

**AMENDMENT TO H.R. 582, AS REPORTED
OFFERED BY MR. SCHNEIDER OF ILLINOIS**

In the matter preceding clause (i) of subparagraph (A) of section 14(c)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 214(c)(1)), as proposed to be amended by section 6(a)(1), by inserting “with respect to employees who are individuals with substantial intellectual or developmental disabilities employed or otherwise served by an eligible work center, lower than the minimum wage applicable under section 6, and with respect to other employees,” before “at a rate that”.

Amend paragraph (6) of section 14(c) of the Fair Labor Standards Act of 1938 (29 U.S.C. 214(c)), as proposed to be added by section 6(a)(2), to read as follows:

1 “(6) PROHIBITION ON NEW SPECIAL CERTIFI-
2 CATES.—Notwithstanding paragraph (1), the Sec-
3 retary may only issue a special certificate under this
4 subsection to an employer that is an eligible work
5 center employing or otherwise serving individuals
6 with substantial intellectual or developmental disabili-
7 ties and that was issued a special certificate under

1 this subsection before the date of enactment of the
2 Raise the Wage Act.”.

In paragraph (7) of section 14(c) of the Fair Labor Standards Act of 1938 (29 U.S.C. 214(c)), as proposed to be added by section 6(a)(2), by inserting “with respect to an employer that is not an eligible work center employing or otherwise serving individuals with substantial intellectual or developmental disabilities,” after “takes effect,”.

Redesignate paragraph (3) of section 6(a), as paragraph (4).

Insert after paragraph (2) of section 6(a), the following:

3 (3) DEFINITIONS.—Section 14(c) of the Fair
4 Labor Standards Act of 1938 (29 U.S.C. 214(c))
5 (as amended by paragraphs (1) and (2)) is further
6 amended by adding at the end the following:

7 “(9) DEFINITIONS.—In this subsection:

8 “(A) The term ‘individual with substantial
9 intellectual or developmental disability’ means
10 an individual who—

11 “(i) has been diagnosed by a physi-
12 cian with an intellectual or developmental
13 disability; and

1 “(ii) based on such diagnosis, would
2 be described in subclause (VI) of section
3 1902(a)(10)(A)(ii) of the Social Security
4 Act if such subclause did not include any
5 matter following ‘intermediate care facility
6 for the mentally retarded’ and preceding
7 the comma at the end.

8 “(B) The term ‘eligible work center’ means
9 an employer that—

10 “(i) is described in paragraphs (3) or
11 (4) of section 501(c) of the Internal Rev-
12 enue Code of 1985 and is exempt from
13 taxation under section 501(a) of such
14 Code;

15 “(ii) employs or otherwise serves indi-
16 viduals with substantial intellectual or de-
17 velopmental disabilities through vocational
18 and pre-vocational programs designed to
19 meet the needs of such individuals;

20 “(iii) offers assistance to such individ-
21 uals to find competitive integrated employ-
22 ment (as defined in section 7 of the Reha-
23 bilitation Act of 1973 (29 U.S.C. 705)) if
24 desired by the individual; and

1 “(iv) offers each such individual ac-
2 cess to multiple enrichment programs to
3 enable the individual to choose a program
4 that fits the needs and preferences of such
5 individual, which may include programs
6 that compensate such individual pursuant
7 to a special certificate issued under this
8 subsection.”.

