

Governor Signs Senate Bill 639

California Becomes 13th State to Ensure Workers with Disabilities Earn at Least Minimum Wage

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Sacramento, CA — California achieved an important civil right today with Gov. Gavin Newsom's signature on Senate Bill (SB) 639 ending the policy that allowed businesses with special licenses to be able to pay people with disabilities subminimum wage for their work. California now becomes the 13th state to end this practice. Once the implementation process is complete all California employees with disabilities will earn at least minimum wage for their work.

This bill was championed by Senator Maria Elena Durazo (D-Los Angeles) who introduced this legislation, along with her co-authors: Senator Sydney Kamlager (D-Los Angeles) and Assembly Members Lorena Gonzalez (D-San Diego), Christina Gonzales (D-Bell Gardens) and Isaac Bryan (D-Culver City).

"This is a historic day for all Californians but especially those in the disability community. We have worked long and hard so that disabled employees in our great state are paid fairly for their work. The minimum wage is an important protection that all workers deserve and is essential to help people achieve their goals. California was long overdue to end the subminimum wage and with this policy change, we can move forward to creating new opportunities that ensure that people with disabilities have meaningful days on many different levels," said Wesley Witherspoon, Chair, State Council on Developmental Disabilities.

"Californians with disabilities must be paid at least minimum wage for their work. I'm heartened that my colleagues in the Legislature agree with this important civil right and now it is up to Governor Newsom to end the outdated and unjust practice of paying people with disabilities less than minimum wage. I call on him to sign SB 639 and make California a place where this community has meaningful work that is fairly compensated," said Senator Durazo.

SB 639 addresses an antiquated federal policy from 1938 that allows employers who secured a 14(c) certificate to pay people with disabilities under the minimum wage. While the number of employers in California seeking these certificates has continued to drop, the practice remains legal, effecting the estimated 12,000 Californians with disabilities who work in sheltered workshops. Some of these employees earn just 15 cents an hour.

National momentum to end subminimum wage has been building. In addition to the 12 states that have already taken action to end the practice, some cities have also enacted similar policies. Last September, the [United States Commission on Civil Rights issued a report](#) recommending to Congress that Section 14 (c) be repealed because the policy violates civil rights.

Implementation of SB 639 is structured with an inclusive stakeholder-led process that phases out subminimum wage in California over the next three years. Stakeholders, including state agencies, providers, university organizations, advocates and community members, working with the State Council on Developmental Disabilities, will draft the plan to successfully transition workers to other types of employments. They will deliver this plan to the Legislature by January 1, 2023, with a status update, recommended funding and specified data. By January 1, 2025, SB 639 makes it illegal to pay an employee with physical or mental disabilities less than the legal minimum wage.

Additional information on SB 639 is available at scdd.ca.gov/sb639.