengths were his vocational potential, high motivation, and desire to work. The low-cost solutions are discussed below. Job development occurred in the areas of food service, day care, and video entertainment on the basis of the participant's stated and demonstrated interests and abilities. The participant, with the support of a Transition Services job developer, obtained competitively paid employment at a local restaurant. His job duties included making spaghetti dough, pasta sauces, salad dressings, and meatballs. The employer agreed to work with the participant and Transition Services staff to accommodate the participant's physical needs (for work space and positioning) in the workplace. The only projected cost to the employer for accommodations would be some additional staff time to physically rearrange work areas for the participant and to provide individualized supervision based on his learning needs and learning style.

Job-Related Support

In addition to helping the participant acquire a job, Transition Services staff provided him with substantial support both on and off the job site. This support included monitoring the participant in his living situation, providing transportation, advocating for public transportation, and providing direct job-related support or training. The needs of the employer and co-workers were also addressed.

Because the participant was unable to access either the local public bus system or the local specialized transportation system to get to his new job, Transition Services staff transported the participant to and from work for his first 3 months of employment. This forced dependency prevented the participant from achieving normalcy in his work situation. Using knowledge of the ADA to advocate for the participant's rights to transportation and following lengthy negotiations between the participant, Transition Services staff, and the transportation providers, the participant obtained a commitment from the local specialized transportation program to transport him to and from his workplace. The transporting vehicle was then adapted with wheelchair tie-downs to accommodate the participant's wheelchair at no expense to him.

The participant's preference for transportation was public buses, which run on a consistent schedule and are very reliable, but they were not physically accessible for him. The specialized transportation system was not an ideal solution either, because pick-up times before and after work were inconsistent and undependable. If the participant were able to access the conventional public bus system, he would be assured of a stable, normalized work day without fear that his ride might not show up or that he might be late to work. The ongoing vigilance of the Transition Services staff is needed to ensure that the participant continues to receive critical transportation assistance. Over time and with full implementation of the ADA, the Transition Services staff anticipates that the local public bus system will become better equipped to serve persons who use wheelchairs.

After job placement, Transition Services provided the participant with a job coach to act as a consultant to the participant's employer and co-workers regarding the issues of accommodation, training, and supervision. Additionally, communication between the participant, co-workers, and the employer was facilitated by the Transition Services staff until a satisfactory working relationship was established. The initial consulting activities included identification of workstation adaptations. The participant needed a high work surface that allowed him to easily and comfortably reach his work while sitting in his wheelchair. He needed to have recipe ingredients rearranged in the kitchen so that he could reach them. He needed rearrangement of machines, equipment, furniture, trash cans, crates of food items, and pots and pans so that he could have total physical access in and around the kitchen and the break room. Finally, he needed occasional assistance from a co-worker to get the eggs needed to prepare assigned recipes, because egg storage in the walk-in refrigerator was not wheelchair accessible.

When co-workers found the participant's speech difficult to understand because of his asthma and cerebral palsy, the job coach taught them alternative methods of communicating with the participant, including using simple language, learning to understand his gestures, asking him to repeat his statements, and participating in active listening. As the co-workers became practiced in these methods, the job coach gradually transferred job-related support to them.

To learn the specific job duties, the participant received the same on-the-job training that other new employees received at the restaurant. As job duties were taught, the job coach assessed the extent to which the participant understood job expectations and provided
feedback to the supervisors regarding the participant’s learning style and suggestions for more effective teaching.

In conclusion, the participant’s entry into community-integrated employment involved a lengthy period (approximately 7 months) of time-consuming support activities that were primarily related to a lack of transportation and physically accessible community and work environments. By overcoming these barriers, the participant was able to attain his rightful place as a productive and working member of his community. Support of his employment will be an ongoing task addressed by the Transition Services program. Over time and with full implementation of the ADA, it is anticipated that transportation needs will be served as the local public bus system becomes better equipped to serve persons who use wheelchairs.

Summary

The primary purpose of the ADA is the full inclusion of persons with disabilities within their communities. The ADA prohibits discrimination on the basis of disability in the areas of employment, transportation, public accommodations, telecommunications, and state and local government agencies.

The person described in this report encountered some of this discrimination. He successfully obtained paid community-integrated employment only after overcoming major obstacles and barriers, the greatest being transportation. In our highly mobile society, reliable transportation is essential for the acquisition and maintenance of community-integrated employment. The participant was repeatedly denied access to public transportation on the basis of his disability. To help overcome this barrier, Transition Services had to provide needed transportation at great expense, which delayed opportunities for the participant to gain control of this aspect of his life. Enactment of the ADA makes it more difficult for public transportation agencies to deny services to persons with disabilities by claiming inconvenience or lack of accessible vehicles. When publicly funded transportation programs assume their full responsibility for transportation to the public, agencies like Transition Services can focus on individualized employment and training issues rather than on providing transportation.

In the workplace, the employer’s willingness to work cooperatively with the participant and the staff of Transition Services resulted in several low-cost and reasonable accommodations based on the participant’s needs and abilities. A simple rearrangement of work space allowed the participant to perform his job while benefiting the other workers in the crowded restaurant kitchen. Subtle shifting of responsibilities among the participant and his co-workers allowed the participant to complete food preparation tasks while co-workers stocked his work area and communicated with the participant regarding work activities, priorities, and problem solving.

The participant’s job provides an excellent example of the intent of the ADA. In this situation, an employer recognized the contributions that the participant could make to the restaurant business and provided him with an opportunity to work. The employer then collaborated with the participant and Transition Services to make necessary accommodations that allowed the participant to be successful. The winners in this situation are the employer, who gained a productive worker; the participant, who gained a paid job that matches his abilities and interests; the participant’s co-workers, who gained the opportunity to get to know the participant; and, ultimately, the community, which will begin to see the participant as a productive and contributing member.

As the ADA is fully implemented, the participant described here will continue to be among the many direct beneficiaries. His community will also benefit by gaining opportunities to get to know him through his increased presence in the workplace, at restaurants, in stores, at recreational facilities, on public buses, and in an array of state and local government buildings.

Reference