



Advancing Worker Equity in U.S. Department of Labor's Policies, Programs and Procurement National Online Dialogue

**September 13 – October 4, 2021
Summary Report**



Table of Contents

Introduction	2
Background.....	2
Online Dialogue Topics.....	3
Outreach Efforts	5
ePolicyWorks Email and Social Media Outreach	5
Independent Online Dialogue Outreach.....	7
Press Release Outreach.....	8
Online Dialogue Participant Summary.....	9
Contributions to the Online Dialogue	9
Idea Views in the Online Dialogue	12
Visitors, Registrants and Participants in the Online Dialogue	13
Visitors to the Online Dialogue	14
Online Dialogue Registration Questions	17
Review and Analysis of Online Dialogue Contributions	18
Key Themes and Takeaways.....	18
Top Ideas by Vote	33
Trending Ideas.....	37
Most Active Ideas	40
Most Popular Ideas.....	43
Most Popular Ideas from the Federal Contracting (Procurement) Topic	43
Most Popular Ideas from the Equitable Federal Contractor Workplaces Topic.....	46
Most Popular Ideas from the Outreach and Education Topic.....	48
Most Popular Ideas from the Enforcement Topic	51
Most Popular Ideas from the Unemployment Insurance Program Topic	52
Appendix A: Resources Links Shared in the Online Dialogue	53

Introduction

Background

As part of its ongoing efforts to achieve a more equitable recovery and pursuant to [President Biden's Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government](#), from September 13 to October 4, 2021, the U.S. Department of Labor (DOL) hosted the *Advancing Worker Equity in U.S. Department of Labor's Policies, Programs and Procurement National Online Dialogue*. DOL leveraged the power of public crowdsourcing to gather ideas on ways to promote equity across the U.S. workforce through its worker-focused policies, employment support programs and federal procurement activities. The dialogue's aim was to gather input that will help DOL ensure that all of its programs and activities contribute to a more equitable labor market where all Americans have access to the skills and opportunities they need to find a high-quality job with a family-sustaining wage. Among the topics explored were ways the department can ensure equity in federal contracting procurement and in federal contractor workplaces. It also explored equity in DOL's outreach and education, enforcement and in its unemployment insurance program. As a result of the dialogue, DOL collected 235 independent ideas and 153 follow-up comments from the public—including a wide array of employees, employers, other stakeholders and subject matter experts—about ways the DOL can best promote equity across the U.S. workforce.

Six agencies within the department collaborated to develop and support this important national discussion. These included the Employment and Training Administration (ETA), the Office of Compliance Initiatives (OCI), Office of the Assistant Secretary for Administration and Management (OASAM), the Office of Disability Employment Policy (ODEP), Office of Federal Contract Compliance Programs (OFCCP), and the Wage and Hour Division (WHD). Representatives from each agency promoted the dialogue to their constituents and served as moderators by reviewing and responding to participant ideas and comments in the crowdsourcing platform.

The dialogue provided an innovative opportunity for stakeholders and subject matter experts to play a key role in informing the department's efforts to best ensure equity in the workplace and create a more equitable economy. Participants in the dialogue represented a wide range of organizations contributing to the diverse perspectives and insights within the dialogue ideas and comments, including government agencies (federal, state, county and city), as well as national- and grassroots-level civil rights organizations, legal services organizations, disability advocacy groups, workforce

development organizations and chambers of commerce, along with labor and trade unions, employer organizations and trade associations from across a range of industries.

During the national online dialogue, **1,389 individuals** visited the dialogue site **2,857 times** and viewed a total of **13,536 pages** of the dialogue. They also shared, commented and voted on ideas in five topic areas related to advancing worker equity at DOL: (1) Federal Contracting (Procurement); (2) Equitable Federal Contractor Workplaces; (3) Outreach and Education; (4) Enforcement; and (5) Unemployment Insurance Program. As a result, DOL collected **235 ideas, 153 comments** and **568 votes**.

Online Dialogue Topics

The *Advancing Worker Equity in U.S. Department of Labor's Policies, Programs and Procurement National Online Dialogue* contained five different topics. Each was associated with different areas of interest for the department. Representatives from the different agencies involved in the dialogue moderated the activity in each topic throughout the dialogue. DOL subject matter experts weighed in on the conversation and encouraged discussion and elaboration on ideas by commenting on ideas submitted.

1. Federal Contracting (Procurement)

DOL is committed to increasing racial and social equity in procurement opportunities. Under this topic, registrants were asked to share their ideas on the best ways to reach businesses owned by underrepresented individuals, including information and/or resources that DOL could provide that would be most helpful in order to support underserved communities who would like to participate in the procurement process. In addition, registrants discussed how existing contracting assistance programs could be improved to better support equity.

2. Equitable Federal Contractor Workplaces

The ability to thrive with respect at a workplace is critical to the improved economic outcomes of women, the LGBTQ community, people with disabilities and other historically underserved groups, and DOL is committed to ensuring that federal contractors and subcontractors do not discriminate in employment because of race, color, religion, sex, sexual orientation, gender identity, national origin, disability or status as a protected veteran. In this topic area, registrants shared ideas regarding strategies DOL could utilize to ensure employees from underserved communities can have equal opportunity to jobs, including jobs created as a result of the

government's infrastructure investments. They also discussed how DOL could better identify potential discrimination at contractor workplaces, including construction sites.

3. Outreach and Education

Outreach and education are vital to the work of the Labor Department. DOL's goal is to ensure that all workers understand their rights and that all employers understand their responsibilities. In this topic area, registrants were asked to identify barriers workers face in accessing DOL. Specifically, they were asked to share ideas on how DOL can target outreach to workers from historically underserved communities as well as their employers. Registrants were asked to identify channels and/or intermediaries that should be utilized to share information that would assist workers in understanding their workplace rights.

4. Enforcement

DOL administers and enforces more than 180 federal laws addressing pay and benefits, workplace safety and health, youth employment, veterans' employment, federal contractor affirmative action and nondiscrimination requirements, and more. Through the online dialogue, DOL asked participants to share ideas on how it can best ensure its enforcement activities protect the rights of all workers including those from historically underserved communities.

5. Unemployment Insurance Program

The pandemic has highlighted the challenges individuals face in balancing work and home responsibilities. This final topic focused on the unemployment insurance (UI) program and its role providing temporary, partial wage replacement to individuals who are unemployed through no fault of their own. During economic downturns, such as during the COVID-19 pandemic, UI helps ensure workers', including those from historically underserved community, basic needs are met. In this topic registrants shared their ideas on how to improve this vital program and ensure that serves everyone.

