



OPENING STATEMENT

House Committee on Education and Labor

Chairman Robert C. "Bobby" Scott

Opening Statement of Chair Alma Adams (NC-12)

Joint Subcommittee on Workforce Protections and Civil Rights and Human Services Hearing
*Phasing Out Subminimum Wages: Supporting the Transition to Competitive Integrated Employment for
Workers with Disabilities*

Zoom

Wednesday, July 21, 2021 | 10:15 a.m.

Today, we are meeting to discuss a proposal to phase out the 14(c) subminimum wage and help workers with disabilities transition to competitive integrated employment.

Each person in this country deserves access to equal employment opportunities.

Yet, one of our foundational labor laws—the *Fair Labor Standards Act*—still allows workers with disabilities to be paid less than their peers.

Under Section 14(c), employers can obtain certificates that allow them to pay individuals with disabilities subminimum wages.

These certificates have effectively eliminated any minimum wage for workers with disabilities. For many of these workers, the estimated hourly wage is roughly \$2.50. For too many, it is even less.

We should all agree that no American worker should be earning a measly \$2 an hour.

But opponents continue to argue that phasing out 14(c) certificates will burden businesses and restrict opportunities for workers with disabilities.

The evidence says otherwise.

Eleven states—New Hampshire, Maryland, Alaska, Oregon, Maine, Washington, Hawaii, Colorado, Delaware, Vermont, and Wyoming—have either phased out 14(c) or have no active certificates. Many of these states have taken the initiative to ensure individuals with disabilities can contribute to their local economies and work in competitive employment alongside people without disabilities.

Even in states with 14(c) certificates, many providers have discontinued the subminimum wage in favor of inclusive workplaces that meet the needs of both employer *and* worker.

While many workplaces across the country have shifted away from 14(c) certificates, we know that some states have struggled to find appropriate and meaningful alternatives.

Today, we will discuss legislation—the *Transformation to Competitive Integrated Employment Act*—that would help providers to shift their business models to hiring workers with disabilities in competitive integrated employment.

This bill incentivizes states and employers who currently use 14(c) certificates to work with the disability community towards updating business models and creating fully integrated and competitive employment opportunities.

Simply put, with the right support, anyone can achieve competitive integrated employment if they choose to. It is up to us in Congress to provide the support that workers with disabilities need to succeed in our economy.

I now recognize the distinguished Ranking Member of the Subcommittee of Workforce Protections for the purpose of making an opening statement.