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Service Coordination, Inc.
283 Corporate Drive, Suite 1033
Frederick, Maryland 21703

The Honorable Julie A. Su, Acting Secretary of Labor
U.S. Department of Labor
200 Constitution Avenue NW, Room S-3502
Washington, D.C. 20210

RE: RIN-1235-AA14, Notice of Proposed Rulemaking concerning Employment of Workers with Disabilities Under Section 14(c) of the Fair Labor Standards Act

Dear Secretary Su:

Service Coordination, Inc. (“SCI”), appreciates the opportunity to comment on the U.S. Department of Labor’s (“DOL”) proposed rule to phase out the issuance of certificates under Section 14(c) of the Fair Labor Standards Act (“FLSA”). The proposed rule would require workers with disabilities to be paid at least a national minimum wage, which SCI strongly supports.

Service Coordination, Inc. is a nonprofit, providing case management services and advocacy for more than 16,000 people of all ages with disabilities, medically complex needs, and older adults across Maryland, the District of Columbia, and Northern Virginia. SCI helps people navigate complex systems by championing choice, fostering community, and nurturing connections. SCI is the largest case management agency in Maryland, and we employ over 1000 team members, many of whom are Coordinators of Community Services and Supports Planners, providing critical case management services for people enrolled in various Medicaid Waiver and State Plan programs.

Proposed Regulatory Changes and Recommendations:

“IV. Proposed Regulatory Changes: Section 14(c) certificates are no longer necessary to prevent the curtailment of opportunities for employment of individuals with disabilities. The

Department further proposes to revise that regulation to explain, in light of this determination, that the Secretary will cease issuing new certificates immediately as of the effective date of a final rule and that certificates will only be available to renewing applicants for a limited phaseout period ending 3 years after the effective date of a final rule”.

SCI supports equitable wages for people with intellectual and developmental disabilities.

1. SCI supports elimination of 14(c) certificates and phase out period of 3 years. In 2020, Maryland became the second state in the country to eliminate subminimum wages for people with intellectual and developmental disabilities and the use of 14(c) certificates. Consequently, the state saw an increase in employment rates for people with disabilities. We can attest that with proper services, supports, and access, people with intellectual, developmental and physical disabilities can pursue competitively paid employment and we have witnessed the benefits of phased out elimination of 14(c) certificates in Maryland. We see elimination of subminimal wages as a necessary and important step toward transitioning to integrated and inclusive employment nationwide.

SCI supports policies, programs and funding which afford people with intellectual and developmental disabilities self-determination in their employment, including those currently receiving subminimal wages (estimated at around 40,000 people nationwide).

1. SCI recommends DOL support peoples’ transition from subminimum wage employment. We encourage DOL to guarantee and facilitate alternative opportunities for engagement through accessing services, volunteer opportunities and other programs. A thoughtful transition will include the voices of people with lived experience and center their concerns, needs and requests.
2. SCI recognizes that people with intellectual and developmental disabilities face significant barriers to full employment, economic security and independence. There is a lot that can be done to create more inclusive workplaces across the country, and robust opportunities for employment for people with disabilities, beyond the

elimination of subminimal wages and 14(c) certificates. We encourage DOL to center the dignity and rights of people with disabilities and include people with lived experience in the process of designing policies and programs that 1) incentivize employers to be inclusive, and 2) yield paid work, and other meaningful engagement opportunities for people with disabilities.

We strongly support the Department's work to eliminate subminimal wages for people with intellectual and developmental disabilities and elimination of 14(c) certificates. Please contact Sarah C. Butts, Vice President of Government Relations, if you have questions or need more information, at sbutts@sc-inc.org.

Respectfully submitted,



John Dumas

President and CEO