

I POST-EMPLOYMENT

AUTHORITY

The Rehabilitation Act of 1973 as amended: Sections 102 and 103
Federal Regulation: 34 CFR 361.5(b)

*For the purpose of this manual, use of the terms **must** or **shall** reflect requirements of Federal law or regulation or state law or administrative regulation and must be adhered to strictly.*

Post-employment services means the provision of one or more services subsequent to the achievement of an employment outcome that are necessary for an individual to maintain, regain, or advance in employment, consistent with the individual's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.

Post-employment services are intended to ensure that the employment outcome remains consistent with the individual's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice. These services are available to meet rehabilitation needs that do not require a complex and comprehensive provision of services and, thus, should be limited in scope and duration. If more comprehensive services are required, then services should be suspended, the case should be closed from post-employment, and a new case opened including an assessment to determine eligibility.

Post-employment services are to be provided under an amended individualized plan for employment; thus, a re-determination of eligibility is not required. The provision of post-employment services is subject to the same requirements as the provision of any other vocational rehabilitation service to an eligible individual.

Post-employment services are available to:

- 1) assist an individual to maintain employment, e.g., the individual's employment is jeopardized because of conflicts with supervisors or co-workers, and the individual needs mental health services and counseling to maintain the employment;
- 2) to regain employment, e.g., the individual's job is eliminated through reorganization and new placement services are needed; and
- 3) to advance in employment, e.g., the employment is no longer consistent with the individual's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.

Supported Employment may be provided in post-employment following transition if services are not available from an extended services provider and are necessary to maintain or regain the job placement or advance in employment.

Supportive services such as maintenance, transportation and attendant care shall only be provided in conjunction with other rehabilitation services. Department As best practice, Department funds should not be expended to treat acute conditions during post-employment.

Post-employment services should not be provided solely to upgrade the financial status of individuals. However, post-employment services can be provided to assist individuals in achieving more suitable employment. A new economic need determination will be made prior to provision of post-employment services. Post-employment services may be initiated at any time following the date of the rehabilitated closure subject to the availability of records.

The need for post-employment services should be assessed throughout the rehabilitation process. Planning for post-employment services may be done prior to closure, at the time of closure, or at any time following the date of successful rehabilitation subject to the availability of records. The original IPE and case closure must address, as necessary, the expected need for post-employment services; a description of the terms and conditions for provision of post-employment services; and, if appropriate, a statement of how post-employment services will be provided or arranged through other sources or comparable benefits. In all cases, an amendment to the IPE must be written prior to the provision of post-employment services.