

RESOLUTION NUMBER 17-08
RESOLUTION SUPPORTING THE REPEAL OF 8 AAC 15.120
MINIMUM WAGE EXEMPTION FOR PERSONS WITH DISABILITIES.

WHEREAS, the Alaska Workforce Investment Board (AWIB) is an industry-driven public organization comprised of representatives from business and industry, education, organized labor, and government; and

WHEREAS, the AWIB acts as the lead planning and coordinating entity for workforce development programs involving employment training; and

WHEREAS, the AWIB provides oversight of the workforce development systems in Alaska; and

WHEREAS, the AWIB advises the Governor, the Commissioner of the Department of Labor and Workforce Development (DOLWD) and the Alaska State Legislature; and

WHEREAS, the Fair Labor Standards Act of 1938 created an exemption that permitted certain employers to pay subminimum wages to workers with disabilities; and

WHEREAS, 8 AAC 15.120 allows certain Alaskan employers to pay subminimum wages to workers with disabilities; and

WHEREAS, for many decades subminimum wages were considered a way to help individuals with disabilities find work, however current knowledge, practice and experience over the last 25 years demonstrate that persons with disabilities including those experiencing significant disabilities can work at typical jobs in typical workplaces at minimum wage or higher; and

WHEREAS, the Workforce Investment and Opportunities Act (WIOA) of 2014 prioritizes and places heightened emphasis upon the provision of services that maximize opportunities for competitive integrated employment for individual with disabilities, including those with the most significant disabilities; and

WHEREAS, HB 211 was signed into law in 2014 making Alaska an “Employment First” state setting the expectation of integrated competitive employment for Alaskans with disabilities; defining “gainfully employed” as employed full time or part time for compensation that is “at or above the minimum wage”; and

NOW, THEREFORE, BE IT RESOLVED, the Alaska Workforce Investment Board supports the repeal of 8 AAC 15.120 Minimum wage exemption for persons with disabilities.

CERTIFICATION

The Alaska Workforce Investment Board held a meeting of the Executive Committee and convened this 14th day of November, 2017 and the foregoing resolution was adopted unanimously at said meeting.

Signed this 14th day of November, 2017.



Larry Bell, Chair
Alaska Workforce Investment Board