

# Transitioning to Integrated and Meaningful Employment Act (HR 188) (S 2001)

**Current labor laws unjustly prohibit workers with disabilities from reaching
their full vocational and socioeconomic potential.**

**Antiquated public policy encourages workers with disabilities to rely on government assistance such as Supplemental Security Income (SSI) and Medicaid**. Section 14(c) of the Fair Labor Standards Act, passed in 1938, authorizes the Secretary of Labor to issue Special Wage Certificates to certain entities, permitting them to pay workers with disabilities subminimum wages. Ninety-five percent of 14(c)-certificate-holding entities are nonprofit “sheltered workshops” (segregated work environments)1 that pay over 300,000 workers with disabilities as little as pennies per hour, leading many of those workers to seek government assistance.

**Current training and employment strategies assist those with even the most significant disabilities to obtain integrated and meaningful employment.** Workers in sheltered workshops often perform mundane tasks that do not use their existing skills, interests, and talents. However, innovative strategies such as customized and supported employment, when paired with appropriate rehabilitative services, training, tools, and expectations allow employees with disabilities to be as productive as their nondisabled coworkers.2

**A growing number of former 14(c)-certificate-holding entities have transitioned their business models into effective disability training programs.** No entities in Vermont or New Hampshire use 14(c) certificates. Seminars such as the Vermont Conversion Institute highlight entities that have successfully phased out reliance on Section 14(c) certificates. This transition not only benefits employees with disabilities but the overall productivity of the organizations that employ them.3 Research shows that sheltered workshops cost more to society than alternatives. Moreover, consumers who were not exposed to the low expectations of sheltered, subminimum-wage environments earn more money than peers who were never in those environments.4

**Policy and public and private sentiment are moving into a new era of proven competitive, integrated employment for people with disabilities.** In August 2012 the National Council on Disability unanimously recommended that the Department of Labor immediately stop issuing new Special Wage Certificates and that the “Section 14(c) program be phased out.”5 In September 2015 a committee tasked by Congress to increase competitive integrated employment opportunities for workers with disabilities recommended the phase-out of Section 14(c).6 In addition, over eighty disability organizations support the repeal of Section 14(c) of the Fair Labor Standards Act.7

**Mark Riccobono, *President*** | 200 East Wells Street *at Jernigan Place* Baltimore, MD 21230 | 410 659 9314 | **www.nfb.org**

**The Transitioning to Integrated and Meaningful Employment Act:**

**Discontinues the issuance of new Special Wage Certificates.** The Secretary of Labor will no longer issue Special Wage Certificates to new applicants.

**Phases out the use of Special Wage Certificates over three years.** Three years after the enactment of this Act, no 14(c)-certificate-holding entity will pay workers with disabilities subminimum wages, allowing them to transition to the proven model of competitive, integrated employment for all of their employees with disabilities.

**Repeals Section 14(c) of the Fair Labor Standards Act.** Three years after the law is enacted, the practice of paying workers with disabilities subminimum wages will be officially abolished. This will result in the development of integrated and meaningful employment opportunities that encourage people with disabilities to reach their full vocational and socioeconomic potential.

**REMOVE BARRIERS TO REAL TRAINING AND MEANINGFUL EMPLOYMENT.**

**Cosponsor the Transitioning to Integrated and Meaningful Employment Act.**

**To cosponsor HR 188 in the House of Representatives, contact:**

Scot Malvaney, Policy Director, Office of Congressman Gregg Harper (R-MS)

Phone: (202) 225-5031, Email: Scot.Malvaney@mail.house.gov

**To cosponsor S 2001 in the Senate, contact:**

Dan Auger, Legislative Assistant, Office of Senator Kelly Ayotte (R-NH)

Phone: (202) 224-3324, Email: Daniel\_Auger@Ayotte.senate.gov

**For more information, contact:**

Derek Manners, Government Affairs Specialist, National Federation of the Blind

Phone: (410) 659-9314, Extension 2210, Email: dmanners@nfb.org

*For more information visit:* [*www.nfb.org/TIME*](http://www.nfb.org/TIME)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1United States Department of Labor. “Wage and Hour Division (WHD) Community Rehabilitation Programs (CRPs) List.” Last modified October 1, 2015. <http://www.dol.gov/whd/specialemployment/CRPlist.htm>.

2 United States Department of Labor. “Customized Employment Works Everywhere.” Last modified October 2009. <https://www.hdi.uky.edu/setp/materials/vignette_v3_blue_508_FINAL.pdf>.

3 Szlyk, Janet. “Letter of Support Issued by the Chicago Lighthouse.” Last modified September 30, 2011. <http://nfb.org/Images/nfb/documents/word/Chicago_Lighthouse_Support_letter.doc>.

4 Cimera, Robert E.; Wehman, Paul; West, Michael; & Burgess, Sloane. “Do Sheltered Workshops Enhance Employment Outcomes for Adults with Autism Spectrum Disorder?” Autism. 16 (2012): 87.

5 National Council on Disability. “National Council on Disability Report of Subminimum Wages and Supported Employment.” Last modified August 23, 2012. <https://www.ncd.gov/publications/2012/August232012>.

6 Advisory Committee on Increasing Competitive Integrated Employment for Individuals with Disabilities. “Interim Report.” Last modified September 15, 2015. <http://www.dol.gov/odep/pdf/20150808.pdf>.

7 National Federation of the Blind. “The following groups support the repeal of Section 14(c) of the Fair Labor Standards Act.” Last modified February 12, 2015. <https://nfb.org/groups-supporting-repeal-section-14c-fair-labor-standards-act>.

**National Federation of the Blind**

**Mark Riccobono, *President*** | 200 East Wells Street *at Jernigan Place* Baltimore, MD 21230 | 410 659 9314 | **www.nfb.org**