

---

---

**Participants:**

Holly Carmichael  
Michael Murray  
Serena Lowe  
Sunny Cefaratti



[Audio Length: 0:37:51]

RECORDING BEGINS

**Introduction:**

A garrison is a safe place where an army gathers. In the same way, the *Disability Garrison Podcast* is a place for the army of disability rights advocates to gather and discuss complex issues. We are unafraid to identify problems in our world and have difficult conversations about them. But we are not just here to complain. We spend our time brainstorming solutions with generals in the disability rights movement. Together, we take action to make positive change and lead the fight for justice and equality.

**Holly Carmichael:**

My name is Holly Carmichael.

**Michael Murray:**

My name is Michael Murray. This is the Disability Garrison.

**Holly Carmichael:**

Thank you so much for joining us. This episode we had the opportunity to speak with Sunny Cefaratti, a woman who was stuck in a sheltered workshop for eight years. Here is some of what she told us about her experience.

**Sunny Cefaratti:**

My full name is Laura-Sun Cefaratti. People call me Sunny or Laura-Sun is fine. I co-founded the Musical Autist with my support broker in 2011, and I started Sunshine Music and Speaking which is a business where I get paid to perform musical performances and public speaking and advocating for the rights of people with disabilities. And eventually, I want to do this for a living. That's my career. But what I like to do for fun is listen to music and talk on the phone with my friends and spend time with my friends.

Upon graduating from Maryland School for the Blind, I was placed in a sheltered workshop for eight years because that is where my parents and the school system decided that's where I should go. The school system did not realize how capable I really was to be an active member in the community. So for eight years, I was stuck in a sheltered workshop.

And a sheltered workshop is a segregated environment for people with disabilities to go to so that their parents or their caregivers can go to work. A lot of times they get paid subminimum wage for doing contract work or piece work, and a lot of times if there's no work. They just sit around waiting for work to

---

---

come. It's basically like adults being babysat. And for people like me who are perfectly capable of being a part of the community, we don't need to be babysat by a bunch of adults in a sheltered workshop. I mean there was like a hundred of us in one room crammed.

As the years went on, I realized that this is not the best place for me to be. I've had more negative things happen to me than positive things happen to me. I've been taken advantage of by various individuals. I've had my things broken by an individual. My independence was definitely impeded. I was not allowed to walk around the building independently because the sheltered workshop did not want to be liable in case I got hurt by somebody having a behavior problem. For eight years, I was in a prison. I did not have the freedom to go where I wanted to go. I did not have the freedom to do what I wanted to do. I realized that shelter workshops is not the place for me to be. I got paid subminimum wage for doing piece work. Some of the stuff I did was counting flyers, assembling things, putting products together. And the last paycheck I got when I left the sheltered workshop was two dollars and some change within two weeks' worth of work.

After an incident that had happened in the sheltered workshop, my parents and I realized that it was a big mistake for me to go into the sheltered workshop. When I got out of the shelter workshop, when I finally broke out, I was like, yes, this is a relief. I felt like I got my life back.

And now that I'm in self-direction, I'm thriving, I'm blossoming, and I speak out. And my goal is to see sheltered workshops phased out because people who are perfectly capable of being in the community don't need to be there. And I've been advocating by speaking on numerous podcasts and saying, you guys, the system is broken. People who go in sheltered workshops are part of a broken system. And so the solution is families need to be educated, school systems need to be educated. I advocate that you do not default to the sheltered workshop avenue. You explore your options. When I was at Maryland School for the Blind, nobody asked me, Sunny, what do you want to do after you graduate? What is your dream job? Nope, those questions were not asked. Here's what they said. You're going into a sheltered workshop. This is where you are going. And so one of the things I advocate for on podcasts like this and others is families, school educators, you guys need to look at all of the options and not just default to one.

**Michael Murray:**

Wow, Holly, that was, I mean I think I say this every time we start our podcast. But Sunny's story really just hits home the topic that we're discussing today.

