



# **Employment of People with Disabilities** through FLSA Section 14(c)

#### **How Goodwill Operates**

Donors play a vital role in Goodwill's ability to fulfill its mission of helping people go to work. To pay for its programs, Goodwill sells donated goods and other household items in nearly 2,800 stores and on the auction site *shopgoodwill.com*®.

### **Highlights from 2012**

- 6.7 million people served
- 134 million services provided
- 216,000 people placed
- \$4.89 billion in generated revenue
- 82% revenue spent on programs
- 165 independent, community-based member organizations in the United States and Canada, with affiliates in 13 other countries.

#### **Abstract**

Goodwill Industries International provides job training and placement services to millions of people in the United States and Canada every year, including 6.7 million in 2012 alone. Many of those who receive these services have disabilities that limit their productivity, making it hard for them to find work.

Goodwill<sup>®</sup> believes that work is a valued activity that enables people to participate fully in their lives. Unfortunately, those with significant disabilities have limited job opportunities, which would be even more limited if not for a special provision in the Fair Labor Standards Act (FLSA).

Section 14(c) of the FLSA allows employers to pay wages below the federal minimum to employees who have disabilities that directly affect their job performance. Employers are able to do this through a special minimum wage certificate obtained from the U.S. Department of Labor's Wage and Hour Division.

This paper provides an overview of Section 14(c), discusses why preserving the tool is important to individuals with disabilities and to Goodwill, and provides recommendations to strengthen the use of special minimum wage certificates.

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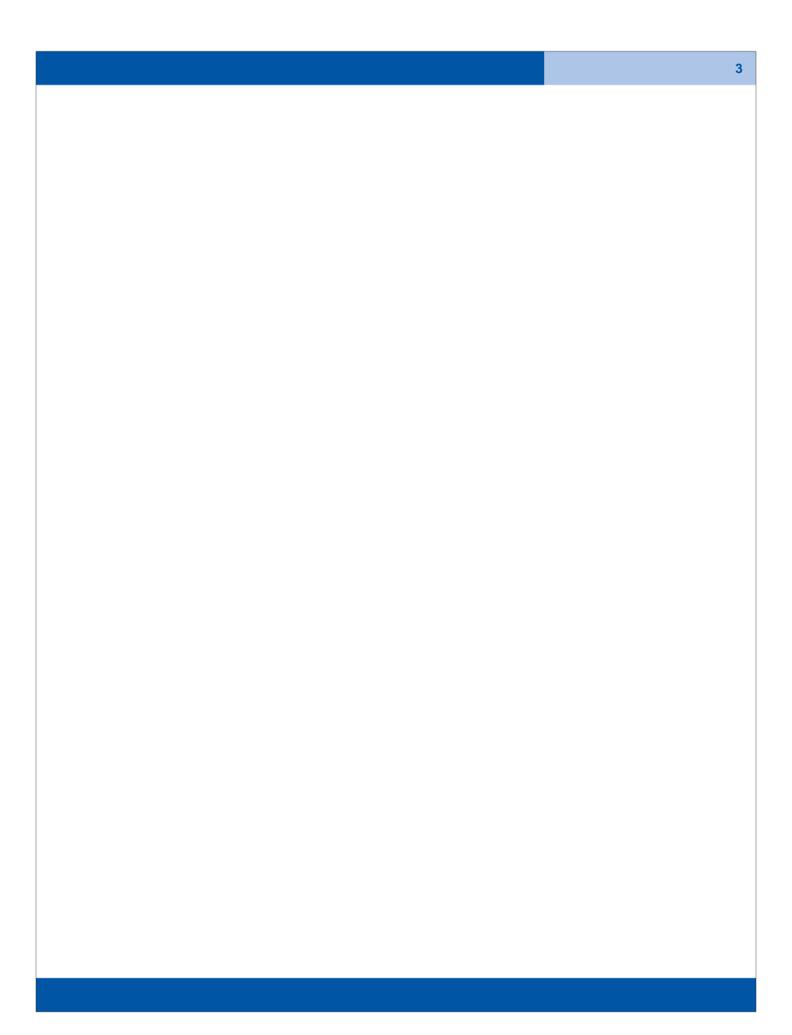
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# Introduction to FLSA Section 14(c)

Section 14(c) of the Fair Labor Standards Act (FLSA) helps people with disabilities compete for jobs. It grants employers who receive a certificate from the U.S. Department of Labor's (DOL) Wage and Hour Division (WHD) to pay special minimum wages to employees who have disabilities if their disabilities directly impact their ability to perform on the job. The original intent of Section 14(c) can be traced back to the National Industrial Recovery Act (NIRA) of 1933–1935.

