

# Sub-Minimum Wage in Michigan

June 22, 2018

# Statewide Independent Living Council (SILC)

- SILCs are responsible for determining the direction for the Independent Living (IL) Program in the state. SILCs not only identify the needs of the Independent Living (IL) community, but also, jointly with the centers for independent living (CILs), develop a State Plan for Independent Living (SPIL) to respond to those needs. The SILC then monitors the implementation of the three-year plan.
- Michigan's SILC is a governor appointed, 11 member council
- 5 ex officio members representing state agencies

# State Plan for Independent Living

## SPIL 2017 – 2019

Michigan's IL program will partner with appropriate entities to facilitate increased employment in complete, integrated settings.

1. Michigan's CIL network will continue to partner with vocational rehabilitation (MRS/BSBP), and other employment services, to assist people with significant disabilities find employment in competitive, integrated settings
2. Michigan's IL Network will participate in systems advocacy activities relating to employment, including the ODEP Employment First grant and assist community rehabilitation organizations and vocational rehabilitation achieve the goals of the Employment First Executive Order and the Unified State Workforce Development Plan.

# State Plan for Independent Living

## SPIL 2017 – 2019

Michigan's IL program will partner with appropriate entities to facilitate increased employment in complete, integrated settings.

3. SILC, in partnership with Michigan CILs, will work towards the implementation of public policy that compensates people with disabilities at an equal wage to those without disabilities
4. Michigan's IL Network will promote the passage of federal legislation that authorizes and appropriates resources for the CareerACCESS pilot project
5. Michigan's IL Network will educate the business community on the value of hiring people with disabilities

# Workforce Innovation and Opportunity Act

- Required evaluations for work
- Emphasis on a path to mainstream employment (CIE)
  - Competitive – Paid at not less than minimum wage
  - Integrated – Alongside individuals without disabilities, with opportunities to interact with other people. Not in a group, such as an enclave.
  - Employment – Part or full-time, including self-employment.

# Advisory Committee on Increasing Competitive Integrated Employment for Individuals with Disabilities

- (1) Ways to increase competitive integrated employment (CIE) opportunities for individuals with intellectual or developmental disabilities (I/DD) or other individuals with significant disabilities;
- (2) The use of certificate program carried out under Section 14(c) of the Fair Labor Standards Act (FLSA) for the employment of individuals with I/DD or other individuals with significant disabilities; and
- (3) Ways to improve oversight of the use of such certificates

# Is it time for a change?

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**“I want you to find a bold and innovative way to do everything exactly the same way it’s been done for 25 years.”**



# Advisory Committee on Increasing Competitive Integrated Employment for Individuals with Disabilities

One by-product of subminimum wage employment is a culture with a low expectation for competitive integrated employment (CIE).

Underlying need to amend Section 14(c) of the FLSA so that it reflects and aligns with modern federal disability policy and laws, which are based on the assumption that all individuals with disabilities are capable of, and have a right to, CIE.



# Changes In Other States

- Maryland
- New Hampshire
- Rhode Island
- Vermont
- Alaska
- Hawaii
- Michigan



# House Bill 5587

- Introduced February 15 by State Representative Frank Liberati
- Low wages prevent workers from gaining independence
- State laws CAN prohibit the payment of subminimum wages


“By repealing the subminimum wage, we let people know the life they want is obtainable and their passion should not be limited by their disability. The goal is to offer integrated employment where there is no segregation and everyone is paid fairly. A disability does not define worth and it should not limit the life they are entitled to have.”

- Elmer Cerano, Executive Director

Michigan Protection & Advocacy Services, Inc.

# Providers are (getting) ready...

- Recognition of changing demographics
- Recognition of changing philosophy in funding
- Recognition of the opportunity for service improvements
- Desire to provide a better experience for individuals served
- It's the right thing to do



Sometimes change is a process.  
But most of the time it's just a  
decision.

Karri Flatla

For more information or to share your story

[www.misilc.org/endsubminimumwage](http://www.misilc.org/endsubminimumwage)