



CPSD Applauds the US Commission on Civil Rights Recommendations to End the Use of Subminimum Wages for People with Disabilities and Expand Opportunities for Competitive Integrated Employment

September 17, 2020

Today, the US Commission on Civil Rights (USCCR) released its report, [*Subminimum Wages: Impacts on the Civil Rights of People with Disabilities*](#), calling for a phase out of Section 14(c) of the Fair Labor Standards Act, which allows people with disabilities to be paid subminimum wages in segregated settings where they are isolated from their non-disabled peers and the broader community. The Collaboration to Promote Self-Determination (CPSD) commends the Commission for its recommendations to end the use of Section 14(c) while expanding capacity for competitive integrated employment -- jobs in the community where people with disabilities work alongside, are paid the same wages and benefits, and have the same employment opportunities -- as their co-workers without disabilities.

CPSD (www.thecpsd.org) is an advocacy coalition of organizations representing people with intellectual, developmental and other significant disabilities and their families, disability service agencies and individuals who have come together to bring about a significant modernization and alignment of the federal system of services and supports for persons with disabilities. Since its founding in 2007, CPSD has been working to reform the nation's disability laws and programs to advance economic security, enhance community participation, and increase opportunities for people with disabilities so that they are able to lead self-determined lives.

CPSD has long advocated for the elimination of subminimum wages to people with disabilities under Section 14(c). Subminimum wages create and reinforce a life of poverty, segregation, and dependency on public support. Section 14(c) is based on outdated expectations about the capabilities of people with disabilities. It is inconsistent with modern federal disability laws -- like the Americans with Disabilities Act, the Individuals with Disabilities Education Act, and the Workforce Innovation and Opportunity Act -- that focus on inclusion, community participation, and competitive integrated employment (CIE) for people with disabilities. Most importantly, subminimum wages do not represent what the vast majority of people with disabilities and families want: opportunities for competitive integrated employment.

CPSD has also advocated that the phase out of 14(c) should be combined with building capacity in service systems that lead to CIE and economic advancement of people with disabilities. CPSD members have worked with state systems, educational settings and providers across the country that have been successful in helping people with disabilities -- including people with significant support needs -- obtain and retain CIE. We know the best practices and strategies to help people

with disabilities obtain CIE. Instead of focusing any more resources on sheltered workshops, CPSD strongly believes states should be focusing on expanding capacity of services that could make CIE a reality for all people with disabilities. That is why CPSD has played a leading role in developing and advocating for legislation like the Transformation to Competitive Employment Act (S. 260/ H.R. 873) that phases out subminimum wages under Section 14(c) while providing resources to states and providers to expand capacity for providing CIE.

CPSD strongly supports the recommendations of the USCCR Report, including its recommendation to phase out 14(c) together with expanding capacity for CIE. The Commission's recommendations are consistent with the 2016 report of the federal Advisory Committee on Increasing Competitive Integrated Employment for Individuals with Disabilities created by Congress in WIOA and multiple reports from the National Council on Disability, the independent federal agency charged with advising the President, Congress, and other federal agencies regarding policies that impact people with disabilities.

We thank the US Commission on Civil Rights for today's report and call on Congress and federal agencies to implement the critical recommendations in the report. It is long past time to end those discriminatory practices that have kept disabled people trapped in poverty and segregated from their nondisabled peers and broader community.

Submitted on behalf of CPSD Member Organizations:

Association of People Supporting Employment First
Autistic Self-Advocacy Network
Autism Society of America
Community Options, Inc.
Marc Gold & Associates
National Association of State Directors of Developmental Disabilities Services
National Disability Institute
National Disability Rights Network
National Down Syndrome Congress
TASH
Williams Syndrome Association