

Wage and Hour Division

Section 14(c) Enforcement

Presented by

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Wage and Hour Division



WHD Enforcement

- Section 14(c) investigations are conducted in the same manner as all other FLSA investigations
 - Initial Conference
 - Tour of the Establishment
 - Review of Employer Records
 - Interviews
 - Final Conference



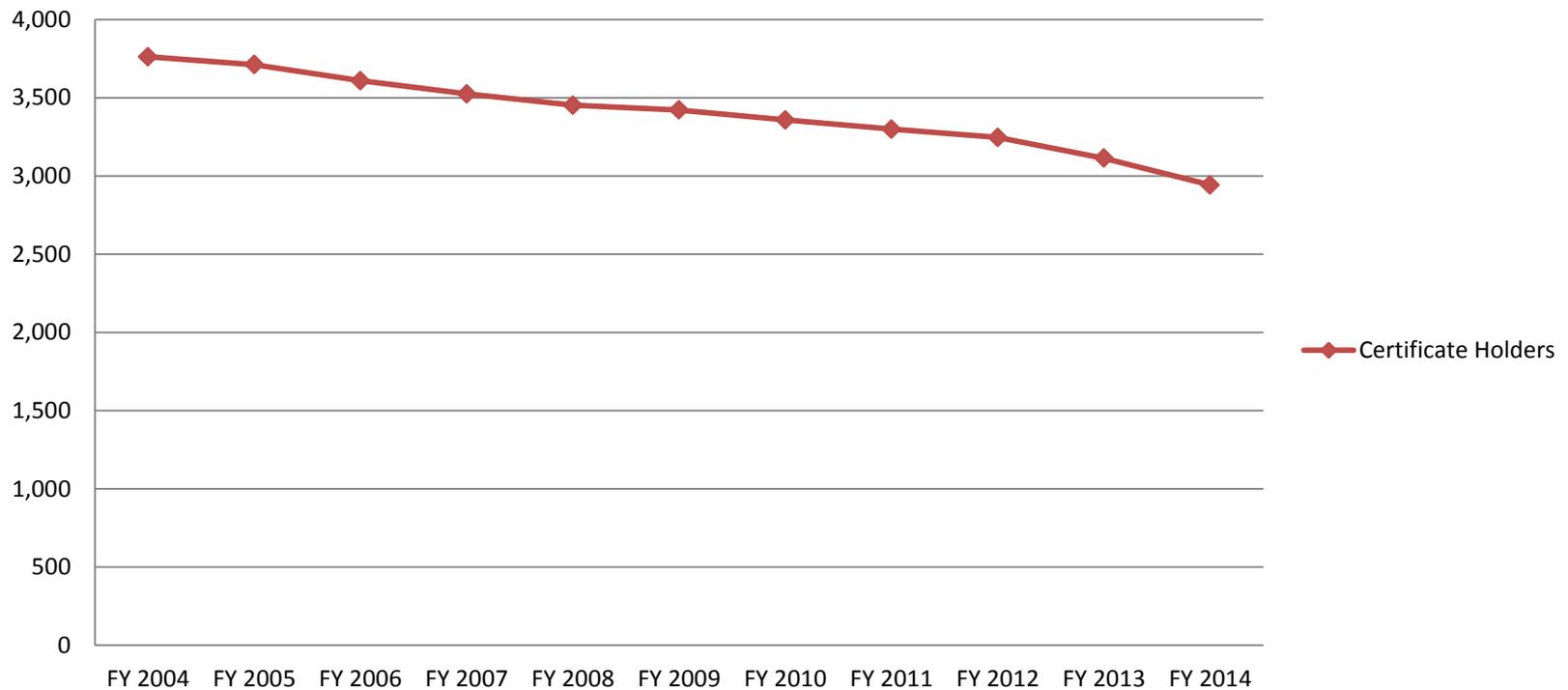
Verification of Work Measurement

- WHD investigators will observe time studies to confirm accuracy
 - Regulations do not require any particular method of work measurement
 - In order for a commensurate wage to be paid, the worker's measured productivity must be less than the standard job productivity

