

# The Taskforce on Subminimum Wage in Minnesota

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Originally published March 23, 2022

There seems to be a widespread misunderstanding of legislation, led and championed by Minnesotans with disabilities, related to subminimum wage in Minnesota.

## What is the Taskforce on Subminimum Wage and what can they do?

Last session, the Minnesota legislature passed language to establish a Task Force on Subminimum Wage, which will develop a plan and make recommendations on how to phase-out subminimum wage, should there be further legislation that ends the use of subminimum wage. The thoughtful and strategic recommendations will help make sure people who have disabilities are not left without meaningful day services and employment options.

The scope and work of the Taskforce on Subminimum Wage *does not* include the authority to end the use of subminimum wage in Minnesota. The elimination of subminimum wage would require separate legislation from the state legislature or Congress at the federal level. This is a nation-wide movement, led by Self-advocates, and it is imperative Minnesota is prepared.

## Why is the taskforce important?

The Arc Minnesota believes the work of the Taskforce is crucial in helping ensure more people have access to jobs that build on their skills. That work must be strategic and thoughtful so that people in our community are not left behind. With the right plan and approach, we can ensure that people with disabilities who want to work can work, and that people have meaningful ways to spend their time.

Our state has historically under-invested in integrated employment in the community. In 2018, Minnesota spent \$239,012,000 on funding for facility-based work and other daytime supports, but ten times less (\$20,943,000) funding integrated employment.

We support the recommendations promoted by the national *Association of People Supporting Employment First (APSE)*, which suggest how to build capacity in employment supports, and can help ensure providers are sustainable if subminimum wage is phased out. They include:

- “Technical assistance and supports should be provided... to the holders of 14(c) certificates themselves, in order to move the individuals currently receiving sub-minimum into employment opportunities in the community at minimum wage or higher”
- “Effort must be undertaken to improve the overall quality of community employment outcomes both in terms of individual outcomes (wages, hours, diversity of employment), system outcomes (efficiency and effectiveness), and proper funding of services and long-term support”
- “It is unacceptable to eliminate an individual’s day services and supports as a result of the phase out of sub-minimum wage.”

Along with the Taskforce legislation passed last session in Minnesota, there are resources dedicated to providers that commit to phasing out their use of subminimum wage certificates, also known as 14(c). There are providers across the state that have successfully done so. Those providers are still in business, and still support people with intellectual and developmental disabilities. Many other providers are planning and in progress of phasing out their 14(c) certificates.

Phasing out 14(c), subminimum wage, segregated employment, and other employment-related policies that discriminate against people with disabilities will help advance equity, drive social change, and truly protect human rights. Section 14(c) of the Fair Labor Standards Act is outdated and needs to be changed. The practice of paying people with disabilities less than minimum wage in jobs goes against The Arc Minnesota’s mission to promote and protect the human rights of people with intellectual and developmental disabilities.

## **What comes next?**

The Taskforce’s purpose is to support people with disabilities, especially those with concerns about what a phase-out would mean for them. We would like to continue this conversation with people with disabilities and families so they understand the work being done to ensure they or their loved ones will always have the meaningful services and support they need to have belonging, justice, freedom, and citizenship in their communities.

Find more information about the Taskforce on the [Minnesota Department of Human Services website](#), including a schedule of upcoming meetings (which are open to the public). You can also subscribe to our [Capitol Connector email list](#) to get important public policy updates for the state of Minnesota.

Learn more about The Arc Minnesota at [arcminnesota.org](http://arcminnesota.org)