



March 21, 2023

The Honorable Mohamud Noor
Chair, Human Services Finance Committee
Minnesota House of Representatives
379 State Office Building
St. Paul, MN 55155

The Honorable Anne Neu Brindley
Republican Lead, Human Services Finance Committee
Minnesota House of Representatives
379 State Office Building
St. Paul, MN 55155

Re: Legal Aid Letter of Support for HF 2847

Dear Chair Noor, Lead Neu Brindley, and Members of the Committee:

The Legal Services Advocacy Project and the Minnesota Disability Law Center write in support of the Governor's proposal to end the practice of paying people with disabilities less than the minimum wage in HF 2847.

The U.S. Commission on Civil Rights issued a report calling for an end to Section 14(c) employment in 2020 (2020-09-17-Subminimum-Wages-Report.pdf (usccr.gov)). In the report, the Commission found that these programs were limiting people with disabilities from "realizing their full potential while allowing providers and associated businesses to profit from their labor." The report called for states to phase out these programs and, instead, invest in meaningful employment and placement services.

Nationwide, 12% of people with disabilities earn less than the minimum wage, but in Minnesota it is 44%. Minnesota is also way behind the national average in employing people with disabilities in

integrated settings. In 2018, 21.1% of people with disabilities worked in integrated settings while only 11% of Minnesotans with disabilities worked in integrated settings.

Current research supports shifting to integrated employment services, finding that it leads to better outcomes across employment, health, and independence compared to segregated employment. In Minnesota, many providers have already successfully transitioned their service models, showing that people with disabilities—with all kinds of support needs—can thrive in community jobs earning at least minimum wage. Yet, Minnesota spends ten times more on subsidizing Section 14(c) employers than it does on employment and training programs to help Minnesotans with disabilities find and retain successful, integrated employment.

Most 14(c) employers do not assist their employees develop skills to move into integrated employment settings, and a one-size-fits-all approach is not what works best and respects the differing abilities and needs of any group. In 2019, the Minnesota Disability Law Center, the designated Protection and Advocacy agency in Minnesota, reviewed subminimum wage providers in Minnesota. Only 5% of 14(c) organizations offered more than two choices of work. Limited choice in employment results in a lack of opportunities to explore individual interests and develop new job skills. The opportunity to make an informed choice about employment is only possible when the state and service providers make a variety of options available.

Thirteen states and the District of Columbia have ended the subminimum wage, and several more are phasing it out. Vermont phased out subminimum wage employment for people with disabilities in the early 2000s. In studying the last sheltered workshop that closed in Vermont, University of Vermont researcher Brian Dague reported that 80% of people had found competitive employment in the community. The remainder found community-based, integrated non-work placements.

Minnesota can and should do better for people with disabilities and support employment services over funding subminimum wage employment. This can be done by investing in the right services and supports. Minnesota must put its money where its mouth is and live up to the tenets of Olmstead, Employment First, etc. We can build a more just, more supportive employment network for people with disabilities that does not rely on over segregation and poverty wages. Please support this bill.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Purrington', written in a cursive style.

Jennifer Purrington
Legal Director/Deputy Director
Minnesota Disability Law Center

A handwritten signature in black ink, appearing to read "Ellen Smart". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Ellen Smart
Staff Attorney
Legal Services Advocacy Project

This document has been formatted for accessibility. Please call Ellen Smart at 612/746-3761 if you need this document in an alternative format.