

MEDIA ALERT

For distribution: Tuesday, July 18, 2022

**Final Hearing Set in Landmark Employment Class Action for Oregonians with
Intellectual and Developmental Disabilities**



PORTLAND, OREGON – Judge John Acosta of the United States District Court has scheduled a final hearing for **9:30 am PT on Thursday, July 21** to determine if the State of Oregon has complied with its obligations under the Settlement Agreement in *Lane v. Brown*. The hearing will be in Judge Acosta’s courtroom on the 11th floor at the US Courthouse, 1000 SW 3rd Ave. in Portland.

For years, Paula Lane, like more than two thousand other persons with intellectual and developmental disabilities in Oregon, spent most of her day in a segregated sheltered workshop, where she was paid sub-minimum wages to assemble commercial products for private businesses. Most sheltered workshop employees – all of whom work in facilities that only employ people with disabilities – earn only a few dollars a day, even though non-disabled persons are paid at least the minimum wage for the same work.

Paula and seven other persons with disabilities filed a class action lawsuit in January 2012 claiming that the State of Oregon violated the Americans with Disabilities Act (ADA) by only providing employment services in segregated settings like sheltered workshops. In a landmark decision in July 2012, Judge Janice Stewart held that the ADA required States to provide

employment services in integrated community settings, like ordinary workplaces and competitive businesses. This was the first case in the country that applied the ADA to sheltered workshops and provided a framework for other States to end segregated employment for people with disabilities. In 2013, the United States Department of Justice (DOJ) was allowed to join the case.

Three years later, on the eve of trial, the State signed a [Settlement Agreement](#) which required it to dramatically expand integrated employment opportunities for people with intellectual and developmental disabilities in Oregon. Among other things, The Agreement mandated that:

- sheltered workshops be phased down,
- at least 7,000 people receive employment services allowing them to work in competitive integrated employment,
- at least 1,115 people receive services so that they could newly obtain real jobs for real pay,
- public schools cease preparing transition-aged students to work in sheltered workshops and instead provide opportunities for students to develop employment skills, and
- the State completely restructure its employment service system for people with disabilities.

An independent expert was appointed to oversee the State's compliance with the Settlement Agreement.

The expert just issued her [final report](#), finding that the State has complied with all provisions of the Settlement Agreement. Prompted by the court order, Oregon closed all of its sheltered workshops in 2021, and provides integrated employment services to thousands of people with disabilities, including many youth and adults who previously spent their days in segregated workshops.

At the hearing on July 21, the judge will decide whether the State is now in compliance with all of its orders, including the Settlement Agreement, and whether the case should be dismissed.

Witnesses, including a self-advocate with disabilities and an employment service provider will testify about their experiences with the Settlement Agreement. In addition, lawyers for the plaintiffs, the DOJ, and the State will present their views on compliance.

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