Outreach Efforts

To ensure a wide range of participants in the online dialogue, DOL, along with the host agencies, conducted numerous strategic outreach efforts, including distributing targeted eblasts, drafting announcements for the department and the agencies' weekly newsletters, posting on @USDOL and other agencies' social media accounts. In addition, ePolicyWorks conducted its own outreach via the @ePolicyWorks Twitter account and through emails to targeted groups, such as the registrants of previous equity-focused ePolicyWorks online dialogues, worker and racial equity subject matter experts, historically black colleges, advocacy organizations, organizations that represent employers and workers, state and local government officials, and other key stakeholders, including members of the disability community.

ePolicyWorks Email and Social Media Outreach

ePolicyWorks conducted five distinct email campaigns over the course of the dialogue. The emails included the following:

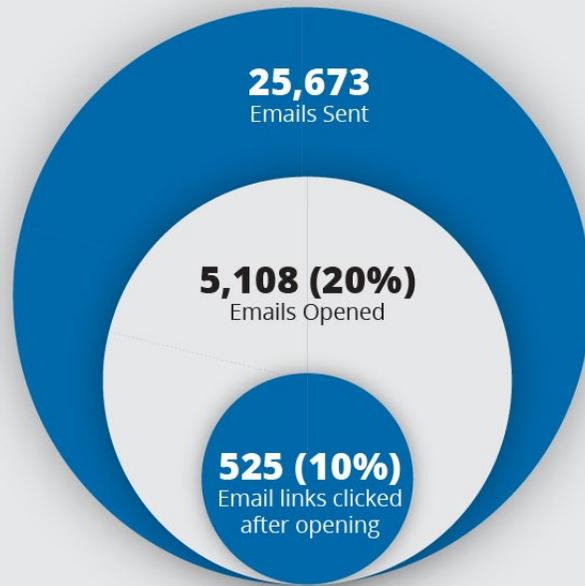
1. Dialogue launch announcement emails to past dialogue participants, state and local government representatives, human resource organizations, equity focused groups and nonprofits and ODEP listening session invitees and participants
2. Targeted dialogue reminder emails
3. General dialogue reminder emails
4. Dialogue "last chance" emails
5. Dialogue "last day" emails

In addition, the ePolicyWorks staff reached out personally to specific racial and social equity organizations to ensure they were aware of the dialogue, answer any questions they may have and encouraged them to participate.

In total, more than 25,000 emails were delivered to ePolicyWorks stakeholders with an open rate of 20%, which is comparable to other ePolicyWorks dialogue outreach campaigns and significantly higher than the industry average of 17%.

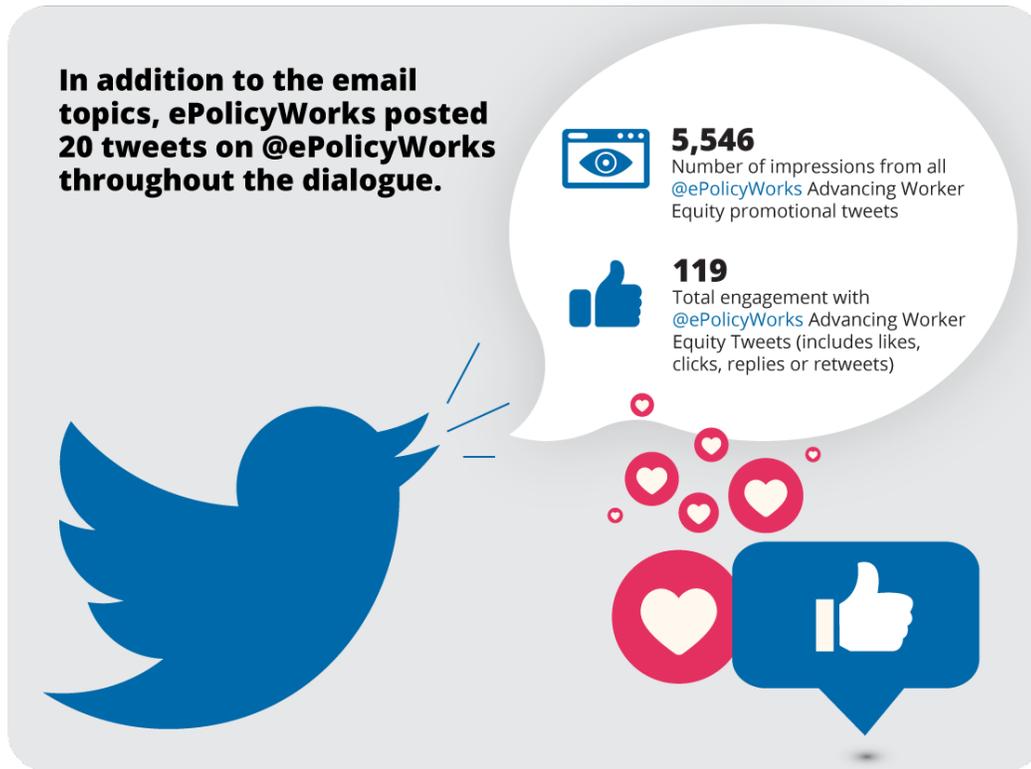
- Total emails delivered: **25,673**
- Total emails opened: **5,108**
- Total number of clicks on links in emails (excluding multiple clicks of the same link): **525**

 **25,673** Total number of emails sent by ePolicyWorks



As a complement to ePolicyWorks' email outreach, @ePolicyWorks posted 20 tweets on its verified Twitter account throughout the dialogue.

- Number of impressions from all @ePolicyWorks Advancing Worker Equity promotional tweets: **5,546**
- Total engagement with @ePolicyWorks Advancing Worker Equity Tweets (includes likes, clicks, replies or retweets): **119**



Independent Online Dialogue Outreach

Beyond outreach by ePolicyWorks, the department and the host agencies, many other public and private organizations promoted the online dialogue through Facebook, LinkedIn, Twitter, emails, blogs, newsletters and action alerts. Below is a sampling of the organizations and publications that disseminated details regarding the online dialogue:

- ADA Southeast
- Yahoo Finance
- Cornell University
- EARN
- Council of State Governments (CSG)
- RespectAbility
- Homeland Security Today
- HR for HR
- HBCU.com (Historically Black Colleges and Universities)
- In Business Greater Madison
- OutSolve: Beyond Compliance
- Mid-Atlantic ADA Center
- Black Women Connect
- Government Executive
- MarketWatch

Information about the dialogue was posted on a number of LinkedIn groups including the following:

- Disability Advocates
- American Bar Association - Commission on Disability Rights
- No Barriers - Career and Employment for People with Disability and Disadvantage
- DREAM - Disability Rights, Education, Activism and Mentoring
- Council for Disability Awareness (CDA)
- RoomForWork Global Innovation Network for Disability & Autism
- Disability:IN Minnesota
- Disability Events & Employment for Greater Massachusetts
- National Disability Mentoring Coalition (NDMC)
- Multiple Perspectives on Access, Inclusion and Disability
- Diversity and Disability@Work

