

Date of Hearing: June 30, 2021

ASSEMBLY COMMITTEE ON HUMAN SERVICES

Lisa Calderon, Chair

SB 639 (Durazo) – As Amended May 20, 2021

**SENATE VOTE:** 37-1

**SUBJECT:** Minimum wages: persons with disabilities

**SUMMARY:** Requires the State Council on Developmental Disabilities (SCDD) to develop and implement a multiyear phaseout plan, by January 1, 2023, to pay any employee with a disability no less than the state minimum wage. Specifically, **this bill:**

- 1) Makes Legislative findings and declarations related to employment and wage for people with disabilities.
- 2) State Legislative intent to afford all Californians, regardless of whether they have disabilities, with protections to ensure equal pay and equal treatment in the workplace.
- 3) Provides that no new licenses authorizing the employment of a person with mental or physical disabilities to be paid at a wage less than the legal minimum wage, may be issued after January 1, 2022. Provides that upon release of the multiyear phaseout plan, a license may only be renewed for existing licenseholders who meet the requisite benchmarks in the plan. Further, sunsets these provisions on January 1, 2025.
- 4) Sunsets, on January 1, 2025, provisions authorizing the Labor Commission to issue a special license to a nonprofit organization to permit the employment of employees who are mentally or physically disabled without requiring individual licenses of such employees and allowing the Labor Commission to fix a special minimum wage for such employees.
- 5) Prohibits, starting January 1, 2025, an employee with a disability from being paid less than the legal minimum wage.
- 6) Requires SCDD, in consultation with stakeholders and relevant state agencies, to develop and implement a multiyear phaseout plan with stakeholder involvement, by January 1, 2023, to pay any employee with a disability no less than the minimum wage by January 1, 2025.
- 7) Requires the multiyear phaseout plan to include, but not be limited to, all of the following:
  - a) Benchmarks and desired outcomes for each year of the plan;
  - b) A list of the resources necessary to ensure that employees with disabilities can receive services and supports according to their needs and the preferences of the individuals and in an integrated setting, regardless of the nature or severity of each individual's disabilities;
  - c) A road map for applying to and using all federal funding programs, including, but not limited to, programs available under Medicaid waiver amendments, technical assistance grants under the Office of Disability Employment Programs, and resources under the

federal Workforce Innovation and Opportunity Act, to assist individuals with disabilities to obtain competitive, integrated employment;

- d) Data collection and reporting requirements for tracking the following outcomes for the individual employees with disabilities who are transitioned out of subminimum wage employment, including:
  - i) Wages earned;
  - ii) Hours worked each month;
  - iii) Type of job;
  - iv) Length of employment; and,
  - v) Services utilized to obtain competitive integrated employment.
- e) Data collection and reporting requirements that will track the following aggregate outcomes of employees with disabilities who transition out of subminimum wage employment, including:
  - i) Total number of individuals with disabilities who are employed and paid subminimum wage;
  - ii) Employment rates;
  - iii) The number of individuals who were participating in a subminimum wage position that are not participating in job search activities;
  - iv) The number of individuals who move from subminimum wage positions to nonpaying activities; and,
  - v) The number of individuals who move from subminimum wage positions to positions that are paid at or above minimum wage.
- 8) Requires SCDD, in developing and implementing the multiyear phaseout plan, to engage with and seek input from stakeholder organizations, as specified.
- 9) Requires SCDD, by January 1, 2023, to release and publicly post on its internet website a report detailing its multi-year phaseout plan to implement the changes. Further, requires SCDD to submit a copy of the report on its multiyear phaseout plan to the appropriate policy committees of the Legislature for review on or before January 1, 2023.
- 10) Requires the phaseout report to include, but not be limited to, all of the following:
  - a) Planned benchmarks developed to achieve the outcomes of the plan;
  - b) Recommendations for funding levels or other resources necessary to implement the plan; and,

- c) Outreach and follow up for each employee with a disability who is being paid less than the minimum wage to ensure that the employee's wages are brought up to the minimum wage.
- 11) Requires SCDD, starting January 1, 2024, and for each year of the phaseout plan, to publicly post on its internet website and submit to the Legislature an annual report detailing at least, but not limited to, all of the following:
- a) Status updates on the progress made to meet the developed benchmarks;
  - b) Recommendations for funding levels or other resources necessary to implement the plan and an accounting of the resources invested in the multiyear phaseout plan to date; and,
  - c) The data collected.

