



March 12

Update on Ending Subminimum Wage

Self-Advocate Commentators:

- **Numbers from MN**
- **Jon McGovern from ME**
- **Robert Levy from CA**

New York bill aims to end subminimum wage for disabled New Yorkers



https://www.dailygazette.com/cjfund/political/assemblyman-phil-steck-bill-aims-to-end-subminimum-wage-pay-for-disabled-workers/article_b51dd175-94f2-495e-af6d-bc797baf2256.html

The **Fair Labor Standards Act (FLSA)** is a law that sets the lowest amount a worker can be paid for an hour of work, called the **minimum wage** (\$7.25/hour). However, a rule in the law called **Section 14(c)** allows some companies to pay disabled workers less than the minimum wage. This is unfair, and many people want to change it.

A photograph of a man, likely a worker, smiling and standing behind a counter. He is wearing a green short-sleeved shirt and a white apron. On the counter in front of him are several items, including a large blue pitcher, a white pitcher, and some food items. The background is slightly blurred, showing what appears to be a kitchen or food service area.

**Equal Pay
Equal Work**



Competitive Integrated Employment (CIE) is the idea that all workers, including those with disabilities, should:

1. Earn at least the minimum wage.
2. Be treated the same as everyone else.
3. Have chances to grow in their careers.
4. Work in regular workplaces alongside non-disabled coworkers.
5. Get the same benefits as other workers.

In **December 2024**, the U.S. Department of Labor under Biden proposed a rule to **phase out the 14(c) program**, which allows some employers to pay workers with disabilities less than minimum wage.

The proposal included:_____

1. **Stop issuing new 14(c) certificates** to employers.
2. **Give current certificate holders up to 3 years** to stop paying subminimum wages.
3. After the transition period, **all workers would have to be paid at least the federal minimum wage.**

What happened to that proposal

In **July 2025**, the Department of Labor **withdrew the proposed rule**.

That means:

- The government **stopped the rulemaking process**.
- The plan to phase out 14(c) **did not move forward**.

The Labor Department said it believed it **may not have the legal authority to end the program by regulation alone**, and that Congress might need to act instead.

What this means right now

For now:

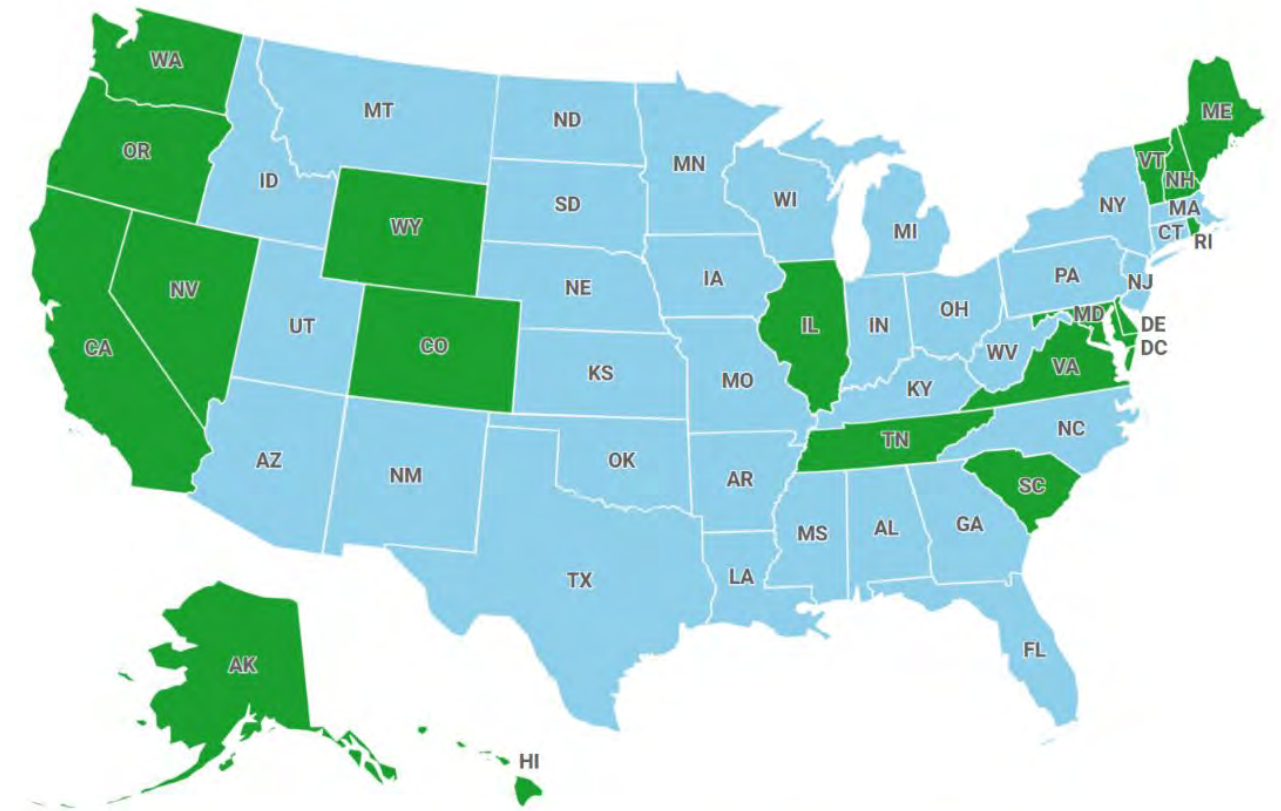
- The **14(c)** program still exists.
- Employers can **still apply for or renew certificates** to pay subminimum wages.
- About **1,100 employers and roughly 40,000 workers** are affected nationally.

