

Morris County Surrogate's Court

Heather J. Darling, Esq.
Surrogate

PO Box 900
Morristown, New Jersey 07963-0900
Tel # (973) 285-6500
Fax # (973) 829-8599



August 21, 2020

Governor Phil Murphy
225 W. State Street
Trenton, NJ 08608

Robert Asaro-Angelo
Commissioner, Department of Labor and Workforce Development
1 John Fitch Plaza
13th Fl. Suite D
Trenton, NJ 08625-0110

In re: Discriminatory action against people with disabilities

Dear Governor Murphy and Commissioner Asaro-Angelo:

Having a daily and weekly regimen plays a key role in the life of New Jersey's citizens with disabilities. Equally important is the sense of purpose and well-being they feel when they have a job that bestows responsibility upon them and allows them to make a genuine contribution to society through employment.

On March 15, 2020, a letter was disseminated by Robert Asaro-Angelo, the Commissioner of Labor and Workforce Development, ordering all Extended Employment programs to cease on or before March 17, 2020. As a result, 2,750 members of the special needs community who worked in the many extended employment facilities throughout NJ were sent home to their families or group homes to languish.

In total, 2,750 individuals and their families have been impacted by the Labor Commissioner's letter. Most of these jobs were in light manufacturing which remained open throughout the pandemic to employees without disabilities. The manufacturing processes of these Extended Employment entities serve a multitude of businesses throughout the state of New Jersey including multiple telecommunication, manufacturing, food, and cosmetic companies that cannot go without these critical parts of their supply chain. As a result, temporary workers are staffing the facilities normally staffed by members of special needs community.

In short, almost 3,000 members of the special needs community from the state of New Jersey are being discriminated against by being kept from their jobs; jobs that remain open and are being temporarily filled by other staff members until the members of the special needs community are permitted to return to work.

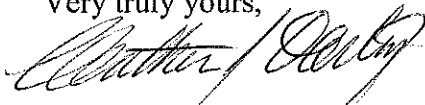
The special needs community has been historically and routinely discriminated against, particularly in the area of employment. Now, programs designed to allow a group of protected citizens to enjoy participation in and contribution to society along with the rest of the population; as well as the feeling of accomplishment and satisfaction that comes from an honest day's work have been taken away from them. What makes this even harder to accept is the fact that the discrimination in this case comes from the state, the very entity that should be protecting the rights of people with disabilities. The undersigned, on behalf of the disability community, would like to know how this discrimination can be justified by the state.

New Jersey's special needs citizens deserve to be afforded equal protection of their civil rights, on par with their peers, including the very basic right to work.

The nonprofit community rehabilitation programs that provide employment for people with disabilities are in the best position to protect the people with disabilities they serve while also fostering their continued growth, sense of self-worth, and well-being. The community rehabilitation programs responsible for these services have put in place lengthy and detailed protocols and best practices with regard to COVID-19 that have been reviewed and supported by a variety of disability and public health professionals.

Although the initial intent was to protect, the harm to members of the disability community as a result of the continuation of this discriminatory policy far outweighs the benefit at this time. In light of the above and the Americans with Disabilities Act the undersigned, on behalf of the disabilities community, petition the Labor Commissioner and Governor Murphy to lift this discriminatory mandate and allow the special needs citizens of the state of New Jersey to exercise their constitutional right to pursue life liberty and happiness.

Very truly yours,



Heather J. Darling, Esq.
Morris County Surrogate

Letter sent via USPS and

Email:

Constituent.relations@nj.gov

Philmurphy@nj.gov

Robert.asaro-angelo@dol.nj.gov