



March 17, 2015

TO: Representative, Chair Shemia Fagan  
House Consumer Protection and Government Efficiency Committee  
FR: Bob Joondeph, Executive Director  
RE: HB 2925 and HB 3248

Disability Rights Oregon (DRO) is Oregon's federally-funded *Protection and Advocacy* office that provides legal-based advocacy services to Oregonians with disabilities.

DRO strongly supports a change in state policy to assure that individuals with disabilities are paid fair wages. "Minimum wage" should be the minimum for everyone, without exception. Individuals should be treated fairly wherever they work. Paying people less than minimum wage because they work in a "sheltered workshop" is unfair and discriminatory.

This is why DRO believes that HB 2925 is moving in the right direction but does not go far enough. While acknowledging that some people should earn minimum wage, it would allow sub-minimum wages to continue in sheltered workshops, based upon a determination of a worker's "productivity." Therefore, HB 2925 would continue a state policy of requiring workers with disabilities to show that they should be treated like any other Oregonian in terms of their expectation of a minimum salary in return for their full effort on the job.

HB 3248 does require that workers with disabilities earn at least the minimum wage in all settings. For that reason, DRO strongly believes that Section 2 of HB 3248 offers the superior policy choice over HB 2925.

DRO also strongly supports the Qualified Rehabilitation Facility program but recognizes that it has been in existence for over 36 years without major reform. Much has changed since its creation in terms of individual and family expectations as well as federal and state policies that have responded to those expectations. Hopefully, a day will come when programs such as this are not necessary, but major challenges still exist for people with disabilities who want to work. This program recognizes and addresses those challenges.

Finally, DRO suggests that as part of the committee's study and modification of this program, it consider amending ORS 279.840 that states the purpose of the Qualified Rehabilitation Facility program. That section now reads:

279.840 Purpose. The purpose of ORS 279.835 to 279.855, 279A.025 (4) and 279C.335 is to further the policy of this state to encourage and assist individuals with disabilities to achieve maximum personal independence through useful and productive gainful employment by assuring an expanded and constant market for sheltered workshop and activity center products and services, thereby enhancing their dignity and capacity for self-support and minimizing their dependence on welfare and need for costly institutionalization.

DRO recommends deleting the phrase “by assuring an expanded and constant market for sheltered workshop and activity center products and services”. As this committee has heard, this phrase does not reflect the present policy of Oregon nor of the federal government.

Thank you for the opportunity to submit this testimony.