

Strengthen Employment Options for the Disability Community 14(c) & Competitive Employment Choice

VOR unconditionally supports programs that create opportunities for competitive, integrated employment (CIE) for people with intellectual and developmental disabilities (I/DD) who choose such work. What we do not support is coupling CIE with phasing out or eliminating section 14(c) of the Fair Labor Standards Act. That program permits employers to pay commensurate wages to a defined group of individuals with I/DD whose medical, behavioral and intellectual challenges are not able to be realistically accommodated by employers in a competitive work environment. 14(c) employees make an informed choice to participate in these programs.

14(c) employees are voluntarily participating in a program that enriches their lives.

Section 14(c) authorizes the issuance of special certificates that permit employers to pay individuals with I/DD less than the federal minimum wage when their level of productivity is so low as to make them noncompetitive in the general workforce. Employers, who voluntarily participate, are required to make special accommodations for their intellectual, physical, behavioral, and mental illness challenges, giving thousands of individuals with I/DD the opportunity to work in a specialized environment that nurtures them and fits their abilities. Under this program, people with I/DD earn wages that are commensurate with their level of productivity and their capacity to work. The 14(c) programs are carefully regulated by the Wage and Hour division of the U.S. Department of Labor. The application process is lengthy and must be reviewed every two years. Employees are tested twice each year to ensure that their wages are adjusted to correspond to their productivity and skills. Without 14(c) certificates, these people would lose any opportunity to work.

Individuals who are covered by 14(c) certificates cannot reasonably be accommodated in most conventional work environments. Some have medical conditions, including occasional seizures. Others have behavioral disorders and are prone to self-injurious or aggressive behaviors. Still others require help toileting. The vocational centers that employ them provide a specialized environment adapted to individuals with I/DD who desire to work, individuals who have intellectual and physical skills as well as intellectual and physical disabilities.

These vocational centers and commensurate wage programs provide more than employment: Job coaches help employees develop their skills. The coaches have also been trained to handle the physical, medical, and behavioral challenges as they arise. Earned wages, though appreciated, are not the substantive reward for these individuals. The individuals who work in these 14(c) programs thrive by having the opportunity to use and improve their skills, alongside their peers, in a safe and therapeutic environment. In fact, studies have found that over 97 percent of 14(c) employees want to continue working with this program. The 14(c) programs afford workers opportunities to build self-esteem, develop friendships, and engage in their communities.

This is not an either/or situation. This should be both/and. Congress can strengthen the competitive job market and increase programs that support work opportunities for many in the I/DD community. The answer is simple: Pay minimum wage to people with I/DD who can, with reasonable accommodations, perform at a competitive productivity level and ensure the continuation of the 14(c) program for those who cannot.

VOR asks Congress to expand, not decrease, employment opportunities for *all* people with I/DD.

Please support [H.R. 553](#) & [H.R. 1296](#) to ensure the 14(c) program is available as an employment choice for those who qualify to participate.