

# Disability Issues

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## Celebrating Olmstead: The MRC Perspective

By Sandy Alissa Novack

*Editor's Note: Last year, to commemorate the tenth anniversary of the Olmstead decision by the United States Supreme Court, Disability Issues published an interview by Sandy Novack with BCIL's Executive Director Bill Henning. Now, we are pleased to present Sandy's interview with Massachusetts Rehabilitation Commissioner Charles Carr. This interview has been edited.*

The Olmstead decision refers to the United States Supreme Court case stating that the ADA guarantees the right to services for people with disabilities in the most integrated, least-restrictive settings.

### NOVACK: How does the Mass. Rehab. Commission play into the Olmstead Decision?

COMMISSIONER CARR: MRC has two basic pillars that hold the agency together. One is the community living supports, providing tools people need to live independently, and providing consumers with organization providers to help them live in the community, such as help on the provision of PCAs (personal care assistants). But, two, is the huge area still to be worked on: it

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## Ratify the U.N. Convention on the Rights of All Persons with Disabilities!

By Bill Henning

Probably most of us reading *Disability Issues* celebrated the 20th anniversary of the ADA on July 26. In Boston, a thousand people marched and gathered on Boston Common, savoring the power and spirit of the disability rights movement, reflecting on tremendous gains and recommitting to advocate and agitate for changes still needed.

Amidst the run-up to this celebration, I became aware of a related civil rights initiative that is not on many of our radar screens: the need for the United States to ratify the United Nations Convention on the Rights of Persons with Disabilities (CRPD). Signed last year by President Obama, the Convention is a treaty and needs approval by a two-

**“The CRPD is good for people with disabilities, good for America, and good for the world.”**

Tony Coelho, Chairperson, AAPD

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NPR host John Hockenberry and BCIL's Karen Schneiderman led the parade at this year's ADA Celebration on the Boston Common.

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is fundamental to be settled in the community, but it is not enough. It is a life of poverty as you cannot have money above a certain limit (to obtain some benefits). This is an issue about equality and raising expectations. People with disabilities should not be satisfied to just live in the community; employment is the only way to pull oneself out of poverty.

I want MRC to better match people with jobs. For instance, we can do this by working in tandem with the Office of Labor and Workforce Development to use their data better. Let's look at what professions are growing, like the green industry and health care. Better forecasting and training for a job that will be there for them is important.

Per federal law, if a person goes to work and is still working after 90 days, a person has achieved successful employment and the case is closed. Now, however, there is a push for counselors to embrace on-going support beyond the first 90 days. For example, for people with cognitive or psychiatric disabilities, something like a schedule change at work can be huge and can become a barrier to them, and they could therefore lose their jobs. So we need to do better to access on-going support, such as being assigned a job coach, someone to check in with, and try to troubleshoot before the person walks away from a job. Everyone who needs long-term supports should get them.

**NOVACK: What can we expect in the next ten years with Olmstead?**

**COMMISSIONER CARR:** Advocacy organizations will be getting together to look for pathways out of institutional life. Sometimes it looks like lawsuits, but Governor Patrick gave political support to the Olmstead decision, which is huge. Advocacy organizations will be

getting together to look for pathways out of institutional life. Let's use the plan and modify it to set benchmarks for success, and let's have dialogue around concerns that arise. I fought hard for passage of the ADA, and I want to embrace the current plan, and work with the administration, and hold people accountable.

**NOVACK: You mentioned modifying. Anything in particular?**

**COMMISSIONER CARR:** When the economy improves, maybe we can look at more housing opportunities. Transportation is also huge, as there can be no socializing or employment if there is no transportation. Living independently is a full time job: pay rent, live on limited budget, etc., but there are more resources available today than before. It takes perseverance and hard work to push our own personal norms to break the barrier of poverty and work.

**NOVACK: What would you like readers of this newsletter to do?**

**COMMISSIONER CARR:** Get involved. Be active on commissions and boards and at all levels of government.

Work with legislators — they make the laws and fund programs. It is a partnership between people in the community and agencies. YOU can impact government and legislation. Ask questions and push. Civic engagement is radically important. Stay informed, stay plugged in, and do something.

