



By Michelle Cole, *The Oregonian*

Doug Beghtel/*The Oregonian* Project Grow provides a program for developmentally disabled adults as an alternative to traditional piece work. This 2009 photo featured a project combining art and framing. The United Cerebral Palsy Association of Oregon and Southwest Washington along with eight individuals representing thousands of Oregonians with intellectual or physical disabilities filed a class action **lawsuit** Wednesday against **Gov. John Kitzhaber** and top managers at the **Department of Human Services**.

Advocates hope the lawsuit, filed in U.S. District Court in Portland, will set a national precedent and end the practice of having people with disabilities to spend their days

in "sheltered workshops," where they complete repetitive or rote tasks for a subminimum wage and without the opportunity for training or advancement.

At any given time, according to the lawsuit, more than 2,300 Oregonians are "stuck in long-term, dead-end, facility based sheltered workshops that offer virtually no interaction with non-disabled peers."

This group of workers includes 48-year-old Paula Lane, who has an intellectual disability, autism and an anxiety disorder. In March 2000, Lane began working at a sheltered workshop in Beaverton where, according to the lawsuit, she spends her time working on an assembly line in a large room with more than 100 others. Her current tasks include putting parts into boxes, folding bags, packaging gloves and putting bits into slots in a tool holder.

"The worksite is segregated, crowded and distracting," the lawsuit claims. Between February 2010 and March 2010, the highest amount Lane earned was \$53.66 for 81 hours in September 2010. The lowest was \$26.82 for 66 hours in March 2010, or approximately 40 cents an hour.

Lane has received high marks for her work, according to papers filed in court, and she has repeatedly asked the state's vocational agency for help finding an outside job. She likes to spend money on pizza parties and had wanted to attend a country music concert, however lawyers note that she "cannot afford to participate in as many community activities."

"Ms. Lane believes she can work competitively and would like the opportunity to do so."

The lawsuit argues that confining people in segregated workshops violates the federal Americans with Disabilities Act and the Rehabilitation Act.

The state of Oregon currently spends \$30 million a year on sheltered workshops for people with disabilities. Over time it would be much cheaper for taxpayers and better for individuals for the state to fund programs that help people with disabilities work in jobs that pay minimum wage or better, said Bob Joondeph, executive director of **Disability Rights Oregon** and an attorney for the plaintiffs.

Last August, advocates sent a letter to Human Services director Erinn Kelley-Siel asking that the state take steps to help people with disabilities find and keep real jobs. On Tuesday, The Oregonian requested a copy of the response under the state's public records law. Human Services spokesman Gene Evans said he could not comment.

Advocates tried to "negotiate a way to avoid filing the case," Joondeph said, "but we were not successful."

**--Michelle Cole**