

Episode 2: Sheltered Workshops & Sub-Minimum Wage in Canada

Episode Description

[Sheltered workshops](#) are workplaces where people labelled with an intellectual/developmental disability are not paid fairly for the work they do. These programs promise training to prepare for employment, but for many it becomes a lifetime of training. Sheltered workshops are exploitative programs that put workers at significant risk. Disability rights scholar & autistic self-advocate Ari Ne'eman and PFC member Donnie Maclean about the need for change to protect workers with disabilities.

Transcript

I love pickles, dill, spicy, and otherwise. So, the other day, I was making a sandwich and read the label on the local pickled garlic my friend had recently given me [fridge door opens]. One of those upscale pickles, pretty labels, the works.

I read the pretty label, which mentions that the product sourced garlic from a local developmental services agency, and funds would be in direct support of adults with intellectual/developmental disabilities.

Direct support to me should mean that the workers are getting paid. I was suspicious. Were the people who had grown the garlic been paid? How much were they being paid?

Sure enough, I quickly learned that adults who had grown, picked and sorted this garlic had not in fact been paid, but instead were “volunteers”. The agency instead would financially benefit from the sale of this garlic, but the people who spent hours, days, weeks doing the labour of this work would not receive a penny for their labour.

Hey, I'm Megan. I am a disabled researcher and writer passionate about understanding and making known the conditions of disability and institutions in Canada, and this is Invisible Institutions— a podcast about the long history of disability confinement in Canada, and it's ongoing impacts on the lives of people labeled with intellectual/developmental disabilities.

Unpaid [farm labour](#) of persons with intellectual disabilities has a long history in Canada. The [Rideau Regional Centre](#), a large-scale institution for persons with intellectual/developmental disabilities, that in its prime forcibly incarcerated more than 2000 people labelled with intellectual/developmental disabilities. like many facilities The Rideau Regional Centre had a working farm which the residents were expected to work in. The food fed them, and surplus was sold for profit. The residents were not paid.

In 1971, the garden produced 433.5 tons of vegetables including:

- 9,000 bags of potatoes
- 12,000 early cabbages
- 2,500 lettuces, and

- 3,500 tomato plants.
- 114 acres of lawns alongside
- 8,020 square feet of flower beds,

And the work didn't end in the garden. Inmates were employed throughout the institution and were really essential to the operation of the institutions... making food, distributing food, sewing clothing, doing laundry.

Here's [David Weremy](#), an institutional survivor and life-long deinstitutionalization advocate:

David: and worked

Shelley: And you worked. Where did you work?

David: I worked in a laundry.

Shelley: In the laundry

Megan: That does not sound like it was a good job.

David: No. I worked in the

Megan: Lots of heavy clothing

Shelley: Did you get paid?

David: 70 cents

Shelley: A day?

David: Every two weeks

Shelley: Every two weeks he got seventy cents

Megan: That is just a shame.

Beyond the labour inside the institution, forced labour also became a popular way to move "patients" out of the institutions.

A public inquiry in 1971 entitled the [Williston Report](#), was a result of the cases of Frederick Elijah Sanderson and Jean Marie Martel who were incarcerated at the Rideau Regional Centre.

[Elijah Sanderson](#) was a 19-year-old Cree man who was confined in the Centre until his death when he died while on work-leave from the institution.

Elijah repeatedly expressed an interest to learn how to read and write, and to not participate in the farm-labour, but he was continuously forced to return to the farm, where he slept in quarters in quotes "not fit for human habitation" ([Williston](#), 1971, p. 12) and worked for \$0.14/hour doing farm labour.

He died by suicide after being forced to return to the farm for a third time ([Williston](#), 1971).

Jean Marie Martel, the other man who was part of this inquiry was a Franco-Ontario incarcerated at the age of 14, for "mental retardation with disease and condition due to unknown prenatal influence".

After attending school, Martel was forced to work between 12-15 hours a day as a farmhand, where he was barely paid. The family he worked for locked him in his bedroom, forced him to wash outside in -20 temperatures and fed him only calf-starter, ketchup and macaroni.

Across this country, we have a long history of forced or coerced, sub-minimum wage for people with intellectual/developmental disabilities. Under the auspices of training programs,

employers can LEGALLY pay people labelled with intellectual & developmental disabilities pennies an hour, deny overtime pay and other protections granted to the vast majority of labour force members.

This episode I am joined by two amazing people with disabilities who are advocating for labour rights and inclusion.

