

Wage and Hour Division (WHD)

Forms WH-226 & WH-226A: Application for Authority to Employ Workers with Disabilities at Subminimum Wages & Supplemental Data Sheet

Section 14(c) of the Fair Labor Standards Act (FLSA) authorizes the payment of subminimum wages to workers with disabilities whose productivity is impaired by their disabilities after the employer has applied for and received an authorizing certificate from the U.S. Department of Labor. Employers apply for subminimum wage certificates using form WH-226 and supplemental form WH-226A.

For more detailed information about section 14(c), you may wish to visit our website at: <http://www.dol.gov/whd/workerswithdisabilities/>

WH-226 Application for Authority to Employ Workers with Disabilities at Subminimum Wages. This application must be submitted by employers of workers with disabilities – such as Community Rehabilitation Programs, Hospitals, Schools operating work experience programs, and private businesses – who wish to obtain authority to pay subminimum wages under FLSA section 14(c). An employer should submit a single WH-226. The instructions for completing the WH-226 are included with the form.

WH-226A Supplemental Data Sheet for Application for Authority to Employ Workers with Disabilities at Subminimum Wages.

In addition to the WH-226, a separate WH-226A must be submitted for each site where workers with disabilities are (or will be) employed at subminimum wages. The directions for completing the WH-226A are included with the form.

Completed applications should be mailed to:

U. S. Department of Labor
Wage and Hour Division
230 South Dearborn Street, Room 514
Chicago, Illinois 60604

What if I have questions as I complete the application?

For questions not addressed in the instruction pages included with the WH-226 and WH-226A, Certification Team specialists can provide you with information about the application requirements and the status of your application or certificate. Please contact the appropriate specialist for your state.

(312) 596-7198	(312) 596-7202	(312) 596-7182	(312) 596-7027	(312) 596-7189	(312) 596-7229
Alabama Arkansas Georgia Missouri North Dakota Oklahoma Tennessee Utah West Virginia	California District of Columbia Guam Louisiana Montana New Jersey North Carolina Puerto Rico South Dakota Virgin Islands	Alaska Arizona Florida Iowa Ohio Nebraska New York Rhode Island	Connecticut Illinois Maine Michigan Nevada Oregon South Carolina Virginia Wyoming	Hawaii Idaho Indiana Kentucky Massachusetts Minnesota Mississippi New Mexico Pennsylvania	Colorado Delaware Kansas Maryland New Hampshire Texas Vermont Washington Wisconsin

Note: In order to view, fill out, and print PDF forms, you need Adobe® Acrobat® Reader® version 5 or later, which you may download for free at <http://www.adobe.com/products/acrobat/readstep2.html>. To save the completed forms on your workstation, you need to use the "Save As" method to save the file. For example, select the PDF link and click on your "RIGHT" mouse button or press SHIFT + F10. This will cause a menu to be displayed, from which you will select the proper save option -- depending upon which browser you are using:

- For Microsoft Internet Explorer users, select "Save Target As"

Once you've selected the proper save option for your browser, and have saved the file to a location you specified, go to your program menu and start the Adobe Acrobat® Reader. Once open, locate the PDF file you saved and open it directly in Acrobat®.