



**NEW JERSEY**  
Creating Solutions. Changing Lives

---

## **Easter Seals**

**New Jersey**  
25 Kennedy Boulevard, Suite 600  
East Brunswick, NJ 08816  
732/257.6662 phone  
732/257.7373 fax  
[www.eastersealsnj.org](http://www.eastersealsnj.org)

## **Testimony of**

**Brian Fitzgerald**  
**President and Chief Executive Officer**  
**Easter Seals New Jersey**

## **Before the**

**Subcommittee on Workforce Protections**  
**Education and the Workforce Committee**  
**United States House of Representatives**

**on**

***Examining Recent Actions by the***  
***Office of Federal Contract Compliance Programs***

**December 4, 2013**



## Easter Seals

---

### New Jersey

25 Kennedy Boulevard, Suite 600  
East Brunswick, NJ 08816  
732/257.6662 phone  
732/257.7373 fax  
[www.eastersealsnj.org](http://www.eastersealsnj.org)

Chairman Walberg, Ranking Member Courtney and Members of the Subcommittee,

My name is Brian Fitzgerald. I am the president and CEO of Easter Seals New Jersey. Thank you for inviting me to testify before this distinguished panel about the employment needs of veterans and people with disabilities and how final rules announced by the U.S. Department of Labor (DOL) will help to ensure these underserved populations have fair and meaningful opportunities to compete for jobs with businesses who do work for the federal government.

Many of you are familiar with Easter Seals and our mission of providing help, hope and answers to people with disabilities, veterans and other Americans and their families. Easter Seals was formed in 1919 by a parent who found his Ohio community was unable to meet the service needs of his son who was seriously injured in an accident. From that humble beginning, Easter Seals has expanded to provide exceptional services in communities across the country, including in New Jersey and in every state represented by Members on this Subcommittee (except the Northern Mariana Islands).

Easter Seals New Jersey is one of 72 community-based Easter Seals affiliates. Since 1948, Easter Seals New Jersey has helped New Jersey families through quality, person-centered services and supports, ranging from housing and care coordination to mental health and autism services. Easter Seals New Jersey specializes in job training and employment services, such as job development, placement and on-the-job supports. Last year, Easter Seals New Jersey assisted thousands of individuals and their families, nearly 15 percent of whom benefited from Easter Seals employment programs.

Today's hearing focuses on an area that I have worked in my entire professional career: employment for people with disabilities and veterans. I joined Easter Seals in 1975 as a vocational counselor where I worked directly with individuals with disabilities to help them develop skills and to find and maintain jobs. From there I moved up within the organization taking on new responsibilities as director of vocational training programs, vice president of vocational services and chief operations officer. In 1989, I was named Easter Seals New Jersey's president and CEO. The last several years, we have expanded our services to veterans as part of Easter Seals' Military and Veterans Initiative to help address the unmet employment and other needs of U.S. service members returning home from the wars in Iraq and Afghanistan.

My interest in social services and in helping others grew from my earlier service in the United States Military. In 1967, I joined the U.S. Army directly out of college and served as an infantry leader in Vietnam. First as a rifle platoon leader and later as captain of a combat support company, my responsibility was the care, direction and feeding of the men under my command. As those of you who have served know, the military takes care of its own. So it was a natural transition to go from the military to social services, which also focuses on caring for and assisting others. I attribute my success at growing Easter Seals New Jersey from a small \$16 million operation to



— NEW JERSEY —

Creating Solutions. Changing Lives

---

## Easter Seals

### New Jersey

25 Kennedy Boulevard, Suite 600  
East Brunswick, NJ 08816  
732/257.6662 phone  
732/257.7373 fax  
[www.eastersealsnj.org](http://www.eastersealsnj.org)

a \$100 million, 1,800-employee organization to the training, decision-making, and responsibility I learned and developed in the military.

However, like many of the stories we hear today, I also struggled to translate my military skills and experience to the civilian workforce. I left the U.S. Army in May of 1972 and, other than a short two-week respite, I spent the next several months job hunting full-time, responding to job notices and submitting cover letters and resumes. Of course, this was all before email and the Internet and so my daily ritual was to open my mailbox to await rejection letters that would drip in weekly, sometimes daily. This went on for about five months, with an occasional job interview in between the many form letters I received indicating the jobs were filled by other applicants. In a bit of irony, my last U.S. Army assignment was helping fellow soldiers match their military occupation specialties with civilian jobs when they exited the military. Despite my direct experience in the area and what I felt were demonstrable skills, I failed to break through, to get noticed, to land that first opportunity to prove I was qualified and right for the position. I ran into the barrier that many transitioning service members face today when their only previous work experience is also exclusively military related. I had leadership. I had skills. I had discipline. But I couldn't translate that experience into a business management job. At that time, there was even less assistance in helping service members prepare for the transition to the civilian world.

