

September 10, 2024

Mr. William Lewis

Chief Executive Officer – Washington Post

Dear Mr. Lewis,

I was shocked and saddened after reading the three articles in the Washington Post related to the issue of section 14c of the Fair Labor Standards Act allowing some vocational programs to pay adults with intellectual disabilities a commensurate wage based on standardized assessments of productivity. In September of 2023 the Department of Labor announced that it was planning a comprehensive review of section 14c. Unfortunately, the authors presented a biased and inaccurate description of 14c Work Centers emphasizing the opinions of those advocating for their closure and ignoring the concerns of parents, guardians and people with Intellectual and Developmental Disabilities (IDD) themselves who are happy and proud of the work they perform in such centers. I and others representing those who cannot advocate for themselves must respond to these inaccuracies.

The closure of 14c programs has had a devastating effect on those with significant and profound intellectual disabilities who have been forced to sit at home and watch TV. Many family members are now forced to give up their jobs if they cannot find a day program. The authors clearly did not read chapter 4 of an excellent and revealing book, Chasing The Intact Mind by Dr. Amy Lutz published this year where she addresses many of the concerns of families who advocate for their disabled children.

The Employment First Initiative, a framework developed by the Labor Department's office of disability employment policy and adopted by 38 states, maintains “All individuals including those individuals with the most significant disabilities are capable of full participation and competitive integrated employment”.

I am a Neurology Professor Emeritus, now retired, who has cared for people with significant physical and intellectual disabilities for over 50 years. I am also the father of a 52 year old man with an intellectual disability. I can state unequivocally that there are people with significant IDD and autism who, because of aggressive behaviors, self-injurious behaviors, incontinence, as well as other issues and the need for one-on-one constant supervision, will never participate in competitive integrated employment. This is not an issue unique to the United States. A 2006 Canadian study found that 52% of 3000 clients/subjects in 3 rehabilitation agencies engaged in aggressive and self-injurious behaviors. What is needed is a caring environment with a supervisory workforce that is dedicated to allowing those with IDD to flourish to the best of their abilities.

In 2020 The US Commission on Civil Rights (UCCR) recommended elimination of 14c certificates. This was in spite of 9700 elicited public comments, 98% of which were in favor of the preservation of 14 C Work Centers. Peter Kirsanow, a member of the committee, wrote “this report is unmoored from reality in ways too numerous to count.” Why did they bother to ask for public comment in the first place?

The real question is “What happened to those who lost their jobs at 14c Work Centers?” The overwhelming majority are unemployed. They have lost the comradery, socialization skills and friendships they enjoyed.

As President Biden has said, over and over, “A job is more than a paycheck, It’s about dignity, it’s about respect.”

A Washington State study in 2012 found that after a \$50 million investment only 17% of severely impaired adults found jobs. In 2015 a George Washington University study showed that after closing 14c Work Centers people with IDD worked merely 12 hours per week. Would anyone describe this as appropriate, fulfilling employment? In Wisconsin, of 500 disabled workers in 14c programs who lost their jobs only 65 (13%) found jobs in competitive employment.

People with Intellectual and Developmental Disabilities need to be treated fairly and encouraged to work in environments of their choice, including 14c Work Centers, according to their realistic abilities. The Department of Labor needs to listen to the silenced voices of those with IDD and their families negatively affected by the inappropriate and insensitive closure of 14c Work Centers.

In short, we deserve better investigative reporting from the Washington Post authors.

Sincerely,

Lanny Edelson, MD

Dr. Edelson is a graduate of the University of Pennsylvania in PA and completed medical training at Hahnemann Medical College in Philadelphia. His neurology residency was at Harvard Neurology (Peter Bent Brigham and Beth Israel Hospitals and Children’s Hospital Medical Center), Boston. He joined Christiana Care Health System as a Neurology Specialist in 1973. He is a board-certified Neurologist and Professor of Neurology Emeritus at the Sidney Kimmel Medical College of Jefferson University in Philadelphia. He is a member of the Alpha Omega Alpha Honor Medical Society and a fellow of the American Academy of Neurology. He serves on numerous community nonprofit boards.