



NATIONAL FEDERATION
OF THE BLIND
MINNESOTA

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May 1, 2024

TO: The Honorable John Hoffman, Chair, Senate Human Services Committee
The Honorable Peter Fischer, Chair, House Human Services Policy Committee
CC: Conference Committee Members
RE: HF 4392/SF 4399, Support for House Language on Phase-out of Subminimum Wages

The National Federation of the Blind of Minnesota continues to champion phasing out the use of subminimum wage certificates under Section 14(c) of the Fair Labor Standards Act. **We urge this conference committee to adopt the provisions in the House version of this bill regarding ending the use of these certificates.**

In 2023, the Minnesota Legislature established resources and infrastructure to assist and incentivize employers to transition away from the antiquated and discriminatory practice of paying workers with disabilities below the minimum wage. This investment was a meaningful first step, but **Minnesota should affirmatively disallow payment of subminimum wages by setting a date certain after which the use of certificates under Section 14(c) of the Fair Labor Standards Act will be prohibited.**

During the 85 years since the establishment of the 14(c) program, greater awareness about the capacities of people with disabilities, along with serious concerns about the exploitative and discriminatory nature of this model, have come to light. There is increasing consensus from federal government agencies, state governments, and people with disabilities themselves that the subminimum-wage model of employment is outdated and discriminatory.

Despite better understanding of the capacity of people with disabilities such as those expressed in Minnesota's Employment First Policy, more than 50 of the approximately 800 entities in the U.S. that hold 14(c) certificates operate in Minnesota; nationwide, **Minnesota ranks among the highest for numbers of people with disabilities making below the minimum wage.**

More than a dozen states have already phased out the payment of subminimum wages through successful implementation of models providing competitive, community-integrated employment while retaining other critical services. To learn from the experiences of other states that have transitioned away from subminimum wage, the Minnesota Disability Law Center studied five states: Oregon, Maine, Rhode Island, Vermont, and Maryland. The data show that, with resources and careful planning, the transitions have been overwhelmingly successful. **Claims that people with severe disabilities will be left without a place to go and without opportunities are also shown to be unfounded.**

Last year, Minnesota made a plan: the Legislature established of grants, instituted additional reporting requirements, and stood up a technical assistance center to help employers transition toward paying people a fair wage for the work they do while retaining other needed services.

In 2024, our state should affirmatively end the discriminatory practice by setting a date certain after which the use of 14(c) certificates in Minnesota will be prohibited. Please adopt the house language.

Sincerely,

Corbb O'Connor, President
National Federation of the Blind of Minnesota

The National Federation of the Blind defends the rights of blind people of all ages and provides information and support to families with blind children, older Americans who are losing vision, and more. Founded in 1920, we are the transformative membership and advocacy organization of blind Minnesotans with chapters and divisions across the state. We believe in the hopes and dreams of blind people and work together to transform them into reality.

National Federation of the Blind of Minnesota
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