**Holly Carmichael:**

Yeah. She has an incredible testimony not only on our topic today but just on this idea of self-determination in general, this inalienable right of people to be deemed capable to have the freedom to do what they want, to go where they want to go. And yeah, her story is pretty powerful.

**Michael Murray:**

So powerful. And I'm excited to introduce our second guest speaker on the podcast. We're doing two guest speakers because this is such a rich topic and we felt like we needed two incredible folks. And we

---

---

really wanted to give Sunny her time to just tell her story in a full and clear way, and the solutions that she came up with are really powerful. And then today we have Serena Lowe.

**Holly Carmichael:**

Yes. Tell our guests about who Serena Lowe is.

**Michael Murray:**

Serena Lowe is a longtime friend of mine. She is a self-proclaimed policy geek who has spent 20-plus years in leadership roles. She was acting executive director for TASH. She was a senior policy adviser on The Administration for Community Living doing incredible work around HCBS. Her and I really crossed paths. My background is in employment and employment for people with disabilities, and her work at the U.S. Department of Labor had an incredible impact. But she's also worked for biopharmaceutical companies and lobbying firms and two members of Congress. I mean the list goes on. And so we are really just proud to have Serena on here. Serena, hi. Thank you for joining us.

**Serena Lowe:**

Thank you so much for having me. It's such a pleasure. And it's really hard to come at the heels of such a wonderful advocate as Sunny who really described so well the systemic discrimination that continues to persist through this antiquated federal law on people and workers with disabilities.

**Michael Murray:**

Yeah, yeah. Absolutely. Well, and let's jump straight in. What is 14(c)? What is the Fair Labor Standards Act?

**Serena Lowe:**

So 14(c) is very ambiguous provision in the Fair Labor Standards Act which was signed into law back in 1938 by then President Franklin D. Roosevelt. And it was intended at the time to promote and encourage private companies who were seeing labor shortages but were hesitant about hiring veterans who had come back from armed conflict with significant disabilities, whether they be physical or mental or cognitive in nature. And it was to really try to encourage employers, large employers to hire these veterans back into the generic workforce. But that was over 80 years ago. Our economy was very different then.

**Michael Murray:**

80 years ago.

**Serena Lowe:**

There was no dot-com. There were no computers. It was a very different time. Just to give you a sense of how long ago that was, that was the year that *Snow White* came out for the first time ever by Disney.

**Holly Carmichael:**

Wow.

---

---

**Serena Lowe:**

That was the year that Dupont came out with this new exciting synthetic fiber known as nylon. Okay? This was a really long time ago, and this provision has gone unchanged since the law was enacted. And what it allows is not only private companies but non-profit entities and schools that operate work programs to receive a special wage certificate that allows them to hire people with disabilities and pay them under the federal minimum wage.

And it's based upon a very convoluted productivity scale that is also very outdated, something that was like around when some of our first great thinkers during the Industrial Revolution were trying to measure productivity. There were these scales and tests that they created to time people. And it's a very narrow and rigid way of looking at one's productivity level, and it's something that nobody is required to do now to get a job or to justify receiving a wage that's minimum wage or higher except for workers with significant disabilities.

**Michael Murray:**

Yeah.

**Holly Carmichael:**

So Serena, we heard Sunny use a few terms like sheltered workshop and you reference the subminimum wage. What are other terms that are used around 14(c) that listeners should be aware of? And how low can these wages actually go?

**Serena Lowe:**

Great question. So the term she used known as sheltered workshops are typically run by non-profit, community-based organizations. Some that you might be familiar with in your local neighborhood might be Goodwill or an Easter Seals or Industries for the Blind. They're usually large warehouses. If you were to walk in, you'd see something that actually looks a lot like 1938, people doing what's known as piecemeal work, sitting at tables, lots of people with disabilities sitting around doing widget work, work that you would see in a traditional factory in a lot of cases. And that's what's known as a sheltered workshop, and that's the term that has been used to describe these places.

