



ASSOCIATION OF UNIVERSITY CENTERS ON DISABILITIES
THE LEADERSHIP, EDUCATION, ADVOCACY & RESEARCH NETWORK

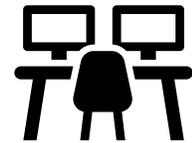
The Transformation to Competitive Integrated Employment Act (TCIEA) of 2021 Explainer

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People with disabilities want to work, live independently and be able to pay their own bills. The employment participation rate for people with disabilities between the ages of 16 to 64 years – the predominant, working age demographic – was 33.6% in 2020.¹ Between 2017 and 2018, the average wage of a person with a disability working under a 14(c) certificate was only \$3.34 per hour less than half the federal minimum wage.² Jobs under 14(c) certificates are often in places called “sheltered workshops,” where they are working separately from co-workers without disabilities and from the community.

What is competitive integrated employment (CIE)?

Competitive Integrated Employment (CIE) is work where the employee with a disability interacts – or has the opportunity to interact – continuously with co-workers without disabilities.



The wages are at least minimum wage and at a rate comparable to workers without disabilities performing the same tasks. The Workforce Opportunity and Innovation Act also requires that people with disabilities have the same access to high-quality career services, education, and training.³

What does that mean for us?

People with disabilities have the right to have the same kind of employment opportunities as people without disabilities.

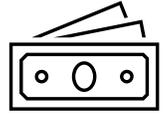
¹ Bureau of Labor Statistics. (2021). Persons with a Disability: Labor Force Characteristics - 2020. <https://www.bls.gov/news.release/pdf/disabl.pdf>

² U.S. Commission of Civil Rights. (2020). Subminimum Wages: Impacts on the Civil Rights of People with Disabilities. <https://www.usccr.gov/files/2020/2020-09-17-Subminimum-Wages-Report.pdf>

³ U.S. Department of Labor. (2017). The Workforce Innovation and Opportunity Act: Fact Sheet. https://www.dol.gov/sites/dolgov/files/ETA/wioa/pdfs/WIOA_Factsheets.pdf

What is the difference between subminimum wage and minimum wage?

Subminimum wage means a paid wage less than the federal minimum wage, which is currently \$7.25. Section 14(c) of the Fair Labor Standards Act (FLSA) allows some employees, such as tipped workers and people with disabilities to be paid at hourly rates below the minimum wage when the employer applies for and is granted a 14(c) certificate.



What does that mean for us?

People with disabilities deserve to be paid at least the minimum wage for their work.

What does the Transformation to Competitive Integrated Employment Act (TCIEA) of 2021 (S. 3238 / H.R. 2373) say?

The Transformation to Competitive Integrated Employment Act of 2021 (S. 3238 / H.R. 2373) is sponsored by Senators Bob Casey (D-PA) and Steve Daines (R-MT) in the Senate and Representatives Bobby Scott (D-VA-3) and Cathy McMorris Rodgers (R-WA-5) in the House of Representatives.



This law would:

- Prohibit the U.S. Secretary of Labor from issuing new 14(c) certificates;
- Phase-out over five years the use of existing 14(c) certificates ending subminimum wage;
- Provide grants to states or employers currently paying subminimum wage to workers with disabilities to help them to transition from subminimum wage to competitive integrated employment;
- Establish a Technical Assistance Center to support the transition to competitive integrated employment, including how to use Medicaid home and community-based services to support people with disabilities in competitive integrated employment.

What does that mean for us?

Transformation to Competitive Integrated Employment Act of 2021 (TCIEA) would stop paying people with disabilities under the minimum wage after 5 years and help providers move to competitive integrated employment.

What can you do to advocate for the TCIEA?

Call your Representative and Senators and educate them about the importance of the Transformation to Competitive Integrated Employment Act (S. 3238 / H.R. 2373) to people with disabilities.



You can use the following script:

Hello, my name is _____ and I live in _____. I am calling about the Transformation to Competitive Integrated Employment Act. (S. 3238 / H.R. 2373) The bill supports the phasing out Section 14(c) of the Fair Labor Standards Act of 1938 that pays people with disabilities a subminimum wage. It also provides the needed resources to transition to competitive integrated employment. This bill makes sure people with disabilities get paid minimum wage.