

DISABILITY RIGHTS MAINE

February 6, 2019

Senator Shenna Bellows, Chair
Representative Mike Sylvester, Chair
Joint Standing Committee on Labor and Housing
Cross Office Building, Room 202
Augusta, Maine 04333

Re: L.D. 122: An Act To Prohibit an Employer from Asking a Prospective Hire about the Person's Compensation History until after a Job Offer Is Made;
L.D. 123: An Act To Prohibit the State from Asking a Prospective Hire about the Person's Compensation History until after a Job Offer Is Made; and
L.D. 278: An Act Regarding Pay Equality.

Dear Senator Bellows, Representative Sylvester, and Members of the Joint Standing Committee on Labor and Housing;

Thank you for the opportunity for Disability Rights Maine (DRM) to provide testimony in support of these three important pieces of legislation.

According to the Maine Department of Labor, from 2012 through 2016, an average of 208,850 persons with one or more disabilities resided in Maine, equal to about 16 percent of our civilian non-institutionalized population of 1.3 million. This proportion was higher than that of the United States, where an estimated 12.5 percent of residents had a disability. An estimated 14 percent of Maine's working-age population had one or more disabilities. Thirty-two percent of these individuals were employed, compared to 80 percent of the working-age population without a disability. Maine's 32 percent employment to population ratio among working-age adults with disabilities was lower than the U.S. ratio of 35 percent.¹

¹ <https://www.maine.gov/labor/cwri/disabilities/index.html> The Maine Workers with Disabilities web page and interactive tables are modeled after a grant-funded publication entitled Snapshot: Maine Workers with Disabilities. The annual Snapshot was a product of the CHOICES CEO (Comprehensive Employment Opportunities) project funded by a grant to Maine's Department of Health and Human Services from the Center for Medicare and Medicaid to expand work opportunities for people with disabilities.

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MAINE'S PROTECTION AND ADVOCACY AGENCY FOR PEOPLE WITH DISABILITIES

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Pay Equality

When we are employed, workers with disabilities tend to earn less than workers with no disability. From 2012 to 2016, median earnings of Maine workers with disabilities were \$17,611 in a twelve-month period, compared to median earnings of \$30,390 among Maine workers with no disability. The earnings gap between Maine and U.S. was more pronounced among earners with disabilities. The median for Maine earners with disabilities was \$3,900 less than the comparable national median, compared to a gap of \$2,000 between earners without disabilities.²

When workers with disabilities are hired, they are often paid minimum wage, and sometimes less. The gap between what workers without disabilities earn compared with what workers without disabilities earn grows over time. Workers with disabilities who have at least a high school education earn 42.1 percent less on average than our peers without disabilities. So, if the next employer bases a salary on the previous one that a person with a disability was earning, the disability pay gap will continue to grow.

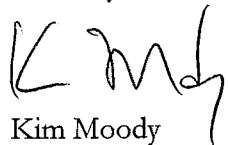
Additionally, when people with disabilities are asked to disclose their previous income, they are often in a position of having to disclose that they were receiving Social Security Disability Income or Supplemental Security Income or were not working due to disability related health care needs or hospitalization or institutionalization. This opens them up to potential reduced pay to be sure, but also to potential disability based employment discrimination.

People with disabilities want to work and to earn an income and we need to change our practices to encourage people with disabilities to work. We also need to pay people with disabilities the same as their co-workers doing the same jobs. This bill will help people with disabilities to work and to close the pay gap.

I hope you will pass pay equality legislation and join four of the other New England States in protecting people with disabilities as well as women, people of color and other protected classes.

Thank you for your time.

Sincerely,



Kim Moody
Executive Director

² <https://www.maine.gov/labor/cwri/disabilities/index.html> 2012-2016 ACS, Table B18140; Data for Maine Workers with Disabilities are derived from multiple primary and secondary sources. The primary source for descriptive characteristics is the American Community Survey (ACS) conducted by the U.S. Census Bureau and accessed from the Census Bureau's American Factfinder portal or from Integrated Public Use Microdata Series (IPUMS-USA).