



National Disability Employment Awareness Month 2019 Federal Legislation Supporting Workers with Disabilities

Community living means every worker has the opportunity to participate fully in a workforce, but people with disabilities continue to face obstacles to full and equal employment. This is especially true for workers with disabilities who face multiple discrimination based on their race, gender, age, national origin, sexual orientation or identity, and religion. The National Association of Councils on Developmental Disabilities (NACDD) supports legislation that provides pathways to meaningful work opportunities for all people with disabilities so they can lead their fullest lives in the community.

Transformation to Competitive Employment Act (HR873/S260)

Sponsors: Chairman Bobby Scott (D-VA) and Representative Cathy McMorris Rodgers (R-WA) and Senators Bob Casey (D-PA) and Chris Van Hollen (D-MD).

Status: Introduced in House and Senate.

Summary: This bipartisan legislation would end the outdated and unfair payment of workers with disabilities who receive subminimum wages under Section 14(c) of the Fair Labor Standards Act (FLSA) of 1938. The bill not only phases out Section 14(c) in six years but importantly includes funding to help states and providers transform business models to support individuals with disabilities to transition to competitive integrated employment and track worker outcomes.

Customized Approaches to Providing and Building Independent Lives of Inclusion for Transition-aged Youth Act of 2019 (CAPABILITY Act) (HR3070)

Sponsors: Representatives Cathy McMorris Rodgers (R-WA) and Seth Moulton (D-MA).

Status: Introduced in House.

Summary: The bill would fund six competitive grants (lasting four years) that help Americans with intellectual and developmental disabilities or autism transition from school to the workforce by creating customized work opportunities, expanding fair-wage jobs in integrated workplaces and creating programs that help teach independent-living and job skills.

The Workforce Innovation and Opportunity Act (WIOA) of 2014 (Public Law 113 – 128)

Sponsor: Representative Virginia Foxx (R-NC).

Status: Became law when signed by President Obama on July 22, 2014. After extensive public input, final regulations released in 2016 provide details for implementation of WIOA, including how to define competitive integrated employment (CIE). NACDD is closely monitoring the Department of Education since it has indicated they may reconsider and weaken CIE pathways for workers with disabilities.

Summary: WIOA a federal law which was supported by both Democrats and Republicans in Congress. Through the passage of WIOA, Congress said that work is an important and valued activity for people and society. The goal of WIOA is to increase employment of people with disabilities in competitive integrated employment (CIE) and significantly limit placements in subminimum wage sheltered workshops.



The Raise the Wage Act (HR582/S150) - SUPPORTED IN PART

Sponsors: Chairman Bobby Scott (D-VA) and Senator Bernie Sanders (I-VT).

Status: Passed the House. Not likely to receive a vote in the Senate this Congress.

Summary: The Raise the Wage Act aims to increase of minimum wage for all workers to \$15 an hour by 2024. NACDD supports the legislation's phase out the Department of Labor (DOL) 14(c) program that currently allows certain employers to pay workers with disabilities less than the federal minimum wage. Workers in 14(c) programs would see a gradual increase of the minimum wage for these jobs from \$4.25 per hour in year one to \$12.85 per hour in year five, finally meeting the \$15 per hour norm in year six.

Supplemental Security Income Restoration Act (HR4280)

Sponsors: Representatives Raul Grijalva (D-AZ).

Status: Introduced in the House.

Summary: The Supplemental Security Income (SSI) program provides assistance to people who are disabled or elderly and have low income has gone largely unchanged since 1972. It would increase the amount of disregarded income that beneficiaries can take in each month from the current \$2000 to \$10,000. And, the bill would repeal penalties for marrying or receiving assistance from family members. These changes make it possible to earn income from work to avoid debt, make large purchases (cars, homes) and live the best possible life in the community.

The Achieving a Better Life Experience (ABLE) Age Adjustment Act (HR1814/S651)

Sponsors: Representatives Cathy McMorris Rodgers (R-WA) and Tony Cardenas (D-CA) and Senators Robert Casey (D-PA) and Jerry Moran (R-KS).

Status: Introduced in House and Senate.

ABLE Age Adjustment Act increase the eligibility threshold for ABLE accounts for onset of disability from prior to age 26 to prior to age 46. This bill would allow more people with disabilities to save more earnings from work with ABLE accounts to pay for disability-related expenses without losing critical benefits.

Direct Creation, Advancement, and Retention of Employment (CARE) Opportunity Act (HR4397/S2521)

Sponsor: Chairman Bobby Scott (D-VA) and Senators Tim Kaine (D-VA) and Maggie Hassen (D-NH).

Status: Introduced in the House and Senate.

Summary: The Direct CARE Opportunity Act addresses the direct care workforce crisis by investing in promising strategies to recruit, retain and advance the direct care workforce pipeline. This legislation would provide an immediate and concentrated effort to increase the direct service provider workforce so that older adults and people with disabilities can have the same freedom and liberty as everyone else.

Thank you for your work in support of workers with disabilities. Please feel free to contact me at eprangley@nacdd.org or (202)506-5813 x104 if you need any additional information.

NACDD is a non-profit organization that serves as the national voice of the 56 state and territory Councils on Developmental Disabilities (DD Councils). Because the DD Councils are governor-appointed entities with memberships that are made up of at least 60% persons with developmental disabilities or their immediate family members, our DD Councils are in a unique position to provide critical feedback concerning legislation to improve the lives of people with disabilities.

(202) 506-5813 | WWW.NACDD.ORG
1825 K STREET NW, SUITE 600, WASHINGTON, DC 20006