



Testimony to the Labor and Public Employees Committee

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Senator Kushner, Representative Porter, Senator Miner, Representative Polletta and distinguished members of the Labor Committee. My name is Cheri Quickmire. I am the Executive Director of Common Cause in Connecticut. Common Cause is a nonpartisan, non-profit citizens' lobby that has worked to improve the way Connecticut's government operates since 1971. We have 1.1 million members nationwide and more than 12,000 members and activists in Connecticut. Common Cause in Connecticut has a long history of working to increase transparency in government and advocating for the removal of the corrosive influence of special interest money in government and politics.

I am here to testify in favor of the following bills:

S.B. No. 1 AN ACT CONCERNING PAID FAMILY AND MEDICAL LEAVE.
H.B. No. 5003 AN ACT IMPLEMENTING A PAID FAMILY MEDICAL LEAVE PROGRAM.
Proposed S.B. No. 765 AN ACT ENSURING FAIR AND EQUAL PAY FOR EQUAL WORK.
Proposed H.B. No. 6739 AN ACT PROHIBITING EMPLOYERS FROM PAYING DISABLED EMPLOYEES LESS THAN MINIMUM WAGE.

There is a tremendous amount of time spent in this building and in this state about how we are not as friendly as we might be as a state to attract young people and to encourage them to stay here to work and raise families. Without going into all the details of the first two bills, SB 1 and HB 5003 especially since they have been raised multiple times and there are individuals on the committee and groups here to testify who can better address details of the bills. Suffice it to say that we are behind many other states including states in the region on this issue. As someone who has been in the workforce for my entire adult life, given birth to two children in the state, taken a patchwork of paid and unpaid leave that included sick time and vacation that did not amount to enough time to be with new babies, raised them here in the state I can honestly say that Paid Family and Medical Leave has been a long time coming and should be passed as soon as possible to provide that level of security that new parents and new babies need.

I will add that as my mother became increasingly ill and moved in with me while she had treatment for her cancer, having a leave option would have taken a tremendous amount of stress at a very difficult time from both of our lives. I am fortunate to have an accommodating employer but not everyone has that circumstance.

I am both distressed and heartened that **SB 756 AA Ensuring Fair and Equal Pay for Equal Work** is being raised. In 2019 it is astonishing that we even have to discuss all employees receive fair and equal pay for equal work. This is an important and obvious step for equity in our state, thank you for addressing it.

Proposed HB 6739, AA Prohibiting Employers From Paying Disabled Employees Less Than Minimum Wage addresses an issue that is most often ignored, much as people with disabilities are ignored. Many people with disabilities are being paid way below the minimum wage and it is legal. It is past time for a change to this 1938 provision in the Fair Labor Standards Act that permits employers who apply to the Department of Labor for a waiver, to pay lower wages to people with disabilities.

Since 2015, under the Fair Labor Standards Act (FLSA) Section 14(c) the labor secretary is permitted to issue a certificate that gives employers the ability to pay a subminimum wage – defined as an hourly wage lower than the \$7.25 federal minimum wage. It should be noted that many employers according to DOL about 20% of people with disabilities participate in the workforce, and of that group, about 3% or approximately 195,000 workers typically make well below the minimum wage. Sometimes as low as “pennies per hour” according to the Department of Justice.ⁱ

A few states have enacted laws that prohibit payment of subminimum wages to disabled workers. These states include: New Hampshire, Maryland and Vermont. The Wage and Hour Division of the DOL has determined that those states following state law on this issue are not preempted by the FLSA.

Much is said about the fact that organizations/employers for people with disabilities often work on contract through the government’s AbilityOne program – set aside programs for places that employ workers with disabilities. I agree with critics who argue that some of these billion-dollar organizations have the financial resources to pay their workers a fair wage. In addition, there is often commentary about so-called sheltered workshops as training programs to prepare people with disabilities to enter the work force where it is anticipated that many people who work there make a minimum wage. A 2001 report from the Government Accountability Office found that only about 5 percent of workers in the sheltered workshops transition to jobs elsewhere.ⁱⁱ

Perpetuating this outdated law which can only be called a relic of the past maintains wage discrimination based on who individuals are and who they are as a class of people. This is not what the Americans With Disabilities Act is about. People with disabilities are capable of competing, keeping a job and deserve the same protections as other citizens. I suggest that this is a civil rights issue and it’s the same as with many other issues including voting rights, if you don’t enforce civil rights they will not be realized and will not protect the parties they are designed to protect. It is time for a change.

ⁱ Ashley DeJean, Mother Jones, Many people with disabilities are being paid way below the minimum wage, and it's perfectly legal, (August 8, 2017).

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