Donnie: Hi I'm Donnie Maclean, I'm president of people first nova scotia

Megan: Can you tell me about what your experience of sheltered workshops is?

Donnie: Disabilities people can work at and have experience in working out in the – it's sort of like the community but it's not really, it's like a workshop where you go there and experience some like mowing lawns and shoveling snow and painting stuff like that and doing kindling and they do stuff like sanding stuff and stuff like that and they do it, some do it 5 days a week some do it 2, depends on what they want to do and they get paid at the end of the week but they don't get paid very much.

Sheltered workshops are places where people with intellectual and developmental disabilities are segregated, isolated and underpaid. While provinces have employment standards acts, [sheltered workshops can get passed](#) them by labelling these workplaces as “training programs”. But, more than a fifth of workers are in sheltered workshops for more than 10 years. Almost half of workers are in sheltered workshops for [more than five years](#). Sheltered workshops pay people varying rates, but they are consistently exploitative. I asked Donnie what his experiences with sheltered workshops were.

Donnie: Yes I have, I've worked there from 84, 1984 until 83. Then when my mother passed away I went back until 98 and then left, then started again in 2000 in a different workshop, the first Workshop was called the [revolving door](#) in Paradise Nova Scotia and now it's in Lordstown Nova Scotia, in Annapolis Valley

Megan: How much were you getting paid at those sheltered workshops?

Donnie: Well, the first one I was getting paid – first, \$30 for 75 hours, then it went up to 47 and what it would have when it went up to 47 they took \$9 off if you cuz we never had no – we got buses running now but at that time, there was no buses. They didn't have any, so we took the work van and they took us home, and so for using their gas they took off about \$9 of our pay, which we weren't getting much, probably about \$47.25 for 75 hours work and I didn't think that that was really confident when it we were doing hard work as everybody else that was getting paid minimum wage or more?

Megan: Yeah, so what was the work that you were doing?

Donnie: I was mowing lawns, and sometimes– we rode down to Annapolis, and we moved about three quarters of that place and even in hot weather so and we didn't get much break so we only get two breaks and we were doing chopping, splitting wood with a wood splitter, we did help people other houses do the wood gathering in their basement, we did some painting did the occasional shoveling but not too much of

shoveling and if they built anything like, like say, benches or anything like that or or picnic table we have to sand them and stuff like that and we did a survey stakes stuff like that, so we were doing quite a bit of work, but we weren't getting paid very much for it. that is not enough money at all especially for such hard work.

Sheltered workshops are often rationalized as “promoting meaningful involvement” in community. But labelled people do not agree.

Donnie: At first I didn't realize that it was a big thing really, but then as I got a little older and stuff like that I thought like it was you know like too much work for too little pay and they were kind of -- I thought that they were kind of pulling our legs and saying work for this, they won't understand -- you won't understand what they're doing, and over the years I got a little older I realized that they were pulling the wool over our eyes and making us work and not realize that some of us knew that **they were paying us too little and I found that out one time and so I say to them I said I know what's going on and I went by their office one day and they actually were whispering** I heard them they said he knows what's going on here and after I heard that I said I'm leaving they said, you know where the door is, and I said yeah I do, but I'm not using to again after I leave, and I didn't

Donnie: They see themselves that they're getting work and they're getting out there but they're not really into the workshop themselves and seeing how hard they're working and how sweat they're working-and some of them say they want to get paid minimum wage and they asked a question why can't we get it just because we're handicapped why can't we get that wage because we're no different than anybody else and why do you work us just as hard as everybody else, and the other ones that our not handicapped get paid regular wages and they're not just because they're handicapped don't mean that you cannot pay them in a good wage

People with disabilities have been fighting sheltered workshops for decades, sometimes successfully. Unrelenting activism in [BC](#) meant that sheltered workshops were removed from as exemptions from the employment standards act, essentially barring sheltered workshops from existing in the province.

[In Ontario](#), sheltered workshops were supposed to be ended under the Wynn government in 2017, but after their loss in the election in 2018, Doug Ford's Conservative Government decided [to continue the sheltered workshop program](#). So why can employers pay people with disabilities sub-minimum wage? How is this legal? Does anyone care? To find out more about this history I spoke with Ari Ne'eman.

[Ari Ne'eman](#) is a disability rights activist, PhD candidate at Harvard University, and co-founder of the [Autistic Self Advocacy Network](#). Right now, he is writing a book on the history of disability advocacy in the USA for Simon & Schuster. His articles on sheltered workshop policy "[\(Almost\) everything you need to know about sheltered workshops](#)" are amazing resources we will link in the show notes.

