

United States Commission on Civil Rights (USCCR)
Final Report on 14c Special Wage Certificate
September 17, 2020

Frequently Asked Questions (FAQ)
A-Team USA www.ateamusa.net

This information is intended as a guideline developed by A-Team family members to assist others in understanding the Commission's recent action and its proposed recommendations based on its report found: <https://www.usccr.gov/pubs/briefing-reports/2020-09-17-Subminimum-Wages.php>

1. What is the United States Commission on Civil Rights (USCCR)?

The U.S. Commission on Civil Rights is an independent commission of the United States federal government, created in 1957, that is charged with the responsibility for investigating, reporting on, and making recommendations concerning civil rights issues in the United States. It is meant to be bipartisan. It is composed of eight Commissioners, four appointed by the President and four appointed by the Congress.

2. What action has the USCCR taken that is of concern?

On September 17, 2020, the USCCR released a report entitled Subminimum Wages, Impacts on the Civil Rights of People with Disabilities. This report recommends the elimination of Section 14(c) of the Fair Labor Standards Act, which, if adopted, will result in tens of thousands of significantly cognitively disabled losing their work in Community Rehabilitation Program (CRP) work centers and being forced to either transition to day care programs or stay at home.

3. What is in the USCCR report?

The report is voluminous, 349 pages. The conclusions and recommendations of the report are extremely averse to the very individuals it is claiming are having their civil rights violated. Specifically, the committee recommends that "Congress should repeal Section 14(c) with a planned phase-out period to allow transition among service providers and people with disabilities to alternative service models prioritizing competitive integrated employment." Further, the report recommends various funding increase by Congress to support the phase out, but does not make approval of such funding a precondition of the phase out.

4. How was the USCCR report produced?

The USCCR held a public hearing on 14(c) in November 2019. The witnesses list was stacked with those opposed to the provision, and there were no witnesses from those directly affected, i.e. 14(c) workers or their families. One parent of a CRP worker was heard from in the public comment session. A-Team U.S.A. and ACCSES subsequently requested that the Commission perform site visits to CRPs to get input from workers and family members before coming to any conclusions. Subsequently, the Commission visited one work center in early March 2020, but little if any input was solicited from families. The Commission also offered a public comment period, during which thousands of comments were made. One Commissioner, Gail Heriot, made the following comment: "In my thirteen years on the Commission we've never received anything like the number of comments we got with this report—9,700." The vast majority of the comments, 98%, were in support of 14(c), yet the Commission failed to be swayed by this input. The Commission is supposed to be bipartisan, yet their approach to this report was highly partisan and ideological. It is very informative to read the lengthy and passionate dissents written by some Commission members.

5. How will this report affect disabled individuals working in Community Rehabilitation Programs and their families?

The USCCR has no authority to eliminate 14(c). This can only be done through legislation passed by the Congress and signed by the President. However, the Commission report may influence some of our elected representatives. To date, all legislative attempts to eliminate 14(c) have failed, but this report will only add support to those who have long been trying to eliminate workshops and 14(c).

6. What can I do to protect ALL choices for employment?

1. Send an email, make a phone call or BOTH to your U.S. Senators!

2. Find your Senators here:

https://www.senate.gov/general/contact_information/senators_cfm.cfm

3. Use the subject line: Save My Disability Work Choice

4. Include the following:

- Your Name**
- Where you live**
- Why is work important to you (or your loved one).**

Remember to include friendships, skills gained, feeling safe and supported. Explain the positive impact on family life and independence.

- What will happen to you (or your loved one) if your work program ends.**
Explain how you will feel, where you will go, how it will impact you and your family.

Send right away (before October 15,2020) and send again in February 2021