

March 13, 2024
Re: The Arc Minnesota, SF4399



Chair Hoffman and Committee Members,

We are writing in support of the important provision in SF4399 that would end the outdated practice of paying people with disabilities subminimum wage in Minnesota.

It is time to ensure that people with disabilities in Minnesota are paid the minimum wage or higher by 2028. This change would affirm the civil rights of people with disabilities and align our state's policies with our state's values. This will help advance equity, drive social change, and truly protect human rights.

Section 14(c) of the Fair Labor Standards Act, passed in 1938, allows people with disabilities to be paid less than the state or federal minimum wage. It is an archaic and discriminatory practice that contributes to the cycle of poverty and results in segregation of people with disabilities.

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

We know Minnesota can make this change successfully. We have a strong transition plan, backed by historic funding from the 2023 legislature. There is structure and support available for providers, lead agencies, and people with disabilities and their families to make this change and ensure no one is left behind.

Many providers in our state have already moved away from using a 14(c) certificate and they have remained strong, viable providers, while being person-centered and honoring the choices of people with IDD. People who do not want to work have, and will continue to have, robust, enriching programming to support their needs during the day.

There is momentum nationwide to phase out subminimum wage. Sixteen other states across the country have already taken on this transition, and Minnesota is poised to be the next to make this transformational change. This effort is led by people with disabilities, who want more opportunity.

Minnesotans with disabilities deserve better than this discriminatory practice and it is time for our state to put our values of inclusion and opportunity into practice through our policy. This change is far overdue.

Please support SF4399 and prohibit issuance of 14(c) certificates to effectively end the use of subminimum wage in our state and ensure people with disabilities are paid the minimum wage or higher.

Sincerely,

Andrea Zuber, CEO

Alicia Munson, CPO

Tina Rucci, Public Policy Director

The Arc Minnesota