Megan: Hi Ari, thanks so much for joining me today. Your work centers in the US, but Canadian and American institutionalization and deinstitutionalization policy followed each other very closely. Can you tell me a little bit about how sheltered workshops came into existence?

Ari: Sure. Well first, thank you so much for having me on the show, Megan, it's a pleasure to chat with you. I'm so glad that you're covering this important topic. When we talk about the history of sheltered workshops, we're generally talking about a history that looks at which groups of disabled people were considered the most unemployable at any given time and I think it's a very powerful illustration of how that idea of the relative employability or unemployability of a person is heavily influenced by Society.

'Cause when we go back to for example one of the earliest sheltered workshops in North America the Perkins Institutions work departments in the 1840s what we see is in the population being served by sheltered workshops at the time I'm a very very different cuz the time was very, very different. there's this larger historical arc where the population served by workshops really shifts based on the extent to which any given group is or is not integrated into the broader workforce or is seen as more or less capable of employment in regular jobs.

Megan: sheltered workshops in the USA started with predominantly people with physical disabilities in the 1840s. [They were a really politically active group, engaged in protesting and civil disruption and demanded an end to sheltered workshops](#). But at this time, they were really just talking about people with physical disabilities. Their advocacy really didn't include people with intellectual and developmental disabilities who were largely institutionalized during these protests. So, sheltered workshops found ways to continue, and transformed to include people who were considered more disabled, and less employable over time.

Megan: Ari, can you tell me a bit more about this change?

Ari: For sure, so you know I think it's important in this discussion to recognize that sheltered workshops for people with I/DD really were started with the best of intentions. You know, one of my good friends who has been in the developmental disability field for disabilities sector longer than I have been alive likes to say that the mark of anybody good in the field of disability is that they're at least a little ashamed of what they were doing 20 years ago.

Ari: You really see that in the context of sheltered workshops because in the idd field workshops were frequently set up with the goal of providing people leaving institutions with something to do during the day and there was very much a lot of overlap between some of the folks developing workshops in the the 80s and 90s and folks promoting transition out of state institutions.

See this is where things get a bit tricky. Movements towards deinstitutionalization were largely run by [parents and family members of people in institutions](#). They had an amazing goal: the complete elimination of institutions for people with intellectual and developmental disabilities. In pursuit of this goal, advocates proposed several stop gap measures that they

viewed as essential to solving the primary problem of institutionalization. This included things like group homes and sheltered workshops.

Today, some sheltered workshops are provided by these same not-for-profit organizations, and others are provided by large-scale for-profit companies.

Ari: When we talked about the problems of sheltered workshops we are talking about very real problems of segregating people with disabilities from the broader Society often of exploitation of people with disabilities labour, through sub-minimum wage. But at the same time there are some very malicious actors or or actors who at this stage I think you know really should know better. You think about some of the nonprofits out there where you have senior Executives making six-figure salaries and paying workers with disabilities pennies an hour; that's certainly an area where you do have bad actors. By and large when we talked about the folks running sheltered workshops were talking about folks who set up something that was considered progressive at the time they started and really history overtook them and now we have a better way.

Megan: I am going to add a bit of nuance here, because I think it is really important to understand a little bit of the world of nonprofits. Some agencies are given contracts for the work that sheltered workshops do, so a large sum of money that they determine how to divvy up among workers and themselves. In [2015 a Toronto Star investigation](#) found non-profit agencies with contracts for assembling those Remembrance Day poppies that the legion sells at a [penny a poppy](#) or assembling wind shield wipers for five cents apiece.

The non-profits might not be making a massive profit off of the contract, but they are certainly using it, maybe to pay staff... who need I remind you, they pay real wages. Here's [Dr. Jihan Abbas](#), I asked her to explain the interconnections between institutional and present day policy .

Jihan Abbas: So in terms of that thread to past policy, if we look at something like sheltered workshops, which started within institutional settings and then moved into the community, this sort of initial policy focus for everyone to work I think has really helped these exploitative forms of labour thrive in the community.

And they continue under the guise of things like training or rehabilitation. But we've repackaged them now, so they're far more palatable. So just in terms of both framing them as rehabilitation or training, or in terms of the agencies or maybe the private sector, their involvement, we'll frame it as acts of charity, corporate good will, creating opportunities for people. So we still have these sites where people with intellectual disabilities are being exploited for this labour. And I think it's for the good of the institution--or, not for the good of the institution, but for the good of the agency.

