



October 1, 2015

Division of Regulations, Legislation, and Interpretation
Wage and Hour, U.S. Department of Labor
Room S-3502, 200 Constitution Avenue, NW
Washington, DC 20210

Re: Control Number 1235-0001

The Community Support Providers of South Dakota is comprised of 19 nonprofit, human service organizations that provide services and supports to over 4,000 people with intellectual and developmental disabilities who live and work in their own communities. Services include employment, residential, case management, family support, and a wide variety of other support services.

We're concerned about the continuing effort to, apparently, bring about the elimination of 14(c) programs in the country. We would like to express that not all 14(c) programs, or facility-based providers, are taking advantage of people with disabilities. Most of us, at least in South Dakota, are working diligently to find, and help people find, competitive integrated employment. We believe that it is the most desirable employment outcome. And we are proud that South Dakota ranks among the top five states in the nation for the highest percentage of people with disabilities employed.

While we pursue the goal of competitive employment, there is still therapeutic and personal economic benefit for many people to do meaningful work, and learn valuable work skills, while earning subminimum wage, rather than not having that option at all.

Specifically regarding the revision of Form WH-226A, we feel that many of the 10 additional questions/categories being added are more burdensome than valuable. We understand that the information may be used for enhanced enforcement, but it seems to be just more unnecessary paperwork to dissuade agencies/employers from using a rapidly diminishing, though still valuable, component of what we do, meaning 14(c).

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The questions relating to prevailing wage, productivity, average earnings, and total hours worked for "the Job the Employee Worked Most Hours in" seem just unnecessary. It seems you could make enforcement judgments without this.

We would encourage the use of some reason as we move forward. We are all in this line of work to do what's right and best for people with disabilities.

"One size fits all" (competitive integrated employment) is seldom an effective model to follow in working with hundreds of thousands of individual human beings. There is still a valuable place in the service system for 14(c) programs. Let it be one option among many.

Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Daryl Kilstrom". The signature is fluid and cursive, with a long horizontal stroke at the end.

Daryl Kilstrom
Executive Director