

12 May 2025

Re: House Bill 225, the Ohio Employment First and Greater Opportunities for Persons with Disabilities Act

Chair Johnson, Vice Chair Lear, Ranking Member McNally, and members of the House Commerce and Labor Committee,

HB 225, the Ohio Employment First Greater Opportunities for Persons with Disabilities Act, provides a plan to phase out the system that currently allows people with disabilities to be paid less than minimum wage for work in Ohio. I have a daughter with Down syndrome, and I fully believe that any limitations she might experience in her life are primarily an outcome of the low expectations our society has for people with disabilities. She deserves better than to live in a state with such low standards and expectations for people with disabilities. Instead of keeping people with disabilities trapped in demeaning and exploitative work, we need to incentivize businesses to employ more people with disabilities. This bill, expertly drafted by Representatives Jarrells and Young, provides a plan to do just that.

Subminimum wage perpetuates an unjust system that undermines the inherent worth and dignity of people with disabilities. By accepting subminimum wage as the norm, Ohio continues to explicitly devalue the potential contributions and abilities of all workers with disabilities. This is not the Employment First society that we strive to be in Ohio. It is disheartening that our current system perpetuates a wage structure that devalues the work and limits the economic opportunities for people with disabilities.

In accordance with the Ohio Revised Code (ORC), employers in Ohio can obtain a 14(c) certificate that authorizes the payment of subminimum wages to workers with disabilities under the provision of the Fair Labor Standards Act of 1938. Ohio is one of the top 10 states in utilization of 14c certificates to pay workers with disabilities a subminimum wage. In Ohio, around 3500 workers with disabilities are currently being paid wages below the minimum wage. Shockingly, some of them have reported earning as little as \$0.42 per hour for 40 hours of labor. This glaring disparity in compensation underscores the pressing need to confront the issue of subminimum wages and ensure equitable remuneration for every worker, irrespective of their disabilities. Importantly, the Americans with Disabilities Act (ADA) strictly prohibits discrimination based on disability. The ADA places great emphasis on fostering equal employment opportunities and access for all workers, with the goal of eradicating discriminatory practices and wage disparities.

The historic budget provisions for home and community-based care provide the framework for ensuring community living and access to integrated competitive work. Allowing 14(c) certificates now violates the holding in the Olmstead Act and the federal and state guidance that was instituted to ensure access to home and community-based living. Individuals with lived experience in segregated programs fostered by the 14 (c) provision urge that it is time to begin the process of legally fading out subminimum wage for all workers with disabilities. By amending the Ohio Revised Code, we can align our state with this movement across the country and demonstrate Ohio's commitment to upholding the Olmstead Act and the rights and well-

being of workers with disabilities.

I ask that you and our elected officials put an end to this outdated and discriminatory practice. I request that you support HB225 and provide people with disabilities and the disability service communities the opportunity to testify and share their lived experiences.

Sincerely,

Pepper Stetler
Oxford, Ohio (Butler County)