State of Rhode Island and Providence Plantations

Department of Human Services

Office of Rehabilitation Services

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**MEMORANDUM**

**TO: ORS Rehabilitation Counselors, Supervisors and Administration**

**FROM: Joe Murphy, VR Administrator**

**CC: Deborah A. Barclay, General Counsel- Department of Human Services**

**DATE: April 22, 2020**

**SUBJECT: Guidance for Vocational Rehabilitation Counselors**

**Regarding Consumer Job Placement During the COVID 19 Epidemic**

**Overview**

The VR process has always been and will continue to be a consumer-driven one. In that respect, the decision to pursue or not pursue employment is ultimately the consumer’s. It is the VR counselor’s role to help the consumer access the information they need to make a fully informed decision. First and foremost, the consumer should be encouraged to contact their health care provider/PCP for consultation regarding their fitness for employment, especially during this crisis. There may also be situations where the VR counselor should not support the consumer going to work because the potential risk is too great. This guidance is intended to help counselors through the counseling process and document the counseling process and outcome appropriately. This should be done on a case by case basis with consultation with supervisor and administration, and medical consultants, if applicable.

**Factors Which Would Prevent VR From Supporting a Consumer to Accept a Job Opportunity include:**

* Is the consumer over 60?
* Regardless of age, does the consumer have underlying health conditions that would make them especially vulnerable such as:
* chronic lung disease or moderate to severe asthma
* serious heart conditions
* immunocompromised concerns

**NOTE:** Many conditions can cause a person to be immunocompromised, including cancer treatment, smoking, bone marrow or organ transplantation, immune deficiencies, poorly controlled HIV or AIDS, and prolonged use of corticosteroids and other immune weakening medications

* Severe obesity (body mass index [BMI] of 40 or higher)
* Diabetes
* Chronic kidney disease undergoing dialysis
* Liver disease (CDC Coronavirus Disease 2019 4/2/20)
* Does the consumer live with other vulnerable individuals who could be infected?

If any of the above apply, the VR counselor must advise the consumer against the job. VR must not offer any support for a job opportunity that puts the consumer at risk. The counselor must then fully document, in the client’s case file, the decision and the facts that support this decision. The counselor shall immediately notify their supervisor if this situation arises.

Obviously, the only exception to the above would be if the job is a work from home opportunity or a job where the consumer can reliably self-isolate.

**What Factors Should the Counselor Consider When Counseling a Younger and Healthy Consumer About a Job Opportunity?**

If the consumer is younger and relatively healthy, the counselor should counsel them around the following issues, before supporting the job opportunity:

* What is the potential risk in the work environment? Many employers have information on their websites about safety precautions they have put in place. Our VR staff and CRPs can provide good information about employers who have implemented good safety protocols. The VR counselor can assist the consumer develop questions they need answered before accepting any position.
* Does the consumer live with other vulnerable individuals who could be infected? If this is the case, VR must not support the placement.
* How would the consumer get to work? Would they rely on public transportation or other less safe means? Currently, RIPTA service is severely limited, as is UBER and other transportation options.
* If the consumer is under 18 years old and/or has a guardian, is the guardian in agreement about pursuing the job opportunity?  This is a direct conversation between VR and the guardian and not based upon consumer report.
* Have they consulted with a health care provider?

**Case Note Documentation if the Counselor Supports the Placement**

The following are sample case notes documenting the counselor’s process and decision to support the job placement.

***Michael***

*Michael is a current VR participant and is seeking immediate employment after experiencing furlough from his current employer due to COVID-19 protocols for non-essential businesses. He has previous retail experience and expressed interest in Stop and Shop, Warwick, located very close to his home. Michael is 35 years old and according to his medical records has no major underlying health conditions. Due to COVID-19 circumstances and for Michael to make an informed choice, VRC discussed the following, based on Labor Market information from the employer:*

* *Stop and Shop is deemed an essential business, is fully operational and seeking part-time as well as temporary staff*
* *Stop and Shop has measures in place to ensure the safety of their customers, staff & job seekers:* <https://www.insidestopandshop.us/>
* *Applications are received online, however, interviews may take place at the store location (due, in part, to the customer facing nature of the positions.)*

*Michael will consider the information and we’ll touch base again in 2 workdays to evaluate applying at Stop and Shop.*

***Jennie***

*Jennie has been offered a bank teller position at Santander Bank. We discussed the potential risk of COVID 19 if she accepted the job. Jennie is 25 years old and in good health according to her primary care doctor. She lives with her sister who is 27 and is also in good health. No vulnerable individuals live with her who could be infected. We discussed the protocols that Santander Bank has put in place to keep staff safe. She will be working in the drive through and will have no in person contact with customers. She would have limited contact with coworkers, but Santander Bank is requiring strict social distancing. The Bank also is deep cleaned daily and has hand sanitizer and disinfectant sprays available. Jennie’s sister will drive her to the job, so she does not have to take the bus. I discussed with Jennie that it was impossible to eliminate all risk. Based on the information she has she feels it is a safe option for her.*

**Case Note Documentation if the Counselor Does Not Support the Placement**

The following is a sample case note documenting the counselor’s decision not to support the job placement.

***John***

*John is interested in applying to Stop and Shop as a grocery clerk. I discussed with John that even though he is only 55, he does have cardiovascular disease which puts him at higher risk for COVID 19. I shared with him I felt this work environment was too risky for him. John feels he must work right now. I suggested we research with the CRP alternative job opportunities that might be safer options. John feels he does not have time to explore other options and told me he plans to apply to Stop and Shop. I told John I could not support his decision and strongly urged him to reconsider. He requested funds for work clothing. I denied this request because VR cannot support this job opportunity.*