**EXISTING LAW:**

- 1) Establishes the "Lanterman Developmental Disabilities Services Act" (Lanterman Act), which states that California is responsible for providing an array of services and supports sufficiently complete to meet the needs and choices of each person with developmental disabilities, regardless of age or degree of disability, and at each stage of life and to support their integration into the mainstream life of the community. (Welfare and Institutions Code Section [WIC] 4500, *et. seq.*)
- 2) Establishes an "Employment First Policy" in California to prioritize opportunities for integrated, competitive employment for individuals with developmental disabilities, regardless of the severity of their disabilities, as specified. (WIC 4869)
- 3) Establishes a system of nonprofit regional centers, overseen by the Department of Developmental Disabilities (DDS), to provide fixed points of contact in the community for all persons with developmental disabilities and their families, to coordinate services and supports best suited to them throughout their lifetime. (WIC 4620)
- 4) Establishes an "Individual Program Plan" (IPP) and defines that planning process as the vehicle to ensure that services and supports are customized to meet the needs of consumers who are served by regional centers. (WIC 4512)
- 5) Defines "habilitation services" as activities purchased for regional center consumers, including services under the Work Activity and Supported Employment programs to prepare and maintain consumers at their highest level of vocation functioning or to prepare them for referral to vocational rehabilitation services. (WIC 4851)
- 6) Establishes a tailored day program with an individualized service design, as determined through the IPP and approved by the regional center, to maximize a consumer's individual choices and needs, including flexibility in duration and intensity of services, length of daily program and other designs. (WIC 4688.21)
- 7) Requires that the tailored day program be used to encourage opportunities to further the development or maintenance of employment, volunteer activities, or pursuit of postsecondary

education; maximize consumer direction of the service; and increase the consumer's ability to lead an integrated and inclusive life. (WIC 4688.21)

- 8) Limits use of the tailored day program to no more than the equivalent of four days per week of service design and a rate no more than 4/5 the median rate for comparable programs, as specified. (WIC 4688.21)
- 9) Authorizes community based vocational development through a demonstration project to enhance community employment readiness, develop social skills necessary for successful community employment, and build a network of community and employment opportunities for individuals with developmental disabilities. (WIC 4850.3)
- 10) Makes the community based vocational development project contingent upon federal financial participation. (WIC 4850.3(b))
- 11) Establishes the paid internship program to encourage competitive integrated employment opportunities statewide for individuals with developmental disabilities (WIC 4870)
- 12) Creates an incentive payment structure for regional center service providers that place and retain an individual into competitive integrated employment. (WIC 4870 (d-g))
- 13) Creates the Industrial Welfare Commission (IWC), which promulgates industry-specific wage orders that set the wages, hours, and working conditions of employees. The IWC wage orders have the force of regulation and are enforced by the Division of Labor Standards Enforcement (DLSE). (Labor Code Section [LC] 70; 1173; 1177; 1195; and 1197)
- 14) Permits the IWC to issue to an employee who has physical or developmental disabilities, or both, a special license authorizing the employment of the licensee for a period not to exceed one year from date of issue, at a wage less than the legal minimum wage. The commission shall fix a special minimum wage for the licensee and may be renewed on an annual basis. (LC 1191)
- 15) Provides that the IWC may issue a special license to a nonprofit organization to permit the employment of employees who meet the requirements described above without requiring individual licenses of such employees. The commission shall fix a special minimum wage for such employees. The special license for the nonprofit corporation shall be renewed on a yearly basis, or more frequently as determined by the commission. (LC 1191.5)
- 16) Defines "employee with a disability" as meaning an employee who has:
  - a) A "physical disability," meaning having any physiological disease, disorder, condition, cosmetic disfigurement, or anatomical loss that does both of the following:
    - i) affects one or more of the following body systems: neurological, immunological, musculoskeletal, special sense organs, respiratory, including speech organs, cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine; and,
    - ii) limits a major life activity; and/or,

