

To: Chairman Tarwater and Members of the Committee
From: Joe Scarlett, MRC, CRC/CESP (RET.)

I have had a 54 year career as an advocate for individuals with intellectual/developmental disabilities from the deinstitutional effort through assisting persons to obtain/maintain competitive integrated employment (Employment First). I too oppose HB 2275 as it would codify the subminimum wage which is a contradiction to Employment First. Kansas was the first state to pass Employment First legislation. The purpose of the law was to increase the number of Kansas residents who are employed in competitive and integrated settings. All state agencies and their programs and services were to ensure that competitive and integrated employment was the first option when serving people with disabilities. Shortly after the law was passed Kansas was offered a 15M Federal grant to initiate Employment First if they agreed to commit 3M of the 15M in matching funds. Kansas deferred.

In the interim several states have passed legislation that eliminated the subminimum wage, usually over a phase out period of 3 years (see APSE.org). Currently negotiations are under way in Kansas to introduce similar legislation and Federal legislation, endorsed by national advocacy organizations, is already in the legislative hopper. Within days KDADS will be posting an RFP to initiate Employment First and competitive integrated employment will become a reality and the subminimum wage passe. Other reasons for eliminating the subminimum wage include the lack of oversight by the U.S. Department of Labor, unreliable time studies that set determine the piece rate, unfair competition between companies producing the same product, and the dead-end aspect of suppressing "the dignity of risk."

Thank you, Mr. Chairman and committee members. I will try to answer any questions you may have.