



## **Bazelon Center Applauds U.S. Civil Rights Commission for Recommending Phaseout of Subminimum Wage Employment for People with Disabilities**

(Sept. 17, 2020 -- Washington DC) -- Today the Bazelon Center for Mental Health Law hailed the U.S. Commission on Civil Rights [report issued today](#) that recommends the phaseout of the Fair Labor Standards Act's subminimum wage program for people with disabilities and expansion of the services needed to ensure that people currently receiving subminimum wages are supported to work in real jobs paying real wages.

"The subminimum wage program is based on antiquated assumptions about people with disabilities and it is past time to phase it out," **said Jennifer Mathis, Director of Policy and Legal Advocacy at the Bazelon Center.** "People with disabilities can and want to work, and we should support them in that endeavor rather than perpetuating a program that exploits their labor for pennies per hour. We hope that Congress will act on the Commission's recommendations and end this outdated program." Mathis testified at the Commission's hearing on November 15, 2019 that led to this report.

The program, which was developed in 1938, reflects a time when society had very different expectations for people with disabilities and opportunities for them to work were few and far between. For several decades now, supported employment services have proven highly successful in helping people with the most significant disabilities secure and maintain competitive, integrated employment. The subminimum wage program no longer makes sense in 2020, and instead serves as a dead-end for people with disabilities. The assumptions behind the subminimum wage program have been repeatedly proven false as hundreds of people with disabilities served by these programs succeeded in securing competitive integrated employment when given an opportunity to do so.

*The Judge David L. Bazelon Center for Mental Health Law ([www.bazelon.org](http://www.bazelon.org)) is a national non-profit legal advocacy organization that advances equal opportunity for people with mental disabilities in all aspects of life.*

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