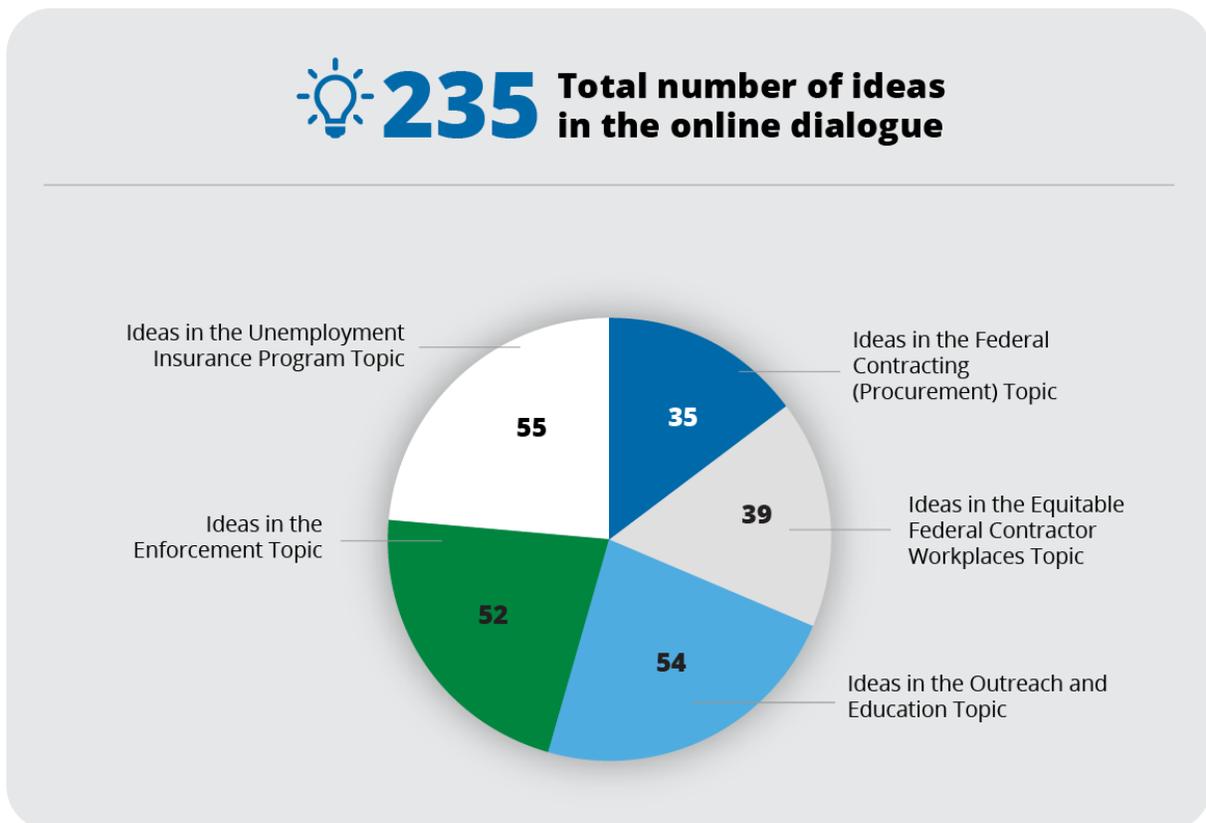
Press Release Outreach

On September 24 at 8:00 a.m. ET, the ePolicyWorks team posted a press release, "Online Dialogue on Advancing Equity for Workers at the U.S. Department of Labor Now Open for Participation," to PRNewswire. The press release received **more than 2,000 views**, with **176 views** and **24 click-throughs** directly on PRNewswire.com. The release received **110 pickups** and two of these pickups additionally posted the release to their Twitter feed. The potential reach from pickup sources is **79 million viewers** and **1,000 Twitter users**.

Online Dialogue Participant Summary

The *Advancing Worker Equity in U.S. Department of Labor's Policies, Programs and Procurement National Online Dialogue* opened on September 13, 2021, and closed at the end-of-day on October 4, 2021. Detailed below is information on the contributions to the dialogue—ideas, comments and votes, along with the number of online dialogue views, registrants, participation rates, location of registrants and profile information provided by registrants during the registration process.

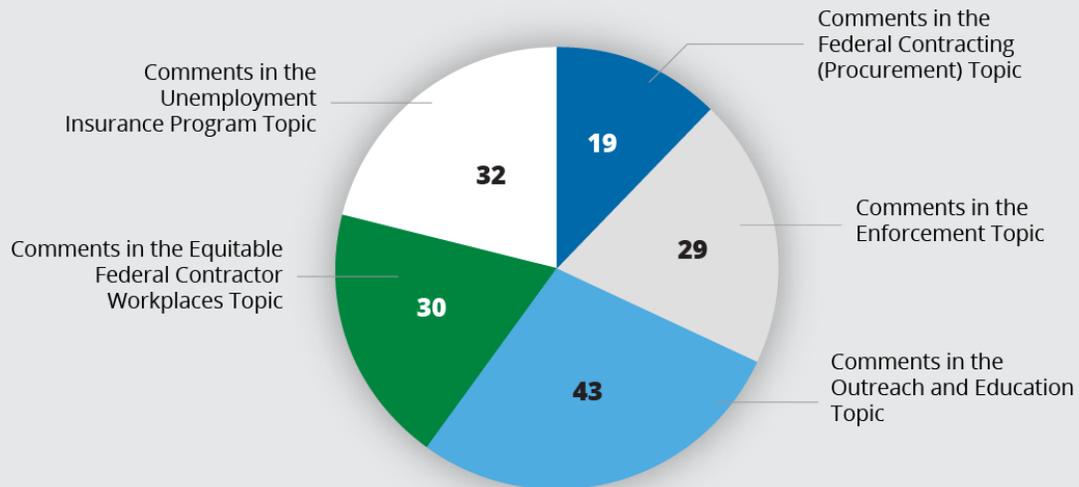
Contributions to the Online Dialogue



Total number of ideas in the online dialogue: 235

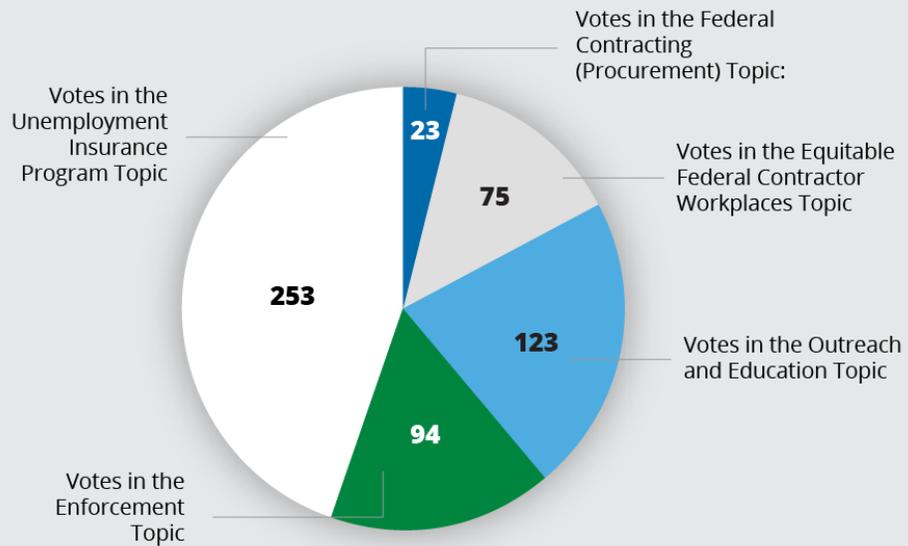
- Ideas in the Equitable Federal Contractor Workplaces Topic: **39**
- Ideas in the Outreach and Education Topic: **54**
- Ideas in the Enforcement Topic: **52**
- Ideas in the Unemployment Insurance Program Topic: **55**

