

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

**Current labor laws unjustly trap hundreds of thousands of workers with disabilities in poverty by incentivizing low vocational and socioeconomic outcomes.**

**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 issuance of Special Wage Certificates to entities, permitting them to pay workers with disabilities subminimum wages. 99.89% of the roughly 300,000 disabled participants are affiliated with non-profit “sheltered workshops” (segregated work environments)[[1]](#endnote-1) that pay as little as pennies per hour, forcing the workers to rely on SSI, Medicaid, Food Stamps, and other government programs in order to get by. The remaining 0.11% or 286 disabled participants work for a business. Research shows that sheltered workshops cost more to society than alternatives. Moreover, consumers who did not work in a low expectation, subminimum-wage environment earn more than their peers who did.[[2]](#endnote-2)

**Bipartisan consensus at the federal, state, local, and private level has brought about a new era of proven competitive, integrated employment for people with disabilities.** The Republican and Democrat party platforms in 2016 both call for the passage of the TIME Act and the elimination of subminimum wages for people with disabilities.[[3]](#endnote-3) In 2015, a committee tasked by Congress to increase competitive integrated employment opportunities for workers with disabilities recommended the phase-out of Section 14(c).[[4]](#endnote-4) In addition, over eighty disability organizations support the repeal of Section 14(c) of the Fair Labor Standards Act.[[5]](#endnote-5)

**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.[[6]](#endnote-6) Additionally, Massachusetts completely eliminated their subminimum wage program in June 2016.

**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.[[7]](#endnote-7)

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**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.**

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1. United States Department of Labor. “Wage and Hour Division (WHD) Community Rehabilitation Programs (CRPs) List.” Last modified January 1, 2016. <http://www.dol.gov/whd/specialemployment/CRPlist.htm>. [↑](#endnote-ref-1)
2. 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. [↑](#endnote-ref-2)
3. The Democratic Party platform states in pertinent part: "We … support … ending the sub-minimum wage for … people with disabilities." The Republican Party platform states in pertinent part: "Our TIME Act (Transition[ing] to Integrated and Meaningful Employment) will modernize the Fair Labor Standards Act to encourage competitive employment for persons with disabilities. … We endorse efforts like Employment First that replace dependency with jobs in the mainstream of the American workforce." [↑](#endnote-ref-3)
4. 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>. [↑](#endnote-ref-4)
5. 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> [↑](#endnote-ref-5)
6. 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>. [↑](#endnote-ref-6)
7. 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>. [↑](#endnote-ref-7)