

NASDDDS Position on Equitable Wages for People with Intellectual and Developmental Disabilities

The National Association of State Directors of Developmental Disabilities Services (NASDDDS) calls for the repeal of Section 14 (c) of the Fair Labor Standards Act.

In acknowledgment of and respect for individuals with disabilities, the NASDDDS Board of Directors believes the time has come to move away from the practice of allowing people with intellectual and developmental disabilities and other significant disabilities to be paid less than minimum wage. This practice is currently enabled by Section 14(c) of the Fair Labor Standards Act.

At this juncture in our history, as we undertake efforts to ensure real and meaningful community integration for all individuals with disabilities, we must renounce practices that have the impact of systematic marginalization of individuals with disabilities. Our goal is for individuals with disabilities to be paid a living wage commensurate to pay for similar work by individuals without disabilities, at or above minimum wage. Fair compensation enables workers to achieve economic stability, safeguards their health, and assists in planning their future. All individuals, regardless of disability, have a right to be paid the federal or state minimum wage, whichever is greater, or the prevailing wage for the work performed.

We recognize it will take dedication, focus, time, and resources to adapt our service delivery systems to move away from those structures that have relied upon subminimum wages. Therefore, NASDDDS calls for federal action and resources to develop the infrastructure and capacity at all system levels to increase competitive integrated employment and the supplemental services people with disabilities need to maintain employment.

Federal action and resources must be available to ensure appropriate resources for government funded, competitive, integrated employment services and a broad array of Medicaid Home and Community Based Services (HCBS) supports for people to live full lives in their communities when they are working and when they are not.

Advancing competitive integrated employment for people with disabilities requires coordinated and adequate resources across Medicaid HCBS programs, vocational rehabilitation, education and workforce development systems.

NASDDDS stands committed to assisting states through this journey. Several states have already successfully ended use of subminimum wages and have expanded the service capacity of their provider networks to deliver services and supports that leads to inclusion of individuals' with disabilities in the economic and social fabric of their communities. We can learn from these early adopters and NASDDDS will facilitate this peer-to-peer learning.