

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for  
2 Senate Bill No. 289, Page 1, Section A, Line 3, by inserting after all of said section and line the  
3 following:  
4

5 "178.935. 1. For the purposes of this section, the following terms mean:

6 (1) "Certificate", authorization issued to employers by the department to pay special wages  
7 to workers who have disabilities for the work being performed;

8 (2) "Commensurate Wage", a wage paid to a disabled person when his or her disability  
9 impairs his or her productive and earning capacities for the work being performed. The wage shall  
10 be commensurate with the worker's productivity as compared to the wage and productivity of an  
11 experienced worker who is not disabled.

12 2. Notwithstanding any provision of law to contrary, the department, to the extent necessary  
13 to prevent the curtailment of opportunities for employment, shall provide for the employment, under  
14 special certificates, of disabled persons at sheltered workshops, at wages which are:

15 (1) Lower than the wage rate applicable under sections 290.500 to 290.530;

16 (2) Commensurate with those paid to nondisabled workers, employed in the vicinity in  
17 which the persons under the certificates are employed, for essentially the same type, quality, and  
18 quantity of work; and

19 (3) Related to the person's productivity.

20 3. The department shall not issue a certificate under subsection 2 of this section unless the  
21 sheltered workshop provides written assurances to the department of the following:

22 (1) In the case of persons paid on an hourly rate basis, wages paid in accordance with  
23 subsection 2 of this section shall be reviewed by the sheltered workshop at periodic intervals at least  
24 once every six months; and

25 (2) Wages paid in accordance with subsection 2 of this section shall be adjusted by the  
26 sheltered workshop at periodic intervals, at least once each year, to reflect changes in the prevailing  
27 wage paid to experienced nondisabled persons employed in the locality for essentially the same type  
28 of work.

29 4. Notwithstanding the provisions of subsection 2 of this section, no sheltered workshop  
30 shall be permitted to reduce the hourly wage rate prescribed by certificate under this section of any  
31 disabled worker for a period of two years from such date without prior authorization from the  
32 department."; and

33  
34 Further amend said bill by amending the title, enacting clause, and intersectional references  
35 accordingly.

Action Taken \_\_\_\_\_ Date \_\_\_\_\_