

STATEMENT OF TERESA PARKER
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RUSSELLVILLE, ARKANSAS
TO
THE JOINT ECONOMIC COMMITTEE
UNITED STATES CONGRESS

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Introduction

Chairman Coates, Ranking Member Maloney, Senator Cotton, and members of the Committee, my name is Teresa Parker. I am the Executive Director of Mid-Arkansas River Valley Abilities Workshop (MARVA). I am submitting this statement to share with you how important the Fair Labor Standards Act Section 14(c) provision is to the people with disabilities that MARVA serves.

Incorporated in 1968, MARVA is a 501(c)(3) nonprofit corporation located in beautiful Russellville, Arkansas. MARVA is governed by a board of directors composed of individuals selected to represent a cross section of the community. Our Mission Statement is simple, but sincere: "To excel at providing services to adults with developmental disabilities." Our purpose is to provide meaningful work and social opportunities to our number one priority, our client worker.

I have been a part of the MARVA team for over 37 years. I can truly say without hesitation that I love my job, and always have. Let me quickly clarify that this love of my work is *not* due to high pay or perfect hours or exotic travel, none of which would be true, but rather, because I am blessed to work with truly amazing people. The courage and fortitude of our client workers are an inspiration to me and that is the sole reason I am providing this statement. Someone must speak up for them, so their voices will be heard.

MARVA Today

MARVA currently provides employment for 32 individuals with disabilities. We operate with a staff of thirteen full-time and ten part-time employees. MARVA's operating budget for Fiscal 2017 is \$1,054,000. Of this budget, only 12% of MARVA's revenues are expected to come from Federal/State funded programs. MARVA's total payroll puts close to \$700,000 back into our local community.

To accomplish our purpose of providing meaningful work for the people we serve, we have four main areas, including (1) a retail store, (2) printing and assembling ink pens, (3) shredding documents, and (4) recycling. Each area has a staff supervisor who is responsible for matching the skill set of the individual to a task that leads to the successful completion of a job that needs to be done. We want our client workers to feel that success; it is the reason MARVA exists. Where machines can quickly produce printed and assembled pens for a large manufacturer with minimal human involvement, we must take the same process and break it down into doable steps for a variety of individuals with differing levels of ability. This is a major challenge in our fast-paced need-it-now culture. It may take us longer, but no manufacturer makes a better pen!

Section 14(c) of the Fair Labor Standards Act Puts People to Work

MARVA has gone through the extensive process of qualifying for a Section 14(c) Special Minimum Wage Certificate under the Federal Standards Labor Act, and works diligently throughout the year to make certain we maintain all the processes and documentation necessary

to continue to qualify for that certificate. The Section 14(c) certificate allows us to pay a commensurate wage “based on the worker’s individual productivity in proportion to the wage and productivity of experienced workers who do not have disabilities performing essentially the same type, quality, and quantity of work in the geographic area from which the labor force of the community is drawn.” (DOL Fact Sheet #39) Of our 32 client workers, 26 are paid under MARVA’s Section 14(c) certificate.

To comply with the rules, MARVA must follow a strict procedure for determining a rate of pay for each client worker. This is repeated at scheduled intervals. Nothing about this process is subjective. Moreover, the Department of Labor has extremely high standards and requires that Section 14(c) certificate holders maintain meticulous documentation of compliance activities. MARVA goes through this whole process because of the individuals with disabilities that MARVA serves. Our people have a need and there is a system in place that allows fulfillment of that need. MARVA’s client workers want to work. They deserve the opportunity to have a meaningful day, socialize with their peers, and contribute to society in the job they choose, just like everyone else. This is the reason Congress passed the law creating an opportunity for people with the most significant disabilities to work and be paid *even if they cannot meet the productivity standards expected of other employees.*

For the majority of the people with disabilities who work at MARVA, the words “hurry,” “timeline,” “streamline,” “production schedule,” etc., are not in their vocabularies. They concentrate on doing the job right, not necessarily doing the job quickly. One of our client workers is 52 years old and has worked with MARVA for 24 years. She takes great pride in her work and does an extremely thorough job; however, it takes her three times longer than average. We have worked at length trying to help her recognize the need to “hurry up” pointing out ways to organize where she can be more efficient. It has been to no avail. She has one speed. She has her system. She gets the job done. It is done well. She is happy. Many employees in work centers across the country similarly benefit from this law. The work is meaningful and MARVA’s client workers are proud of the work they do. They also have a feeling of accomplishment when they get their paychecks.

