

# SENATE BILL REPORT

## SB 5753

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As of February 18, 2019

**Title:** An act relating to eliminating subminimum wage certificates for persons with disabilities.

**Brief Description:** Eliminating subminimum wage certificates for persons with disabilities.

**Sponsors:** Senators Randall, Wilson, C., Keiser, Kuderer and Nguyen.

**Brief History:**

**Committee Activity:** Labor & Commerce: 2/18/19.

<p style="text-align: center;"><b>Brief Summary of Bill</b></p> <ul style="list-style-type: none"><li>• Removes provisions authorizing the Department of Labor and Industries to issue subminimum wage certificates for persons with disabilities.</li></ul>
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### SENATE COMMITTEE ON LABOR & COMMERCE

**Staff:** Jarrett Sacks (786-7448)

**Background:** Employers covered under the Minimum Wage Act are required to pay employees age eighteen or older at least the minimum hourly wage. The current state minimum wage is \$12.00 per hour. The current federal minimum wage is \$7.25 per hour.

Initiative 1433, passed in 2016, set a schedule for the state's minimum wage over a four-year period. In 2020, the state minimum wage will be \$13.50. Beginning in 2021, the Department of Labor and Industries (L&I) will calculate the minimum wage using a formula tied to the consumer price index for urban wage earners and clerical workers.

L&I has the authority to issue special certificates to employers allowing them to pay wages lower than the minimum wage for a fixed period of time. Employers with special certificates can pay sub-minimum wages to learners, student workers, apprentices, and individuals impaired by age, physical or mental deficiency, or injury.

**Summary of Bill:** Provisions authorizing the director of L&I to issue special certificates for the employment of individuals impaired by age, physical or mental deficiency, or injury at wages lower than minimum wage are removed.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: There are better practices for people with disabilities than paying subminimum wages. The current practice is antiquated and discriminatory. The bill is a result from a national movement and comes from the community itself. The bill is just one piece of the puzzle, the state needs to invest in community support. Sheltered workshops and the current system do not work. People with significant disabilities can work if they are rightly accommodated. People working with subminimum wages cannot pay their bills.

**Persons Testifying:** PRO: Senator Emily Randall, Prime Sponsor; Ivanova Smith, People First of Washington and AtWork!; Robert Wardell, citizen; Shaun Bickley, The Arc of King County; Adrienne Stuart, Executive Director, Community Employment Alliance; Amelia Gross, citizen; Jim Larson, citizen; David Lord, Disability Rights Washington.

**Persons Signed In To Testify But Not Testifying:** No one.