 **153** Total number of comments in the online dialogue



- Comments in the Federal Contracting (Procurement) Topic: **19**
- Comments in the Equitable Federal Contractor Workplaces Topic: **30**
- Comments in the Outreach and Education Topic: **43**
- Comments in the Enforcement Topic: **29**
- Comments in the Unemployment Insurance Program Topic: **32**

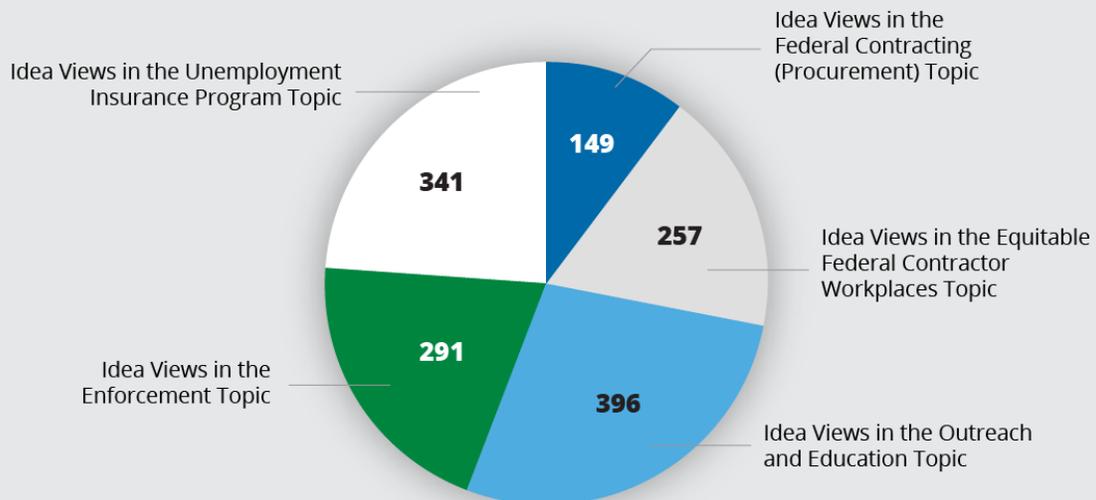
 **568** Total number of votes in the online dialogue



- Votes in the Federal Contracting (Procurement) Topic: **23**
- Votes in the Equitable Federal Contractor Workplaces Topic: **75**
- Votes in the Outreach and Education Topic: **123**
- Votes in the Enforcement Topic: **94**
- Votes in the Unemployment Insurance Program Topic: **253**

Idea Views in the Online Dialogue

 **1,434** Total Idea Views in the Online Dialogue



- Idea Views in the Federal Contracting (Procurement) Topic: **149**
- Idea Views in the Equitable Federal Contractor Workplaces Topic: **257**
- Idea Views in the Outreach and Education Topic: **396**
- Idea Views in the Enforcement Topic: **291**
- Idea Views in the Unemployment Insurance Program Topic: **341**

***Idea Views include the number of times a verified registered member of the dialogue, including moderators, opened the idea detail page to view the full description of an idea.*

Visitors, Registrants and Participants in the Online Dialogue

From September 13 to October 4, 2021, the *Advancing Worker Equity in U.S. Department of Labor's Policies, Programs and Procurement National Online Dialogue* could be viewed by visiting AdvancingEquity.IdeaScale.com. Visitors to the website could access all the ideas, comments and votes in the online dialogue, as well as links that provided information on how ePolicyWorks dialogues work, more information on the host agencies of the dialogue and the White House Executive Order 13958.

In order to participate in the dialogue—i.e., add an idea, comment or vote—individuals completed a registration process. The registration process entailed an online form that asked registrants to identify their stakeholder group and industry or government represented. After the form is submitted, registrants are asked to verify their email. Once individuals are verified, they can create a password, log in and add ideas, as well as comment and vote on ideas submitted by others.

For the following metrics, “visitors” are defined as all individuals who visited the URL of the dialogue, whether or not they choose to complete the registration process. As mentioned above, all visitors to the URL can view all ideas, comments and votes in the online dialogue. “Registrants” are those who successfully verified their email and created a password. “Participants” include anyone who submitted an idea or commented or voted on an idea submitted by another.

- Total number of visitors to the online dialogue: **1,389 individuals**
- Total number of visits to the online dialogue: **2,862 visits**
- Total number of page views: **13,536 pages**
- Average number of times visitors came to the online dialogue: **2.06 times**
- Average length of time they spent visiting the online dialogue: **6:19 minutes**
- Average pages they viewed during a visit to the online dialogue: **4.73 pages**
- Total number of registrants in the dialogue: **397 individuals (29% of visitors)**
- Total number of registrants who participated by contributing an idea, comment or vote: **224 (56% of registrants)**
- Total number of registrants who contributed ideas: **123**
- Total number of registrants who contributed comments: **44**
- Total number of registrants who contributed votes: **150**
- Total number of states represented: **49 and the District of Columbia**

