

The Payment of **Subminimum Wages** to Workers with Disabilities

Fair Labor Standards Act (FLSA) of 1938

A **labor law** that gives people the right to

- Earn minimum wage
- Get paid for working overtime
- Child labor protections



Section 14© of the Fair Labor Standards Act

Allows employers to obtain special certificates to pay people with disabilities **below the federal minimum wage**



14© Certification

Who can pay subminimum wages?

The Wage and Hour Division (WHD) grants certificates to:

- Community Rehabilitation Programs (CRPs)
- Establishments that employ patient workers
- Business establishments
- School Work Experience Programs (SWEPs)



What classifies workers with disabilities?

Workers whose earnings or productive capacity is impaired by age, physical, intellectual/developmental, or psychiatric disability or by injury).