- b) A “mental disability,” meaning having any mental or psychological disorder or condition, such as an intellectual disability, organic brain syndrome, emotion or mental illness, or specific learning disabilities, that limits a major life activity, as provided. (Government Code Section 1296)

17) Federal law, allows for the provision of employment, under special certificates, of individuals whose earning or productive capacity is impaired by age, physical or mental deficiency, or injury, at wages which are lower than the federal minimum wage, commensurate with those paid to non-handicapped workers, employed in the vicinity in which the individuals under the certificates are employed, for essentially the same type, quality, and quantity of work, and related to the individual’s productivity. (29 United States Code Section 214(c)(1))

**FISCAL EFFECT:** According to the Senate Appropriations Committee, on May, 20, 2021, the bill would have fiscal impacts to several state departments, only some of which would be absorbable. Aggregate impacts across all state departments would minimally be in the hundreds of thousands of dollars annually. Specifically:

- The Department of Industrial Relations (DIR) would incur first-year costs of \$300,000, and \$288,000 annually thereafter, to implement its provisions of the bill. DIR notes that it is still determining the need for educational or outreach resources, which may increase its costs (special fund).
- SCDD would incur minor and absorbable costs.
- DDS would require one limited-term position at an annual cost of \$129,000, and an overall total cost of \$263,000 to administer its portion of the bill (General Fund and special fund).
- The Department of Rehabilitation (DOR) and the Department of Education would incur minor and absorbable costs.

**COMMENTS:**

***Department of Rehabilitation:*** DOR works in partnership with consumers and other stakeholders to provide services and advocacy resulting in employment, independent living, and equality for individuals with disabilities. DOR provides consultation, counseling and vocational rehabilitation, and works with community partners to assist the consumers that they serve. To be eligible for DOR services, an individual must have a physical or mental impairment, the impairment constitutes or results in a significant impediment to employment for the individual, and the individual requires and can benefit from vocational rehabilitation services to prepare them to obtain, retain, or regain employment.

***Developmental Services:*** The Lanterman Act guides the provision of services and supports for Californians with developmental disabilities. Each individual (referred to as “consumer”) under the Act is legally entitled to treatment and habilitation services and supports in the least restrictive environment. The Lanterman Act established that individuals with developmental disabilities and their families have a right to receive the necessary supports and services required to live independently in the community. The term “developmental disability” is defined as a disability that originates before a person reaches 18 years of age, is expected to continue indefinitely, and is a significant disability for those individuals; such disabilities include, among

others: intellectual disability, epilepsy, autism, and cerebral palsy. Other developmental disabilities are those disabling conditions similar to an intellectual disability that require care and management similar to that required by individuals with intellectual disabilities, but does not include conditions that are solely psychiatric or physical in nature. DDS currently serves over 350,000 consumers.

DDS contracts with 21 regional centers, which are private nonprofit entities whose primary purpose is to connect consumers with services in the community. While regional centers do not directly provide services to individuals and their families, they are charged with providing information and coordinating the delivery of services to consumers, such as residential placements, supported living services, respite care, transportation, day treatment programs, work support programs, and various social and therapeutic services and activities. Because regional centers do not directly provide services, their primary objective is to contract with and supply funding to vendors in the surrounding area to provide services to regional center consumers.