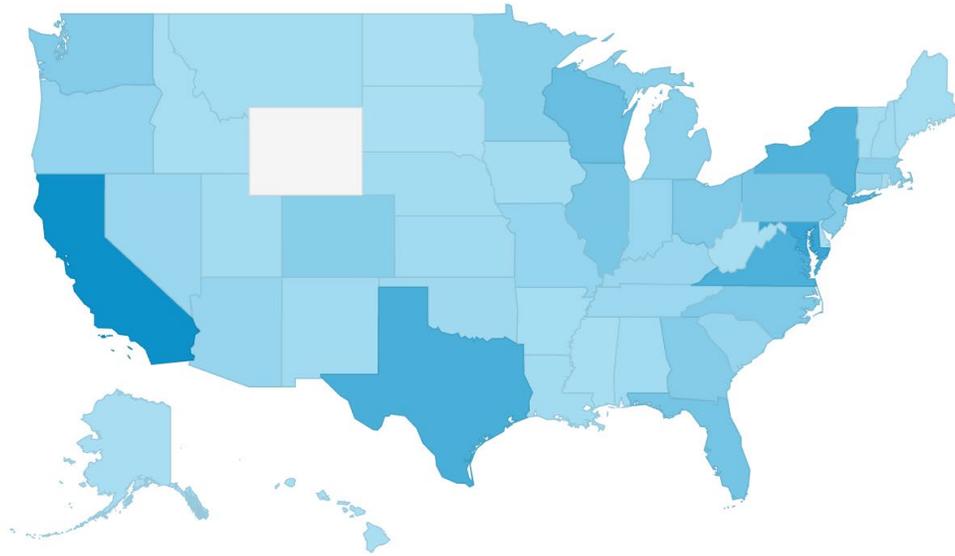


Visitors to the Online Dialogue

State	Total Number of Visitors	Percentage of Total
District of Columbia	140	10.5%
California	137	10.3%
Maryland	91	6.8%
Texas	84	6.3%
Virginia	77	5.8%
New York	78	5.9%
Wisconsin	58	4.4%
Florida	43	3.2%
Pennsylvania	44	3.3%
Illinois	41	3.1%
North Carolina	36	2.7%
Ohio	37	2.8%
Georgia	34	2.6%
New Jersey	33	2.5%
Washington	33	2.5%
Colorado	28	2.1%
Massachusetts	25	1.9%
Minnesota	26	2.0%
Michigan	26	2.0%
Oregon	19	1.4%
Missouri	17	1.3%
Arizona	18	1.4%
Connecticut	18	1.4%

State	Total Number of Visitors	Percentage of Total
South Carolina	17	1.3%
Indiana	16	1.2%
Kentucky	13	1.0%
Nevada	13	1.0%
Tennessee	14	1.1%
Oklahoma	11	0.8%
Kansas	8	0.6%
New Hampshire	9	0.7%
New Mexico	8	0.6%
Alabama	7	0.5%
Iowa	7	0.5%
Louisiana	6	0.5%
Nebraska	6	0.5%
Rhode Island	6	0.5%
Utah	6	0.5%
Maine	5	0.4%
Montana	6	0.5%
Vermont	6	0.5%
Arkansas	5	0.4%
Idaho	4	0.3%
Delaware	3	0.2%
Mississippi	3	0.2%
West Virginia	2	0.2%
Alaska	2	0.2%
Hawaii	1	0.1%
North Dakota	1	0.1%
South Dakota	1	0.1%

Map of State Affiliation of Online Dialogue Visitors*



** Map depicts Google Analytics reported state affiliation of online dialogue visitors as portrayed in the table in the section above.*

Online Dialogue Registration Questions

When registering for the *Advancing Worker Equity in U.S. Department of Labor's Policies, Programs and Procurement National Online Dialogue* registrants were asked two questions. One question asked their stakeholder group and the other asked the industry or government office they represented. More than 390 dialogue registrants shared their information. Below is a summary of the responses from dialogue registrants.

Registration Question Responses to "Stakeholder Group"

- Employee (Non-Federal Government), 69
- Advocacy Organization, 56
- Employer or Private Sector Business (Non-Federal Contractor), 50
- Job Seeker/Unemployed, 32
- Employer or Private Sector Business (Federal Contractor), 41
- Employee (Federal Government), 33
- Service Provider, 23
- State or Local Government Representative, 18
- Research or Educational Institution, 12
- Employer Group or Business Organization, 11
- Employee Group or Employee Organization, 9
- Think Tank, 9
- Social Service Agency, 7
- Other or None of the Above, 49

Registration Question Responses to "Industry or Government Represented"

- Construction/Labor/Workforce, 50
- State or Local Government, 32
- Healthcare, 29
- Federal Government, 26
- Technology, 24
- Education, 23
- Manufacturing, 11
- Financial Services, 11
- Energy, 10
- Defense, 9
- Food & Beverage, 8
- Agriculture, 7
- Hospitality, 5
- Banking, 4
- Retail, 3
- Arts/Entertainment, 3
- Telecommunications, 3
- Real Estate, 3
- Other or None of the Above, 132

Review and Analysis of Online Dialogue Contributions

Over the course of the *Advancing Worker Equity in U.S. Department of Labor's Policies, Programs and Procurement National Online Dialogue*, participants from across the U.S. shared thought-provoking and innovative ideas and recommendations on ways the department can better promote equity through its worker-focused policies, employment support programs and federal procurement activities. The results of the dialogue will help formulate future department programs and funding opportunities in order to ensure that the department responds to the needs of all workers including those with disabilities and those from diverse backgrounds. In addition, the information gathered through this process will help shape the understanding of several key agencies within the department and help better inform those agencies as they advise leadership. The range and depth of the ideas submitted and discussed during the online dialogue demonstrates the immense value of engaging citizens in collaboration efforts. Employees, employers, advocates, colleges and universities, organizations and state and local government representatives jointly contributed **235 ideas, 153 comments, 568 votes, 39 resource links** ([Appendix A](#)) and **16 documents and letters** submitted as attachments to the dialogue. Based on these contributions, several themes emerged as key ideas among the stakeholders.

Key Themes and Takeaways

Based on a preliminary analysis of the ideas posted to the dialogue and those submitted as attachments, the following key themes and takeaways emerged:

Improve Metrics/Data Collection and Update Minority Workforce Utilization Goals

There were a number of ideas submitted that discussed the need for improved metrics, especially data tied to members of underserved communities. Many agreed that metrics for tracking, monitoring and measuring progress on equity are necessary to ensure genuine and meaningful progress. One idea stated that in order to advance worker equity, it will be critical for DOL to develop and utilize these equity metrics in all of its programs, services and operations. Another idea mentioned that in order to measure progress in promoting racial and gender equity, *especially* in federal contracting, DOL should track demographic information for contractors and establish data-based goals for increased diversity and equity.

In addition, dialogue contributors proposed disaggregating data so that each racial group is individually defined to represent accurate rates of employment (and further disaggregate by ethnicity, for example, with Asian Americans and Pacific Islanders) and when appropriate, metrics should be developed in collaboration with community, local

and state partners with adequate guidance, technical assistance and funding from DOL to support implementation;

Along with improved data collection participants discussed the need to establish data-based goals for increased diversity and equity, specifically to disaggregate DOL's goals by race and ethnicity. A participant in the dialogue suggested that DOL, provide sub-regulatory guidance that updates and de-aggregates regional workforce utilization goals for Black and other underrepresented populations based on current and appropriate workforce demographic data and other relevant data which covers all federally funded projects.

When discussing metrics and data collection, several registrants mentioned the current unemployment insurance system, stating that the information on racial and gender in the UI system is too limited. Currently, states are only required to submit information on the ETA 203 form, which collects demographic information on those who are receiving UI benefits. States struggle to provide researchers or advocates any additional information, because limited data reporting resources are focused on completing required ETA forms. ETA reports are hard coded in mainframe systems, and efforts to connect the race, ethnicity, gender or age of claimants to other UI data elements are frustratingly difficult to accomplish. A participant recommended mandating data collection to include data elements to understand by race, ethnicity and gender are (1) those who have applied for unemployment insurance (regardless of whether they are eligible), (2) those who are denied unemployment benefits, (3) those who are charged for overpayment, in other words those claimants who have an overpayment established in their name, and (4) those who appeal benefits, and the outcomes of those appealed.

