

Landmark Decision Ordering Fair Pay from Sheltered Workshop

employment



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Media Contacts:

Stacy Brannan-Smith

Communications Specialist
Disability Rights Ohio

[800-282-9181, ext. 101](tel:800-282-9181)

[sbrannan-](mailto:sbrannan-@disabilityrightsohio.org)

smith@disabilityrightsohio.org

Chris Danielsen

Director of Public Relations

National Federation of the Blind

[410-659-9314, ext.](tel:410-659-9314)

[2230](tel:2230)

cdanielsen@nfb.org

Samantha Crane, J.D.

Legal Director, Director of Public Policy

Autistic Self Advocacy Network

[202-509-0135](tel:202-509-0135)

scrane@autisticadvocacy.org

Disability Rights Ohio, National Federation of the Blind, and Autistic Self Advocacy Network Celebrate Landmark Decision Ordering Fair Pay from Sheltered Workshop

February 3, 2016

COLUMBUS, OHIO - In a [precedent-setting opinion](#) issued by an administrative law judge from the U.S. Department of Labor (USDOL), three clients have been awarded minimum wage going forward and back pay from Seneca Re-Ad, a sheltered workshop run by the Seneca County Board of Developmental Disabilities. [The original petition](#) was filed by [Disability Rights](#)

[Ohio](#) (DRO), the [National Federation of the Blind](#), the [Autistic Self Advocacy Network](#), and the Baltimore law firm of Brown, Goldstein & Levy, LLP.

Joe Magers, Pam Steward, and Mark Felton had been paid an average of \$2.50 an hour for more than three years and are among the first workers with disabilities ever to invoke the petition process to seek a review of their wages by the USDOL. The administrative law judge found that Seneca Re-Ad has not proven that the petitioners' disabilities keep them from accomplishing the work. Further, the decision holds that their wages have not been calculated correctly. Therefore, Seneca must pay at least the minimum wage.

"The opinion highlights that each of our clients brings valuable employment skills to the Seneca Re-Ad facility, and their value as workers should be respected," says DRO Attorney Barbara Corner. "People with disabilities are full and equal members of society and should be paid fairly."

"Many people are shocked when they find out that it is legal to pay people with disabilities less than minimum wage," said Samantha Crane, Legal Director and Director of Public Policy at ASAN. "But what's even more surprising is how rare this type of enforcement action has been until now. We hope this decision puts other workshops on notice that they won't get away with this sort of exploitation."

Mark A. Riccobono, President of the National Federation of the Blind, said: "This decision cuts through the low expectations based on stereotypes and misconceptions that undergird the antiquated and discriminatory subminimum-wage employment model. The National Federation of the Blind is proud of our role in helping these workers to earn compensation that reflects the skilled work that they perform. We believe that this decision sends a strong signal that subminimum wages are an idea whose time has long since passed."

About Disability Rights Ohio: Disability Rights Ohio is the federally and state

designated Protection and Advocacy System and Client Assistance Program for the state of Ohio. The mission of Disability Rights Ohio is to advocate for the human, civil and legal rights of people with disabilities in Ohio. Disability Rights Ohio provides legal advocacy and rights protection to a wide range of people with disabilities.

About the National Federation of the Blind: *The National Federation of the Blind knows that blindness is not the characteristic that defines you or your future. Every day we raise the expectations of blind people, because low expectations create obstacles between blind people and our dreams. You can live the life you want; blindness is not what holds you back.*

About the Autistic Self Advocacy Network: *The Autistic Self Advocacy Network (ASAN) is a national, private, nonprofit organization, run by and for individuals on the autism spectrum. ASAN provides public education and promotes public policies that benefit autistic individuals and others with developmental or other disabilities. Its advocacy activities include combating stigma, discrimination, and violence against autistic people and others with disabilities; promoting access to employment, health care and long-term supports in integrated community settings; and educating the public about the access needs of autistic people. ASAN takes a strong interest in cases that affect the rights of autistic individuals to participate fully in community life and enjoy the same rights as others without disabilities.*