Jihan Abbas: So, much the same way we saw that labour sort of fuel institutions, I think when we look closely, that labour is also sort of fuelling some community agencies and sort of helping them survive.

Ari offers some really important input on what we need to move forward.

Ari Ne'eman: And so, I think you know in the optimal circumstance what we really want when we talk about the future of employment services for people with developmental disabilities is we want not to demonize-but to provide that expertise

through a **supported employment model**, in which people work in the broader community and are supported with services that are brought to them, rather than an expectation that in order to receive Employment Services you must work for some special separate employer.

Ari: That involves requires a certain degree of retraining on the part of providers, ~~th~~ there are new skills the providers need to develop. In particular skills like the discovery process to help engage people with significant disabilities including cognitive and communication challenges to find a workplace that works for them, the job development process engaging employers to find out what they need often to craft or carve a job around the needs of a particular person with a disability and a particular employer, so those are often new skills for people who operate workshops, but we very much want to teach them that and we want to try to build a very collaborative approach towards ending the sheltered workshop model and instead supporting people in competitive integrated employment.

Ari: A lot of it comes back towards making clear that when we talked about moving people out of sheltered workshops and when we talked about ending sub Minimum wage, we are not talking about abandoning people who have historically been served in sheltered workshop or sub-minimum wage.

Ari: We are instead talking about changing the service model in much the same way that we were talking about changing the service model when we moved away from institutions and towards home and community-based services.

This piece is SO important. Sheltered workshops began to provide meaningful daytimes for people with intellectual/developmental disabilities. But meaningful days do not necessarily mean working for everyone.-I know I personally have so many meaningful days when I don't work, but get to be apart of my community. Maybe that means baking for my neighbours, or spending the day in the bath listening to music because my chronic pain is so bad.

Work doesn't make a person a person! We are all deserving of community, connection and support regardless of if we are deemed 'productive'. And of course, there are people whose impairments make it such that they cannot work. This doesn't mean that they should be relegated to days of boredom, isolation or segregation. And we should have services and communities that provide that. For so many people though, they see sheltered workshops and segregated spaces as the only option for providing meaningful days for people with disabilities, this is a false dichotomy! **The world is full of options.** Consider this:

Ari: I think it's especially important because of the families that have been vocal opponents of the closure of sheltered workshops do not see sheltered workshops as providing their family members employment services first and foremost. What they really are seeing them do is provide them with some form of structured activity during the day and if what you are actually looking to sheltered workshop for is Day Habilitation services or someone has something to do during the day that gives them some sense of meaning. Or respite care services so that people who live at home are able to get out of the house and you know their parents or siblings and go to work.

Ari: Then you really have to answer the question, can't we do a better job at providing day-hab or respite care services in a more integrated way than we're doing

presently when we're providing them under the guise of employment service provision.

Ari: here are still some entities that that are holding out and fighting in my opinion on the wrong side of these issues, but a lot of Provider organizations and a lot of family organizations that were initially skeptical have come over to our side and are now supporting moving away from sheltered workshops and moving away from sub-minimum wage.

And the reason that they do that is because they have seen the disability rights advocates working on these issues do not intend to abandon people with severe disabilities that is one of the most important that we can send it extremely seriously; we have to operate under the assumption that **we have a moral obligation to ensure as our service system evolves, it evolves to deliver better services to the people that it presently supports**

Ari: Not to simply move and support another easier to serve group of people. It's good to expand services to more people but you always have to maintain that obligation the people with significant disabilities. I believe we can do that evolving our system towards a more inclusive form of service provision.

Megan: Absolutely. Society, and the media particularly love to use people with more significant impairments as the justification for so many things, like sheltered workshops, ongoing institutionalization and revocation of consent.

Segregated, sub-minimum wage labour adapts to changing political opinions. I am thinking about a local cafe that only employs autistic people, I am thinking about developmental service agencies touting "volunteer opportunities", I am thinking about social enterprises that come from group homes., A rose by any other name is still a rose. In this instance what are the sheltered workshops by any other name?

Ari: This is really a crucial problem this existed in the sheltered workshop model and in many entities that are functionally workshops even if they are not the name for a long time, and that is the the commingling of rules you have the same ~~and today~~ entity, your service provider, who optimally should be helping you advance, who should be helping support your future career development, who may have a responsibility to help you negotiate with your employer for better wages or benefits or think about finding a new employer if they aren't a good fit.

