

## **TALKING POINTS**

### **THE ASK:**

Please oppose the “Transitioning to Integrated and Meaningful Employment (TIME) Act” (HR 188), which works to phase out or repeal wage protections for people with the most significant disabilities currently authorized under Section 14(c) of the Fair Labor Standards Act (FLSA).

This is the time for our leaders to support employment policies that expand opportunities for people with disabilities, not restrict or eliminate work opportunities.

Don’t eliminate or phase out the commensurate wage authorized by Section 14(c) of FLSA that enables people with the most significant disabilities to hold a job and receive a pay check.

### **THE FACTS ABOUT 14(c)**

1. Congress enacted Section 14(c) because it wanted people with the most significant disabilities who could not meet productivity standards to have an improved quality of life and enjoy the economic benefits of work (wages commensurate with their productivity) as well as the intangible benefits of work (respect, dignity, self-worth, self-esteem).
2. Section 14(c) is not some ideological construct or charity; it is real worth for people with the most significant disabilities; jobs that would not exist without this program.
3. Section 14(c) is focused on people with the most significant disabilities who want to work and be paid wages commensurate with their productivity.
4. Section 14(c) is wage protection legislation for those who cannot meet productivity standards and thus are not protected by the ADA. [ADA only protects qualified individuals with disabilities, i.e., those who can perform the essential functions of a job (meet productivity standards) with or without reasonable accommodation.]
5. Section 14(c) means that jobs and skill-based wages (wages that are commensurate with, i.e., based on productivity) will still be available for those who cannot meet productivity standards.
6. For hundreds of thousands of people with the most significant disabilities, phasing out and eliminating skill-based wages (commensurate wages) authorized by Section 14(c) will result in:
  - The denial of work opportunities and the denial of a pay check.
  - Staying at home, entering day habilitation centers (if space were available) or living in institutions.
  - The denial of the intangible benefits of work, e.g., a feeling of dignity, self-esteem, and a sense of accomplishment and pride.
  - “Cherry-picking” individuals with more moderate disabilities to the detriment of individuals with the most significant disabilities.