



SENT VIA EMAIL

December 10, 2018

The Honorable Alexander Acosta
Secretary
United States Department of Labor
200 Constitution Avenue, NW
Washington, DC 20210

Dear Secretary Acosta:

The National Federation of the Blind, the largest organization of blind people in the United States, is shocked and appalled by the Department of Labor's announcement on December 4, 2018 of a new tool that will allow employers to submit online applications for 14(c) certificates.

For seventy-eight years, the National Federation of the Blind has fought against the unjust and discriminatory practice of paying workers with disabilities subminimum wages, a practice permitted in United States law by Section 14(c) of the Fair Labor Standards Act of 1938. No other class of American workers is able to be paid less than the minimum wage strictly based upon the type of person doing the work and not the type of work being done. This is the very definition of discrimination.

Despite the glaring injustice of this practice, the Department of Labor displays nothing short of utter braggadocio in its announcement that the recently released tool "increases the speed and security of [14(c) certificate] submissions." Reducing the time it takes to obtain a special wage certificate which permits discrimination is not something we think should be celebrated. However, this is not even the most disturbing feature of the announcement.

The final paragraph of the announcement proclaims proudly that the Department of Labor "looks forward to refining this tool and to expanding electronic capabilities supporting the Section 14(c) certificate program." The National Federation of the Blind unequivocally opposes any modernization, expansion, or additional support of the 14(c) certificate program. The phase out and repeal of this unfair and discriminatory system is long overdue, and any efforts to simplify the certification process or expand the program, in any way, should remain unpursued.

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Throughout the entire history of our organization, the National Federation of the Blind has opposed the 14(c) certificate program. We have devoted tremendous amounts of time, energy, and resources toward its repeal from the law. The announcement made by the Department of Labor on December 4 is both disappointing and insulting, but our resolve remains undeterred. We urge you to cease any effort to modernize this program. We look forward to hearing from you soon about this matter and we remain available to serve as a partner and resource in helping the Department modernize efforts towards accelerating people with disabilities into integrated and competitive employment.

Sincerely,



Mark A. Riccobono, President
National Federation of the Blind

cc: Bryan Jarrett, Acting Administrator, Wage and Hour Division