Finally, several contributions stressed the need to improve the accuracy of demographic data collection. This data contains a high number of those who identified as "Information Not Available." More effective data collection would identify what share of claimants are white, Black, Non-white Hispanic, White Hispanic, Asian American or Pacific Islander, Native American or white.

Protect Immigrant Workers from Retaliation

Participants in the dialogue were concerned about the inability of some workers to report workforce issues due to fear of deportation. They recommended establishing a clear process for immigrant workers to apply for temporary protections from deportation when asserting their workplace rights in the workplace.

The concern about retaliation was not limited to just immigrant workers. Many felt that all workers must be protected from retaliation, and where retaliation occurs, the response from the relevant agency must be swift and effective.

One specific idea stressed that agencies should be encouraged to learn from each other and consistently implement best practices and policies protecting workers. They shared the example from the National Labor Relations Board (NLRB). NLRB protects immigrants' rights via such vehicles as GC Memorandum 98-15, among others, which were enacted to prevent employers from raising immigration status until it becomes relevant as an affirmative defense in the damages phase of a charge. The idea submitted indicated that similar policies and best practices to protect workers should be uniformly implemented across regional offices and replicated at other agencies.

Another contributor proposed actively utilizing the DOL-DHS Memorandum of Understanding Concerning Enforcement Activities at Worksites and the Addendum to ensure that all workers are able to enforce their workplace rights without fear of immigration-based retaliation. They proposed that DOL expand the MOU to address unnecessary limitations and ensure that immigration enforcement activities do not interfere with state and local labor law enforcement, and to ensure interior immigration enforcement activities carried out by U.S. Immigration and Customs Enforcement that are not part of its worksite enforcement activities do not conflict with labor law enforcement.

Specifically, one person recommended DOL build out processes for labor enforcement agencies to seek and obtain affirmative immigration relief for victims, witnesses and other adversely affected workers in workplace enforcement cases. They went on to state that United States Citizenship and Immigration Services should work with labor enforcement agencies on a process for workers to petition for affirmative relief under existing authorities, utilizing the expertise of labor enforcement agencies in recommending affirmative relief in appropriate cases. Affirmative status would not only protect workers from immigration-based retaliation but also allow them to access the full suite of remedies that agencies have to punish unlawful employer retaliation—such as reinstatement, back wages, etc. that have been unfairly denied them.

Streamline and Revitalize the Employment Service Complaint System

Several participants discussed the need to improve the Employment Service Complaint Systems, first, by providing trainings to State Monitor Advocates and other State Workforce Agency (SWA) personnel, especially outreach workers, about employment service complaints. In addition, it was proposed that DOL reach out to every SWA to

ensure that each agency has a written policy about handling employment service complaints. Agency policies should, for example, explain how complaints may be filed, describe the normal timeline for processing a complaint, and identify the state-level body that will provide hearings on complaints, if requested. In addition, the submitter recommended that DOL implement a policy of consistently communicating with SWAs about labor violations to ensure services are discontinued to employers who abuse the H-2A system.

Another idea was submitted that recommended DOL streamline and systematize its own process for resolving appeals of employment service complaints, pursuant to 20 C.F.R. § 658.420–.422. It was stated that it would be helpful if DOL publish a public-facing policy or guide describing how to submit appeals to the various Regional Administrators, listing the documents that should be included with an appeal, and outlining the normal process and timeline DOL uses to resolve appeals.

Focus on User-Centric Design and Implementation in all Workforce Systems (on and off-line), including the Unemployment Systems

In the dialogue, registrants discussed the need to improve the way DOL communicates with its constituents. This could include revamping websites, forms, social media and outreach materials with consideration of language, cultural, geographic, technological and physical barriers that may prevent workers from accessing it effectively. Since a lot of information that workers need is delivered by state agencies, DOL should ensure that states deliver information effectively as well. This includes ensuring that all states translate their unemployment insurance websites and materials into languages required by federal law and ensure individuals without computers or the internet can access the system

Specially, participants discussed the need to cater to mobile users and to use simple, clear language, rather than legalese and jargon. For example, a citation to a statutory or regulatory section is not sufficient on its own. Describe the individualized factual basis for the determination, rather than, for example, a blanket statement that “new information” was discovered.

Many agreed that language access is vital to advancing worker equity and that DOL should develop materials in languages and formats that are accessible for all workers. Specially it was mentioned that DOL's Seasonal Jobs website (where H-2A job orders are posted), should be available to workers in Spanish. Further, information about workplace hazards should be available to workers in formats that are culturally and linguistically appropriate. This includes the use of posters and handouts as well as radio and video.

Information about workplace rights for farmworkers should not be limited to English and Spanish since workers speak numerous other languages, including Haitian Creole and indigenous languages from Mexico and Guatemala. It is imperative that DOL partner with farmworker-serving organizations to create these materials to ensure their effectiveness. In addition to ensuring language access for all workers in written form, several ideas discussed the need for DOL to hire staff that speak languages commonly spoken in local worker communities. This can be done by relying on available public and private sources of data for information about language needs in low-wage industries in each region. An individual suggested reinvigorating Title VI enforcement, reissuing strong rules via executive order, possibly strengthening President Clinton's EO #13166, auditing agencies for compliance with directives, and raising standards and compliance so language-access is ensured.

In addition to making workforce systems accessible via language, it was also noted that DOL needs to ensure all systems are accessible to those with disabilities. DOL should focus its technical assistance on ensuring that all unemployment insurance application websites meet WCAG 2.1 AA standards (or the most recent version of standards). These technological changes allow UI claimants with disabilities to equitably access benefits, and also represent principles of universal design that benefit the entire population. Standards include provision that give claimants enough time to complete online questionnaires, providing text alternatives for non-text content so those that need braille or other changes can utilize them; providing sign language interpretation for video content; technology features that make it easier for users to see and hear content separating foreground and background such as proper contrast ratios and the ability to resize text.

Finally, the need for direct access was also discussed. Several participants brought up the needs of workers in rural communities and workers with disabilities who might have limited access to transportation, as well as those who work during the 9 a.m. - 5 p.m. workday and have limited control over their work schedules and workers' who fear entering government buildings that require government identification. It was recommended that all these groups be able to physically access agency offices. To meet that need, someone suggested mandating by Executive Order that all future locations of agencies charged with protecting workers including Equal Employment Opportunity Commission, DOL and NLRB be easily physically accessible to the low-wage community via public transportation. They should also be located in buildings that can be accessed without requiring government-issued identification, and all locations of the aforementioned agencies (current and future) should be required to display external

identifying signage. Offices should be required to provide hours of operation that are outside of the normal 9 a.m. -5 p.m. office hours and ensure that workers who are unable to access paid time off from work are able to access the agencies services.

Integrate the Worker's Voice into the Design, Planning and Implementation of All of DOL's Policies, Programs and Operations

An overwhelming number of individuals in the dialogue stressed that DOL can more effectively fulfill its mission and advance worker equity by incorporating worker voices into the design, planning and implementation of all of DOL's policies, programs and operations.

