

## APPENDIX B

### Letters from the Community: Feedback from Stakeholders to Phase Out 14(c)

SCDD sought feedback and recommendations from the community on how to best phase out subminimum wage. SCDD conducted a broad outreach effort that included emails, social media, and announcements by way of the 639 Stakeholders Workgroup and regional offices. Feedback was accepted in all formats including email and submissions by way of our website portal. Below are the responses:

#### Terms Defined:

**Family Advocate:** Family member who advocates for relative with an intellectual and/or developmental disability.

**Self-Advocate:** Person with an intellectual and/or developmental disability, advocates for oneself.

**Service Provider or professional:** individuals or provider entities who either provide services to community members or are experts in any matter relating to the needs of our community

#### Phase Out Recommendations by Self-Advocates and Family Advocate

##### 1. **Self-Advocate: Jackie Armstrong**

Going from a sheltered workplace to a competitive employment setting has been absolutely life changing. I wouldn't change it for the world. I'd say the biggest recommendation is to provide individualized or customized service. i.e., Scott may love working outdoors but Fiona wants to work at an office, it wouldn't make much sense to have them both doing janitorial at Walmart in a group for minimum wage now, would it? It makes more sense to find Scott an outdoor job while helping Fiona find clerical work. They'd be much happier, and the office and outside work productivity goes way up by their presence. This can best be done by the process of discovery. By thinking about the individual, the organization begins to shift as they stop thinking of people as a group or a cog in the machine and the de-institutionalize the company can begin.

Lastly, I have several friends that are walking examples of what needs to change. I'll give you two examples: (1) One just graduated from San Jose state with her bachelor's. She's eager to get a state job. She's also part of the regional center system. I gave her a list of supported employment agencies that offer individualized discovery and job development. The regional center service coordinator said not to go to those and to go to Department of Rehabilitation

instead. It's been months, and she hasn't heard a thing from the department of rehab despite several phone calls and emails.

(2) The other one is even sadder and more worrisome. She wants to work with dogs and was very excited about the micro-enterprise presentation that was held at my people first group. She said all this at her IPP and the reply from her worker was to put her on the waitlist for a segregated art day program. She tried giving out resumes by herself but eventually gave up as nobody called back to hire her. Both these scenarios are current--not past--scenarios. With all the employment first policies and PIP available in California it still boggles my mind that people have to fight so hard just to get the available services that they are entitled. I fear that more people will get told ""there is nothing for you"" when the segregated day programs like my latter friend who is currently on the waitlist for close next March with HCBS.

Let me be clear, both friends are at similar ""functioning levels"" that I am. The only difference between them and I is my family got educated and went to trainings and I'm on multiple advocacy boards, so I knew how to fight. Again, it shouldn't be this hard for people WANTING to work to be able to work and get services to work. I've heard of people being told they're too severe to work and thank God there's places like Progressive that have a zero-exclusion policy and so many ways around that, but I fear too many people that are ""high functioning"" like the two friends I mentioned will continue to fall through the cracks into unemployment and isolation if something doesn't shift soon."

## 2. **Family-Advocate: Gloria A Echevarria**

It is clearly unfair to pay those with a disability a lower wage. A person with an intellectual disability wants to be successful and live a productive life. Their jobs are important to their self-esteem. Some may not work as fast as someone without a disability; however, they still should be paid for the "work" that they do complete, just like those without a disability. And I understand that there is a fine "line" for those with a disability who earn more because that will place them in danger of losing federal benefits like their social security. However, there needs to be a plan to seek-out employers who are willing to hire a person with a disability. I know many young adults who can be moved to competitive employment and others who will have difficulty working. I also know those who have quit their job even though they were successful and loved their job, because their employer refused to give them a raise.

## 3. **Self-Advocate: Rick Hodgkins**

Is it possible, given the fact that the 2023 state budget already mandates and requires that staff working with people with disabilities be trained--that job coaches have a BA as well as a BS in psychology and even a minor in special

education as it relates to employment of people with disabilities? This way they know about the population that they are supporting, (i.e. Professionalization of coaches and those that work with I/DD community.)

Also, we need to know how we can support people with ice/DDN obtaining degrees in STEAM, that which stands for science, technology, engineering, arts, and mathematics. People with intellectual disability and identical or similar conditions don't learn the same way as people without those conditions. Take it from me, I could not learn the same way, that which is why as much as I like to be a biomedical scientist, a neuroscientist and or a vision scientist, I would not be able to learn to work in those fields unless I was taught in a way in which I can understand. I may know about the field I want to go into. But that there are requisites and prerequisites.

