



NATIONAL FEDERATION
OF THE BLIND
MINNESOTA

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March 20, 2023

The Honorable Senator John A. Hoffman
Human Services Committee, Minnesota Senate
Minnesota Senate Building, Room 2111
St. Paul, MN 55155

RE: NFB of Minnesota Supports Provisions Phasing Out Subminimum Wage in SF 2934

Dear Chair Hoffman and Members of the Human Services Committee:

On behalf of the National Federation of the Blind (NFB) of Minnesota, I am writing to express our strong support for the elimination of the use of subminimum wage certificates in Minnesota under §14(c) of the Fair Labor Standards Act, as proposed in SF2934. For many decades, ending the once well-intentioned but now outdated and harmful practice of paying workers with disabilities below the minimum wage has been a goal of our organization. The capacity of workers who are blind or have other disabilities to work in competitive, integrated employment has been demonstrated overwhelmingly throughout our nation in the 85 years since the enactment of the Section 14(c) waiver program in 1938. The US Commission on Civil Rights, among other federal entities, has called for the phasing out of this program because of its inconsistency with federal civil rights policy. Simply put, the program's days are numbered, and Minnesota should begin now to plan for the inevitable.

Many states have already phased out the payment of subminimum wages through successful implementation of models providing competitive integrated employment without the loss of other critical services. Similarly, this proposal is a carefully considered plan that sets up resources and funding to ensure that necessary support services are retained as the employment model shifts. Therefore, claims that people with severe disabilities will be left without a place to go and without opportunities are simply unfounded.

The state of Minnesota adopted an "employment first" policy in 2014, committing to provide people with opportunities for competitive, integrated employment before consideration of other supports and services. Yet, almost ten years later, we remain among the states with the highest percent in the country of workers with disabilities who earn below the minimum wage. Minnesota should catch up to our commitment and demonstrate the kind of positive leadership for which we are known in many other areas by prohibiting use of the 14(c) certificates.

The proposal in SF 2934 for phasing out subminimum wages will better protect the civil rights of Minnesotans with disabilities and will also make more effective use of the funding dedicated by our state toward programs for people with disabilities. We urge the committee to move these provisions forward, and we appreciate your consideration.

Founded in 1920 and consisting of chapters throughout the state, the National Federation of the Blind of Minnesota is the largest and oldest civil rights organization of blind people in Minnesota. Please contact me if you have any questions.

Sincerely,

Steve Jacobson, President