



# Transformation to Competitive Integrated Employment Act (H.R. 1263/ S. 533)

## Fact Sheet

The National Down Syndrome Society advocates for the elimination of subminimum wage and increased opportunities for competitive integrated employment. Below are key findings from the 2023 Government Accountability Office (GAO) report on the issue.

- Under the **Fair Labor Standards Act of 1938**, the **Department of Labor** is permitted to issue **14(c) certificates** to employers authorizing them to pay subminimum wages to employees with disabilities.
- About **120,000** workers with disabilities were employed under 14(c) certificates in 2023, being paid an average wage of **\$3.50 an hour**.
- From 2010 to 2019, the number of 14(c) workers has decreased from **296,000 to 122,000** largely due to the increase in federal and state policies and practices restricting the payment of wages below the federal minimum.
- **Community rehabilitation programs** are the largest group of 14(c) employers currently.
- Many workers employed under 14(c) certificates are also not **competitively employed in an integrated setting**, meaning that they are paid less than minimum wage and do not have meaningful interaction with non-disabled colleagues.
- The **Department of Labor oversees the 14(c) program** but does not have set timeliness goals, leading many employers to continue paying workers subminimum wage while waiting for their certificates to be renewed.
- To **find a list of employers** who hold or have applied for 14(c) certificates visit <https://www.dol.gov/agencies/whd/workers-with-disabilities/section-14c/certificate-holders>

**For more information, please contact Anna Fedewa, National Down Syndrome Society Manager of Federal Government Relations at [afedewa@ndss.org](mailto:afedewa@ndss.org)**