My story--I was forced into those programs—working at either Pride Industries and/or Goodwill Industries. I was told that I did not have a choice other than those programs. I just want section 14 c of the fair labor standards act gone and flushed down the toilet.

#### Recommendations by Service Providers/Professionals

1. **Service Provider, ICAN CA Abilities Network, Torrance, CA, Director of Programs & Services: Lindsey Stone**

We were one of the first agencies to do Supported Employment in our area and have always pursued work opportunities for clients that were above minimum wage. We strongly believe in phasing out sub-minimum wage.

The difficulty in employment for our clients is that there is no flexibility in the support levels. DOR expects that a client is to fade their coaching support 10% every single month. If we are going to allow all clients who have a desire to work the opportunity to work, then there needs to be multiple avenues of support because what DOR expects is too rigid. Customized employment was created to help clients with higher needs by providing funding for Job Development because we know that clients with higher needs, need more support. But once the client gets the job the funding is the exact same as traditional Supported Employment. Clients who are in Work Activity Programs are often in those programs because they need 100% support while employed. Additionally, clients who are in group placements are in that program because they need more support. There needs to be an option for clients who want to work but need more coaching support because otherwise they are going to lose their jobs.

Phasing out both programs at the same times leaves a large pool of clients who aren't going to be able to succeed in Supported Employment because they need a different level of support. When you look at the data of Supported Employment the number of clients who make it to 12 months of employment is only 50%! The major reason we see clients losing their job is because they need more than 30% support which is the max they can receive after one year. Some clients need

50% support and some need 75%. And these are the clients that have already been consistently in the Supported Employment program, these are the stats before we start adding in more clients that have higher support needs. With HCBS and all the new guidelines coming out we are expected to meet clients' individual needs, yet for employment there is no current way to scale the support they need for their individual needs. Pushing everyone into the funnel of Supported Employment is just going to lead to poor outcomes of retention. The goal is not just for clients to get a job but to keep a job!

I would be happy to give specific examples of client case studies as examples or explain our experience further. We have been doing supported employment since 2015 and are the largest Supported Employment agency in the HRC catchment area. We have helped over 350 clients get jobs in the past 7 years.

**2. Service Provider: Diyanna Downing**

Supportive employment needs to be more widespread so that those who require it can choose to work the hours they need to, to make a livable wage. Many people choose to work less hours to not affect their SSI payments each month. Many of the people I work with who choose to do so, are capable and wanting to work more hours. Now without subminimum wage, instead of paying them less, they are being offered less hours. This defeats the purpose because in the end they are making no more than they would've before. This is because with supportive employment, the support also needs to be paid for as well as the employee. To truly offer people with developmental disabilities fair employment, they need to have access to the tools they need for support. Providing more funding for supportive employment can increase the amount of hours someone is able to work and reduce the amount of money they require from SSI and for some, eliminate the cost altogether.

**3. Family Advocate/Service Provider: Progressive Employment Concepts, Executive Director: Carole Watilo**

I appreciate the opportunity to provide written comments regarding SB 639. As an aunt to 5 individuals who have used regional center services for the past 40 years and a Service Provider: supporting individuals to find and maintain employment for the past 30 years I feel well positioned to comment from both a family perspective as well as a professional perspective.

Despite being an employment first state, California lacks a comprehensive approach to employment services that meets the needs of all individuals with intellectual and developmental disabilities. The current system which requires families and individuals to jump through hoops going through DOR for employment services before regional centers will pay for services wastes time and leaves many individuals and families frustrated and discouraged. DOR

requires a high level of independence and self-initiative to even navigate the process. Individuals who are, not able to do this end up referred to day programs with little or no opportunity for employment. If they successfully navigate the first hoop of getting through the DOR paperwork, they are sent for an external situational assessment which rates the individuals' work skills. Many of these assessments are not in the individual's area of interest or skill. Oftentimes even when individuals do their very best, they are deemed unemployable and sent back to the regional center where they are referred once again to day programs that may have little to no employment options or to group placement options which have historically utilized 14c certificates to pay individuals below the minimum wage. This leaves people feeling discouraged and further erodes their self-esteem.