Consumers receive services through DDS and the regional centers that are outlined in their IPP, a record of the decisions made by the IPP planning team, which includes the consumer, their family or legally authorized representative, regional center representative(s) and others. The IPP is developed according to the needs and personal choices of the consumer. As part of the planning process, the planning team assists the consumer in developing a description that includes: a preferred place to live, favorite people with whom to socialize, and preferred types of daily activities, including preferred jobs. This description is called a preferred future, and is based on the individual's strengths, capabilities, preferences, lifestyle, and cultural background. The IPP serves as a tool to maximize the opportunities for each consumer to develop relationships, integrate into community life, increase control over their life, and obtain positive roles in the community. The IPP is required to prioritize the services and supports that allow minors to live with their families and adults to live in the community as independently as possible.

***Employment in the DDS system:*** In 2009, SCDD established an Employment First Council to report on the state's progress and make recommendations for policy change. The Council released a report in 2011 indicating that 26.5% of working-age adults with developmental disabilities live below the federal poverty line compared with 13% of adults in the general population. Other findings included a need for additional supports for individuals to prepare for and maintain employment.

In 2013, AB 1041 (Chesbro), Chapter 677, Statutes of 2013, established California's "Employment First Policy", which states "it is the policy of the state that opportunities for integrated, competitive employment shall be given the highest priority of working age individuals with developmental disabilities, regardless of the severity of their disabilities." The Employment First Policy was seen as a furtherance of the goals and purpose of the Lanterman Act—to make "services and supports available to enable persons with developmental disabilities to approximate the pattern of everyday living available to people without disabilities of the same age, to support the integration of persons with developmental disabilities into the mainstream life of the community and to bring about more independent, productive, and normal lives."

California's rate of employment for individuals with developmental disabilities remains low. The latest data compiled by the SCDD in 2016 showed that just 14.2% (23,265 individuals) of California's working-aged adults with developmental disabilities were employed compared to

76.5% of the general population in the state employed. More recent data on employment rates of individuals with developmental disabilities, especially highlighting the effects of the COVID-19 pandemic, is not available. However, data are available on the impact of the pandemic on unemployment numbers within the general population. As of February 2021, more than 1.6 million Californians were unemployed—almost double the number of unemployed Californians in February 2020. Given the sizable impact on unemployment numbers among the general population, it is likely that the COVID-19 pandemic has also increased unemployment among those with developmental disabilities.

The rate of individuals with developmental disabilities living below the poverty level is above that for the general population. 2019 census data shows 11.8% of Californian's live below the federal poverty line. The most recent information available, from Cornell University's Disability Statistics project, reports that the poverty rate of working-age people with disabilities in California in 2015 was 26.5%. For comparison, in 2015, California's statewide official poverty rate was 15.3%.

The SCDD's Employment Dashboard's most recent data on hourly wages comes from 2011 data. As of 2011, 4,505 working age regional center clients had regular integrated jobs and 5,425 worked in group supported employment. Over 67,000 regional center clients attended day programs, Work Activity Programs, and look alike day programs. Of those 67,000, most were not working and many of those that do work earn less than minimum wage. The dashboard further reports that, in 2011, people working in integrated jobs made an average of \$9.89 an hour and that people working in small groups made approximately \$6.25 an hour. This means that people in regular integrated jobs made, on average, \$3.65 more per hour (58% more per hour) than people in groups.

According to 2017 data from the Employment Development Department, regional center consumers who worked earned an average of \$725 per month in 2017, an increase of about \$213 from average earnings in 2008. Additionally the number of consumers earning wages in 2017 was 23,265, which is up from 17,346 in 2008. Employment rates and wages in the developmental disabilities community are increasing, though still largely below preferred levels.

***Employment models:*** Consumers who desire to work are placed in jobs according to their individual skills, needs and choices, and provided support services on an individual basis or in a group. Regional centers contract with employment services programs and providers to address the employment needs of individuals with developmental disabilities. The Work Services Program provides work and community integration opportunities through Supported Employment Programs. These programs are administered through DOR and regional centers and are available to regional center clients.