My first big break came thanks to a college buddy of mine. He left the military three years earlier and worked for a major insurance company in New Jersey. He knew I was looking for work and thought I would be good for a manager position that was open in another department. My friend went to bat for me. He talked to his boss and convinced him to give my resume to the head of that department. A few days later I got a call to schedule an interview, which was later followed by a job offer. My buddy's intervention didn't guarantee me a job or even an interview, for that matter. But the little extra help, that warm handoff to a willing recipient, did help to ensure my resume got noticed and was fairly considered.

The bipartisan Rehabilitation Act of 1973 (Rehab Act) and the Vietnam Era Veterans' Readjustment Assistance Act of 1974 (VEVRAA) were designed to ensure job applicants with disabilities and applicants who are veterans have a fair shot at employment. For decades, these laws have prohibited employment discrimination on the basis of veteran status or disability and have required federal contractors and subcontractors to affirmatively recruit, hire, and promote qualified veterans or individuals with disabilities. Easter Seals supports the final Section 503 and VEVRAA rules because they represent the logical next step in meeting our nation's long commitment of promoting and protecting employment opportunities for veterans and people with disabilities. Most significantly, the rules set a hiring benchmark (for veterans) and utilization goal (for people with disabilities) that federal contractors will have to work toward to comply with long-standing law. The rules also set up a means to measure the effectiveness of an organization's recruitment and hiring strategies through the internal data that these organizations will now collect. These new requirements simply add metrics and measurements, not rigid quotas, to ensure that the strategies contractors put in place to recruit and review qualified veterans and individuals with disabilities are effective and meet the intent of the law.



**NEW JERSEY**

Creating Solutions. Changing Lives

---

## Easter Seals

### New Jersey

25 Kennedy Boulevard, Suite 600  
East Brunswick, NJ 08816  
732/257.6662 phone  
732/257.7373 fax  
[www.eastersealsnj.org](http://www.eastersealsnj.org)

Some may ask whether we need to set and measure hiring goals and benchmarks since the protections and affirmative action rules are already in place. To me, the answer is simple: yes. I have been in management long enough to know that what gets measured gets done. I participate regularly in a CEO peer-to-peer group in New Jersey where we talk about various management and business issues. Whether your line of work is social services, business or politics, successful people set goals and regularly measure them to determine what is working, what is not and whether you need to adjust slightly to meet a goal. The data categories set up in the final rules provide CEOs and managers with another measurement tool they can use to evaluate the effectiveness of one of their required objectives. Successful implementation of these rules is not only good for the qualified jobseeker. Success also means the company has a strong, qualified and diverse workforce that is representative of the community the company operates in.

Easter Seals has made employment for people with disabilities and veterans a nationwide priority. Employment is a critical element in the successful transition of a returning service member. In addition, employment helps individuals with disabilities achieve greater independence and the chance to fully participate in and contribute to society. Easter Seals New Jersey partners with large and small businesses in New Jersey to help them meet their staffing needs. For example, a New Jersey water conditioning company came to Easter Seals looking for help in finding a qualified employee. We found a perfect match that just a few years earlier would have seemed impossible. David, a 39-year-old New Jersey man, was referred to Easter Seals New Jersey with no job experience. He suffered from intense fear and anxiety and was later diagnosed with agoraphobia, a condition that causes a person to be afraid of new situations and environments, as well as open spaces. An Easter Seals employment service specialist worked with David to develop his social skills and overcome his fear of public settings. Through Easter Seals' packaging and fulfillment services program, David mastered in-house assembly and packaging responsibilities, as well as warehouse operation duties. This was about the time we heard from the water conditioning company and we made the connection. He was hired full-time and, a short time later, was promoted to warehouse manager (nearly doubling his pay). He now accompanies coworkers on installation jobs in the community which, before working with Easter Seals, would have been considered impossible. His employer said that "Dave is an asset" and that they "don't know what we would do without his help." We believe the Section 503 and VEVRAA rules will strengthen our business partnerships and our efforts to introduce qualified candidates to businesses with job openings.