It's not the only place that you see subminimum wages though. There's a national pizza chain that shall remain unnamed in this that continues to still hold onto a few 14(c) subminimum wage certificates in the country to support people who are back there just like other kitchen workers, helping wash dishes and make pizzas. And they're paying them subminimum wages.

And to your question, how low it can be, we know that there are people who have been paid 16 cents for a day's work or less than \$20 for two weeks of work full time. So it really varies, and it's the holder of the special wage certificate, the employer has a lot of autonomy in determining what gets paid, again, based on this very archaic and old way of determining one's productivity level.

---

---

**Michael Murray:**

Yeah. And that no one else is using anymore. Like literally nobody else is—if you were to look at my productivity using this scale, nobody would continue to work. It's ridiculous.

**Serena Lowe:**

Yeah. Imagine you go into a store, a Target, and you go around and start asking people to demonstrate their productivity as a requirement for being onboarded in the job. You'd have an uprising and rightfully so. We've come very far away in terms of labor rights in this country except for this one particular population.

**Michael Murray:**

What were you going to say, Holly?

**Holly Carmichael:**

I've seen some of these time studies that are used. It's almost as if they treat the human body as if it's a machine. Like how long does it take to move your arm this far or pick up one piece here. And you're right. It's outdated, it's antiquated, it's no longer used except for if you have a disability.

**Michael Murray:**

And the reality is that those of us with disabilities are contributing incredible things to the workforce with innovation, creativity, new ideas, new perspectives. And I think, as you said, Serena, we're doing the work. We're doing the same work that other people are doing and getting put to a different standard and then getting paid less for the standard that nobody else is being held to. And I think simply put, this is wrong. It's wrong in so many different ways.

And I think maybe we'd love to just hear—Sunny talked a little bit about some of the problems that exist—but I'd love to hear some of the other things. What are some of the staffing problems, the funding sources problems? She talked about abuse and neglect that's happening in these places. Have you seen other things like that? Some of the fraud that you've seen happen? Any of those kinds of larger issues?

**Serena Lowe:**

Yeah, definitely. Just looking back at the law again and what it was intended to do, it was based on very low expectations of people's competencies, capabilities, and even interests among workers with disabilities. And that same dichotomy and kind of framework is what has led to several paternalistic systems in our country that continue to confine people into a very segregated set of circumstances where they're really lacking in autonomy to live, work, or thrive in the same ways that we do.

In terms of the sheltered workshops and some of Sunny's experiences, they are things that we've heard in other places. A real misnomer actually about sheltered work is that part of the issue is that there's not enough funding. The sheltered workshop industry is over a \$2 billion industry in this country. And by the way, that is federal tax dollars and state tax dollars going into those. It's not fueled by private sector funding. It's your tax dollars that are going into perpetuating a system that basically, again, is a little step

---

---

higher than I guess adult daycare in that people with disabilities are kind of pipelined from the school system on to spend their days there.

And so what you've created now is a very large, very powerful lobby of providers of these sheltered workshop entities that don't want for economic reasons to do anything else. It's become quite a lucrative industry over the course of several decades. And every time, they lose someone who might go onto do something else like Sunny did, that's less money coming into their system. So there's a built-in disincentive to ever help someone maybe move onto competitive, integrated employment.

**Holly Carmichael:**

Yeah. Well, that kind of leads us to our next question, but I think I know the answer. But have you ever seen a way that this is done well? Are there good subminimum wage providers? Are there situations where this is actually helpful? And if 14(c) were to end and sheltered workshops were closed, what impact might that have?

**Serena Lowe:**

Well, that's an interesting question. I have to answer it a little bit from a philosophical viewpoint. You either believe in a minimum wage for all - and that means all workers - or you don't. So there is no example of someone being paid subminimum wage in this country that isn't demoralizing, dehumanizing, and basically violating their right to participate in the workforce like the rest of us.

But then to your point, like let's look at it at a psychological level. If you're paying someone subminimum wages, it means you do not value your contributions at the most minimal level. And so what do you think that does to a person throughout their life or their career, what have you?

