Chapter 12

OCCUPATIONAL LICENSES, TOOLS, EQUIPMENT

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SECTION 1: DEFINITIONS

Occupational equipment generally means fixtures normally needed in a business or occupation for an efficient operation. Equipment includes apparatuses, machinery, and appliances, usually of a stationary nature during use, such as a computer or table saw. Occupational equipment is normally provided by the business rather than by employees.

Occupational licenses mean any license, permit or other written authority required by a State, city or other governmental unit to pursue an occupation or enter a small business.

Tools mean implements required for a worker to perform efficiently on the job which are normally furnished by the worker rather than by the employer. Examples are wrenches for an auto mechanic and a hammer for a carpenter.

SECTION 2: GENERAL GUIDELINES

A. These services are provided primarily to increase the individual's prospects of successful employment or self-employment. An individual with tools, licenses, and applicable equipment to open a small business or enter an occupation without having to incur heavy debts or to deplete all his/her resources has a greater chance of succeeding. These services, if needed, will be included in the individual's Individualized Plan for Employment (IPE). .

B. The provision of these services is directed at providing the necessary resources required by an individual preparing to enter the competitive workforce or self-employment and are not generally related to a particular disability. Adaptive aids and appliances used to compensate for visual deficiency such as CCTV's, speech or Braille devices are not occupational equipment (see Chapter 13 - Rehabilitation Technology), nor is equipment related to health maintenance such as a glucose monitor or orthotics and prosthetics (see Chapter 6 –Health Services).

SECTION 3: SPENDING AND RELATED GUIDELINES

Equipment agreement

If the cost of a piece of equipment provided by DBVI to an individual is $500 or more, a written agreement between DBVI and the individual will be completed that includes the following provisions:

1) DBVI retains title;
2) The individual shall have full use and control of the equipment as long as it is used for the purpose for which it is being provided;
3) If no longer needed or used by the individual, or when its useful life is exhausted, it shall be returned to DBVI or otherwise disposed of as directed by DBVI; and
4) If an occupational pursuit undertaken by the individual is expanded in accordance with any plan or proposal approved by DBVI, DBVI may relinquish its title and grant, in writing, the right to sell or trade the equipment and to apply the proceeds toward the purchase of a new, larger, or more expensive replacement.

The Director or designee must approve any service or combination of services discussed in this chapter exceeding $5,000. The spending guidelines will be reviewed by DBVI every three years with input of the State Rehabilitation Council.

Department of Disabilities, Aging and Independent Living
Division for the Blind and Visually Impaired

EQUIPMENT AGREEMENT

This agreement by and between the State of Vermont, Department of Disabilities, Aging and Independent Living, acting by and through the Department's Division for the Blind and Visually Impaired ("Department") and _____ of _____, Vt. ("Consumer"), as follows:

1. **Department agrees to purchase and furnish the consumer the following property:**

2. **Except as otherwise provided herein, title to the aforesaid property shall remain with the Department.***

3. **Consumer shall have full and complete use and control of the aforesaid property so long as such property is used by the consumer for the purpose for which it was furnished.**

4. **In the event that the aforesaid property is no longer needed or used by consumer for the purpose for which it was furnished, or at such time as the useful life of the property is exhausted, said property shall be returned to the Department or otherwise disposed of by consumer, as directed by Department.***

5. **In the event that any business enterprise or occupational pursuit undertaken by consumer is expanded in accordance with any plan or proposal approved in writing by Department, said Department may, at its option, grant to consumer the right to sell or trade the aforesaid property, such permission to be in writing, and to apply the proceeds thereof to the purchase of a new, larger or more expensive replacement. In such case, all right, title, and interest in such property shall pass to the consumer and the consumer shall retain title to the newly acquired equipment.**

6. **Acceptance of the aforesaid property by consumer shall relieve Department of any and all responsibility for its condition or the use thereof by consumer and consumer further agrees to hold Department and all of its officers, agents and employees harmless from any claim arising by virtue of the condition or use by consumer of said property.**

7. **Consumer agrees to comply with the agreements of Section 504 of the Federal Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 1990 relating to discrimination against persons with disabilities, and to Title 21 V.S.A., Chapter 5, Subchapter 6 relating to fair employment practices, to the extent applicable.**

*** Agreement Specific to Computers and Closed Circuit Television Systems (CCTVs)**

Computers:
Department of Aging and Disabilities shall retain title to computer related equipment, including all hardware, software, adaptive equipment and peripherals, for three years. The Department shall provide maintenance and support for three years, with the exception that consumer will be responsible to arrange and purchase maintenance/repair costs up to $150 after the first year of possession. After three full years, title to all equipment will pass to the consumer with full responsibility for repairs and service. Consumers are advised that a computer's normal life span is three – five years.

Closed Circuit Television Systems (CCTV's):
Department of Aging and Disabilities shall retain title to the Closed Circuit Television Systems equipment for four years. The Department shall provide maintenance and support for four years. After four years title to all Closed Circuit Television Systems equipment shall pass to the consumer with full responsibility for repairs and service. Consumers are advised that CCTV's have a life span of 5 – 8 years.

Consumer: _____ Date:_____

Department:_____ Date: _____