The current system forces people to prove their readiness for employment in ways many of the general population never did and then when people make the attempt, they are met with systemic roadblocks which have little to do with who they are, what they want and the support they need to reach their goals and more to do with how the service system doesn't work for them. The disappointing part of this whole scenario is that many times when an individual is referred to DOR by the regional center, they know full well that the person will not pass the test and will be found unemployable, yet they make them do that. DOR requires that a person be able to work without support 80% of the time. If an individual cannot meet that they are not appropriate for DOR supports. Why then do we send people there when we know they won't meet this threshold at least not in the timeframe established? This seems intentionally cruel and not at all person centered.

With the passage of SB 639 as well as WIOA the HCBS final rule and the growing research in best practice employment supports California sits in a prime position and time to reimagine our system of services and supports around employment for Californians with intellectual and developmental disabilities.

The best news is we don't have to create it from scratch. We can look to other states, subject matter experts in the field and to ODEP for models of best practice employment services. To begin, we look to a structure that adheres to the following principles, approaches all services from a person-centered perspective, and uses all available resources in a manner designed to support the individual: Equity- Provide equitable supports for all individuals who desire employment through an inclusive structure. Access- Provide services based on the support needs of the individual. Independence- Maximize independence by promoting independent work and maximizing earnings.

Our current system serves the system and not the individual. We do not see the outcomes people or the state desire. A systemic restructuring is required to make the changes Californians desire and deserve.

Many families, individual and providers of service are ready and willing to partner in the creation of this comprehensive system of services designed with person centered outcomes as the focus.

**4. Family-Advocate/Former Intake Specialist: Lourdes Gomez**

As a former intake specialist for a nonprofit with a WIOA grant, I saw a lot of subminimum wage grants that never provided meaningful support. Most places were just looking to meet numbers. The true path to integrated employment is a community of genetic resources communicating and building a strong support system. The best example I can provide on how all systems need to communicate and provide is the Prison to Employment Initiative by The California Workforce Development Board (CWDB) Every WorkSource Center had criteria of eligibility and a large pool of resources co-located in the same building and within a very small geographic area. I will utilize the previous employer as an example.

The Coalition for Responsible Community Development was there to bring into the table housing for the youth and employment services utilizing WIOA funds. The WorkSource Center was located at Los Angeles City College which provided a new set of resources and multiple education components. Plus, we had Friends Outside a reentry program which provided a mental health component and peer support group in addition to another set of employment specialists. In addition, we had the California Department of Corrections and Rehabilitation. It was 1 client but 3 or more nonprofits and state departments there to provide layers of support. We need that level of community involvement. We utilized 3-6 grants to provide a strong layer of support. Most families in California have no clue about Ticket to Work program, PASS plans and <https://www.choosework.ssa.gov/> We need to transform the fear that families would lose IHSS protective supervision and SSI of Regional Centers consumers work making money. Empowering and communication is the solution. Every WorkSource Center in California has a Disability Coordinator and employment specialist familiar with Regional Center clients, but they wait for DOR clients to be done with the education part to jump in to sign the up.

We need to empower families to connect with RCs, IFs, DORs, Work Source Center staff and all of them being able to talk to each other to build memorandum of understanding (MOU) describing the broad outlines of an agreement that two or more parties have reached on what and how to all help the same client without duplicating services but all contributing to build a stronger employment path to Regional Centers clients.

Everyone should be familiar with programs such as Limited Examination and Appointment Program for State employment. While DOR's Schedule A opens the doors at USA jobs for people with disabilities at federal level employment. Before jumping to those levels, we must educate and empower families to seek helping

people at the fundamentals at job explorations with my <https://www.mynextmove.org/>, <https://www.onetonline.org/>, and sometimes volunteer opportunities from <https://www.idealists.org/>. The main issue is a few people are familiar with the vast number of resources and they keep on failing because only one service has been utilized. A strong support system is built by combining the efforts of multiple nonprofits and grants at the same time.

5. **Professional, CA Disability Services Association: Public Affairs Director, Lauren Bettendorf Dow**

California Disability Services Association represents more than 110 community-based organizations serving people with intellectual and developmental disabilities across the state. More than half of our members provide employment services, and among our membership is the full range of employment programs available in California. Following the passage of SB 639, a workgroup of CDSA members formed to discuss what policy changes could support the individuals most affected by the end of subminimum wage employment. The workgroup was made up of providers who currently offer, are transitioning, or have already transitioned their subminimum wage programs.