The NIRA established a productivity-based wage arranged through a system of certificates for persons with disabilities. In competitive industry, such workers were payable at 75 percent of the industry minimum. In center-based work centers<sup>3</sup>, there was no wage floor. In 1938, the passage of the FLSA reestablished the certification system under Section 14.<sup>4</sup>

Also under Section 14(c), the special minimum wage rate must be commensurate with those rates paid to workers without disabilities in the region for essentially the same type, quantity and quality of work. Employers must obtain a special minimum wage certificate to pay commensurate wages and provide written assurances that they will review wage rates for individuals paid on an hourly basis at least once every six months. In addition, employers must review the wages of all employees at least annually to reflect changes in the prevailing wages paid to experienced workers without disabilities for essentially the same type of work. The special minimum wage certificate applies to all employees who have disabilities that affect the work they perform.

Any employer seeking to obtain a special minimum wage certificate must submit an Application for Authority to Employ Workers with Disabilities at Special Minimum Wages (Form WH-226), and a Supplemental Data Sheet for Application for Authority to Employ Workers with Disabilities at Special Minimum Wages (Form WH-226A) to DOL. Form WH-226 requires the employer to report information about the work to be performed, the prevailing wage surveys conducted and the productivity evaluations conducted to establish the commensurate pay rates. In addition, if workers will be paid a commensurate wage subject to the McNamara-O'Hara Service Contract Act, the employer must also provide data regarding the contract work. Form WH-226A requires the employer to list the names of individuals who will be paid these wages, identify their disabilities that affect productivity and report their average earnings. Certificate renewals are submitted on the same forms WH-226 and WH-226A.

<sup>&</sup>lt;sup>1</sup> The special minimum wage may be less than the federal minimum wage or can also be above the federal minimum wage but less than the prevailing wage. For purposes of payment of commensurate wage rates under a certificate, a worker with a disability is defined as an individual whose earnings or work productivity capacity is impaired by a physical or mental disability, including those related to age or injury, for the work to be performed. Disabilities that may affect an individual's productive capacity include blindness, mental illness, mental retardation, cerebral palsy, alcoholism and drug addiction. The following do not ordinarily affect productive capacity for purposes of paying commensurate wage rates: educational disabilities, chronic unemployment, receipt of welfare benefits, nonattendance at school, juvenile delinquency, and correctional parole or probation. 29 CFR Ch. V §525.3.

<sup>&</sup>lt;sup>2</sup> The NIRA was declared unconstitutional in 1935.

<sup>&</sup>lt;sup>3</sup> Center-based work centers are also referred to as facility-based work centers or by the pejorative term sheltered workshops.

<sup>&</sup>lt;sup>4</sup> Treatment of Workers with Disabilities Under Section 14(c) of the Fair Labor Standards Act, William G. Whittaker, Congressional Research Service (2005).

<sup>&</sup>lt;sup>5</sup> 29 CFR Ch. V §525.1.

Prior to issuing a special wage certificate, the WHD considers the following criteria:

- 1. The nature and extent of the disabilities of the individuals employed as the disabilities relate to the individuals' productivity.
- 2. The prevailing wages<sup>6</sup> paid to experienced employees without disabilities for comparable work in the same region and industry.
- 3. The productivity of the workers with disabilities compared to the norm established through the use of a verifiable work measurement method<sup>7</sup> or the productivity of experienced workers without disabilities employed in the vicinity on comparable work.
- 4. The wage rates to be paid to the workers with disabilities for work comparable to that performed by experienced workers without disabilities.<sup>8</sup>

Workers covered by the special wage certificate and their guardians, as applicable, shall be informed orally and in writing of the terms of the certificate. In addition, every employer shall at all times display a poster that explains the conditions under which special minimum wages may be paid or provide a copy of the poster directly to all employees subject to the terms of the certificate.