Better times are coming! Hang in there, plan and rejoice. Take stock and realize where we have come since 1990 with passage of the ADA. We now have recognized civil rights. October is Disability History Month, and schools must now teach disability history. It is a struggle just to be equal, but we can do it together.



*Sandy Novack is a member of the Editorial Board, and is a geriatric social worker in Greater Boston.*

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## From the Editor

Dear Readers,

It's September. During this month of beginnings (and endings), some of us cling fast to summer's fleeting days as students of all ages return to school, farmer's markets sell the first crops of crisp apples, and leaves begin their transformation from verdant green to gold and russet. In September, I always look forward to cool, dry air and the start of the arts season. Theaters begin rehearsals for their first productions of the year. And music organizations are gearing up to welcome audiences to choral, jazz, orchestral, folk, and myriads of other styles of performance. In this *Disability Issues*, you'll find information about how you can participate in some of this area's artistic riches.

October is **National Disability Employment Awareness Month!** We're celebrating with an expanded column of "The Work Place." Here, Tanya Skypeck discusses disclosure from the point of view of the employer with a disability

and a worker with a disability, while Barbara Ceconi shares how she finds joy as a consultant in the cultural community.

Whether you're sad to see the end of summer days or gearing up for a new school year or a new job, I wish you a tranquil autumn season.

Happy Fall!

Ruth Kahn, Editor



## Disability Issues

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# THE WORK PLACE

## **Disclosure: An Employer's Perspective**

*By Tanya Skyeck*

The issue of whether to disclose a disability during the employment search process touches a nerve that runs deep and gets personal. For many job seekers, the fear is unshakeable that a perceived disability will undermine their efforts and somehow label them unfit. Oswald ("Oz") Mondejar, Vice President of Human Resources and Community Relations for Partners Continuing Care at Spaulding Rehabilitation Hospital in Boston, cautions about making such assumptions, either from the employer or the job seeker's perspective. "That sometimes sets the tone for a break in communication."

In cases where a visible disability makes it readily apparent the moment the job applicant comes in for an interview, Oz recommends ways to lay a foundation for that eventual disclosure. "I would reflect things in my resume that might tell of my interest," he says, such as referencing involvement in disability related events or organizations. "If the interviewer or the screener has the sense and experience, they'll glean something from that. It puts out there some of your own interests. It doesn't say that I'm going to show up for the interview and I don't have a right hand." Once in an interview, Oz says, "With a visible disability or challenge, if you don't address it somewhere along the line, it's the elephant in the middle of the room and you can't get beyond it. So you have to be confident enough to talk about it in a way that it's part of the interview, but not the only part of

the interview." He notes that an interviewer may be concerned with issues of legality and appropriateness and may not ask directly, but will want to hear and be assured that, regardless of a person's disability, he or she has a clear strategy for getting the work done.

Likewise in the case of a hidden disability, at whatever stage a person decides to disclose, it is important to emphasize that there is an established mechanism, tool or strategy for completing the requirements of the job, even if the process of getting it done looks different from how others might accomplish it. An important question to ask is how and when the disability will manifest itself or need an accommodation. "It wouldn't necessarily be part of that first interview," Oz explains. "If you get called back for a second interview, I would say that's the time to say, 'In my experience handling this type of work, what's very helpful for me is to have a tool or accommodation.'"

From the employer perspective, at any point during the employment search process, closely linked to the disclosure



*Oswald "Oz" Mondejar*

should be the confident emphasis on the experience and ability to get the job done.

*Tanya Skyeck is Research Coordinator at the Center for Health Policy and Research Work Without Limits Initiative at the University of Massachusetts Medical School.*

## **Heather Hudson Discloses Her Strategies for Disclosure**

*By Tanya Skyeck*

Heather Hudson is nothing if not honest about the issue of disclosure. As a quadriplegic who uses a motorized wheelchair, she's aware that will be one of the first things a potential employer notices about her when she goes into an interview. For that reason, she'd like to delay that disclosure as long as possible. "I used to fully disclose, and I think that can backfire on you. So now I disclose when it's time to disclose." For Heather, that means when an interview offer is extended and she thus requests a reasonable accommodation for the interview. "I used to put it in my cover letter, but what I found was I never got asked to an interview. And it's not a matter of lack of qualification." She explains that she's not trying to be sneaky about it (the disability will become obvious eventually anyway in the job search process), only strategic. "Show some interest in me based on my merits, and then deal with the rest of it."

