Sheltered workshops for the disabled win big reprieve in Massachusetts

July 14, 2014 David Kassell

A major effort by advocates of sheltered workshops in Massachusetts to persuade state legislators and the Patrick administration that the workshops provide invaluable skills and activities for their loved ones with intellectual disabilities has paid off.

Last week, Governor Patrick signed the Fiscal Year 2015 state budget, which contains language protecting the workshops from closure. The language states that the state must not “reduce the availability or decrease funding for sheltered workshops serving persons with disabilities who voluntarily seek or wish to retain such employment services.”

The passage of this language appears likely to cause at least a slowdown in the administration’s plans to close all remaining sheltered workshops in the state as early as next June. The administration has contended that sheltered workshops “segregate” people with developmental disabilities from their non-disabled peers in the mainstream workforce. Supporters of the workshops, and we are among them, argue that the workshops provide needed skills and fulfilling work for people with intellectual disabilities, and do not prevent them from contact with peers in the community.

The protective workshop language survived a House-Senate conference committee late last month, and Gov. Patrick had until last Friday to line-item veto it, and chose not to do so. So, it’s now the law.

The legislative victory is largely due to an intensive effort by workshop supporters to get the word out to key legislators — particularly to Rep. Brian Dempsey, chair of the House Ways and Means Committee — of the value of the workshops, and of the contention that the administration and corporate provider-based organizations such as the Arc of Massachusetts were spreading misinformation about them. Dempsey, in particular, has turned out to be a strong supporter of the workshops, particularly in the budget conference committee.

It remains to be seen whether the protective language will help people like Tom Urban, a 55-year-old man with Down Syndrome, who had been employed in a sheltered workshop for the bulk of his adult life, according to his brother and guardian, Richard. Richard said that last December, he was informed that all sheltered workshops were being closed and that Tom would no longer be employed, as of the very next day, in his workshop, operated by Work, Inc., a Department of Developmental Services provider.

“To put it mildly, this was a rather disruptive change in Tom’s life with no opportunity to prepare him for this shocking development,” Richard Urban wrote in an email to Rep. Dempsey in late May. “Moreover,” he said, “no chance was provided for me, as his brother, guardian and caretaker, to voice any opposition, or input, to this policy change imposed by (DDS).”

Richard said that although Tom “has limitations in a variety of areas, his work ethic and paycheck (from his sheltered workshop program) were two constants that allowed him a place on a playing field of equality with his peers, family and friends.” Since his “forced exit from his workshop,” Richard added, Tom “has grown distant, is very confused, and expresses continued sadness over his job loss. His identity, and work community, have been lost, through no fault of his own but by virtue of a policy shift for which I am at a complete loss to understand.”

The effort to close the workshops has been driven by an extreme anti-congregate care ideology that the Patrick administration subscribes to. Simply because a group of disabled people work together in sheltered workshops, the administration considers it to be a “segregated setting.” As a result, we are concerned that despite the budget language allowing those who are currently in workshop programs to remain in them, people like Tom Urban, who have lost their workshop programs or are seeking for
the first time to get into one will find not be able to do so. Last year, the administration announced it would no longer allow new referrals to sheltered workshops in the state as of this past January.

In addition, the FY 2015 budget contains at least two reserve funds totaling $3 million to support the transfers of persons from sheltered workshops to provider-run day programs and unspecified job training programs. While the administration contends that intellectually disabled people will all be able to reach their potential in mainstream or "integrated" work environments, there is uncertainty over how many mainstream jobs really exist for most people with developmental disabilities, and many questions about what integrated employment really means. Sheltered workshops have won a welcome reprieve in Massachusetts, but their future still remains uncertain; and also uncertain are the long-term prospects of fulfilling work activities for thousands of people with developmental disabilities in the state.