



NATIONAL FEDERATION  
OF THE BLIND  
MINNESOTA

*Live the life you want.*

*Resolution A2021-02  
Regarding Ending Subminimum Wages in Minnesota*

**WHEREAS**, Section 14(c) of the 1938 federal Fair Labor Standards Act authorized entities that employ people with disabilities to pay less than the minimum wage to these employees through the use of special minimum wage certificates from the United States Department of Labor's Wage and Hour Division; and **WHEREAS**, more than eighty years later, despite an evolution in understanding about the capacity of people with disabilities to engage in competitive integrated employment, there are more than 1200 entities still allowed to pay less than the minimum wage to their disabled or blind employees--64 of them here in Minnesota; and

**WHEREAS**, on September 17, 2020, the U.S. Commission on Civil Rights released a [report](#) calling for the end of the the section 14(c) waiver program because of persistent failures in regulation and oversight and because the program is inconsistent with the civil rights protections to which people with disabilities are entitled; and

**WHEREAS**, in October 2020, the National Council on Disability [recommended](#) the phase-out of the related federal AbilityOne program because of structural problems and the incompatibility of the program with federal disability policy; and

**WHEREAS**, an increasing number of states have eliminated, or are working toward the elimination of, the payment of subminimum wages, designing their phase-outs to move toward a competitive integrated employment model without incurring in a loss of critical services to individuals with disabilities; and

**WHEREAS**, this year, the Minnesota Legislature established the [Task Force on Eliminating Subminimum Wages](#), to develop a plan and make recommendations to end the practice of paying subminimum wages to people with disabilities in Minnesota, on or before Aug. 1, 2025; now therefore

**BE IT RESOLVED** by the National Federation of the Blind of Minnesota in Convention assembled this seventh day of November, 2021, that this organization commend the Minnesota Legislature for taking a first step toward ending the payment of subminimum wages to workers with Disabilities in Minnesota by establishing the Task Force on Eliminating Subminimum Wages; and

**BE IT FURTHER RESOLVED** that this organization call upon the Task Force to bring recommendations that are based on high expectations, informed by the innovative strategies used in many employment sectors, and focused on ensuring that all workers in Minnesota will be paid at or above the minimum wage; and

**BE IT FURTHER RESOLVED** that this organization call upon the Minnesota Legislature to enact laws making the prohibition of payment of subminimum wages a reality for every worker in Minnesota, and supporting the eventual phase-out of Section 14(c) of the Fair Labor Standards Act.