Ari: Well that same service provider is also your employer and when your service provider is also your employer they do not necessarily just have your interests at heart they also have the set of interests and priorities that any employer has to retain their most productive workers, to keep down compensation costs, to reduce or minimize turn over. That commingling of rules to me really is in stark conflict with what we should mean when we talk about competitive integrated employment.

Ari: You know, as you say, a Rose by any Other Name, and you know we see this in the context of residential services and institutionalization on the part of some providers to rebrand what are essentially institutional setting as gated communities or

campus settings and try and get community service funding from it. **If it looks like an institution and if it operates like an institution, it's an institution.** And by the same token, if it looks like a workshop, if it looks like a segregated employment setting and operates like one, we should treat it like one. We need to have high standards for what we consider to be integrated employment.

Megan: We absolutely do need to have incredibly high standards

So, in Canada, the last time the Federal government engaged in conversations about sub-minimum wage was in [2015 when they gave a \\$100,000 contract for paper shredding](#) to an Ottawa-based developmental service agency that was paying their employees less than \$1.50 an hour.

Megan: I think that one of the things that feels incredibly frustrating with sheltered workshops is that a shocking number of people, particularly people who are generally involved in labour rights or workers' rights are completely unaware of the realities of disability labour across the country. Why do you think that there's such an absence of information and these stories?

Ari: I think we are struggling with the depoliticization of disability and this is something that frankly the entirety of the disability rights movement, going back decades and really two centuries, as I'll be discussing in my book, has struggled with. Namely, that we see as a society we see disability as apolitical territory. We see it as something that people out of a sense of humanitarian instincts engage with free of any economic motives and free of any political doesn't mean the people at disability service provision are mustachioed villains cackling maniacally about exploiting disabled people. No, it's simply that the economics matter and service providers change when systems of Public Funding change

Ari: And whenever we are talking about something that involves public policy we are talking about something that involves politics. And so, I think we really need to invest in bringing politics back into the public discussion with respect to disability. Now there's been a lot of progress on that. Over the course of the last two presidential elections, we've seen more attention to issues like sub-minimum wage on both the President Biden and the 2016 Democratic Presidential nominee Hilary Clinton promised to end sub-minimum wage. That's of course US politics, I can't speak to what's going on in Canadian politics. But we are again really seeing a lot of progress in the disability rights movement's long-standing objective to get our society to recognize that disability is political in nature

Megan: Journalist Andre Picard broke the story that the Conservative government ended a longstanding contract for document shredding, throwing 50 people out of work and causing controversy, as the workers were people with intellectual and developmental disabilities. Get this, the controversy was not that the federal government was paying workers \$1.15 per hour. But instead, people pushed the government to extend the contract for the underpaid workers. We have a long way to go in Canada, but the case in BC shows us that it is possible to shut down these exploitative work places.

Megan: Along with that shift towards politicizing disability and politicizing the conditions of disability what do you think we'll really turn the tides on the largely normalized use of sheltered workshops?

Ari: Well, I think we are beginning to see the tide turn. You know, in the United States in the last several years there's been a more than 60% reduction in the use of sub-minimum wage so at least in the US context which is what I can speak to we are seeing tremendous progress and there has been a dramatic reduction in the use of subminimum wage. I think we are also seeing significant expansions in supported Employment Services. There's a wide variety of positive signs. One thing that I think is quite important is addressing disincentives to work in the context of our income support system. People with disabilities getting supplemental security income and Social Security disability insurance are often very much limited in their ability to work while still retaining access to benefits and health Services

Ari: you know there's also I think a lot of important work to be done engaging with employers. During the Obama Administration, the Obama Administration put in place some requirements to expand affirmative action for workers with disabilities in among Federal contractors specifically setting a goal Target that at least 7% of the federal contract work force should be a workers with disabilities that's a relatively low Target.

Megan: Sheltered workshops are deeply connected to institutionalization. Sub-minimum wage traps people in a cycle of poverty that makes independent living incredibly difficult. Institutions can also operate sheltered workshops, or employment training programs. People with disabilities who want to and can work deserve REAL WORK FOR REAL PAY.

The fight to raise the minimum wage, the labour movement and allies need to include people with intellectual disabilities in their advocacy and continue to fight for workers rights for all. Thanks so much for joining me today for Invisible Institutions.

Outro

Invisible Institutions was created by me, Megan Linton, with support from People First of Canada & Inclusion Canada's Joint Task Force on Deinstitutionalization. Audio recording also me.

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