



March 22, 2022

To: State Government Finance and Policy and Elections Committee
Re: SF 3408

Chair Kiffmeyer and Committee Members,

We write to express concerns regarding SF 3408, which aims to change the purpose of the Task Force on Eliminating Subminimum Wages.

All individuals with disabilities – no matter their disability type and support needs – deserve the opportunity to explore, find, and keep jobs and careers that provide personal fulfillment and help build wealth. People with intellectual and developmental disabilities (IDD) should have supports from individuals and systems to help them to find and keep jobs based on their preferences, interests, and strengths.

People with IDD can be employed in the community alongside people without disabilities and earn competitive wages. They should be supported to make truly informed choices about their work and careers and have the resources to seek, obtain, and be successful in community employment.

Section 14c of the Fair Labor Standards Act is outdated and needs to be changed. The practice of paying people with IDD less than minimum wage in jobs that are not tailored to their skills and abilities goes against The Arc Minnesota's mission to promote and protect the human rights of people with IDD.

The state of Minnesota must build infrastructure and supports needed to phase out the issuance of subminimum wage certificates, increase opportunities for competitive integrated employment, and put in place safeguards to protect the interests of any people affected by this shift. That is why we are so strongly supportive of the Task Force on Eliminating Subminimum Wages passed by the legislature last session, and which began its important work last month.

This group has robust and diverse membership, including the people most directly impacted by this policy – people with disabilities and service professionals. They have been charged with the responsibility of making recommendations about how to phase out subminimum wage – in alignment with the Informed Choice in Employment policy vigorously supported by this legislature last session – while protecting access to services and creating job opportunities.

Having a thoughtful and strategic plan in place ensures that our state – which has one of the highest numbers of 14c certificates in the nation – is ultimately prepared for this shift in policy and practice. Many other states across the country – from Alaska, to Texas, to New Hampshire, and beyond – have already taken on this transition, and Minnesota is lagging far behind. There is a drastic imbalance in the investments made in employment supports for people with disabilities in our state, and service providers need financial support and guidance to transform their business models.

Thankfully, this transition is possible, as we have seen from many service providers across the state. The legislature was wise last session in enacting reinvention grants to support providers in their transition, and along with the Task Force's recommendations, the reinvention grants can support providers as they move toward a model that affords people with IDD the opportunity to find and keep jobs and careers that build on their strengths while paying them equitably.

We must not reverse course on the legislature's forward-thinking approach to advancing equity and opportunity for Minnesotans who have IDD through this Task Force. We implore you to allow the Task Force to continue its crucial work, which has already begun. The Task Force must be allowed to continue centering the lived experience and expertise of people with IDD in this process, as they will set us on the right path toward expanding competitive, integrated employment. If not, we will stifle our capacity to develop innovative strategies for expanding access to meaningful jobs in inclusive environments.

We ask that you support the Task Force in doing the work it was enacted to accomplish, and *not* move forward with the changes proposed in SF 3408.

Thank you,

Andrea Zuber, Chief Executive Officer

Julia Burkstaller, Public Policy Director