The DOL has identified four different establishments that may obtain special minimum wage certificates. It has issued certificates or has certificates pending with 3,443 employers. These include 2,783 work centers, 148 hospitals/residential care facilities, 174 business establishments and 338 school–work exploration programs.<sup>9</sup>

The establishments are defined as follows:

- Work Centers: Also known as Community Rehabilitation Programs (CRPs) and formerly referred to as sheltered workshops, work centers have historically provided rehabilitation services, day treatment, training and employment opportunities at their facilities to individuals with disabilities. Work center certificates are effective for two years.
- Hospitals/Residential Care Facilities: If a hospital or residential care facility places patients in jobs at local businesses, it must either obtain a work center certificate or ensure that the business establishment has its own certificate if it will pay the worker a commensurate wage. Hospital/residential care facility certificates remain in effect for two years.

<sup>&</sup>lt;sup>6</sup> A "prevailing wage" is a wage paid to an experienced worker without disabilities for the work to be performed. There is no prescribed method for tabulating the results of a prevailing wage survey; however, the DOL and regulations provide guidance on determining wages. The prevailing wage must be based upon work using similar methods and equipment. 29 CFR Ch. V §525.10.

<sup>&</sup>lt;sup>7</sup> The DOL and regulations provide guidance on work measurement methods such as stop-watch time studies, predetermined time systems, standard data, and more. 29 CFR Ch. V §525.12 (h).

<sup>&</sup>lt;sup>8</sup> 29 CFR Ch. V §525.9.

<sup>&</sup>lt;sup>9</sup> Wage and Hour Division, "Subminimum Wage Provisions," (accessed March 31, 2013) <u>www.dol.gov/whd/specialemployment.</u>

- 3. **Business Establishment:** A business establishment may obtain a special minimum wage certificate that expires annually. If the establishment has multiple facilities, the business must obtain a certificate for each establishment where a worker with disabilities will be employed at the special minimum wage rate. If a work center places an individual with a disability at the business, supervises the work and carries the payroll, however, the business establishment does not need a certificate. Such placements are called supported employment<sup>10</sup> or enclave worksites.
- 4. **School–Work Exploration Programs:** These programs place students with disabilities at work sites in the community. Schools administering the program obtain the certificates rather than the work sites, and the certificates expire annually.

According to a 2001 Government Accountability Office (GAO) report, "Almost all work centers provide a range of support services designed to enable 14(c) workers to obtain and perform their jobs, such as close supervision and transportation services. Many work centers also provide support services that may benefit 14(c) workers outside the workplace, such as speech therapy and psychological counseling." If those employers had to employ all of their current Section 14(c) workers at minimum wage, not only would payroll costs skyrocket, but the work centers would no longer be able to provide additional supports.

At the time of the report, approximately one-third of all workers paid special minimum wages by work centers had mental disabilities or other developmental disabilities as their primary impairment, and 46 percent had multiple disabilities. About 70 percent of those workers were found to be less than half as productive as workers without disabilities performing the same jobs. Eighty-six percent of the workers were employed part time. Since the 2001 study, the government has increased the federal minimum wage, and some states now have even higher state minimum wages. This means that the average special wage rate has also increased since 2001.

Workers with disabilities paid at special minimum wages may petition the WHD administrator for a review of their wage rates by an administrative law judge. This requires no particular form of petition except that it must be signed by the worker or his or her guardian and should contain the name and address of the employer. Upon receipt, petitions are immediately forwarded to the chief administrative law judge, who shall, within 10 days of receipt, appoint an administrative law judge to hear the case. The administrative law judge will set a hearing no more than 30 days after being assigned the case. All parties involved will receive notice of the hearing. In all matters relating to the propriety of the wage at issue, the burden of proof rests with the employer. The administrative law judge shall issue a decision within 30 days of the hearing. Within 15 days of the decision, any of the parties may request review by the secretary of labor.

<sup>&</sup>lt;sup>10</sup> Supported employment assists people with the most significant disabilities in becoming and remaining successfully and competitively employed in integrated workplace settings. People with significant disabilities for whom competitive employment has not traditionally occurred, has been interrupted or is intermittent because of the disability, or who, because of the severity of the disabilities, need intensive or extended support services to work competitively, are commonly employed through supported employment. Supported employment provides assistance such as job coaching, transportation, assistive technology, specialized job training and individually tailored supervision.

<sup>&</sup>lt;sup>11</sup> GAO-01-886, September 4, 2001.

