



Section 511 of WIOA: Limitations of Subminimum Wages

What is Section 511?

Section 511 of the Rehabilitation Act places limitations on the payment of subminimum wages by entities holding special wage certificates under Section 14(c) of the Fair Labor Standards Act.

Section 511 includes requirements for State VR agencies, subminimum wage employers, and local and/or State educational agencies, including specific requirements for youth prior to their participation in subminimum wage employment.

Purpose:

The purpose of Section 511 is to ensure that individuals with disabilities have access to information and services that will enable them to achieve competitive, integrated employment.

Procedures:

Section 511 of WIOA Title IV limits the use of subminimum wage. Individuals age 24 or younger can't start a job where they will be paid less than the Federal minimum wage unless the following stipulations are met.

For a student to be placed in a non-paid position, the following stipulations must be met:

- Receive pre-employment transition services or transition services under IDEA (and)
- The individual applied for VR services and has been found ineligible for services (or)
- The individual is eligible for VR services but has not been successful or achieved Competitive Integrated Employment and the record of services are closed
- The individual has been provided career counseling, information and referral to other resources to assist the person in attaining competitive integrated employment

Additional information can be found at:

<http://www.wintac.org/topic-areas/implementation-of-requirements/laws-regs-and-policy>