One proposal posted to the dialogue recommended DOL create worker equity advisory committees. These committees would be a mechanism for DOL to hear and learn from workers about how to strengthen the equity, effectiveness and impact of DOL policies and programs. It was advised that the committees be located in the DOL divisions with jurisdiction relating to workers' rights and workplace conditions and be composed of directly impacted workers and worker organization representatives, including those from underserved communities. This also includes those with a significant degree of worker exploitation, and workers who have direct experience with the challenges of workplace enforcement. There should be adequate DOL staffing and resources to ensure the effectiveness and impact of these worker equity advisory committees in advancing worker equity.

Establish a Strategic Enforcement Partnership Between DOL and Nonprofit Worker Organizations to Collaborate on Worker Outreach, Education and Enforcement

One contributor stated "while we appreciate that DOL currently has grant programs where nonprofit organizations are awarded grants to conduct outreach and education to workers on topics such as safe workplaces and hazard recognition and prevention, we recommend that DOL establish a Strategic Enforcement Partnership with nonprofit worker organizations and community legal organizations to collaborate on targeted enforcement in low wage industries and sectors that have high rates of workplace violations."

They cited the California Strategic Enforcement Partnership (SEP), which is a partnership between the California Labor Commissioner, the National Employment Law Project (NELP), worker organizations and nonprofit legal groups. It was formed in 2016 to bolster anti-wage theft enforcement efforts in six low-wage, high violation industries and to create a culture of labor law compliance. Worker centers and nonprofit legal groups with language and cultural competency, as well as deep knowledge of industry

practices and community context, intensively engaged and supported workers throughout every step of the Labor Commissioner investigation process and beyond. Since 2018, the SEP has resulted in \$61.5 million assessed in unpaid wages and more than \$8 million collected for workers. Some of the undersigned organizations are members of the SEP, and they said they can attest firsthand to the effectiveness of this strategic enforcement partnership model in elevating working conditions and standards in low-paid sectors.

This public agency-community partnership model can be replicated by the DOL with its various divisions relating to wage/hour, health and safety, federal contracting and workforce development and training. The priority should be to partner with worker organizations that have the trust, track record and cultural and linguistic competency in engaging underserved worker populations, particularly in under resourced geographic areas that lack state and local labor enforcement resources where DOL's role is especially critical.

Incorporate a Worker "Know Your Rights" Component into Workforce Development Trainings

Several ideas suggested that DOL should provide more workers' rights trainings, particularly in rural areas. Different methods were proposed including identifying and training rural workers' rights advocates, working with state organizations and coalitions that can connect workers' rights trainers to underserved populations: partnering with community-based organizations to share information and promote educational opportunities for workers to learn about their workplace rights.

In addition, it was recommended that DOL explore ways to integrate culturally and linguistically effective worker "know your rights" training into DOL-funded workforce-development training programs on topics such as: wage and hour rights; the right to healthy, safe and discrimination/harassment-free workplaces; the right to employee benefits to which workers may be entitled; the right to organize and form and join unions and worker organizations; the right not to be retaliated against for engaging in protected activity; and what to do if these rights are violated, including information on referrals to trusted and credible nonprofit organizations that offer free services. By integrating "know your rights" education as a routine part of DOL-funded and supported workforce development trainings, an increased number of workers would understand and exercise their workplace rights. This would significantly strengthen the DOL's outreach, education and enforcement efforts and bolster the DOL's impact in advancing worker equity.

Protect Workers from Unfair Treatment Because of Criminal Records

An idea submitted in the dialogue discussed the need to strengthen enforcement of the Fair Credit Reporting Act to advance worker equity by protecting low-wage workers from inaccurate criminal background reporting. The submitter pointed out that in addition to the other difficulties that low-wage workers face in obtaining employment, they often must also overcome the challenge of inaccurate criminal background reporting. Consumer reporting agencies may commit a variety of errors that have especially deleterious effects for those from underserved communities. Low-wage workers may have difficulty in remedying such violations themselves for lack of resources; thus, the Consumer Financial Protection Bureau should prioritize investigating problematic consumer reporting agencies, recognizing the harm caused by such reporting for low-wage workers and their families.

Along the same lines, someone recommended that DOL commit to vigorous enforcement of existing criminal records guidance and strengthening such protections going forward. They went on to ask DOL to send a clear message that this is a major priority given the disproportionate impact of overbroad criminal record restrictions in hiring on those from underserved communities and the reduction of job opportunities as a result of COVID-19. Another submitter suggested strengthening protections for job applicants with criminal records and reviewing federal job training programs, such as the Job Corps for youth, that are unduly restrictive and limit job opportunities.

Balance Construction Contractor Funnel with Women and Minorities

Details in one idea pointed out that there are over 808,891 construction workers currently employed in the United States. From that, 87.8% of all construction workers are men. Nationally, only 3.4% of construction trade workers are female, as of 2018, according to DOL's own statistics. They went on to point out that one of the challenges is that this has always been a white male dominated field where you were typically brought into the union by a relative. There are some programs in place but not many, to bring more women into this field. A new program—the first in Philadelphia since the 1980s—is aiming to make a difference, particularly for women. On July 13, 2021, eight women began the WINC Tradeswomen Readiness Program, a six-week pre-apprentice class. Apprenticeship programs like this for women and minorities will start to bring a more balanced and diverse workforce to a very unbalanced field. They stated that DOL should develop and fund dedicated apprenticeships for women and minorities.

Address the Harmful Impacts of Climate Change on Worker Health and Safety

Several ideas cited climate change and its impact on advancing worker equity. Ideas submitted included recommending DOL invest in infrastructure and adaptation activities that use the 4G's: green products; green production methods; green, healthy and safe jobs with fair wages; and green communities, as well as ensure a just transition for workers adversely affected by transitioning to a sustainable environmental economy including job training, economic and career support; and develop protections for impacted by climate change including an OSHA federal heat standard, such as those in the Asuncion Valdivia Heat Illness and Fatality Prevention Act, as well as protections for workers involved in disaster response and cleanup efforts.

Clarify the Difference Between Unions and Worker Centers

A dialogue participant asked DOL to clarify the difference between unions and worker centers. A lack of understanding of worker centers and bad-faith interpretations of labor laws have created an environment where worker centers are under constant threat of being misclassified as labor organizations. This misclassification would add administrative burdens and additional scrutiny to worker centers and interfere with their ability to function and effectively support non-union workers. Therefore, it is important that the DOL and the NLRB issue clarifying statements that worker centers are not labor organizations.

Support Equal Opportunities for Worker Cooperatives and Worker Owned Enterprises in the Procurement Process, Especially Those Owned by Underserved Community Members

A dialogue idea implied that DOL should expand opportunities for worker cooperatives and other worker-owned enterprises in the DOL procurement process in order to advance worker equity. By increasing the number of worker cooperatives and worker-owned enterprises that are awarded federal contracts, DOL would help to advance worker equity.