# FLSA Section 14(c) and Goodwill

Goodwill Industries<sup>®</sup> is North America's leading nonprofit provider of employment training, job placement services and other community-based programs for people who have disabilities, lack education or job experience, or face other challenges to employment. In 2012,165 independent Goodwill agencies in the United States and Canada collectively provided employment training and job placement services to approximately 6.7 million people.

Goodwill agencies help to fund employment training, job placement and other community programs by selling donated clothes and other household items at more than 2,700 Goodwill stores and online at *shop*goodwill.com<sup>®</sup>. Many people with disabilities work in Goodwill stores. In addition, Goodwill agencies employ people with disabilities or other challenges to employment in the delivery of a wide variety of quality commercial services that are contracted to community partners, businesses and government. People employed by Goodwill's contracting services work in industries including customer relations, administrative support, document management, office administration, packaging and assembly, food service preparation, custodial services and groundskeeping.

Many local Goodwill agencies are authorized to use the special minimum wage certificate to employ workers with significant disabilities in retail stores and on contracts. These community-based or center-based jobs provide opportunities for individuals to work while benefiting from ongoing supportive services that help them maintain their job security and/or advance in their careers.

The work performed by the people Goodwill serves creates the economic energy that builds strong families and communities. Work helps build self-confidence, friendship and independence. Everyone deserves a chance to have those things in life. Goodwill Industries provides that chance.

Work is a valued activity that promotes independence and enables individuals to participate in the mainstream of life in the United States. According to the U.S. Census Bureau, about one in five U.S. residents (19 percent) reported some level of disability in 2010. Among those 56.7 million Americans with disabilities, 38.3 million, (or 12.6 percent) were classified as having severe disabilities. A March 2013 report from the U.S. Census Bureau found that people with disabilities are three and one-half times less likely to hold a job, compared with nondisabled Americans.

<sup>&</sup>lt;sup>12</sup> U.S. Census Bureau, "Americans with Disabilities: 2010," (July 2012) <a href="http://www.census.gov/newsroom/releases/archives/american\_community\_survey\_acs/cb13-47.html">http://www.census.gov/newsroom/releases/archives/american\_community\_survey\_acs/cb13-47.html</a>

<sup>&</sup>lt;sup>13</sup> www.census.gov/newsroom/releases/archives/american\_community\_survey\_acs/cb13-47.html.

## **Issues of Concern**

The high levels of unemployment faced by Americans, especially those with disabilities, in recent years has been an area of concern for Goodwill, other social service providers and stakeholders, including the National Council on Disability and the National Governors Association. The U.S. Bureau of Labor Statistics (BLS) reported that the official unemployment rate for people with disabilities (meaning those who have lost their jobs and those who are actively seeking employment) in May 2013 was 13.6 percent, compared to 7 percent for people without disabilities. Furthermore, only 20.7 percent of people with disabilities participated in the labor force, compared with 69.1 percent of people without disabilities, not seasonally adjusted. One in five adults living in the United States has a disability, and more than 22 million families nationwide contain one or more members with disabilities. Clearly, people with significant disabilities do not have enough employment opportunities, nor do employers have incentive to hire them.

Efforts to eliminate or phase out the use of the special wage certificate have been revised; however, outdated data makes it difficult to discuss alternatives. Simply eliminating or phasing out the use of the certificate could result in hundreds of thousands of people with disabilities losing their jobs. According to a 2001 GAO report, more than 5,600 employers paid special minimum wages to approximately 424,000 workers with disabilities by using the certificate. In 2009, the DOL stated, "Workers with disabilities receiving special minimum wages account for less than 0.04 percent of the estimated 130 million workers covered by the FLSA." Today, approximately 3,400 employers have an active or pending certificate, but it is unclear how many individuals are working under the certificates.

If employers were required to pay the federal minimum wage, individuals with significant disabilities would likely never be offered the opportunity to work. Once employers determined they were unable to meet production standards, they would be deemed not qualified for the jobs. Those individuals with significant disabilities who were offered an opportunity to work but were determined to be unable (with or without reasonable accommodations) to meet productivity standards likely would not be retained and would be replaced by persons with less significant disabilities or those with higher productivity capacity, (i.e., individuals who are able to meet the qualification and productivity standards with or without reasonable accommodations).