Even without disclosing outright up front, her resume drops plenty of hints that Heather might be a person with a

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disability. She has worked for Partner's Health Care, the Massachusetts Office on Disability, the University of Massachusetts system, the Boston Center for Independent Living, the Girl Scouts of Eastern Massachusetts, and two different prominent political campaigns. To this she adds with a laugh, "And I have a Master's in Public Administration with a concentration in disability issues. It can't be much more clear!" Heather currently works on the Community First Systems Transformation Grant awarded to The University of Massachusetts Medical School, which will wrap up in mid-September. Knowing this, she has been searching for a job since May, but so far to no avail. The kinds of jobs she's looking for are advocacy positions in the disability field, and Heather has plenty of merits for such positions. But she still feels like it's a liability to announce too soon that she herself has a disability, whether or not she gives much thought to that disability herself (she doesn't). With a nod to a nearby trash bin, Heather explains, "I don't want my resume to end up in the 'circular file.'" Who are the people making the hiring decisions for such jobs? Are they people with disabilities too? "Some of them yes, some of them no," says Heather. As for getting into the role of being the person making the hiring decisions, she says, "I find that glass ceiling is so hard to crack sometimes."

Heather notes, though, that preparedness to accommodate a potential employee with a disability is linked to the overall viability of a workplace. "If you don't have money in your budget for reasonable accommodations, you've got a bigger problem. If you haven't thought about that, you're not ready to hire anybody."

## Working for an Arts Organization

By Barbara Ceconi

I have worked as a consultant in a number of cultural venues during my career. I enjoy working in an environment that is creative, educational, and fun. Since my beginnings in cultural organizations, I have expanded my skill set, establishing my company to consult with children's television, various corporations, diversity companies, and emergency preparedness. I have spoken to corporate audiences about the importance of hiring employees with disabilities. The expertise I've developed from my work with museums has served me well throughout my career.

Typically, cultural institutions have a 50% turnover rate every four years, which means there are advantages to hiring people with disabilities: we stay on the job longer, we use less sick time, and we're creative problem-solvers.

How do you know if you're ready to work in a cultural organization?

First of all, do you have experience or education in museums, music, theatre, education, art history or science? If you are curious about cultural organizations but don't have experience, volunteer your time. Enjoying those areas gives you the focus and enthusiasm useful in a work setting. This provides you with an opportunity to establish your talent and skills.

My career began by volunteering as an exhibit interpreter at a science museum. I relished working with people, explaining science to whom-ever passed by my cart of objects. Visitors were initially attracted to the objects visually, and as I explained aspects of them, people would pick them up and feel the surfaces. The multi-sensory approach to learning heightened visitors' curiosity about the subject. This new perspective started

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## The Case for Hiring Us

By Barbara Ceconi

- Recent employer surveys show the number one problem for American companies is finding an adequate supply of qualified employees.
- According to the Department of Labor, employees with disabilities work efficiently and well when given an opportunity and stay longer than other workers.
- We match or exceed non-disabled employees' records for attendance and attention to safety.
- Employers who hesitate hiring workers with disabilities often site the costs of accommodations. For every dollar spend on an accommodation, the organization saves \$34 in expenses related to the process of hiring new employees.
- Employees with disabilities show they can play an integral part in a successful cost-effective strategy for hiring loyal, dependable workers.

Sources: *The U.S. Department of Labor and The Job Accommodation Network*

## Outdoor Explorations Reopening Its Doors!

Since 1991, Outdoor Explorations has made the outdoors a welcoming place to people with disabilities. Through innovative, cooperative, and fun approaches, OE breaks down the barriers that prevent people from living life to the fullest.



Over the years, their adventure programs have included hiking, kayaking, rock climbing, snowshoeing and camping.

Like many non-profit organizations during these challenging economic times, last spring OE announced it would

be closing its doors. However, due to the commitment of a group of very generous donors, Outdoor Explorations expects to re-open this coming fall! Visit [www.outdoorexplorations.org](http://www.outdoorexplorations.org) for a complete schedule of accessible outdoor adventure experiences.

