

Because We Care – Beyond Inclusion Seattle, WA

July 2018

Seattle Commission for People with Disabilities – Elimination of Special Certificates

The issues below are all related to The Seattle Commission for People with Disabilities and their campaign to eliminate special certificates for people with disabilities. These special certificates allowed people with disabilities to have alternatives and choices with employment. The certificates were developed for specific people for specific jobs with specific employers for a specific wage. They were used for supported employment or integrated employment.

The law, as now written, actually discriminates against people with disabilities who would be able to get a job as “an apprentice, learner or messenger.”

It is costly and time consuming to hire and train anyone and employers may be even more wary of hiring a person with an intellectual/developmental disability. Having the option of using a special certificate for a limited amount of time as a trial is an alternative that actually could have provided an opportunity for both employers and employees to “try out” a job without out a full investment for something they may not be sure would work out for either of them.

This option has been taken away for anyone with a disability given the way the law is currently written. If a person has a disability, the Director is not able to issue a special certificate. This is a discriminatory practice against those with disabilities.

- “a. The Director may issue special certificates to pay a subminimum wage for learners, apprentices, and messengers as described in RCW 49.46.060
- b. The Director shall not issue special certificates to pay a subminimum wage for people with disabilities as described in RCW 49.46.060.”

The Commission misrepresented how these certificates were used in Seattle and waged a campaign based on false information.

- 1.) **Letter to Former Mayor Murray** – false information shared regarding the issue of special certificates in Seattle.

“In Seattle there is one employer of subminimum wages, the Northwest Center, which employs 128 workers at subminimum wage, including an enclave at the Ballard Locks. The lowest-paid worker under this program in Seattle makes 36 cents an hour



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Federally sheltered work is usually classified as pre-vocational work. CMS, the Centers for Medicare and Medicaid Services, made a ruling that all prevocational work in the country must be phased out in 5 years, by March of 2019.” (June, 2018) (No pre-vocational programs/sheltered workshops within Seattle)

Letter was generally about sheltered workshops and did not clarify that this option was not even available to people in Seattle.

2.) The Commission did not address any issues with Supported Employment and Special Certificates and in fact did not reach out to the City of Seattle Supported Program at all. The City of Seattle just recently celebrated the success of the Supported Employment Program with over 100 employees with developmental disabilities working in over 17 departments.

3.) Public comment – consisted of personally solicited letters only from those who supported elimination

Community members attempted to comment via the public Facebook page and were abused by Commissioners and then later blocked from the site – violation of First Amendment.

Concerns and questions by community members were never addressed by the Commission – Commission stated people were “spreading lies and misinformation” but never able to provide any evidence of this.

4.) Commission was unanimous at June Meeting (Inaccurate information) - Commission did not have a quorum and there should have been no vote. 6 of the 13 appointed commissioners were present, only those 6 voted but the vote was not valid due to lack of quorum

5.) Research – consisted of sheltered workshop, pre-vocational 14© issues, not integrated employment and special certificates for sub-minimum wage.

Recommendations in Research were not addressed by the Commission – especially in regards to a well-planned and funded transition period with job development, job training, job coaches and building natural supports. In fact, the Commission did exactly the opposite of the recommendations by pushing for immediate elimination without any plan for transition including but not limited to funding and training.

6.) False information regarding employees/wages – Commission reported in Press Release totally inaccurate numbers. The Commission counted all the employees outside of Seattle who work in a sheltered workshop – extremely misleading about the real issue.

Commission reported - 128 employees – some making as little as 20 cents an hour



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Actual number in Seattle - 8 employees – working 6-32 hours a week making between 8.50 and 13.50/hour

Some Commissioners realized this error after the Press Release went out but the Commission refused to correct press release – stating “we will deal with any questions later.”

- 7.) **Office of Labor Standards – Public comments on rule change were inaccurately reported by OLS and The Commission.** 70 public comments were received by OLS – it was reported during a meeting on March 29, 2018 that there was a “slight preference for elimination of certificates”. Upon review of the comments it was discovered that the information shared by OLS and The Commission was again inaccurate:

33 of the comments were in favor of elimination of the certificates – 15 of these were identical to the “template script” that the current co-chair had sent out and solicited for people to send in.

37 of the comments were in favor of keeping the certificates and were all unique stories and examples of how these certificates have enhanced the lives or those who have used or could use them.

- 8.) **Public Comments in media were overwhelmingly in favor of keeping the special certificates and many expressed concerns that people with Intellectual/Developmental Disabilities would become unemployable due to this legislation.**
- 9.) **The Commission Co-Chair emailed “Allies and Friends” on March 29, 2018 regarding a hearing before the City Council on April 2, 2018. This was a call for public comments in which the Co-Chair wrote “PLEASE DO NOT SHARE THIS PUBLICLY” – He wanted to avoid any public comments that would indicate concerns or opposition to this law.**

“Allies and Friends” were the same people the co-chair personally solicited for “public comments” representatives from The Arc of King County, Disability Rights Washington, Self-Advocates in Leadership (SAIL) AtWork! and Able Opportunities.

- 10.) **The Commission no longer has an interest in this issue and has dropped their employment committee. They have no interest in evaluating the outcome of the legislation which they created since they have moved on to other issues of concern.**
- 11.) **Seven of the 8 employees in Seattle had their hours reduced due to the legislation. Yes, they are now making minimum wage but they are not making more money due to their work hours being reduced.**



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This also means that their “community integration” time has been reduced. For this population, being integrated in the community and being involved with others is just as important as their wage, if not more important in their own eyes. This valuable time has been taken away since there may not be other alternatives for these people to be out of their homes during the day other than the time they spent at work.

All in all, this campaign for elimination of the special certificates was deceitful to the City Council, The Office of Labor Standards, the Former Mayor and the Current Mayor, and most importantly our community members. The very people who were affected by this campaign were ridiculed and ignored in their attempts to have their concerns and questions addressed by The Commission.

The Commission, together with their “Allies and Friends” is trying to take this campaign statewide. Before any more harm is done, it would be wise to evaluate the outcome of the legislation in Seattle and understand how it has not only affected those who lost their employment hours but how it has reduced alternatives and choices for those looking for jobs in the Seattle area.