*Supported employment services* are aimed at finding competitive work in a community integrated work setting for persons with severe disabilities who need ongoing support services to learn and perform the work. They can be provided either through the vocational rehabilitation program or the Habilitation Services Program and can be individual placements, group placements, or work crews. Often supported employment includes a job coach that provides on-the-job services and training, and wages paid directly to the consumer by the employer. As the individual gains mastery of the job, the support services are gradually phased out. According to data from DDS, as of March 2017, there were 159 group employment vendors and approximately 6,000 consumers. There were additionally 186 vendors providing individual supported employment to

more than 4,400 individual participants.

*Work Activity Program (WAP)* services through the regional centers include paid work, work adjustment and supportive habilitation services typically in a sheltered work shop setting. WAPs provide paid work in accordance with Federal and State Fair Labor Standards. Work adjustment services may include developing good work safety practices, money management skills, and appropriate work habits. Supportive habilitation services may include social skill and community resource training as long as the services are necessary to achieve vocational objectives. According to data from DDS, as of March 2017, there were 99 WAP vendors and 9,141 consumers in the program.

*Tailored Day Services* provide opportunities for increased integration and inclusion, as well as further opportunities for the consumer to develop or maintain employment or volunteer activities, and pursue postsecondary education. Tailored Day Services are designed to maximize a consumer's individualized choices and needs, with customization of day services through individualized services. In certain circumstances, tailored day services support goals of self-employment and small business development. Current law allows a consumer to choose tailored day services in lieu of any other regional center-vendored day program, look-alike day program, supported employment program, or work activity program.

*Competitive Integrated Employment* is full or part-time work for which an individual is paid minimum wage or greater in a setting with others who do not have disabilities. DDS, DOR, and California Department of Education have entered into an agreement consistent with the State's "Employment First" policy and other laws to make employment in an integrated setting, at a competitive wage, for individuals with intellectual disabilities and developmental disabilities a priority.

*Paid Internship Program (PIP)* aims to increase vocational skills and abilities of consumers who choose, via the IPP process to participate in the internship. The goals of the PIP are to acquire experience and skills for future paid employment, or for the internship itself to lead to full or part-time paid employment in the same job. Under this program, internship wages paid to consumers, must be, at least, state or local minimum wage.

***Minimum wage requirements and Section 14(c)***: Effective July 24, 2009, the federal minimum wage for covered, nonexempt employees is \$7.25 per hour. In states that also have minimum wage laws an employee is entitled to the higher minimum wage rate of either the state or federal minimum wage laws. As of January 1, 2021, the minimum wage in California for an employer with 26 or more employees is \$14.00 an hour, and \$13.00 an hour for an employer with 25 or less employees.

The Fair Labor Standards Act (FLSA) provides for the employment of certain individuals at wage rates below the statutory minimum. Such individuals include student-learners (vocational education students); full-time students employed in retail or service establishments, agriculture, or institutions of higher education; and, individuals whose earning or productive capacities are impaired by a physical or mental disability, including those related to age or injury, for the work to be performed. Section 14(c) of the FLSA authorizes employers, after receiving a certificate from the Wage and Hour Division, to pay special minimum wages—wages less than the Federal minimum wage—to workers who have disabilities for the work being performed.



A special minimum wage is less than the federal minimum wage and is determined on a case-by-case basis. California law also allows the IWC to issue a license to an employee who is mentally or physically disabled, or both, authorizing the employment of the licensee for a period not to exceed one year from the date of issue, at a wage less than the legal minimum wage. The commission may also issue a special license to a nonprofit organization, such as a sheltered workshop or rehabilitation facility, to permit the employment of those employees without requiring individual licenses.