*"The best part was seeing the clients with physical disabilities or fear of heights make the effort to climb the walls. People who never thought they could do this had the opportunity to be proud of themselves."*

– Joe Breen, Recreation Program Coordinator,  
Head Injury Community Services

## Mass Audubon Receives Grant to Improve Accessibility

Thanks to a \$102,174 grant from the federal Institute of Museum and Library Services (IMLS), Mass Audubon will add multi-sensory interpretive content on eight existing ADA-accessible nature trails at wildlife sanctuaries across the state. "We are so grateful to receive this grant which will enable Mass Audubon to create a richer experience for visitors with a wide range of vision, hearing, and mobility levels," said Mass Audubon President Laura Johnson. "Making these important visitor service enhancements moves us forward on our goal of welcoming *all* people to connect with nature so they will be inspired to protect it."

Improvements to the eight trails will include audio tours, Braille texts and tactile maps, tour scripts and maps designed for high readability for visually impaired and sighted visitors, new orientation maps and information panels, and improved signage along trails. Planning will begin this year and the

project is expected to be completed within three years. The following Mass Audubon wildlife sanctuaries will add the sensory-oriented interpretation to their accessible trails: Arcadia in Easthampton and Northampton, Attleboro Springs at La Salette in Attleboro, Blue Hills Trailside Museum in Milton, Boston Nature Center in Mattapan, Broad Meadow Brook in Worcester, Drumlin Farm in Lincoln, Pleasant Valley in Lenox, and Wellfleet Bay in Wellfleet. For more information, call 800-AUDUBON (283-8266)/Voice or visit [www.massaudubon.org](http://www.massaudubon.org).

## Wheelock Family Theatre Announces 2010-2011 Accessible Season!

For thirty years, award-winning Wheelock Family Theatre has been ASL-interpreting its seasons of plays, musicals and children's productions. WFT was the first theater in New England to audio describe performances for blind patrons and the first in Boston to open caption all performances for patrons who are Deaf or hard of hearing. Access at WFT also extends to performing artists who are blind, who are Deaf, and who have physical disabilities. This year, audiences of all abilities can enjoy the following productions:



ASL interpreters Sharon Mendes and Wendy Jehlen making the arts accessible for Deaf patrons at Wheelock Family Theatre.

- Annie** • October 22 – November 21, 2010.  
ASL & audio described performances Friday, November 19 at 7:30 p.m. & Sunday, November 21 at 3:00 p.m.
- The Secret Garden** • January 28 – February 27, 2011  
ASL & audio described performances Friday, February 25 at 1:00 p.m. & Sunday, February 27 at 3:00 p.m.
- Alladin and the Wonderful Lamp** • April 15 – May 15, 2011.  
ASL and audio described performances Friday, May 13 at 7:30 p.m. & Sunday, May 15 at 3:00 p.m.

For information about group rates, season subscriptions and single tickets, call (617) 879-2300/Voice or e-mail [tickets@wheelock.edu](mailto:tickets@wheelock.edu). And, visit the theater's web site at [www.WheelockFamilyTheatre.org](http://www.WheelockFamilyTheatre.org).

## Boston's Community Medical Group Enrolling New Patients!

If you are an adult with a disability in the greater Boston area who is covered by MassHealth and/or Medicaid, you may be eligible to enroll in Boston's Community Medical Group.



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# Information Briefs Information Briefs Information Briefs Information Briefs Information Briefs Information Briefs

BCMG was established in 1988 to provide comprehensive, community-based primary care to adults with disabilities. BCMG provides care that is individualized to meet each person's needs and to enhance their ability to live independently in the community of their choice. Priority for enrollment will be given to those transitioning from institution to community living, those with multiple recurrent hospital or nursing facility stays, those relying on technology such as ventilators or feeding tubes, and those in need of coordinated multidisciplinary care to maintain their independence. For enrollment information, call (617) 638-7602/Voice, (617) 638-7053/TTY, (800) 442-0520, or visit [www.bcmgweb.org](http://www.bcmgweb.org).