Again, we know what the studies say. From a very small age on the way up to throughout our lifespan, people respond better through positive reinforcement. And paying them subminimum wages basically tells them you don't value them. And so I would argue no, I've never really seen it in a situation where it worked or was helpful.

**Michael Murray:**

Well, and I also think on the broader sense, there is a real impact to society when an employer who could pay someone a living wage in competitive, integrated employment chooses to pay someone subminimum wage. In that employer's mind and in all of our minds, we're saying it is okay for us to devalue the contributions that those of us with disabilities bring to the workforce.

And so I think, like you said, Holly, we know the answer to this question, but I think it's important to ask the question. But I also think that there are proponents who would say, well, if you take this away, then my kid or my son or daughter won't have anywhere to go during the day. And I think that we have to address that and look at that in the face and talk about that here because I don't think that sheltered work is actually the solution for that. So let's talk about that, Serena.

---

---

**Serena Lowe:**

Yeah. So two thoughts on that. First is breaking the myth that there isn't something better or that this is a good contribution to society or what have you. There's been research out since the early 2000s showing that not only do individuals receive more money in supported employment over subminimum wage employment or sheltered work but that they contribute then as taxpayers. They pay back into the community.

**Michael Murray:**

We're the only group of people that actually want to pay taxes!

**Serena Lowe:**

Right. That's true. And that their reliance on public benefits decreases because they need less support over time. I do think and I empathize with families who feel like there isn't any other option out there, and I wish I could tell you that our publicly finance systems have built really strong models and options for people across the country. The fact of the matter is that we haven't invested in evidence-based practices like customized employment where you spend time getting to know the person in their natural surroundings, picking up on things they're strong at and good at and excited about, and then you work with employers to negotiate a job based on unmet needs that an employer has that this person would make a great fit to. We don't invest as much into that as we do.

But where we have made investments since 2000, we've seen tremendous progress, and it tends to be the families that really push for more for their young, loved ones. I mean out of the school system to have access to integrated work experiences and apprenticeships and internships and the same things the rest of us do that tend to get out of this paradigm and are offered other options. So there are really great evidence-based strategies out there that are working. But systemically, we have to change the tide of our investments. That old adage or saying of you get what you paid for is absolutely right. And if we continue to keep paying for these really old antiquated systems that are based on thinking about people from very low expectations—

**Michael Murray:**

Well, and we have invested as GT, we've invested in some incredible solutions, research-based solutions. Sunny talked about one of them. Holly, talk to us about self-determination and also about GT and Project Search.

**Holly Carmichael:**

Yeah. I mean self-determination and self-directed services in general are such a—it's been shown from an evidence-based standpoint to be effective and work well for individuals because it's not a one-size-fits-all. It's not a come to this congregate setting, 100 people crammed into a room. It's individualized. It's based on that person's desires and wishes. And whether that's to pursue full-fledged competitive employment or to volunteer or to just be a part of their community, you get to choose that and who does that and how that happens.

---

---

We also are very proud to participate and sponsor our Project Search site. It's an internship opportunity to actually gain real work experience and strive for competitive employment post-graduation for students with disabilities. And so I think we're in our sixth or seventh year. It's always a great time for me to attend the graduation ceremonies and hear the stories of the different opportunities. Our partner is a medical facility, Gundersen Health. So there's lots of different medical-based jobs that students gain experience in and have an opportunity to learn. You're certainly not—Sunny describes this segregated site. It's fully integrated and a part of the community just as things should be.

**Michael Murray:**

And it's just one example of hundreds of different best practices that we know exist out there. And when you give us, as people with disabilities, the opportunity to engage in the work environment and get experience, what do you know? We end up being able to do the job and end up doing really great things. I mean I'm proud to say here at GT, 10% of our employees are people with disabilities.

When we committed as the federal government back in the Obama administration to hire 100,000 people with disabilities over five years, we did it, and it was because people made the commitment. When you commit to those of us with disabilities and recognize the contributions that we bring, we will deliver. And so I think that that this antiquated 14(c) is an example of a solution that no longer works. There are so many other solutions that work.