CDSA developed these proposals to address practical policy barriers for service providers, which is one component of developing more robust employment supports for people with disabilities. These ideas are designed to serve in conjunction with other work being done on this issue, not in conflict. Our measure of success is that all Californians with disabilities who want to work can get the services and supports they need to find and retain employment, with minimum disruption to each individual and their family. This goal cannot be met without collaboration between all stakeholders.

**Supporting the Transition - Wage Subsidy/Tax Credit**

One of the challenges of transitioning from subminimum wage programs is that it can be distressing for individuals who are happy with their current jobs and may struggle to adapt to a new environment, schedule, or position. In the short term, this could be addressed by a tax credit or wage subsidy for the employing company, which would pay the difference between the current wage and prevailing wage. This could provide more time for both the employer and individual to adapt to any changing needs or expectations. Such an investment would be more supportive of those who want to stay in their current jobs and may be more cost-effective to the state than potentially moving thousands of individuals into day programs in a rushed transition.

The subsidy or tax credit could also be used as an incentive for new job sites to partner with service providers on individual employment for the first time, allowing an employer to gain experience working with people with disabilities. Service

providers must ensure an explicit understanding with employers about the incentive parameters and end date. While this proposal would allow for some employment stability during implementation of structural changes, it is not a comprehensive or long-term solution.

### **Changing the Structure - Shifting the Paradigm**

The state made a promise to provide the services that Californians with intellectual and developmental disabilities need to pursue the lives of their own choosing. To keep that promise, all individuals who want to seek employment through regional center services must be able to do so. Services must be built with an appreciation for the barriers that the people we serve are facing, and the understanding that some of those barriers are lifelong.

Funding for job coaching, which supports competitive integrated employment (CIE), is set up with an expectation that the employed individual should eventually be able to work with limited support or without any support at all. Title 17 regulations still stipulate specific timelines for fading job coaching in supported employment. While built with the good intention of promoting independence, this assumption denies reality for many job seekers with disabilities and closes doors for those with higher support needs. Job coaching hours should be based on realistic assessment of ongoing individual needs rather than the current one-size-fits-all policy.

### **Providing Production Support**

Some individuals will benefit from direct assistance to achieve the performance expected by their employer. A direct support professional (DSP) role of “production aide” could provide enhanced job site support for those who need it. Contracts with job sites would require strictly defined expectations for individuals serving in this capacity to protect both the employed individual and the DSP from misunderstandings about the employment relationship. Service providers and job sites would have to work closely together to monitor the individual’s performance and appropriate growth toward their goals.

This role would vary based on the job requirements and the individual’s support needs. Wage funding must reflect the diverse responsibility held by this role, including the social work element and the potential for directly assisting with job performance. This position could be billed either as a separate one from job coach or under a sub-code. Sub-codes would allow for more variation in support needs and the support ratio at that job site.



## **Addressing Fundamental Issues**

Building employment supports that suit the individual needs of all Californians with disabilities will require more than just specific policy or programmatic changes related to subminimum wage. Existing systemic administrative and funding issues need to be resolved for the network of employment services to grow and innovate.

## **Funding and Staffing**

At the heart of quality employment programs are the DSPs who teach skills, develop job placements, and support people with disabilities at job sites. In employment services, it is a multi-faceted role. These DSPs are often part social worker and part on-site job coach, all while representing both the service provider and the client's employer well and maintaining the same availability as the individuals they're supporting may need to work. Decades of insufficient funding and burdensome funding mechanisms have made it challenging for service providers to offer the wages that DSPs deserve.

The result is a shortage of staff in these essential roles, limiting the horizons of all individuals in need of supports while seeking or fulfilling employment. Rate model implementation will not be complete until mid-2024, only 6 months before the end of subminimum wage, and by that time the expenses that make up the rate models will already be outdated. For any large-scale policy solution to be successful, employment services must receive stable funding based on modern cost analysis.

## **Incentivizing Working Hours**

The needs of individuals with disabilities at their sites are fluid as their circumstances change or barriers arise. The current job coaching model assumes the support hours that the individual will need and caps them, creating an administrative barrier if the individual needs more support hours on a given week. Shifting hourly billing from hours supported by the job coach to hours worked by the individual would create flexibility for more natural supports, while prioritizing independence. Payment for hours worked would be billed based on the individual's support needs category.

This model also helps to incentivize placement at job sites that will offer more hours if desired by the individual. Service providers who already transitioned the individuals they support from subminimum wage programs to competitive integrated employment have observed that some individuals experienced a decrease in their scheduled working hours. Compensating hours worked at a rate based on the needs of the individual, incentivized and provides the resources for appropriate support.