In July 2014, the federal Workforce Innovation and Opportunity Act (WIOA) was enacted which limits the ability of employers to pay subminimum wages to workers with disabilities, even when the employer holds a certificate under Section 14(c) that would otherwise permit the payment of such wages. WIOA requires that workers with disabilities who are age 24 or younger complete various requirements designed to improve their access to competitive integrated employment, including transition services, vocational rehabilitation, and career counseling services, before they are employed at subminimum wages. WIOA also requires that all workers with disabilities who are paid subminimum wages, regardless of their age, receive regular career counseling and information about self-advocacy, self-determination, and peer mentoring training opportunities in their local area, every six months during the first year of employment and annually thereafter.

In 2020, the United States Commission on Civil Rights (Commission) issued a briefing report entitled “*Subminimum Wages: Impacts on the Civil Rights of People with Disabilities.*” Among their key findings, their primary recommendation is that, “Congress should repeal Section 14(c) with a planned phase-out period to allow transition among service providers and people with disabilities to alternative service models prioritizing competitive integrated employment.” The Commission’s report refers to a six-year phase out period, recognizing that the current 14(c) program is “limiting people with disabilities participating in the program from realizing their full-potential.”

Several other states that have issued 14(c) certificates have begun to phase out their issuance of 14(c) wage certificates. As of September 2020, Maine, New Hampshire, Rhode Island, and Vermont prohibit paying subminimum wages to individuals with disabilities. Four other states—Alaska, Maryland, Oregon, and Texas—were in the process of phasing out subminimum wages.

**Need for this bill:** According to the author, “Section 14(c) of the federal Fair Labor Standards Act of 1938 allows states to issue special certificates to employers, allowing them to pay employees with disabilities less than the minimum wage based on the purported impact that the employee’s disability has on their ability to perform a job. The original intent of subminimum wage employment was to offer employment opportunities to disabled veterans in industrial settings. Some veterans with disabilities were not able to produce widgets in a factory setting at the same rate as their peers without physical disabilities, and federal law allowed a lesser wage to be given to disabled workers based on this purported impact to production. According to Labor Secretary Frances Perkins, a subminimum wage was suitable for, “persons who by reason of illness or age or something else are not up to normal production.” Section 14(c) was little known and rarely used until the 1950s when sheltered workshops began to flourish. Sheltered workshops were started with good intentions as parents were seeking a way to keep their children out of institutions. Now, sheltered workshops are an outdated model of segregation and exploitation. Other federal legislation including the Workforce Innovation and Opportunity Act and the Centers for Medicare & Medicaid Services Home & Community-Based Services Settings Final Rule have placed limitations on the use of subminimum wage and the settings in which

individuals with disabilities receiving publicly funded services can work. These rules were put into place to help transition individuals with disabilities from segregated to integrated settings. The Americans with Disabilities Act of 1990 (ADA) prohibited discrimination of workers based on disability, and provided other protections. With exception to disabled workers and other rare circumstances, the California minimum wage applies to nearly all workers in all industries. [This bill] furthers the intent of the ADA and California minimum wage law by offering a minimum wage to workers, regardless of disability.”

**Staff comments:** This bill would phase out, over a three-year period, the authority to pay an employee who is physically or mentally disabled less than the legal minimum wage. There are varying opinions and concerns on the feasibility of a three-year phase out as well as the long-term impacts for individuals with severe disabilities.

The U.S. Commission on Civil Rights recommended a six-year phaseout in their report, the American Recovery Act at one point included a five-year phaseout, Maryland opted for a four-year phaseout, and 2019 state legislation in Texas utilized a three-year phaseout with the option for individual certificate holders to seek a one year extension based on meeting set criteria. There does not appear to be consistency in determining a phaseout period. Furthermore, there is limited outcomes data from the states that phased out their subminimum wage authority.

