

U.S. SENATOR BOB CASEY



CHAIRMAN Special Committee on Aging

Transformation to Competitive Integrated Employment Act

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All Americans deserve to be fairly compensated for their work. Unfortunately, a provision in the Fair Labor Standards Act allows employers to apply for special certificates from the U.S. Department of Labor to pay thousands of people with disabilities a subminimum wage. According to a 2023 Government Accountability Office report, most of these wages are less than \$3.50 per hour—not even half the federal minimum wage. People with disabilities are better able to achieve financial independence and spend more time engaging in their communities when they transition to competitive employment and work in integrated environments – workplaces that hire both people with disabilities and people without disabilities.

Ending the Subminimum Wage and Encouraging Competitive Integrated Employment—In 2014, Congress, through the Work Innovation and Opportunity Act (WIOA), established the goal of employing people with disabilities in Competitive Integrated Employment (CIE) with the services and supports necessary to recognize their skills, knowledge, and experiences. To achieve CIE for people with disabilities, especially those with more significant support needs, businesses that pay subminimum wages to people with disabilities will need support.

The Transformation to Competitive Integrated Employment Act (TCIEA) will implement the goals laid out in WIOA by providing grants to states or subminimum wage employers to help them transition to CIE. It would phase out the use of subminimum wage practices for all employers over five years and prohibit the U.S. Secretary of Labor from issuing new certificates that permit employers to pay subminimum wages to workers with disabilities. TCIEA will also create a technical assistance center to support employers making the transition to help them continue to provide supports for workers as the business moves towards CIE, including how to use Medicaid home and community-based services to support people with complex disabilities in a competitive integrated work environment.

Supporting Organizations— Allies for Independence, American Council of the Blind (ACB), American Foundation for the Blind (AFB), ANCOR, Applied Self-Direction, Association of Programs for Rural Independent Living (APRIL), Association of University Centers on Disabilities (AUCD), Association of People Supporting Employment First (APSE) along with 38 state affiliates, Autism Society of America, Autistic Self Advocacy Network (ASAN), Bazelon Center for Mental Health Law, Center for Law and Social Policy (CLAS), CEO Commission, Communication FIRST, Council of State Administrators for Vocational Rehabilitation (CSAVR), Cure SMA, Disability Rights Education & Defense Fund (DREDF), Disability Rights Montana, Down Syndrome Affiliates in Action, Little Lobbyists, Marc Gold and Associates (MG&A), Muscular Dystrophy Association (MDA), Melwood, National Association of Councils on Developmental Disabilities (NACDD), National Association of the Deaf (NAD), National Association of Direct Support Professionals (NADSP), National Association of State Directors of Developmental Disability Services (NASDDDS), National Association of State Directors of Special Education (NASDSE), National Council on Independent Living (NCIL), National Disability Institute (NDI), National Disability Rights Network (NDRN), National Down Syndrome Congress (NDSC), National Down Syndrome Society (NDSS), National Organization on Disability (NOD), National Employment Law Project (NELP), New Deal for Youth, National Industries for the Blind (NIB), Professional Contract Services Inc. (PCSI), SourceAmerica, Spina Bifida Association (SBA), TASH, United Cerebral Palsy (UCP), United Spinal Association