Despite targeted hiring fairs, enormous goodwill among the business community and key national efforts like the National Governors Association's "A Better Bottom Line" disability employment initiative or the VOW to Hire Heroes Act legislation, people with disabilities continue to face double digit unemployment and veterans still struggle to find meaningful employment. The Bureau of Labor Statistics' (BLS) found in its 2012 Employment Situation of Veterans summary that unemployment was much higher for Gulf War-era II veterans (9.9%) compared to non-veterans (7.9%) as well as for male veterans ages 18 to 24 (20% unemployment) compared to non-veterans of the same age group (16.4%). BLS also reported in its most recent monthly employment status report (Table A-6) that the unemployment rate in October 2013 for people with disabilities (12.8%) was nearly twice the unemployment rate for people without disabilities (6.7%). The labor force participation during the same



**NEW JERSEY**

Creating Solutions. Changing Lives

---

## Easter Seals

### New Jersey

25 Kennedy Boulevard, Suite 600  
East Brunswick, NJ 08816  
732/257.6662 phone  
732/257.7373 fax  
[www.eastersealsnj.org](http://www.eastersealsnj.org)

month was just as dismal. Only 2 in 10 Americans with disabilities were in the labor force in October 2013 compared to almost 7 in 10 Americans without disabilities.

One of those people struggling to find work is a young female veteran from New Jersey. She entered the military following 9/11 and honorably served for several years. While on active duty, she suffered substantial ailments. She went to college after exiting the military and earned a bachelor's degree. However, she has been unsuccessful in gaining employment in her field. She points to stigma, bias and fear on the part of the prospective employers as reasons she has not been able to find a job. "No one is willing to give me a chance," she said. Repeated roadblocks and a series of recent health-related concerns have left her depressed and frustrated. She was recently introduced to Easter Seals New Jersey where we are working to address her wellness concerns and are making preparations to help her succeed in finding meaningful employment.

There are a multitude of reasons why employment rates for these important populations lag behind other American workers. Easter Seals New Jersey is stepping up its efforts to address the unemployment challenges this young female veterans and others face in our state. This summer, we launched a new Military and Veterans Initiative to assist female veterans, the fastest growing veteran population. The U.S. Department of Veterans Affairs (VA) estimates that, in New Jersey alone, approximately 33,000 female veterans will return home after their military service. Female veterans are at two times greater risk to become homeless than their non-veteran counterparts and three times at greater risk to live in poverty, according to VA research from the National Center on Homelessness among Veterans. Our goal is to help address their needs during transition and assisting them in their efforts to find employment is the first step to help in their reintegration.

Companies are also responding to this great need and, in some cases, are turning to Easter Seals for help to meet their employment and hiring goals. One company recently approached Easter Seals New Jersey seeking our employment expertise to help the company recruit, hire and retain veterans in their workforce. We met with the company's senior human resource (HR) manager who, after identifying her company's goal, expressed reservations about whether veterans fit into the company's participatory culture given the command and control, top-down culture of the military. This was a company whose leadership had identified hiring veterans as a priority but yet, due to lack of familiarity, had this perspective. It is an educational process that starts with just one positive hiring experience. Older veterans and workers often find the same employer apprehension as they try to break back into the workforce. The senior employment program we operate at Easter Seals uses internship-like work experiences as a way to introduce a qualified candidate to an employer to help breakdown misconceptions. Companies have come back to us after having found success with the veteran or individual with disabilities we found for them and have ask for more candidates like them. But the key was getting the company or HR manager to consider the person in the first place. The changes in the final rules will help ensure qualified candidates – who have traditionally struggled to break through the employment process – to get noticed and considered. Like my experience with my college buddy, these changes don't guarantee a person will get a job or an interview, but it helps assure the company is effectively recruiting these candidates and that qualified candidates are seriously considered.



**NEW JERSEY**

Creating Solutions. Changing Lives

---

## Easter Seals

### New Jersey

25 Kennedy Boulevard, Suite 600  
East Brunswick, NJ 08816  
732/257.6662 phone  
732/257.7373 fax  
[www.eastersealsnj.org](http://www.eastersealsnj.org)

Thank you again for the opportunity to testify before the Subcommittee. My interest in the rules and their successful implementation are based on my experience as a veteran who struggled to find a job and also based on my professional work in addressing the employment needs of people with disabilities and veterans as well as the staffing needs of businesses in New Jersey. Easter Seals believes that everyone has a valuable contribution to make to their community and that the Section 503 and VEVRAA rules could help to significantly move the needle on disability and veterans' employment. Easter Seals stands ready to assist in the implementation of these rules by helping to connect federal contractors that have job openings with qualified veterans and individuals with disabilities who seek employment. Together, we can help to put veterans, who have served our nation, and people with disabilities, who represent a significant part of our society, in the best position to succeed.

Thank you. I will be pleased to answer any questions.