**Serena Lowe:**

Yeah. I would just say I think Congress has heard this and seen it enough that they have also taken steps in some respects through the passage of the Workforce Innovation Opportunities Act in 2014 to try to promote invest more in these practices and these other options and strategies. And because of that, we've seen a huge decrease in the number of 14(c) certificates and workers with disabilities in there. Just since 2018, the number of 14(c) certificates in the country have decreased by 50%, and the number of people on these certificates have decreased from 124,000 to a little over 52,000.

**Michael Murray:**

That's great news.

**Serena Lowe:**

And so we're seeing this investment. It's because a lot of states have started to say, look, we want something different. We're going to start paying for different things. But it is important to go back to that connection between self-direction and economic advancement or independence.

You heard Sunny say no one had ever asked her what she wanted to do or what her dream job was. No one ever asked her. They just said this is where you're going to go, and she was in a prison. And she felt like because of self-direction, she got her life back is what she said. And I mean I've heard that probably thousands of times from individuals with disabilities who once they finally got a chance to show themselves as a human being, get to show up for their own life and make some choices of their own were



---

---

able to get a job, get their own apartment, make friends on their own. And that's the kind of work that I think we all want to continue to be a part of over time.

**Holly Carmichael:**

Yeah. No, that's well said. With self-direction being one of the solutions, are there others that of to deal with subminimum wage kind of in the meantime while it still is a thing?

**Serena Lowe:**

Absolutely. There's a few things. Number one, if you're listening and you're a person with disabilities who's trying to find work and doesn't want to be in a sheltered workshop or just hasn't had the opportunity yet to work or if you're a family member, I really encourage you to do some research of providers in your community but also thinking about your own natural supports, friends, family who are employers and see what you can do to try to come up with a work plan for the individual, for them to pursue a career path like everyone else. Get some training, some experience, some exposure.

And if you're a policymaker, look at the 10 states who have already made the leap in prohibiting 14(c) certificates and see how they're doing it. They're investing in these other models that really take one person at a time and try to provide them the supports they need to be an effective employee in the economic mainstream. We all need support, and supported employment, that is a term used to talk about a framework of really supporting people with disabilities in however they need to complete a job. But we all need support.

**Michael Murray:**

Yeah, that's right.

**Serena Lowe:**

Some of us are parents and need supports and flexibilities with our kids. Some of us have healthcare issues. And really all we're asking for is parity for workers with disabilities, not even anything extra. Just give them the opportunity to show you what they can do.

In terms of what people can do, if you are an employer or if you're looking to give back, become a mentor of an individual with a disability, young person with a disability, employ someone with a disability, give them an internship or a work-based learning opportunity, call your local VR system, vocational rehabilitation agency. Say "I'd like to start working with some people with disabilities."

Talk to your policymakers at a state and federal level. Tell them you don't want your tax dollars going to things that pay people subminimum wages and basically take advantage and exploit workers with disabilities.

And then last but not least, support some organizations that are doing the good work out there one person at a time either by helping people through self-direction or through customized or supported employment

---

---

practices, but helping them get into the economic mainstream, become a valued employee like the rest of us, and setting the course and destination for their own life.

**Holly Carmichael:**

Yeah.

**Serena Lowe:**

Those are just some top level things. We all can do something to support this.

**Holly Carmichael:**

And that's what we all want, to pursue our own dreams. I think you said it well. Nobody even asked Sunny.

**Michael Murray:**

Yeah. Serena, thank you so much for joining us today. I really enjoyed this conversation and all of the amazing work that you've done for those of us in the disability community in this fight for equality and for justice and for parity. I just love what you said about parity.

**Holly Carmichael:**

It was beautiful. Thank you for coming on and sharing your expertise and shedding light on this important issue. I think you gave our listeners some real concrete things and ways they can approach this differently and really highlighted how just old and archaic and just dehumanizing it is to say you're less than and we're going to pay you so little.

