

**Date: March 16, 2015**

**Re: SB 555**

**To: Senator Michael Dembrow, Chair Oregon Senate Committee on Workforce**

**From: Tim Rocak, CEO Garten Services, Inc.**

First, I want to thank and applaud Senator Gelsler's efforts to further the civil rights movement for people with disabilities. I deeply respect Senator Gelsler's passion and I appreciate her advocacy for people with disabilities. While I don't have a child with disabilities, I have dedicated 34 years of my life to creating job opportunities for people with disabilities in Oregon. The last 28 years I've been working to convert sheltered employment opportunities into more normal, integrated jobs for people with significant disabilities, so I appreciate what you are trying to do with this bill.

Having said that, I can't speak out against a bill that would increase wages for people with disabilities. Let's make no mistake, however--SB 555 will not increase wages for people with disabilities--it will only increase wages for a select group of people with disabilities. We are already employing many--if not most--of these individuals at minimum wage or higher. Eliminating productivity-based employment as a tool, however, will cause hundreds of people with the most significant disabilities to lose their jobs and in many cases the opportunity to work altogether. While most of the affected individuals aren't self-supporting due to the extent of their disabilities, their jobs and wages are very important to their quality of life.



*Frances in 1974*

When Frances was born two months early in 1942, a two pound nine ounce baby with significant birth injuries, she was not given much chance of surviving. At 14, her delayed development and increasingly severe seizures led her parents to commit her to Fairview state institution. It was normal to institutionalize people with disabilities at this time and most people who entered Fairview never left.

But Frances did leave. In 1972, when the movement toward integrating people with disabilities back into the community began, Frances started work in Garten's Packaging & Assembly Division.



*Frances in 2013, just after her 41<sup>st</sup> anniversary at Garten.*



*Frances with Jeff, her friend and co-worker of 30 years.*

Back in 1972, it was hard for most people to imagine Frances in a 43-year career, yet she has continued to work in a variety of jobs at Garten, using the skills she's acquired with the support of a community that welcomes her. She tells everyone, "I want to keep working and no one can make me stop!"

Three important points to close with:

1. It's not as simple as State agencies will be willing to pay the increased costs that will result (from requiring QRF's pay full wages to individuals who may produce at

40% the standard rate). The law requires that QRF's recover their costs, but state agencies will start looking for ways around the law to not contract with QRF's...and people with disabilities will have fewer jobs as a result.

2. Even if State agencies can be compelled to comply, approximately half the people employed under QRF contracts are through contracts with other political subdivisions such as counties, cities, colleges--with which the state QRF program has even less ability to enforce compliance. These public entities' budget pressures will further discourage employment opportunities for people with significant disabilities.

3. If not this bill-what? Oregon's community integrated employment push is clearly moving forward in this direction. The Governor's Executive Order, the Federal lawsuit and the ODDS direction are sufficiently aligned to create the change contemplated in this bill.

Garten Services developed the first contract under the QRF law to provide employment opportunities for people with disabilities in 1974--to provide recycling services--a contract we hold to this day. Today, we recycle over 1 million pounds per week through our N. Salem facility and employ approximately 160 people with and without disabilities. If SB 555 passes, we will have to charge the State for what has been a no-charge service AND lay off workers since our Recycling division employs some of our folks with the most severe disabilities.

Please do not pass this bill and reduce job opportunities for Oregonians with the most significant support needs.