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Feds: Sheltered Workshops May Violate Disabilities Act

By Michelle Diamant | May 1, 2012

The Obama administration is coming out in support of a group of adults with developmental disabilities who say they're being relegated to sheltered workshops even though they're capable of working in the community.

Attorneys for the U.S. Department of Justice filed a statement of interest in late April in a class action lawsuit pitting some 2,300 people with developmental disabilities against the state of Oregon.

In the suit [filed](#) in federal court in January, residents with disabilities alleged that the state is violating the Americans with Disabilities Act by failing to provide supported employment services, which allow people with disabilities to work in the community.

Now, the Justice Department is weighing in saying that limiting people with disabilities to sheltered workshops is no different than segregating them in institutions.

"The unwarranted placement of persons with disabilities in sheltered workshops similarly perpetuates 'unwarranted assumptions' that such persons are 'incapable or unworthy' of working in competitive employment or interacting with non-disabled co-workers or customers," wrote Justice Department attorneys in the statement of interest.

"Thus, the placement of persons with disabilities in segregated sheltered workshops on even a part-time basis, when they could be spending these hours working in the community with appropriate supports and services, is sufficient to state a claim under Title II (of the ADA) and the integration regulation," federal officials continued.

Individuals with disabilities who are named in the suit have experience working in the community at McDonald's, Safeway and other companies. Nonetheless, without supports they have no choice but to work at sheltered workshops where they earn less than the state minimum wage of \$8.80 per hour, according to the initial complaint filed in January.

Meanwhile, others involved in the suit say they've been asking for assistance in finding competitive employment for years without any luck.

Those behind the lawsuit say they want Oregon to offer supported employment services to thousands.

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#1 Comment By [John](#) On May 1, 2012 @ 2:45 pm

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