December 20, 2023

Dear Representative Jarrells,

As advocates in the disability and employment communities, we, the undersigned, support moving the

Employment First and Greater Opportunities for Persons with Disabilities Act forward to eliminate

subminimum wage in the state of Ohio.

Subminimum wage perpetuates an unjust system that undermines the inherent worth and dignity of people

with disabilities. By accepting subminimum wage as the norm, Ohio continues to explicitly devalue the

potential contributions and abilities of all workers with disabilities. This is not the Employment First society

that we strive to be in Ohio. It is disheartening that our current system perpetuates a wage structure that

devalues the work and limits the economic opportunities for people with disabilities.

In accordance with the Ohio Revised Code (ORC), employers in Ohio can obtain a 14(c) certificate that

authorizes the payment of subminimum wages to workers with disabilities under the provision of the Fair

Labor Standards Act of 1938. Ohio is one of the top 10 states in utilization of 14c certificates to pay

workers with disabilities a subminimum wage.

In Ohio, around 3500 workers with disabilities are currently being paid wages below the minimum wage.

Shockingly, some of them have reported earning as little as $0.42 per hour for 40 hours of labor. This

glaring disparity in compensation underscores the pressing need to confront the issue of subminimum

wages and ensure equitable remuneration for every worker, irrespective of their disabilities. Importantly,

the Americans with Disabilities Act (ADA) strictly prohibits discrimination based on disability. The ADA

places great emphasis on fostering equal employment opportunities and access for all workers, with the

goal of eradicating discriminatory practices and wage disparities.

The historic budget provisions for home and community-based care provide the framework for ensuring

community living and access to integrated competitive work. Allowing 14(c) certificates now violates the

holding in Olmstead and the federal and state guidance that was instituted to ensure access to home and

community-based living. Individuals with lived experience in segregated programs fostered by the 14 (c)

provision urge that it is time to begin the process of legally fading out subminimum wage for all workers

with disabilities. By amending the Ohio Revised Code, we can align our state with this movement across

the country and demonstrate Ohio’s commitment to upholding the Olmstead Act and the rights and well being of workers with disabilities.

We ask that you and our elected officials put an end to this outdated and discriminatory practice. We

request that you introduce the bill immediately, initiate the legislative process, and provide people with

disabilities and the disability service communities the opportunity to testify and share their lived

experiences.

Sincerely,