

An Existential Threat Against the Significantly Disabled Phase-Out of Vocational Centers (*Sheltered Workshops*)

By Harris Capps, VOR, November 2019

I am a Parent and Guardian for my son, Matthew, who has moderate to severe Intellectual and Developmental Disabilities (IDD), to include autism and cerebral palsy that precludes speaking. He also has behavioral episodes that may range from tantrums to severe meltdowns that could result in injury to himself or others. Just explaining that to you is painful, because his dignity is important to us. He resides in an Intermediate Care Facility (ICF) which provides 24-hour care. He is largely unable to understand how to reason or make decisions. He knows that a dollar will help him go to MacDonal'd's, but he has no concept of how many dollars and cents may be required.

The very existence of Sheltered Workshops for those with Intellectual and Developmental Disabilities (IDD) has been attacked for the first time since the law was enacted in 1938 as a part of the new Social Security Program. Why do higher functioning disabled persons and their lobbying organizations want to deny lower functioning persons, the right to work? If a higher functioning individual can get a job that provides a mandated minimum wage, surely, they already have the minimum wage law in effect to protect them. So, let me tell you a bit more about Matt.

Matthew loves to go to work at "PERCO", a vocational Center in Perry County, Ohio. If we call him on Sunday evening and remind him that he gets to go to work the next day, he quite literally jumps up and down and makes sounds of anticipatory delight.



According to his job coaches, Matt is very proud that he accomplishes work and earns a paycheck. Matthew is unable to differentiate the amount of his check... he just revels in the fact that he has earned something of value which allows him to pay for things. If a picture is worth a thousand words, do you think this photo of Matt working conveys dissatisfaction or sadness?

The following episode tells you the importance of his work. On a Saturday in February 2019, Fran and I got a call from nursing at Matt's ICF. Matt had made the sign (crossed arms) for "work". In other words, he wanted to go to work. But his Work Center is not open on the weekends. The direct care worker tried to explain to Matt that the Center was closed. Matt quickly went from a somewhat manageable tantrum to what we call a "meltdown" typically

evidenced by his inability to control his emotions, yelling, crying, and in this case, he bit his direct care worker on the arm. The worker had to go to the hospital for treatment.

Supporters of "14 (c) Work Centers know many **Myths** for phasing-out the Sub-minimum Wage including self-determination. For example, it is simply **untrue** that "employers across the country are using this waiver to acquire cheap labor". And, the **false assertion** that my son is somehow a victim of discrimination, and exploitation. Matt voluntarily attends a sheltered workshop because it fits his capabilities. People with IDD like Matt would never be able to work in "competitive employment" because his measured productivity (monitored by the Department of Labor) is too low, and for what he does achieve, he requires job coaches to teach, encourage and know how to deal with his disabilities.

In a 2018 editorial in The Hill, David Ordan of the Disability Service Provider Network wrote:

"In 2014, 75 percent of individuals with I/DD receiving day or employment services through a state I/DD system were attending a sheltered or facility-based environment.

This means that efforts to remove 14 (c) subminimum wage certificates are essentially targeting one group, and one group alone: people with disabilities who choose to attend sheltered workshops".¹

He further explains that follow-up studies have shown the failure of closing Work Centers, like in Maine where, over seven-year period displaced persons not able to obtain employment increased "Day Program" enrollment from 550 in 2008 to 3,178 in 2015.

Mis-informed *logic* ignores important subjective standards such as empathy, compassion and personal values resulting in treatment of folks like Matt as an individual. In 1938, persons who had just suffered through the Great Depression used not only logic but also their values to say that **Matthew Matters**.

¹ "Eliminating Subminimum Wage Waivers Will Harm Hundreds of Thousands of People with Disabilities" By David Ordan, The Hill, August 10, 2018 <https://thehill.com/opinion/healthcare/401273-eliminating-subminimum-wage-waivers-will-harm-hundreds-of-thousands-of>