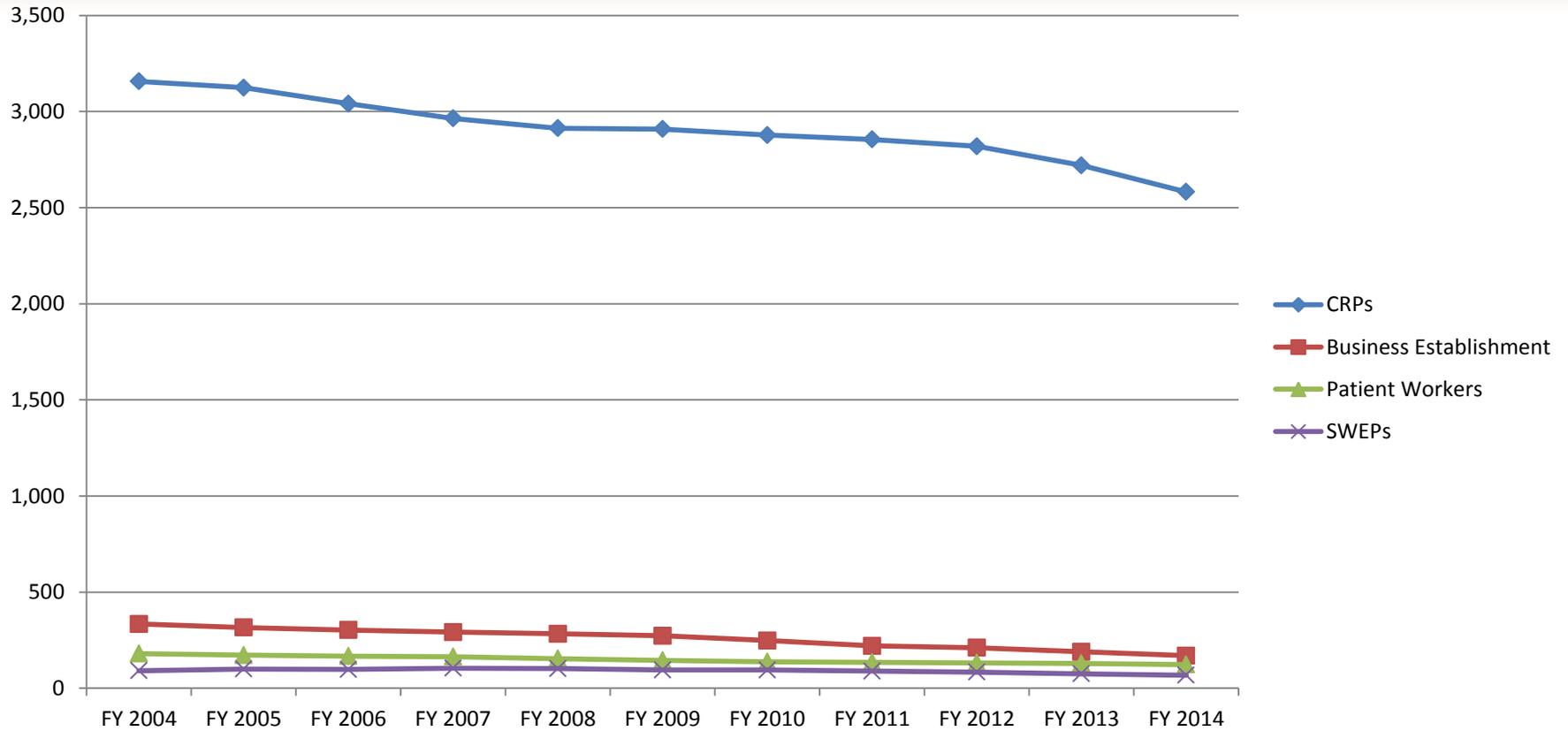


WHD Certificate Data

Certificate Holders



WHD Certificate Data



WIOA Impacts

- The Workforce Innovation and Opportunity Act amends Section 511 of Title V of the Rehabilitation Act of 1973
- Imposes additional requirements on employers with a 14(c) certificate who pay a subminimum wage to certain workers with disabilities
- Takes effect on July 22, 2016



WIOA Impacts

- **Workers age 24 or younger not yet employed at subminimum wages as of effective date:**
 - Employers may not pay a subminimum wage unless certain conditions, generally related to the furnishing of vocational services and career counseling, are met



WIOA Impacts

- **Workers employed at subminimum wages as of effective date:**
 - Employers may not continue to pay a subminimum wage unless the workers are provided career counseling services and informed of training opportunities every six months in the first year of employment and annually thereafter



WIOA Impacts

- When an individual has completed the requirements for subminimum wage payment, the designated State unit shall provide the individual a document indicating such completion
- The employer shall review and maintain such documentation before employment of workers age 24 or younger
- The employer shall verify completion of requirements and maintain copies of the documentation in order to continue to employ individuals at a subminimum wage, regardless of age
- The Department of Labor or a State agency may review documentation of compliance as may be necessary