## Disability Law Center Welcomes New Executive Director

Alan Kerzin has recently been named as the Executive Director of the Disability Law Center. Mr. Kerzin has more than 30 years of executive leadership, program planning and development and legislative advocacy for organizations that provide support to people with disabilities. Alan has in-depth knowledge of the Federal Disability system, relevant laws and regulations, including the Federal Developmental Disabilities and Bill of Rights Act (Federal DD Act). Mr. Kerzin is a 1973 graduate of San Francisco State University and received his M.S.W in 1975 from the University of California, Los Angeles. His past positions include; Executive Director of the State of California Area 4 Board on Developmental Disabilities in California, Executive Director of Matrix Parent Network & Resource Center in Novato, California, and most recently

Executive Director of the California State Council on Developmental Disabilities in Sacramento, California before joining DLC in June of 2010.

## Lisa Thorson: in Concert and in Film!

Professor, jazz singer and wheelchair user Lisa Thorson, who is on the faculty of Berklee College of Music, will be performing two sets with her quartet at the Vernissage Restaurant, 1627 Beacon Street in Brookline, on Thursday, October 21 at 8:00 p.m. She is accompanied by Tim Ray on piano, David Clark on bass and George Schuller on drums. Tickets are \$15 (\$12 for students). For reservations and directions, visit [www.vernissagerestaurant.com/jazz.aspx](http://www.vernissagerestaurant.com/jazz.aspx).



Photo by Susan Wilson

On Monday, November 8 at 7:30 p.m., FILmprov presents DUETS, a cinematic exploration of couplings: musical and visual, vocal and instrumental, at the David Friend Recital Hall, Berklee College of Music, 921 Boylston Street, Boston. Professor Lisa Thorson, pianist Tim Ray, trumpeter Mark Harvey, Professor John Funkhouser, and the animated found objects of Kate Matson's film world engage in a series of joyous, contemplative and unexpected partnerings. And it's free!

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## The Work Place - continued from page 5

me on the journey of becoming more involved in universal design and various learning styles. I was also fortunate in finding a mentor within the Museum. She assisted me in negotiating organizational politics and attending staff meetings that related to my interests. This led to my being hired as a project director for a grant.

When applying for positions within a cultural institution, it is important to discuss your abilities, rather than your disability. However, do not ignore your disability. I found that providing pertinent information

up-front enables the interviewer to relax and focus on my qualifications for the position.

It takes creativity to manage life successfully when you have a disability. It also makes you a good problem solver. Those

life skills can be translated into job proficiencies that make you a valuable asset to the organization. Although my graduate degree is not related to work in cultural organizations, I wouldn't trade my career choice for any other job. It is my passion.

*Barbara Ceconi is President of Access Umbrella and Principal of the Ceconi Consulting Group.*



*A Deaf-Blind patron enjoys a backstage tactile tour at Wheelock Family Theatre.*

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## **Ratify the U.N.** - *continued from page 1*

third majority of the U.S. Senate. The importance of ratification cannot be overstated: the convention mirrors in numerous ways the language and rights of the ADA, establishing and promoting civil rights for people with disabilities for the first time in countries across the world, much as the ADA did for us in 1990.

In a letter written to the disability community, national leader Tony Coelho, chairperson of the American Association of Persons with Disabilities, stated that our ratification of the convention is needed "...to ensure that the United States remains a global leader in the disability rights arena," which also "will give the disability rights movement a new vigor abroad with the clear message that the United States affirms the inherent dignity and human rights of all people with disabilities... The CRPD is good for people with disabilities, good for America, and good for the world."

Critical in the drive for ratification – and it is sobering to know that some treaties can get mired in politics and take decades to be ratified – is Massachusetts Senator John Kerry,

who plays a pivotal role as Chairman of the Senate Foreign Relations Committee. In a small meeting in mid-July with advocates, including Ted Kennedy, Jr. during the run-up to the ADA anniversary, Kerry pledged his support and leadership for ratification. Those of us in the state can now support Kerry's leadership by sending a thank you message ([www.kerry.senate.gov](http://www.kerry.senate.gov)) and by signing onto a national letter being sent to Senator Kerry and committee co-chair Richard Lugar and copied to Secretary of State Hillary Clinton at the web site of the US International Council on Disability ([www.usicd.org](http://www.usicd.org)), which is spearheading advocacy efforts.

The deserved shouting out about the ADA this year must be matched by a national commitment, as a preeminent nation in the world, to support the right to equality, dignity, and productivity for people with disabilities everywhere.

*Bill Henning is the Executive Director of the Boston Center for Independent Living.*