

**Opening Statement of Chair Suzanne Bonamici (OR-01)**

Joint Subcommittee on Civil Rights and Human Services and Workforce Protections

*Phasing Out Subminimum Wages: Supporting the Transition to Competitive Integrated Employment for Workers with Disabilities*

Zoom

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

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Thank you, Chair Adams, and Ranking Members Keller and McClain, and thank you especially to our witnesses for joining us today.

Today, workers with disabilities in several states can legally be paid less than the federal minimum wage. The U.S. Commission on Civil Rights recently issues a report that found that more than 100,000 workers with disabilities have been subjected to subminimum wages averaging an estimated \$3.34 per hour.

Phasing out subminimum wages for workers with disabilities is fundamentally a civil rights issue.

The 14(c) subminimum wage provision in the *Fair Labor Standards Act* of 1938, or F-L-S-A, is a relic of an era when employers were legally permitted to discriminate against individuals with disabilities in the workplace and workers with disabilities did not have access to federal protections.

It is far past time that we phase out this harmful provision that denies the equal opportunities for many workers with disabilities.

Since the FLSA first passed, thanks to generations of advocacy, Congress has passed several key laws to guarantee students and workers with disabilities the education and workplace rights they deserve.

The *Individuals with Disabilities Education Act*, for example, provides children with disabilities access to free and appropriate education.

The *Developmental Disabilities Bill of Rights Act* provides people with developmental disabilities the opportunity to design and access community services, individualized supports, and other forms of assistance.

And the *Americans with Disabilities Act* guarantees equal opportunity for individuals with disabilities in all areas of public life.

And now, decades after the enactment of these federal protections, Congress must make sure that workers with disabilities can earn fair wages and succeed in the workplace.

States across the country, including my home state of Oregon, have already enacted legislation to eliminate the 14(c) subminimum wage and successfully transitioned workers into integrated and competitive work.

But a recent GAO report also found that many employers and workers with disabilities do not have the appropriate resources or services to transition to competitive integrated employment.

We need to phase out this outdated policy for all workers with disabilities regardless of where they live. So, I am pleased to support Chairman Scott's Transformation to *Competitive Employment Act*, which would make sure

states and employers that currently employ workers using a 14(c) certificate can provide workers with disabilities the support they need to transition into fully integrated and competitive jobs.

We must take bold action to make sure all Americans have access to equal employment opportunities.

Thank you, Madame Chair, and I yield to the distinguished acting Ranking Member, Ms. McClain for the purposes of making an opening statement.