

# Arizona APSE Chapter

## Association of People Supporting Employment First

*Mission: To expand inclusive employment opportunities for all people with disabilities through education, advocacy and legislative action.*



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### **The Negative Impact of Guardianship on Employment for People with Developmental Disabilities in Arizona**

#### Introduction

Guardianship is a legal arrangement in which a court appoints a person or organization to make decisions for another person who is unable to make decisions for themselves. In Arizona, guardianship is commonly used for people with developmental disabilities. However, guardianship can have a negative impact on employment opportunities for individuals with developmental disabilities. This white paper will examine the negative impact of guardianship on employment for people with developmental disabilities in Arizona.

#### The Negative Impact of Guardianship on Employment

Guardianship can limit employment opportunities for people with developmental disabilities in several ways. First, guardianship can create a perception among employers that the person with a disability is unable to make decisions or perform job duties independently. This perception can lead to employers being less likely to hire individuals with developmental disabilities, or to offer them positions with limited responsibilities or opportunities for advancement.

Second, guardianship can limit the ability of individuals with developmental disabilities to make decisions about their own employment. For example, if an individual with a developmental disability has a guardian who is not supportive of their desire to work, or who is not familiar with the individual's skills and interests, the guardian may discourage the individual from seeking employment, or may make decisions that are not in the individual's best interest.

Finally, guardianship can limit the ability of individuals with developmental disabilities to access vocational rehabilitation services. In Arizona, individuals with developmental disabilities who are seeking employment may be eligible for vocational rehabilitation services, which can include job training, job placement assistance, and other supports. However, if the individual has a guardian, the guardian may be required to provide consent for the individual to access these services. If the guardian is not supportive of the individual's desire to work or is not familiar with the individual's skills and interests, they may be less likely to provide consent, which can limit the individual's access to vocational rehabilitation services.

#### Recommendations

To address the negative impact of guardianship on employment for people with developmental disabilities in Arizona, several recommendations are proposed:

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1. **Increase public awareness:** There is a need to increase public awareness of the negative impact of guardianship on employment for people with developmental disabilities. This can be done through public education campaigns, training for employers, and outreach to disability rights organizations.
2. **Encourage supported decision-making:** Supported decision-making is an alternative to guardianship that allows individuals with developmental disabilities to make decisions with the support of trusted advisors. Encouraging supported decision-making can help to ensure that individuals with developmental disabilities are able to make informed decisions about their own employment.
3. **Improve access to vocational rehabilitation services:** To improve access to vocational rehabilitation services for individuals with developmental disabilities who have guardians, it may be necessary to revise state laws and regulations to allow for alternative decision-making mechanisms, such as supported decision-making.

#### Conclusion

Guardianship can have a negative impact on employment opportunities for people with developmental disabilities in Arizona. To address this issue, public awareness campaigns, supported decision-making, and improved access to vocational rehabilitation services are recommended. By implementing these recommendations, Arizona can help to ensure that individuals with developmental disabilities are able to achieve their employment goals and live full, independent lives.

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