

AMENDED IN ASSEMBLY APRIL 14, 2015

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 488

Introduced by Assembly Member Gonzalez

February 23, 2015

An act to add Sections 19155 and 19405 to the Welfare and Institutions Code, relating to rehabilitation.

LEGISLATIVE COUNSEL'S DIGEST

AB 488, as amended, Gonzalez. Rehabilitation: dignity stipend.

Existing state and federal laws provide for payment of a special minimum wage for workers with disabilities that is lower than the established minimum wage rate, under specified circumstances. Existing law authorizes the Department of Rehabilitation to regulate vocational rehabilitation services, which are defined as specified services and goods to assist persons with disabilities in employment.

This bill would define “dignity stipend” as the value provided by an employer to workers defined by the Department of Rehabilitation as eligible individuals with ~~mental disabilities~~ *an intellectual or developmental disability severe enough to result in a substantial impediment to employment* when the employer pays a special minimum wage to those workers, operates a community rehabilitation program certified by the Department of Rehabilitation that provides services to those workers, and the hourly wage plus the hourly cost of providing those services exceeds 125% of the California minimum wage rate for those workers. The bill would require the department to determine

whether an employer that operates a community rehabilitation program provides a dignity stipend, when certifying the program.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 19155 is added to the Welfare and
2 Institutions Code, to read:

3 19155. “Dignity stipend” means the value provided by an
4 employer to workers defined by the Department of Rehabilitation
5 as eligible individuals with ~~mental disabilities~~ *an intellectual or*
6 *developmental disability severe enough to result in a substantial*
7 *impediment to employment* under the following conditions:

8 (a) The employer operates a community rehabilitation program
9 certified by the Department of Rehabilitation that provides
10 vocational rehabilitation services to the workers described in
11 subdivision (b).

12 (b) The employer pays a special minimum wage to workers
13 with disabilities pursuant to Section 214(c) of Title 29 of the United
14 States Code or Section 1191 or 1191.5 of the Labor Code.

15 (c) The hourly wage described in subdivision (b) added to the
16 employer’s hourly cost of providing the services described in
17 subdivision (a) exceeds 125 percent of the California minimum
18 wage rate for each of the workers described in subdivision (b).

19 SEC. 2. Section 19405 is added to the Welfare and Institutions
20 Code, to read:

21 19405. The department shall determine, in certifying a
22 community rehabilitation program, whether the employer that
23 operates the program provides a dignity stipend, as defined in
24 Section 19155.

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