



## **FOR IMMEDIATE RELEASE**

### **U.S. Department of Labor Announces Public Comment Period on Proposed Rule to Phase Out Subminimum Wage for Workers with Disabilities**

**St. Paul, Minnesota – December 9, 2024** - On December 3rd, the U.S. Department of Labor (DOL) announced a Notice of Proposed Rulemaking, inviting public comment on a proposed regulation to end the use of 14(c) certificates. The proposed rule would stop issuance of new certificates and phase out existing ones over a three-year period, representing a critical step toward wage equity. Since its inception in 1938, Section 14(c) of the Fair Labor Standards Act (FLSA) has allowed employers to obtain special certificates permitting them to pay workers with disabilities less than the federal minimum wage. About half of these workers earn less than \$3.50 per hour, and about 10% are paid \$1 an hour or less, according to the DOL—even when performing the same tasks as colleagues without disabilities.

The Arc Minnesota strongly supports the elimination of 14(c) certificates and has consistently advocated for the Minnesota State Legislature to end subminimum wages, segregated employment, and other discriminatory policies affecting people with disabilities. We are excited that this critical issue is being addressed at the federal level. These changes are vital for advancing equity, promoting social progress, and upholding the fundamental human rights of all individuals.

“We need to make sure the right supports and technical assistance are in place to phase out the 14(c) waiver. Fortunately, we already have proven blueprints. Over a dozen states have made this transition successfully, leading to higher employment rates, more hours worked, and increased wages. I understand the concerns some may have, but we have data, stories, and experiences that show those fears are unfounded. The time to move forward is now,” stated The Arc Minnesota CEO Naveh Eldar.

This proposed regulation marks a significant step toward ensuring wage equity and fairness for all workers, regardless of ability. The public is encouraged to submit comments on this critical issue during the comment period.

As part of the review process, the DOL held stakeholder engagement sessions to gather input from a wide range of perspectives, including workers with disabilities and their families, disability rights advocates, service providers, and Section 14(c) certificate holders. This feedback was instrumental in shaping the proposed rule. The DOL is now seeking input on the proposal from all interested parties. All comments must be received by 11:59 p.m. EST on Jan. 17, 2025, for consideration in this rulemaking. For more information on the commenting process, visit [bit.ly/14CInfo](https://bit.ly/14CInfo). To submit a comment to the register, visit [bit.ly/End14C](https://bit.ly/End14C).

#### **About The Arc Minnesota**

The Arc Minnesota is a nonprofit organization dedicated to promoting and protecting the human rights of individuals with intellectual and developmental disabilities. Through advocacy, education, and

support services, The Arc Minnesota works to ensure their full inclusion in all aspects of community life. To learn more or get involved, visit [arcminnesota.org](http://arcminnesota.org).

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