

May 25, 2017

Bazelon Center for Mental Health Law Supports the Raise the Wage Act

The Bazelon Center for Mental Health Law strongly supports the Raise the Wage Act of 2017, introduced today by Senators Patty Murray and Bernie Sanders and Representatives Bobby Scott and Keith Ellison.

This legislation would, among other things, raise the federal minimum wage to \$9.25 per hour and then increase it gradually over the next seven years until it reaches \$15 per hour in 2024. After that, the minimum wage would be adjusted each year to keep pace with typical wage growth.

Most significantly for individuals with psychiatric and other disabilities, the bill would phase out the antiquated program permitting employers to pay subminimum wages to individuals with disabilities, using systems for measuring worker productivity that are not, and would never be, applied to people without disabilities. That program, established by Section 14(c) of the Fair Labor Standards Act, dates back to 1938, when societal expectations for individuals with disabilities were vastly lower than current expectations. At that time, individuals with significant disabilities were largely viewed as incapable of working, and subminimum wage employment programs—usually in sheltered workshops—were seen as a way to help individuals learn skills and eventually transition to mainstream employment. In reality, these programs rarely result in individuals transitioning to real jobs at regular wages. Many participants continue to be paid less than a dollar per hour.

Moreover, we now have far better technologies to help individuals with significant disabilities secure and maintain employment. Services such as evidence-based supported employment are far more effective than segregated programs paying subminimum wages. Such programs are relic of the past and little more than a dead end for people with disabilities.

Legislation that raises the minimum wage to a living wage is critical for all Americans. And legislation to phase out the federal subminimum wage program for people with disabilities is long overdue. The Bazelon Center supports this bill and will continue to work toward a future when individuals with disabilities have opportunities to secure competitive, integrated employment and can receive services to help them do so where those services are needed.