

Protect 14(c): Keep a Full Array of Options Available to People with Disabilities

People with disabilities who want to work deserve to keep their jobs. That will not be the case, however, if the bills seeking to eliminate Section 214(c) of the Fair Labor Standards Act, 29 U.S.C. 214(c), are enacted. Section 214(c) provides the opportunity for people with disabilities to work under special wage certificates (commonly known as "Section 14(c) certificates") for less than minimum wage.

There are many misconceptions about Section 14(c) certificates. Let's look at some truths:

1. Section 14(c) certificates are heavily regulated. They cannot be used without state authority. They require an application and regular renewals through the U.S. Department of Labor. The Department of Labor has strict enforcement measures. Federal law requires regular job counseling for every person working under a 14(c) certificate.
2. No one is forced to work under a Section 14(c) certificate. People working under Section 14(c) certificates already have the option of participating in a day program or other employment. Many people, in fact, choose to divide their day among those options.
3. Working under a Section 14(c) certificate gives people the opportunity to develop job skills that they can utilize in other environments. These are critical job-sustaining skills that have allowed many people who started out working under a Section 14(c) certificate to take on new challenges that were previously out of reach.
4. Section 14(c) certificates allow people with the most significant disabilities the dignity of work.
5. No substantive study of what happens when 14(c) is eliminated has ever been conducted by a State government or the Federal government. The opportunities Section 14(c) certificates provide are too important for policy to be decided in a vacuum.

The Raise the Wage Act, H.R. 603 and S. 53, would eliminate the use of Section 14(c) certificates as part of increasing the minimum wage to \$15.00 per hour. Right now, the unemployment rate for individuals with disabilities is 12 percent and only 19.6 percent of working age people 16 and over with disabilities are attached to the workforce at all. The Raise the Wage Act has zero funding attached to it. All it will accomplish is taking valued jobs away from people who choose to work under a certificate.

That is the crux of the argument. If instead of taking opportunities away, we focused on increasing employment opportunities for people with disabilities, the 40 percent gap between the percentage of people employed without disabilities to the percentage of people employed with disabilities could be narrowed. Taking jobs away from people who love them, putting vital businesses at risk, and adding the stress of worrying about their jobs to the lives people who already have significant challenges is antithetical to the role of government. The government must continue to support 14(c) as an important tool in the employment toolbox while also expanding employment options. Please help safeguard Section 14(c) and the jobs of people who thrive in them.

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