

Sub Minimum Wage Certification: Should the regulations be reviewed?

In their letter of May 10, 2004, The Wisconsin Coalition for Advocacy and People First Wisconsin have called for a study of the practices around sub minimum wages for people with disabilities in Wisconsin, citing their concern that the current law may be “used in a way that fundamentally violates the rights people with disabilities have to equal protection under the law.” They request that a study be done to review practices in several places that “there is evidence that some people are being paid sub-minimum wage but have not received even a 1 cent raise for the years they have worked.” Further, they comment, “The vast majority are working in sheltered workshop assembly programs.”

For many years, people with developmental disabilities have had access to a procedure that allows an employer to hire them for a wage that is less than the federal minimum wage. A trained evaluator will complete a study of the person’s ability to complete a work task and apply for a wage rate that matches production ability for that person. The rate can be changed as the person changes jobs and/or improves in skill or speed.

Jim Hoegemeier, Arc-Wisconsin Executive Director, objected to the request for a study because he has seen the way a person with a disability can gain independence through the use of the sub minimum wage. Jim says, “I am guardian for a woman who was in a work program at Goodwill in Racine. She then moved to Madison and works at Valley Packaging. While at Goodwill, her per-piece earnings did not initially come close to minimum wage. At Valley Packaging, her per-piece earnings actually exceed minimum wage because she has become so productive. Her next step is a move to a regular factory job. If there were a minimum wage requirement, she would still be sitting around Southern Center beating up other residents. She now lives in her own apartment and works four days a week at VPI.”

Mike Kirby, Executive director of Rehabilitation for Wisconsin, also objected to the proposed letter. He pointed out that the more appropriate “Work Centers” should be used in place of the term “Sheltered Workshop”. Mike suggested that Survival Coalition set up a study of sub minimum wage instead of the state.

At the same time, others are arguing for some kind of safeguards. Another suggestion was that a floor be put in place, which would provide a limit as to how low pay rates can be set.

If you would like to send your thoughts on this topic, you can send them or email them to:

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