Without Section 14(c), people with significant disabilities deemed not qualified to work would be forced to stay at home, enter day habilitation centers (if a space were available) or live in institutions. In short, eliminating or phasing out the special minimum wage would likely result in many individuals with significant disabilities receiving no wages instead of earning special minimum wages. Furthermore, they would be denied the tangible and intangible benefits of work: independence, participation, dignity, self-esteem and sense of accomplishment, among others. In addition, such policy would likely result in "creaming" or "cherry-picking" (i.e., excluding those with the most significant disabilities in favor of those with more moderate impairments).

<sup>&</sup>lt;sup>14</sup>Statement of John McKeon, Deputy Administrator for Enforcement, DOL/WHD, before the Senate Health, Education, Labor and Pensions Committee, March 9, 2009.

As a group, individuals with the most significant disabilities experience staggering levels of unemployment and poverty. Reasons include discrimination, work disincentives, lack of adequate health care, and lack of adequate or affordable personal assistance services and supports. Many of these individuals experience significant work function barriers and/or employment activity limitations. Notwithstanding their disabilities, many of the individuals for whom competitive employment has not traditionally occurred are capable of employment when provided customized jobs, along with personalized services and supports on an ongoing basis, or on a recurrent basis when the manifestation of the impairment is episodic over an extended period of time.

Public policy leaders should encourage and facilitate efforts to find competitive, integrated employment opportunities at or above the minimum wage for those who are qualified (i.e., those who can meet production standards and perform the essential functions of a job, with or without a reasonable accommodation). This is particularly the case for youth with significant disabilities graduating from high school and includes expanding and improving supported employment and customized employment initiatives. There is a consensus among a large number of disability organizations that building bridges to competitive employment using available tools, including customized employment and supported employment, will pave the way toward eliminating low wages for people with significant disabilities.

## **The Solution**

Goodwill supports changes aimed at preventing the exploitation and abuse of people who have disabilities and reforms that will lead to an increase in competitive integrated employment for people with disabilities. At the same time, Goodwill cautions against changes that could lead to unintended negative consequences for many of the individuals with disabilities currently earning special minimum wages.

Goodwill supports initiatives that would increase employment-first initiatives and supported employment programs. In 2012, Goodwill agencies around the country provided nearly 13 million workforce development services. Among those services, nearly 720,000 were instances of supported employment and nearly 1.8 million were intensive placement service sessions. The special wage certificate is just one of many tools leveraged by Goodwill to support people with significant disabilities.

Goodwill opposes any initiative to phase out the use of the special minimum wage certificate, which would remove an individual's right to choose to work in a center-based program. Instead, Goodwill makes recommendations to strengthen the continued use of the certificates by reforming the following areas:

- Penalties and Enforcement: Resources should be devoted to allow for more investigators and training to avoid misuse of the certificate.
- Data and Recordkeeping: Most of the data referenced pertaining to the certificate comes from a 2001 GAO, which is more than a decade old. Congress should require more transparency and urge GAO to update its report.
- Self-Determination and Informed Choice: People with disabilities should be able to work in their chosen environments after being made aware of all of the employment options and resources available.
- Career Pathways/Youth Pathways: Individuals, especially transition-age youth, with disabilities should have individualized employment plans and receive career counseling.
- Additional Provisions: Only accredited nonprofit employers defined as community rehabilitation providers (CRPs) should be able to employ individuals under the certificate. This will help ensure that the employees receive the additional supports traditionally provided by CRPs.

More specifically, Goodwill makes the following recommendations to strengthen the continued use of special minimum wage certificates.

#### Penalties and Enforcement

Congress should significantly increase funding for Section 14(c) enforcement efforts conducted by the WHD and the Office of the Solicitor to allow for more on-site investigations to ensure compliance and for technical assistance provided directly to employers to maximize compliance. A June 2009 GAO report on WHD concluded, "...far too often, many of America's most vulnerable workers find themselves dealing with an agency concerned about resource limitations, with ineffective processes, without certain tools necessary to perform effective investigations,

and unable to address all allegations of wage theft and other labor law violations within the two-year statute of limitations." In response to these concerns, Goodwill urges Congress to provide funding for the DOL to increase the number of WHD investigators and to assess the WHD's workload and processes.

While Goodwill believes that the provisions of Section 14(c) help many individuals with disabilities to obtain and maintain employment, the special minimum wage certificate needs to be used properly, and existing protections must be enforced to prevent abuses and exploitation.

