

September 27, 2016

Name

Street Address

City, State Zip

To Whom It May Concern:

The Pennsylvania Office of Vocational Rehabilitation (OVR) is aware of guidance that was sent out by the U.S. Department of Labor, Wage and Hour Division regarding a 14(c) certificate holder’s responsibility to ensure that career counseling and information and referral services are provided to individuals who are employed at subminimum wage. OVR’s responsibility to individuals who are employed at subminimum wage is governed by Section 511 of the federal Rehabilitation Act of 1973, *as amended,* by the Workforce Innovation and Opportunity Act and the regulations at 34 CFR Part 397. The regulations provide in pertinent part:

§397.40 What are the responsibilities of a designated State unit (for Pennsylvania, OVR is the designated State unit) for individuals with disabilities, regardless of age, who are employed at a subminimum wage?

1. Counseling and information services. (1) A designated State unit must provide career counseling and information and referral services, as described in §397.20(a)(3), to individuals with disabilities, regardless of age, or the individual’s representative as appropriate, who are known by the designated State unit to be employed by an entity, as defined in §397.5(d), at a subminimum wage level. (2) A designated State unit may know of an individual with a disability described in this paragraph through the vocational rehabilitation process, self-referral, or by referral from the client assistance program, another agency, or an entity, as defined in §397.5(d).

If an individual employed at subminimum wage becomes known to OVR through one of the means cited above, the individual will be offered opportunities to participate in career counseling and information and referral services. If an individual employed at subminimum wage expresses interest in OVR services and competitive integrated employment, they should be referred to OVR to begin the application process.

OVR will be in contact with your agency to discuss providing career counseling and information and referral services to individuals employed at subminimum wage. In order to better serve your

agency and your customers employed at subminimum wage, please complete the enclosed survey and return by mail or email.

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OVR will be announcing a webinar in the near future to go over additional details associated with this process. Once OVR receives all completed surveys we will reach out to individual 14(c) holders to begin scheduling visits for counseling sessions. If you have additional questions, please send an email to: [RA-LIOVR-511-INQUIRY@pa.gov](mailto:RA-LIOVR-511-INQUIRY@pa.gov).

Sincerely,

David J. De Notaris, Executive Director

Office of Vocational Rehabilitation