MARVA Is a Part of the Community

MARVA is an integral and important part of the Russellville, Arkansas community and has been for almost 50 years. We work hard for our worker clients and their families. We provide more than just services and supports for people with disabilities. We provide transportation when needed, and we also provide time and attention that allows people to grow and do well. We invest the time to talk with our client workers, to provide them guidance, support, care, and yes, even love, so they can excel. Many of our client workers need special attention during the day, sometimes for an extended period of time. They receive it.

Our program is completely voluntary. If a person does not want to work at MARVA, they are under no obligation to continue. It is their choice. We want our people to succeed. Part of our Client Service role is to assist any of our workers in finding alternate employment, if that is their desire. We seek out employment opportunities, contact employers, assist in completing job applications, practice interviewing skills, and provide supports on the job as needed. One of our

greatest joys comes from an individual achieving a personal goal or dream. We strive to assist all of our people to be successful in the way they define success.

MARVA also has a tremendous family network. Our families know that we will work with them in any way that is needed. This varies person to person. Some of our workers are well into middle age and live with aging parents. As issues arise, MARVA becomes the community connection for the family. We help the family find the best resources to meet the current need, and then make it work. This is not a service that is billable to any funding source. We do it because it is the right thing to do.

MARVA's Client Workers Have Chosen MARVA

There is grave concern among MARVA's client workers and their families that new rules and regulations or changes to existing laws could cut off the support MARVA provides. Their collective voices need to be heard. MARVA's role provides more than a job. The MARVA staff also serves as a very important support system. The people with disabilities that MARVA serves have an opportunity to try new things, hone their skills, and explore their interests.

Absent the Section 14(c) certificate, MARVA would not be able to continue to provide services. So, if MARVA were not able to provide meaningful work and the local businesses cannot provide a minimum wage job, where does that leave the people we serve? The elimination of Section 14(c) would create a void in the lives of our people with the most significant disabilities.

In those states that closed work centers, there were very few jobs for people with disabilities who previously had worked under a Section 14(c) certificate. Rather, a high percentage of people were placed in unpaid day programs, including daycare or unpaid "volunteer" work. Another 20% of the people who used to work now just stay home. Even people, who were able to find work, generally work far fewer hours than they previously had in their work center. Some people work as few as two hours per week, but are still considered employed in "competitive integrated employment." MARVA's client workers would not consider this progress. They do not want to spend their days taking mall trips or doing volunteer work or sitting in daycare or sitting at home. They want to do their job.

Congress Must Keep Section 14(c) Work as a Viable Option

MARVA's client workers never fail to tell us how much they enjoy their work, and often make it clear how bored they would be in the absence of their job. Some will even share experiences of past failures in the community, and then express concern of having to face defeat again. Our people know how good it feels to succeed.

If laws were to change and people could no longer be hired under a Section 14(c) certificate, it would be a crushing blow to many people who are working today across this country. And it certainly would be a crushing blow to the 32 people with disabilities whether or not they work under MARVA's Section 14(c) certificate. MARVA undoubtedly would be forced to close. This is a very rural area and few jobs exist. The majority of people working at MARVA would

be left behind, left to stay home all day, bored and restless and without any paycheck and, more importantly, without the dignity of work. That would be a heartbreaking tragedy.

It is not just the client workers who would be devastated, though. Families would be devastated – families in Russellville and families across the country. In many cases, when a work center closes and a loved one is sent home, one parent or sibling or other relative must either quit their job to stay home too or hire a caregiver. This can have dire financial consequences for the entire family unit.

The people with disabilities that MARVA serves do not belong in daycare and do not belong sitting at home. They deserve to be treated with the same respect as any other person who wants to work at a job they enjoy and in an environment where they can thrive. Please do not allow the Section 14(c) Special Minimum Wage Certificate to be eliminated or phased out. It is the right **choice** for some individuals with significant disabilities, and that **choice** deserves to be respected.

In closing, I would like to share a story about making a difference that expresses the epitome of our philosophy and passion.

Making A Difference

*An elderly man walked down a shoreline littered
with thousands of starfish sadly stranded after a storm.*

*A young lady was picking them up and gently
tossing them back into the ocean.*

“Why do you bother?” the elderly man scoffed.

“You’re not saving enough to make a difference.”

The young lady picked up another starfish

and sent it flying back to the water

“It made a difference to that one,” she said contently.



Adapted from the story “The Star Thrower” by Loren Eiseley

Thank you for your kind attention.