

# NEVADA COMMISSION FOR PERSONS WHO ARE DEAF AND HARD OF HEARING

## (DRAFT) Position on Employment Equality for People who are Deaf/Hard of Hearing

The fight for employment equality for individuals with disabilities, including those who are deaf or hard of hearing, has been a longstanding civil rights issue. Historically, people with disabilities have faced systemic discrimination in the workforce, including wage disparities, limited job opportunities, and exclusion from career advancement. The Fair Labor Standards Act (FLSA) of 1938 included a provision that allowed employers to pay individuals with disabilities subminimum wages, reinforcing economic inequality.

The Americans with Disabilities Act (ADA) of 1990 was a landmark law prohibiting employment discrimination based on disability. However, the persistence of subminimum wage laws under Section 14(c) of the FLSA has continued to allow workers with disabilities to be paid below the federal minimum wage. In recent years, disability advocates and policymakers have called for the elimination of this outdated and inequitable practice, advocating for fair wages and inclusive employment policies.

**The Nevada Commission for Persons who are Deaf and Hard of Hearing stands firmly in support of employment equality, advocating for the end of subminimum wages and the establishment of fair compensation for all individuals, regardless of disability status.**

### Ensuring Equal Pay for Equal Work

People who are deaf or hard of hearing must have equal opportunities to earn competitive wages. The Commission supports:

- Amending Nevada Revised Statutes (NRS) to mandate that individuals with disabilities receive the same pay as those without disabilities for equivalent work.
- Ending Subminimum Wages: As of 2025, no new contracts will allow employers to pay workers with disabilities below minimum wage.
- Full Phase-Out by 2028: Ensuring that all workers currently under subminimum wage contracts transition to competitive, integrated employment at or above the minimum wage by 2028.
- Expanding Employment Opportunities: Promoting inclusive hiring practices and increasing access to workforce development programs for individuals who are deaf or hard of hearing.

### Policy Recommendations:

To advance employment equality for individuals who are deaf or hard of hearing, the Commission recommends:

1. **Legislative Action:** Amend Nevada labor laws to prohibit subminimum wages and ensure wage parity for individuals with disabilities.
2. **Employer Incentives:** Provide tax credits and financial incentives to businesses that hire and retain individuals who are deaf or hard of hearing at competitive wages.
3. **Workforce Development:** Invest in training and apprenticeship programs that support individuals who are deaf or hard of hearing in gaining meaningful employment.
4. **Transition Support:** Develop resources and programs to assist businesses in

transitioning from subminimum wage models to competitive, integrated employment.

5. **Accountability Measures:** Implement monitoring systems to ensure compliance with wage equity laws and address violations effectively.
6. **Public Awareness Campaigns:** Educate employers and the public on the economic and social benefits of inclusive employment policies.

**Proposed Next Steps (Call to Action):** To ensure equal pay and employment opportunities for people who are deaf or hard of hearing, the Nevada Commission urges:

- **Immediate Policy Changes:** Work with state legislators to pass laws eliminating subminimum wages and ensuring wage parity.
- **Employer Engagement:** Collaborate with businesses to promote inclusive hiring practices and provide resources for workplace accessibility.
- **Community Education:** Launch initiatives to raise awareness about employment rights and opportunities for individuals who are deaf or hard of hearing.
- **Funding Expansion:** Advocate for state and federal funding to support workforce development and transition programs.
- **Ongoing Monitoring and Reporting:** Establish oversight mechanisms to track progress in employment equity and address areas of non-compliance.

**Conclusion:** Economic equality is a fundamental right that must be upheld through fair employment practices and equitable wages. The Nevada Commission for Persons who are Deaf and Hard of Hearing is committed to advocating for policies that ensure individuals with disabilities receive fair compensation and access to meaningful career opportunities. Policymakers, employers, and community leaders must take decisive action to eliminate wage disparities and create a more inclusive workforce for all Nevadans.