I am writing to express my opposition to the notion that disabled workers are less productive than their non-disabled counterparts and thus should be paid less. I believe that the legally sanctioned practice of paying workers with disabilities a wage below the minimum wage is unfair, discriminatory and immoral. Although I have never myself worked in a sheltered workshop, I can attest to the fact that with the proper accommodations a disabled worker can be just as productive as anyone else.

I am blind and I work in a call center for a federal agency. My employer has not only provided me with screen reader software, a Braille display and a Braille embosser among other accommodations, but also has provided me with the proper training in the use of such equipment. As a result of this generous investment in both money and time, I am able to take calls and resolve cases in the same amount of time as my sighted colleagues.

The idea underpinning Section 14C of the Fair Labor Standards Act of 1938 is that people who work in sheltered workshops will learn the necessary skills that will then allow them to seek competitive employment elsewhere. Even if the statistics showed that people were progressing through this path to a successful transition to competitive employment, the premise is still outdated. But to make matters even worse, these statistics tell us that only 5% of those employed in sheltered workshops ever go on to work in competitive settings. It is clear that this model of rehabilitation and disability employment is not working.

Many enlightened employers of people with disabilities who work in sheltered workshops have abandoned the practice of paying their workers a subminimum wage which in some cases can be pennies an hour. Recently, President Obama has signed an executive order under which government contractors have to pay their employees a wage of at least $10.10 an hour. This executive order does include disabled workers. But in spite of such progress, the fact is that many employers of people with disabilities are not so enlightened and still cling to the antiquated idea that their disabled employees are not productive and thus deserve to earn less in 1 month than Chinese factory workers earn in 1 day. The only way to ensure that disabled workers are treated with the dignity that they deserve is to once and for all repeal Section 14C of the Fair Labor Standards Act of 1938.

I urge the committee to recommend that the practice of issuing special certificates to allow employers to pay below the minimum wage be responsibly phased out.

Respectfully,

Daniel Garcia