First-time special minimum wage certificates should be issued for a period of six months. Prior to issuing a regular certificate, the DOL should be required to review the application and determine whether or not the certificate holder is complying with laws and regulations. Providing a provisional certificate for a brief probationary period will help to ensure that the WHD is following up with employers and that employers are using the certificate properly. If an employer is having difficulty, noncompliance would be detected early, and a regular certificate would not be issued until the employer complies.

Penalties for those who willfully violate the provisions of FLSA should also be strengthened. If WHD finds a willful violation for the first time, the employer should undergo a reevaluation. If the division revokes a certificate, an employer should reapply not earlier than one year after the revocation date. The application would be considered new and subject to the probationary period. An employer with multiple violations that are not corrected within a timeframe specified by the WHD shall have the certificate revoked and not be allowed to reapply.

Goodwill would support mechanisms to preserve the intent of the civil money penalties over time such as an index to coincide with the changing economy. The WHD should offer recommendations to employers to correct each violation. Failure to comply with the recommendations after a period of time determined by the WHD could result in a punitive action, including revocation of the employer's certificate.

The agencies with oversight of Section 14(c) should develop and implement a plan to make information about the program more accessible to employees earning wages under Section 14(c), their families, their employers, administrative officials and the public. They should also provide better and ongoing training required for employers granted the use of a certificate.

Many of the most common violations<sup>15</sup> found by the WHD can be alleviated with an increase in employer training, required prior to certificate issue or renewal. At a minimum, all training should include the following topics:

- The act's underlying principles.
- Setting the prevailing wage.
- Determining that the employee has a disability related to the work to be performed.
- Setting standards for jobs that are to be paid on an hourly basis.

<sup>&</sup>lt;sup>15</sup> FLSA Section 14(c) Advisor: Most Common Violations Found During an Investigation Under FLSA Section 14(c), www.dol.gov/elaws/esa/flsa/14c/20b.htm.

- Applying the test(s) to determine the hourly wage.
- Setting piece rates.
- Determining hours of work and overtime.
- Required documentation.

Goodwill supports the issuance of a certificate of training, which WHD could issue to employers upon completion of a training program focusing on the proper use, oversight and record keeping for the program. Such trainings could be offered periodically, in different regions around the country, by the WHD and should also be accessible online.

## Data and Record Keeping

Congress should request that the GAO update its 2001 report. Over the past decade, technology for people with disabilities has advanced and transportation has improved, which allows people with disabilities to independently get to job sites. Young people exiting the school system and their parents now have higher expectations of inclusion and working in the community. The government should further study the number of employers using the Section 14(c) certificate, the wages paid, the disabilities of those employed under the certificate and the additional supports that those individuals receive. Future results could assist with enhancing the system.

The DOL should enhance the reporting requirements placed on employers by requiring them to annually report the number of people who have transitioned to competitive employment. Congress should mandate that the WHD report additional information to the Senate Health, Education, Labor and Pensions (HELP) Committee and the House Education and Workforce Committee.

Finally, the secretary of labor should submit an annual report to Congress on behalf of WHD noting the number of special minimum wage certificates issued, the number of certificates renewed, the number of investigations started (both based on complaints and those that are self-initiated), the number of investigations completed, the average length of investigations and the most common violations. Information about the types of disabilities of the workers employed under the certificate, the numbers of workers receiving wages under the certificate and the average wage should be made publicly available in a manner that does not make the individual or employer identifiable and subject to privacy concerns.

#### Self-Determination and Informed Choice

During employment, individuals must receive career counseling and information and referrals at least every six months. They must also learn about self-advocacy, self-determination and peer mentoring training opportunities at least every six months.

To ensure that workers are making informed choices consistent with the principles of self-determination, employers should be required to obtain written acknowledgement from employees or their guardians upon making deductions for room, board or other expenses pursuant to FLSA Section 3(m) or when adjustments are made to an employee's wage. This written explanation and acknowledgement will give employees or their guardians more information regarding salaries and opportunities to make an informed choice upon changes in pay.

## Career Pathways/Youth Pathways

Employers should make clearly defined career pathways available to all individuals working under the certificate by requiring them to develop an individualized employment plan. Before beginning the work under the certificate, the individual must undergo career counseling and receive information and referrals to federal and state programs to explore, discover, experience and attain all of their employment options, including competitive, integrated employment and center-based employment. Employers should then reevaluate individuals with a productivity level of less than 30 percent not less than every three months.