## **Acknowledging Enhanced Support Needs**

Individuals transitioning out of subminimum wage employment, those entering the workforce for the first time, and those who will have ongoing higher support needs, require acknowledgment at the Individualized Program Plan (IPP) level so they can receive appropriate services. A referral system with groupings based on support needs would empower all members of the support team with the information and resources necessary for success. Billing would correspond to the individual's needs category with commensurate reimbursement to reflect additional ongoing supports.

### **Support for SB 639 (Durazo, 2021) Elimination of Subminimum Wages**

#### **1. Self-Advocate: Lisa Cooley**

Please continue to emphasize the importance of paying people who have developmental and intellectual disabilities wages that are substantial enough for community living. Even if someone lives with family members or independently the cost of everything is going up and sometimes sub minimum wages can't keep up.

#### **2. Self-Advocate: Desiree Boykin**

I support the end of Sub minimum wage adults with developmental disabilities need to making minimum to have the quality of life they dream of. Working for less than won't help seek the independence they need. Working with society in the community is good experience.

#### **3. Employer, Premiere Living Services: Michael P Galvan**

To whom it concerns, I am the owner of Premiere Living Services. We are an agency that supports individuals with various disabilities in securing employment. We have been in business for over 8 years and in that time, we have always paid out staff with various disabilities at or above the minimum wage. I write this to encourage the state of California to continue to support the equal pay for individuals with disabilities in the workplace. Our business is vendored with the California University System and in that time, we have paid our staff that we have working within the university system at or above the minimum wage and we have had staff be hired on to the UC payroll. The equal pay of individuals does work. Also, when someone's pay increases, typically their job performance increases too.

#### **4. Family-Advocate: Lee Noel-Story**

I have a great nephew who was diagnosed in 2008 at the age of 22/23 with Bipolar after a psychotic break while incarcerated at the county jail level. Was sentenced to 4 months for Theorist Threats while signing on the bus, released

from the county jail to a Sacramento County facility known as SMIC, on a 5152 hold. He was there for 72 hours released w/psychotropic medications still appearing psychotic, came to his grandmother's house outside signing "Make it Rain" while throwing his medications in the air, family tried to intercede, he ran off and four days later family was notified that he was at SMIC. This time he was there for a little more than 120 days, there was talk about sending him to NAPA to a locked down facility as there was no improvement with the medications.

Family persuaded the medical staff to give him an opportunity to remain in the community in a treatment facility where he could learn about what was happening to him, he was very angry (fearful) and had no understanding about what was happening to him literally "here today and gone tomorrow" I feel as though he should have been diagnosed as "Schizophrenic" he presented w/the signs of paranoia, anger, voices, grandiose intelligence understanding and communicating in other languages (not). Has been denied Social Security based on a job that he has NEVER had, and the fact that his is high functioning, since he has never had any training no one is willing to hire him. Was offered a job through "Pride Industries" early on but they would have only paid him below minimum wage, and he wasn't willing to work at the wage, He is currently incarcerated @ CMC prison, 15 years for a vehicular manslaughter. Had he been diagnosed correctly, train on job that would have supported him, he would be working, and the other guy would be alive raising his child.

5. **Self-Advocate: Lisa Cooley**

Please help support phasing out sub minimum wages for all workers who have intellectual and developmental disabilities because everyone has a right to be paid fair wages for their work.

6. **Family-Advocate/Service Provider, Co-Founder of Beacons, Inc: Lucile Lynch**

I imagine that if any other ""subgroup"" were paid sub-minimum wages there would be an uproar and nationwide outrage. Unfortunately, those with developmental disabilities are too often subjected to practices deemed intolerable and unacceptable for others, though tolerated when it comes to them. I always suggest when policies are made, or practices developed or even examined that another ""subgroup"" be substituted in the place of the phrase ""developmentally disabled"" or an ""individual with a developmental disability"" (or the like) to see whether a substitution of language results in a change of perspective or tolerance of the item in question.

In this instance, I'd like to believe we would not allow other marginalized communities to be paid less for their work and we should not tolerate people with disabilities being paid less than their fair wages for their work.

Undervaluing one's work because of a person's disability is tantamount to undervaluing the person, neither of which are acceptable. Individuals with intellectual disabilities may not always appreciate the value of their work and allowing this practice essentially paves the way for abuse and exploitation. It is time for it to stop.