**Michael Murray:**

Yeah.

**Holly Carmichael:**

It's not okay.

**Michael Murray:**

It's not okay. And for those of us with disabilities, we're going to get paid in competitive, integrated employment. We're going to fight for this, guys. And I am stoked. I am excited. Ten states down, and we're going to see federal legislation. The next time that we have Serena on, we're going to be celebrating the fact that 14(c) of the Fair Labor Standards Act is no longer a thing. So I just see that in the future. And with all of our listeners joining together to fight for this, we're going to see change. So Serena, thank you, and we look forward to—

**Serena Lowe:**

Thank you very much for having me. I look forward to coming back and celebrating that change.

**Holly Carmichael:**

Absolutely.

---

---

**Michael Murray:**

We always like to give you, our listeners, three different ways that you can make an impact on an issue, a way that you can have an impact as an individual, a way that you can have a systematic impact on the particular issue that we're talking about, and then we want to tell you about a great organization who's making a difference.

As we heard from Sunny at the beginning of this interview, we have a responsibility to ensure that sheltered workshops are not the default choice for those of us with disabilities. If you're a schoolteacher, a social worker, a counselor, you may not have responsibility to decide whether someone's going to a sheltered workshop, but you can help people explore other options and ensure that those of us with disabilities and family members don't think that this is the only option that's before us. We would encourage all of you and just anybody who's listening to this to talk to folks to ensure that they know that hey, 14(c) still exists and that you don't think that this is an appropriate way for those of us with disabilities to be treated in our society and it doesn't lead to inclusive environments.

**Holly Carmichael:**

The second thing you can do is help drive for systematic change. Over the years, there have been numerous attempts to try to change or eliminate section 14(c) at the federal level. In 2001, for example, Representative Johnny Isakson introduced H.R.881. This would have prevented 14(c) certifications to be issued for a payment of subminimum wage to people who are vision impaired. But no action was taken. More recently, the Raise the Wage Act was introduced in the House, H.R.582 by Representative Bobby Scott, which would have stopped the issue of special certificates for subminimum wage after seven years. It passed the House but later died in the Senate without being enacted into law. And the most recent attempt is the Transformation to Competitive, Integrated Employment Act also known as H.R.2373, which was just introduced in April 2021.

Our best course of action right now and what we're encouraging all of our listeners to do is contact your Representatives in Congress. Let them know your thoughts on 14(c). Share what you heard of Sunny's story and encourage them to support H.R.2373. We must be vigilant. If our members of Congress know what you care about, they're more likely to do something about that. We have some links on our website at [GTIndependence.com](http://GTIndependence.com) that will help give you the contact information for your members of Congress if you just simply put in your address, go there, get their phone number, get their email address, contact them, let them know how you feel about people with disabilities being paid less than minimum wage.

**Michael Murray:**

And last but not least, we want to give you an organization that you can support. Today we're supporting the Collaboration to Promote Self-Determination. It's a leading national advocacy organization on the topic of 14(c). They envision a world where every adult living with a disability, particularly intellectual and developmental disabilities, has an opportunity to live independent, productive lives and self-directed lives through self-determination. They're actively working to eliminate 14(c) and building systems that encourage an integrated employment. So we'd encourage you guys to go and check them out. They'll be

---

---

on our website. Again, to all of our listeners, thank you for being a part of the Disability Garrison. Thank you for being a part of this fight for justice and equality. We are proud to stand alongside you.

**Conclusion:**

Hi, I'm Abby, executive producer of The Disability Garrison. Our podcast is sponsored by Podbean. Podbean is the easiest way to create your own podcast. They provide everything you need to run your show, and you can record and publish episodes directly from the app on your phone. Download the free Podbean app today. Head on over to Podbean at [Podbean.com](https://podbean.com) and use the code PODCAST21 for your first 30 days of hosting free. that's P-O-D-B-E-A-N and code PODCAST21. Thanks for listening.

RECORDING ENDS