



CPSD
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Collaboration
to Promote
Self-Determination

February 4, 2014

President Barack Obama
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

The Honorable Thomas Perez
Secretary of Labor
U.S. Department of Labor
200 Constitution Ave., NW
Washington, DC 20210

Dear Mr. President and Secretary Perez:

As national partners of the Collaboration to Promote Self-Determination (CPSD), we were pleased to read that you will soon be issuing an executive order to increase the minimum wage to \$10.10 an hour for federal contract workers. At the same time, we are profoundly concerned by recent statements suggesting that workers with disabilities employed by government contractors with 14c certificates will not be covered by the new \$10.10 minimum wage.

CPSD is an advocacy network of 21 national organizations who have come together to bring about a significant modernization of the federal adult system of services and supports for persons with disabilities.

As you know, many workers with disabilities are employed by government contractors, particularly those associated with the AbilityOne Commission. Government contractors who hold 14c certificates from the U.S. Department of Labor Wage and Hour Division have been permitted to pay less than minimum wage to workers with disabilities. We believe that all Americans should be afforded minimum wage protections, including those workers with disabilities.

Recent statements from the administration have suggested that employees with disabilities working for federal contractors with 14c certificates will be excluded from the new \$10.10/hour minimum wage and will only benefit to a minimal degree in so far as their subminimum wage compensation is increased if the higher minimum wage required by the executive order increases the prevailing wage on which their compensation is calculated. We believe this is fundamentally unjust.

Mr. President and Secretary Perez, all employees of federal contractors should mean all employees, regardless of disability status. In the last several years, we have seen commitments from Rhode Island, Massachusetts, New York and Oregon to phase out the use of sheltered workshops – the primary setting where disabled workers are paid less than minimum wage. Vermont ended the use of both sheltered workshops and subminimum wage employment of people with disabilities in 2003. We believe this progress shows that it is both economically sound and morally just to ensure that people with disabilities have access to the same wage protections as those without. While a broader end to subminimum wage and Section 14c may require an act of Congress, we believe that the Administration has the authority to end the use of subminimum wage for employees of federal contractors immediately, through the use of the same executive order establishing the new \$10.10/hour requirement.

Thank you again for your leadership and for serious consideration of our comments. We stand ready to work with you to align federal policies and financing to achieve the valued goal of integrated, competitive employment for all citizens with disabilities. It is our sincere hope that you do not leave the disability community behind in your forthcoming executive order.

Sincerely,

American Civil Liberties Union
Association of Persons in Supported Employment
Autistic Self-Advocacy Network
Autism Society
Bazelon Center for Mental Health Law
Disability Power & Pride
Institute for Community Inclusion
Japanese American Citizens League
National Association of the Deaf
National Association of State Directors of Developmental Disabilities Services
National Coalition for Mental Health Recovery
National Council on Independent Living
National Down Syndrome Congress
National Fragile X Foundation
National Disability Institute
National Disability Rights Network
National Organization on Disability
National Organization of Nurses with Disabilities
Not Dead Yet
Physician Parent Caregivers
Quality Trust for Individuals with Disabilities
Service Employees International Union
TASH
United Spinal Association