7. **Service Provider, Southside Unlimited: Katherine Wallen**

Southside Unlimited eliminated their sub minimum wage program in 2014 when the Workforce Innovation and Opportunity Act was first released. We transitioned all working participants in our sheltered workshop to minimum wage and shifted our focus to preparing individuals for Competitive Integrated Employment by transitioning our program to an assessment and training center rather than just a job site. Eight years later, almost all the individuals who worked for us back then, are working at their own competitive jobs in the community receiving mostly natural support and only minimal follow along job coaching. We have also expanded our services to support individuals in Tailored Day, Paid Internships, and Supported Employment and other services through Department of Rehabilitation.

What we have seen is that individuals will rise to the expectations set for them when they are working in an environment that is competitive and unsheltered. Sub minimum wage and sheltered environments were initially intended to be for learning and growth but had the unintended consequence of leaving people stagnant working in an unnatural work setting with no engagement to people without disabilities, other than those paid to support them. When a person is always rescued or not shown they are valued enough to work "like everyone else" there is no need for accountability.

One of the things we take joy in hearing is when an individual tells us, "I don't want my job coach to come to my work anymore", because that means we have done our job and they don't need paid supports at work. We may still check in with them and their supervisor and provide support outside of their job when needed to ensure they remain successful. But the growth we have seen toward independence and autonomy has been astronomical when assumptions are removed about what a person's capabilities should be instead of seeing what they are.

8. **Family-Advocate: Delia Rios (Santa Clara)**

To whom it may concern: My daughter had attended Hope Rehab in Santa Clara for years. She enjoys working and keeping busy, but there were many days and weeks where production line was very slow and not much to do. She seemed to get bored and got into trouble or bothered by too much noise. The Hope rehab site housed 70 or more special needs people there. My daughter is happier

working at Good Will store with her work coach and making minimal wage and getting a check. Much better working conditions and more respect from her peers and she enjoys talking to customers and being told that she is a good worker. She is kept busy and not sitting at a factory line with 70 or more special needs people. Please consider supporting intellectual people with a regular wage job in a community environment.

**9. Family-Advocate: Alejandra  
(From Spanish)**

I support my son having better wages.

**10. Family-Advocate: Arlyn Romero  
(From Spanish)**

This (14c) law needs to change because our children with developmental disabilities are worthy of earning a competitive salary-and nothing less than that.

**11. Family-Advocate: Marta  
(From Spanish)**

As a mother of an adult with disabilities, I support equal pay for persons with developmental disabilities.

**12. Family-Advocate: Fernando Gomez**

Our families and members of our ID/DD community have the same and equal rights as every citizen of California. However, when it comes to accessing job opportunities we are oppressed and perceived to be 2nd class citizens. When in fact in many cases our community members are outstanding employees and make a big difference in the workplace for the better. We deserve minimum wage or better. We wholeheartedly support the efforts to bring this important change.

**13. Family Advocate: Yanira Buitran  
(From Spanish)**

I am a mother of a boy with special needs, and I believe that it is necessary that all persons that want to work and are willing to work have a right to equal pay. People with special needs value and respect the opportunity to work, perhaps more than a person without special needs. If we want to live in an inclusive society, we cannot pay people subminimum wages that will not allow them independence.

**14. Family-Advocate: Gabriela Lissette Garcia de Alba  
(From Spanish)**

I am asking the Senators and Governor to advocate for persons with developmental disabilities, our children deserve a better quality of life. There is great disparity in the Hispanic community in the regional centers that deny us

services. Though they provide few services, there are many challenges. But the greatest injustice is allowing our children to be paid low wages for their work. There are no words for this. They are exploited and get sad jobs like cleaning bathrooms. We are a community that is forgotten and in much need of services.

**15. Family-Advocate: Haydee Hernandez  
(From Spanish)**

Please be just to our community with different disabilities. Wages for our community need to be equal.

**16. Family-Advocate: Arely Solano (Manteca, CA)  
(From Spanish)**

As a mother of 2 sons with autism, ages 14 and 4, I would like the rights of my children to be respected and that they be treated with equity and receive equal pay when they get a job.