Funding should be made available for systems change initiatives designed to expand the availability of supported and customized employment in competitive, integrated settings, self-employment and other employment-related supports through additional incentives to operate such programs. Priority should be given to those programs focusing on youth with disabilities.

Congress should also support funding for research and demonstration projects to test different types of incentives, wage subsidies, flexible funding and other strategies to determine what best improves special minimum wages. Research should also test employment-first initiatives and improved job placement techniques such as on-the-job training, trial work, job coaching and natural supports, and assess the full cost implications of these approaches.

The federal government should increase its focus, emphasis and priority on youth with disabilities across all systems and agencies, including all federal employment projects and proposals. It should require a smooth transition from school to work by strengthening statutory connections between the Individuals with Disabilities Education Act (IDEA) and the Rehabilitation Act, as well as the Social Security Act, the State Children's Health Insurance Program (SCHIP), Medicaid and other systems.

Goodwill and other national nonprofit service providers endorsed a bi-partisan proposal put forth by the Senate HELP Committee in the last Congress that established additional conditions for transition-age youth (younger than 24) to complete and document before working under the special wage certificate. These conditions include receiving pre-employment transition services, having been determined ineligible for vocational rehabilitation services or unsuccessful in achieving a competitive outcome, and receiving career counseling and referrals among other items.

#### **Additional Provisions**

Goodwill supports the position taken by the U.S. Business Leadership Network that for-profit business should not hold certificates<sup>16</sup>. Goodwill believes only accredited nonprofit employers defined as CRPs should use the certificates, as they will likely provide additional supports and services to the employees and their families.

<sup>16</sup> http://www.usbln.org/pdf-docs/2012\_USBLN\_Subminimum\_Wage\_Position\_Statement\_8-16-12.pdf

## **Recommended Action**

Goodwill urges Congress to support legislation that would strengthen the FLSA and increase its enforcement, while recognizing the principles of self-determination and rights of individuals to obtain and maintain employment. Preserving Section 14(c) and the special minimum wage will preserve opportunities for people with disabilities who would otherwise lose the chance to realize the many tangible and intangible benefits of work.

#### Father-Son Team Gains a Future



Butch Beckhardt believes that Goodwill greatly contributed to the self-worth and fullness of life that his son Johnny experiences today. "His growth and accomplishments have given me a sense of peacefulness and confidence in his ability to continue with his own life in my absence."

Today, Johnny is an exemplary employee and a Goodwill ambassador. He works 20 hours a week in production in a Goodwill retail store, performing tasks from hanging articles of clothing to bagging purchases at the checkout counter.

But getting to Goodwill wasn't easy. Johnny was born in the late 1970s with a rare trisomy chromosome imbalance, which limits his speech and cognitive abilities, in addition to other developmental and physical disabilities. When he was 10 years old, he was assaulted by an adult caregiver and became scared,

withdrawn and rebellious. For many years, he wouldn't go out in public or speak to people other than his father — the only person he trusted. But his father didn't give up. In fact, he became a passionate advocate for his son.

Over the years, Butch left no stone unturned in seeking help for Johnny, and he even moved to Dallas, OR, where his son could live in a facility that he'd heard was "the best." But Johnny wasn't receptive to the help of the facility staff and wouldn't talk to anyone. When the Butch first learned of the programs at Goodwill Industries of the Columbia Willamette (Portland, OR), he was hesitant, but gave them a try.

Johnny enrolled in the Goodwill's Community Integration Project II, which provides employment and vocational training to people with multiple and/or severe disabilities under a special minimum wage certificate. The Goodwill's staff recalls that when Johnny first entered the program, he was crying and shaking. But through training, he learned basic vocational skills and appropriate workplace behaviors.

"Johnny has transformed from a frightened and profoundly insecure person into a confident and integrated young man," says Michael Miller, the agency's president and CEO. "His success today is a product of his father's devotion, coupled with Goodwill's intervention."

Johnny's strong will to succeed earned him various achievement awards.

"There's nothing in the world I can imagine that could replace what Goodwill does," says Butch. "Every day, Johnny accomplishes something new; every day, he's happier. Goodwill gave us the greatest gift we could ever receive: a future!"