

Final Ruling Issued in Employment Case for Oregonians with Intellectual and Developmental Disabilities



From left to right are Steven J. Schwartz (Litigation Director, Center for Public Representation), Emily Cooper (Legal Director, DRO), Anna Keenan-Mudrick (Executive Director, Community Access Services), Gabrielle Guedon (Executive Director, Oregon Self-Advocacy Coalition), Tom Stenson (Deputy Legal Director, DRO), Justin Park (Civil Rights Division, Disability Rights Section, U.S. Department of Justice), and Jake Cornett (Executive Director & CEO, DRO).

PORTLAND, Ore. – On 8/12/22, Judge John Acosta of the United States District Court issued a final decision in *Lane v Brown*, finding that the State had substantially complied with all requirements in the Settlement Agreement and dismissing the case. The lawsuit was filed in 2012 by Paula Lane and seven other individuals with disabilities to challenge Oregon’s segregation of people with intellectual and developmental disabilities in sheltered workshops, where they earned pennies a day assembling products for large companies. In 2013, the court held that Oregon’s employment service system violated the Americans with Disabilities Act (ADA). In 2015, the State finally agreed to resolve the case and provide supported employment services that would allow people with disabilities to work in real jobs for real pay in competitive integrated employment.

“A decade ago, I was in a really dark place... I am thankful for the changes that have been made because it's given me a chance to not just work but thrive!” stated Gabrielle Guedon, who formerly

worked in a sheltered workshop and is now the Executive Director of the Oregon Self Advocacy Coalition.

Executive Director of Community Access Services, Anna Keenan-Mudrick, shared: “The *Lane* settlement gave all stakeholders, job seekers with I/DD, families, schools, State agencies, and those of us providing employment services just what we needed to give us clear focus and set appropriately ambitious goals and deadlines. It has completely changed the conversation, and the trajectory. There's no more energy spent going back and forth about whether employment should or could be fully inclusive for everyone. Now, the focus is on career goals, job seeker skills, and on what support is needed to achieve these.”

“Before this case, people with intellectual disabilities expected to sit in meaningless jobs, isolated from people without disabilities, and be paid pennies for work in sheltered workshops. This case changed the employment opportunities for thousands of people experiencing intellectual disabilities,” said Jake Cornett, Executive Director and CEO of Disability Rights Oregon. “With the State reaching substantial compliance in this case, Oregonians should celebrate how we’ve transformed Oregon into a more welcoming place for people with disabilities.”

“This case was brought to end the unnecessary institutionalization of people with disabilities in segregated sheltered workshops, where some earn less than a dollar a week while they work five days a week assembling products for large businesses. As a result of substantial, collaborative efforts by state officials and advocates, Oregon has closed all of its sheltered workshops and helped thousands of people with disabilities obtain real jobs for real pay in the community,” said Steven Schwartz, the Legal Director of the Center for Public Representation.

Ultimately, as required by the Settlement Agreement, the State provided integrated employment services to over 7,000 Oregonians, including providing competitive integrated employment to 1,138 Oregonians working in sheltered workshops. In 2020, Oregon also closed all of its sheltered workshops and ended subminimum wage. Oregon’s efforts have resulted in the state being recognized in 2020 by the U.S. Commission on Civil Rights as a leader in eliminating subminimum wage and in transitioning to fully integrated employment.

The court’s final ruling applauded the State’s efforts in transforming its employment program, and in meeting its obligations under the Settlement Agreement. It also endorsed the recommendations of the court monitor, finding that there are still steps needed to sustain the State’s efforts and ensure that all people with disabilities who want to work will be able to receive the supports they need to achieve competitive integrated employment.

About Disability Rights Oregon

Disability Rights Oregon upholds the civil rights of people with disabilities to live, work, and engage in the community. The nonprofit works to transform systems, policies, and practices to give more people the opportunity to reach their full potential. For more than 40 years, the organization has served as Oregon’s Protection & Advocacy system. To learn more, visit droregon.org.

About Center for Public Representation

CPR is dedicated to enforcing and expanding the rights of people with disabilities and others who are in segregated settings. CPR uses legal strategies, advocacy, and policy to design and implement systemic reform initiatives to promote the integration and full community participation of people with disabilities. Working on state, national and international levels, CPR is committed to equality, diversity and social justice in all its activities. To learn more, visit centerforpublicrep.org.

###