**17. Family-Advocate: Maria Oropeza  
(From Spanish)**

It is extremely important for our families with different needs to be fulfilled with jobs that are worthy with wages that are just—to increase their self-esteem

**18. Family-Advocate: Rossi Saldivar  
(From Spanish)**

I am a mother of 2 persons with disabilities and I am extremely worried that persons and institutions in charge of helping them have a life with dignity are not advocating for them adequately. I request competitive wages for them--to be paid like every other citizen.

**19. Family-Advocate: Delfina Acosta  
(From Spanish)**

I want to extend my support for bill SB 639. Asking people with developmental disabilities to work for subminimum wages is a type of slavery—while companies and employers that our community work for benefit from tax incentives. It is not just. One of the most exclusionary and discriminatory acts is for persons with disabilities not to have decent jobs-that do not offer opportunities to integrate nor promote social and economic independence. As a mother of 2 adults with disabilities, I want the subminimum wage practice to end.

**20. Family Advocate: Margaret Shipp**

I think equal wages for equal work is fair and as a woman and mother of a DD person- is justified. My BUT is that it laid off thousands of persons who depended on sub minimum wages with no recourse, no money to subsidize SSI or worse. I am interested in a solution to their poverty and lack of self-esteem. Please inform

me of work being done to help these people because they are the people subsidizing the people who now get \$15.00 per hour.

## Oppose SB 639 (Durazo, 2021) Elimination of Subminimum Wages

### 1. **Family-Advocate: Chris Bowers**

"My son has been a part of a Goodwill Ind. ""work group"" at TJ Maxx for several years. The group was disbanded during Covid along with many ""work groups"" that Goodwill had placed within Orange County. It was during that time the minimum wage was being increased to \$15 per hour. Also, a representative from East LA proposed a bill, SB 639, that those with disabilities should be, also, make \$15 per hour.

So, as this pertains to my son and his ""work group"", they would split the existing minimum wage by 4 so each member would receive a small paycheck for their ""work"". Goodwill Industries maintained a 14(C)-certification issued by the State that allowed them to pay subminimum wage.

Well, this has all changed due to SB 639. The bill removes any allowances for an organization such as Goodwill, Elwyn, UCP to pay any client less than the current minimum wage. So, when Cory was at TJ Maxx, sharing one fourth of the minimum wage, the cost to Goodwill was not excessive. Now, however, for a work group of 4 the cost would be \$60 per hour. Consequently, job placement has been eliminated. Goodwill had over 1,000 clients placed within Orange County but now those jobs are gone. Elwyn will be closing by the end of the year because they can't pay their clients \$15 per hour.

Why can't a parent, guardian or conservator give consent for their disabled person to make sub-minimum wage?? My son does not merit full minimum wage as he cannot perform the duties as an abled bodied person instead of making it mandatory for all, make some concessions for those who want to work but lack the ability to perform all the necessary tasks. Give the employer, in this case, Goodwill some flexibility to keep their clients employed.

### 2. **Service Provider: Ochsner**

FLSA 14-C has allowed generations of adults with more severe levels of developmental disabilities to participate in purposeful and remunerative real work. It is shameful that, in the guise of "equity" and ideological purity, we are now allowing this huge group of people to be relegated back to day activities, relentless community outings, endless "employment preparation" activities, and facsimile (artificial) jobs with tax-funded paychecks. The economics that support 14-C have not changed since 1938--and so it's need is still very real. It should be supported and enhanced; not discarded.

**3. Service Provider: Jeff Nichols**

I understand the reason behind this legislation and conceptually, I agree. However, this does not support everyone in the DD/ID community as you might think. Within our day programs we pay our participants as part of a job training program. We serve a population with a service code of 515. Many of our folks can only work five, maybe ten minutes per day. Our time studies support the wage we provide. Our program does not benefit materially from the work they do, rather they gain confidence, a sense of self-reliance, immense pride, and extreme happiness from their work and bi-weekly paychecks. If this goes into effect, across the board, without language that addresses either service code distinction, or functional distinction (job training), the loss to our participants would be immense. We could not afford to pay our participants minimum wage for the work they do. Words cannot convey the excitement and pride our folks feel when they receive the checks (some are \$2.89, up to \$80.00). Please make sure that the committee exploring the final version of this legislation considers impact to programs like ours, while ensuring the appropriate safeguards for those who may be getting taken advantage of.

**4. Service Provider: Name not stated**

Hello, While I understand the desire to have all people working across the state of California in competitive integrated employment, this is not realistic for all individuals. As a Service Provider, there are many individuals that receive services where independent employment is not possible. Having some form of group work, that still provide meaning and value, is important.