



Economic and Social Policy/International Affairs (ESPIA #3)

1 **Subject:** Individuals with Disabilities Dignity
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3 **Submitted by:** Sub Local 140
4

5 **WHEREAS** the preamble to the United States Constitution says, “All men are created
6 equal.” The United States Supreme Court has interpreted “Men” to mean citizens and/or
7 humans (Liberal Justices).

8 **WHEREAS** on May 2nd, 1927, the United States Supreme Court ruled that individuals
9 who were “Feeble minded,” could be forcibly sterilized. This case has never been
10 overturned. Currently 30 states allow individuals to be forcibly sterilized. Individuals
11 with disabilities and women who are incarcerated are among the most likely to be
12 forcibly sterilized.

13 **WHEREAS** in 1938, Former President Franklin D. Roosevelt signed the Fair Labor
14 Standard Act into law. A huge win for unions and their members. However, this law had
15 a provision in it (Section 14C) that allows companies to get a certificate and can pay
16 individuals with disabilities below federal minimum wage. In 2013, Goodwill was paying
17 an employee 22 cents an hour. Many states have outlawed subminimum wages of
18 individuals with disabilities. In Oregon, a brave woman with disabilities took the State to
19 Federal court and won (Lane V Kitzhaber/ Lane V Brown).

20 The above violate the law, treaty and amendment below.

- 21 1. 14th Amendment to the United States Constitution
- 22 2. The Americans with Disabilities Act
- 23 3. Universal Declaration of Human Rights

24 **WHEREAS** in July 2009, Former President Barack H. Obama signed the Convention on
25 the rights of persons with disabilities. This treaty would set forth international standards
26 regarding the rights of individuals with disabilities. To this day the United States Senate
27 has failed to pass the treaty.

28 **WHEREAS** SEIU Local 503 represents the caregivers who provide crucial support for
29 individuals with disabilities. In 1999, SEIU 503 became the bargaining representative for
30 homecare workers in Oregon. This was due to the State of Oregon shutting down
31 Fairview Training Center (a facility that tortured individuals with disabilities), among
32 other institutionalized care facilities for individuals with disabilities. The State moved
33 towards group home care and eventually towards in-home care. SEIU has and always will
34 be an advocate for advancing the civil rights and equitable treatment of individuals with
35 disabilities.

36 The preamble to The United States Constitution says “In order to form a more perfect
37 union,” shows that we will never be a perfect union. However, if this resolution passes,
38 we will be one step closer.
39

40 **Therefore, be it resolved,** SEIU 503 will urge the International to pressure the United
41 States Congress to pass legislation to outlaw both section 14c of the Fair Labor Standard

42 Act and forcible sterilization of any individual who is in the United States of America or
43 its territories.

44

45 **Therefore,** SEIU 503 will urge the International to pressure the United States Senate to
46 pass the Convention of Rights of Persons with Disabilities.

47

48 **Therefore,** SEIU 503 shall hold a yearly seminar on the history of individuals with
49 disabilities and how its members can further advance the rights, inclusion and equitable
50 treatment for all individuals with disabilities.

IMPACT STATEMENTS

Financial: This would be incorporated into our current political program and work with our International Union, so there would not be a financial impact. The financial impact of the annual seminar is unknown, if it is virtual there would be a minimal to no impact.

Equity: This resolution could have a positive equity impact, but it should be amended to ensure that members of our Disability Justice Caucus are centered in the efforts.

Legal: No impact

Political: The resolution will require SEIU 503 to coordinate with the International Union to take a position and then lobby on two pieces of federal legislation related to the rights of persons with disabilities. While this fits within SEIU's long history of advocacy for people with disabilities, it would be a new policy position that we cannot take without the cooperation of the International Union.