While this bill includes data collection for employment and unemployment rates following the phaseout, there are no supports included for assuring that individuals currently employed by a 14(c) license holder will remain employed either by the same employer or another employer. Therefore, *should this bill move forward, the author may wish to consider extending the phaseout period further than the three years currently in this bill to ensure that SCDD, in consultation with stakeholders, has enough time to thoroughly develop the phaseout plan and to ensure that employees currently receiving subminimum wage will have the supports needed to obtain competitive employment in accordance with their IPP.*

**Recommended Committee Amendments:** To clarify the reference to the phaseout plan, committee staff recommends the following amendment:

*Beginning on line 9 on page 5 of the bill, strike “plan” and insert “plan, as described in subdivision (c)”*

**Double referral:** This bill passed out of the Assembly Labor and Employment Committee on June 22, 2021, with a 5-1 vote.

#### **PRIOR AND RELATED LEGISLATION:**

**SB 1062 (Durazo) of 2020**, would have prohibited the payment of remuneration to residents engaged in work at a developmental center shelter workshop from being less than the rate required under specified federal, state, or local minimum wage law, whichever is higher. SB 1062 was set to be heard by the Senate Human Services but the hearing was postponed by the committee.

**AB 3127 (Acosta) of 2018**, would have allowed a credit, under both the Personal Income Tax Law and the Corporation Tax Law, to a qualified employer that pays an employee eligible for the 14(c) wage certificate program a wage during the taxable year that equals or exceeds the state’s minimum wage. AB 3127 was held on the Assembly Appropriations Committee suspense file.

**SB 1109 (Hueso) of 2014**, would have eliminated state sanctioned minimum wage exemptions for disabled persons in specified state service contracts, and establish a participation goal in state contracts of not less than 3% for disability business enterprises. SB 1109 failed passage in the Senate Governmental Organizations Committee.

**SB 1160 (Beall) of 2014**, would have required a state agency awarding contracts to give a 5% preference in the scoring of a bid by a business that proposes to provide the goods or services to the state when at least 10% of the personnel of the business involved in doing so are California residents with developmental disabilities receiving support services under the Lanterman Act. SB 1160 was held on the Assembly Appropriations Committee suspense file.

**AB 1041 (Chesbro), Chapter 677, Statutes of 2013**, established an “Employment First Policy” in California to prioritize opportunities for integrated, competitive employment for individuals with developmental disabilities, regardless of the severity of their disabilities, as specified.

**AB 287 (Beall), Chapter 231, Statutes of 2009**, established the “Employment First Committee” as a standing committee of the SCDD. The Committee was to recommend an employment first policy, identify strategies and best practices, report on the state's progress, and make recommendations for policy change for significantly increasing the numbers of people with developmental disabilities in integrated competitive employment.

**SB 755 (Negrete-McLeod) of 2009**, would have established a new participation goal program for persons with developmental disabilities business enterprises, to assist and encourage participation of developmentally disabled in state contracting opportunities. SB 755 was held on the Senate Appropriations Committee suspense file.

**AB 2424 (Beall) 2008**, would have established an employment first policy and imposed responsibilities on regional centers and the DDS related to the development of materials and the conduct of Individual Program Plan meetings. AB 2424 was held on the Senate Appropriations Committee suspense file.

**SB 1270 (Chesbro), Chapter 397, Statutes of 2006**, established a stakeholder and public input process to recommend ways to expand opportunities for people with developmental disabilities in the areas of employment and community participation.

## **REGISTERED SUPPORT / OPPOSITION:**

### **Support**

AFSCME, AFL-CIO  
BRAIN XP  
Cal Voices (formerly NorCal MHA)  
California APSE  
California Association of Social Rehabilitation Agencies  
California Catholic Conference  
California Council of The Blind  
California Foundation for Independent Living Centers  
California Labor Federation, AFL-CIO

Child Care Law Center  
Disability Rights California  
Legal Aid at Work  
National Association of Social Workers, California Chapter  
Options for All  
SEIU California

**Opposition**

Able Industries, INC.  
Achievement House, INC.  
NCI Affiliates, INC.  
Roland Center  
VistAbility  
10 private citizens

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