However:

- The number of workers in 14(c) jobs has **dropped a lot over the last 20 years.**
- **16 states have already banned or are phasing out subminimum wages on their own.**

As of early 2026, 19 states have eliminated or are in the final stages of eliminating the subminimum wage: Alaska, Maine, Maryland, New Hampshire, Oregon, Rhode Island, Tennessee, Washington: These states were among the first to pass legislation.

- California, Colorado, Delaware, Hawaii, Illinois, Nevada, South Carolina, Virginia: These states have either fully eliminated the practice or have an active plan to phase-out procedures in place.
- AND the District of Columbia, Vermont, and Wyoming also had no active federal 14(c) certificates, which means they have no one using subminimum wage



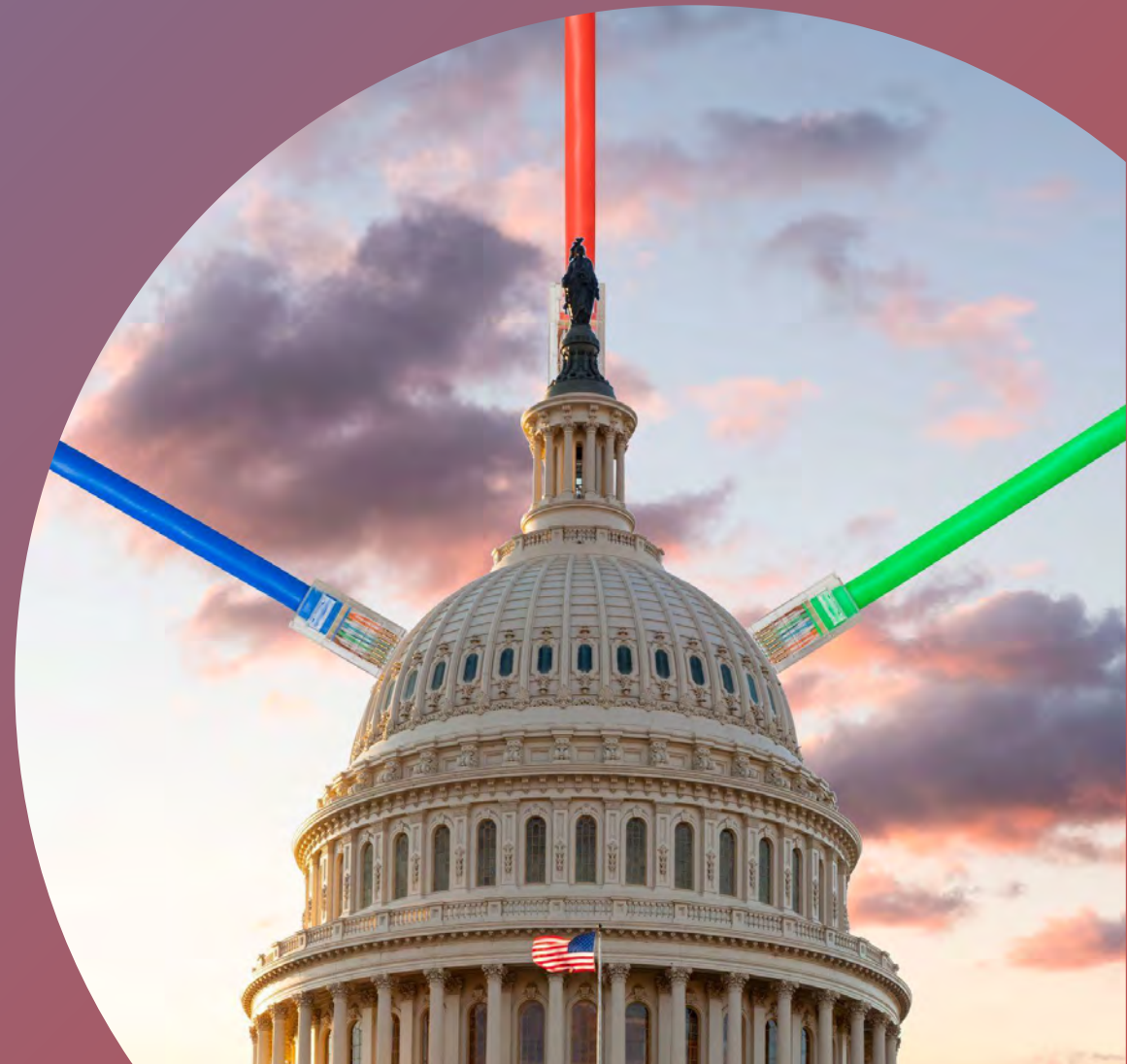
The Subminimum Wage Disability Pay Loophole - The Daily Show



<https://www.youtube.com/watch?v=wAtjGY9vQRA>

Key FEDERAL 2026 Legislative Activity

- Raise the Wage Act (2025/2026 Context): Proposed legislation, supported by Senators Sanders and Scott, aims to raise the federal minimum wage to \$17 over five years and specifically eliminates the subminimum wage for workers with disabilities within that same timeframe.
- Transformation to Competitive Integrated Employment Act: This bill continues to gain traction, with bipartisan support in both the House and Senate to phase out the 14(c) certificate program.



Major Toolkits to End Subminimum Wage for Disabled Workers

National Down Syndrome Society – Ending Subminimum Wage Toolkit

What it includes

- Overview of Section 14(c) and why advocates want to eliminate it
- Explanation of federal legislation like the **Transformation to Competitive Employment Act**
- Talking points for legislators
- Guidance for **state-level campaigns to ban subminimum wages**
- Advocacy strategies for grassroots advocates

Why it's useful

- Designed specifically for **community advocates and self-advocates.**
- Includes both **federal and state legislative advocacy strategies.**



Major Toolkits to End Subminimum Wage for Disabled Workers



https://nacdd.org/14ctoolkit/?utm_source=chatgpt.com

National Association of Councils on Developmental Disabilities (NACDD) – 14(c) Advocacy Toolkit

What it includes

- Campaign materials for advocates to **submit public comments to the Department of Labor**
- Social media posts and graphics
- Email campaign templates
- Messaging about why workers with disabilities deserve fair wages

Why it's useful

- Good example of **how to mobilize self-advocates quickly.**
- Includes ready-to-use messaging and communications templates.