Increase UI Coverage

Several individuals discussed recommendations on how DOL should increase and improve unemployment insurance coverage. Specifically, someone recommended that DOL mandate that all states allow independent contractors, gig economy workers and part-time employees to participate in their state's unemployment insurance program. Another said the UI should cover part-time, underpaid, workers affiliated with staffing agencies, seasonal and temporary workers when they are laid off.

One particular idea discussed UI and part-time work by stating that when laid-off workers are looking for a new full-time job, sometimes only part-time work is available. But many states have rules that discourage workers from accepting part-time work while continuing their job search. Workers receiving UI typically lose all or most of their benefits when they take a part-time job, even if their part-time wages are far lower than pre-layoff earnings. To encourage work, there should be a federal standard that allows workers in every state to receive income totaling 110% of their pre-layoff average weekly wage from combined UI benefits and earnings from part-time work. Another suggested that workers who separate from full-time work but need to start working part-time because of a major life event (such as the birth of a child or the illness/ injury of a dependent) should be eligible for UI benefits if they make a good faith effort to find work that is suitable for them given their caregiving responsibilities.

It was noted that due to historical inequity and ongoing systemic discrimination, people from underserved communities are more likely to be in underpaid and temporary jobs. Workers of color are also more likely to be working part-time but want full-time hours. A submitter advised that to fix the problem, federal standards should require that part-time workers in all states remain eligible for benefits when searching for work.

Ensure That Artificial Intelligence Systems are Not Inadvertently Discriminating Against Underserved Populations

Dialogue registrants discussed the fact that employers are now using new assessment tools that rely on artificial intelligence and algorithms to screen and select job candidates. These developments highlight the need for policymakers to clarify and strengthen guardrails to ensure that hiring assessments are used equitably.

Raise the Contractor Minimum Wage

An idea was raised concerning the contractor minimum wage. It was recommended that DOL raise the contractor minimum wage to advance worker equity and support shared prosperity in the federal contracting system and to guarantee responsible use of public contracting dollars.

Do Not Exclude Farmworkers from Labor Protections

Several participants discussed the exclusion of farmworkers from labor protections. They recommended that DOL support legislation to end the inability of farmworkers to receive basic protections, such as overtime and the benefit of enforcement on small farms because of the OSHA appropriations rider.

Take a Comprehensive Approach to Addressing Enforcement

The dialogue contained several discussions around equal employment opportunity enforcement. A number of ideas advocated for working with community and local agencies on enforcement. Participation in the dialogue stressed the need for a co-enforcement strategy between DOL and communities within federal and local agencies to strengthen EEO compliance.

One person recommended establishing an inter-agency agreement with EEOC and OFCCP to address all forms of discrimination on federally funded projects and to expand current workshare agreement tools. This would help to build enforcement partnerships between federal and regional civil rights agencies to expand anti-employment discrimination protections for those from underserved communities, in partnership with worker centers, unions, and community-based organizations. Another stated that large-scale federally funded construction projects could institutionalize worker centers, unions and community-based organizations as co-enforcement partners of a vibrant and robust Mega Construction Program to develop local partnerships to ensure a representative and more equitable workforce on federally funded and supported projects.

Modernize and Rigorously Enforce Executive Order 11246

The dialogue had a lot of discussion around Executive Order 11246 (EO 11246). It was felt that in order to advance worker equity, it is imperative that the DOL modernize and rigorously enforce EO 11246.

EO 11246 requires federal and federally assisted contractors to take affirmative action to ensure equal opportunity for all employees and applicants for employment, regardless of race, color, religion, sex, sexual orientation, gender identity or national origin. However, EO 11246 includes regional workforce utilization goals that have not been updated since 1978; these goals also are not disaggregated.

It was advised DOL update the regional workforce utilization goals using relevant census data and disaggregating the goal to set a relevant standard for those from underserved communities. They also wanted DOL to utilize the most recent and relevant census data to set workforce equity goals for all DOL federally funded contracts and to disaggregate data so that each racial group is individually defined to represent accurate rates of employment.

It was stressed that updating EO 11246 represents a critical opportunity to set new standards for those who are historically underrepresented in federal contracts, with the potential to impact a vast spectrum of industries outlined in the infrastructure bill

currently before Congress. This includes industries such as construction, public transit, personal care, roadway infrastructure, clean water infrastructure, utilities and sustainable energy.

Support Strategic Partnerships with Community-Based Organizations Including Conducting Proactive, Concerted Outreach in Underserved Communities with the Assistance of Grant Funding

A number of ideas stress that community-based organizations are critical in establishing necessary trust, connecting workers with agencies, facilitating communication between agencies and workers, and deploying enforcement resources strategically. Working with community-based organizations helps agencies cooperate with workers who might be otherwise difficult to reach, including workers employed by small businesses, workers with low literacy, workers with limited access to broadband and agencies' online resources, and especially workers in high-hazard industries and those most vulnerable to wage violations.

It was recommended that DOL actively conduct outreach to Community Based Organizations (CBOs) and networks in underserved communities, including via community and ethnic media outlets about DOL procurement opportunities. For example, the DOL should identify and build relationships with trusted community and civil rights organizations, minority business associations, higher education alumni associations including those affiliated with Historically Black Colleges and Universities (HBCUs), religious places of worship, and other civil society institutions to inform them about DOL procurement opportunities and to provide technical assistance and capacity building support. An additional effective outreach strategy is to publicize DOL procurement opportunities through Black-owned and other ethnic community media outlets including newspapers, television, radio and social media.

Curtail the Use of Forced Arbitration in Federal Contractor Workplaces

One contributor discussed the use of arbitration on its effect on worker equity. The submitter of the idea proposed that federal and state policymakers develop new legal and technical standards and equip state and federal regulators with the ability to meaningfully investigate and hold organizations accountable for ensuring equal opportunity in their use of hiring assessments.

Increase Funding for Labor Standards Enforcement

There were contributions to the dialogue about enforcing labor standards and its direct relation to funding. One person stressed the need for DOL to work with the Administration and Congress to significantly increase funding for labor standards

enforcement. Significant increases in funding and obtaining approval for new types of investments, such as grant programs to support strategic enforcement in partnership with community organizations, are critical to improving access and equity.

In addition, a number of individuals submitted ideas related to specific areas of funding increases including increases for DOL staffing in the WHD and OSHA, specifically WHD investigators (to enforce the federal minimum wage, overtime pay, recordkeeping, and child labor requirements of the Fair Labor Standards Act), OSHA Compliance Safety and Health Officers (to enforce federal workplace standards across the country, inspecting worksites and ensuring that employers comply with worker safety and health regulations), OSHA Whistleblower Protection Program (WPP) Staff (to enforce protections for employees who suffer retaliation for protected activity under more than 20 statutes), as well as for OSHA's Whistleblower database (to ensure that OSHA has reliable information to use to monitor the program and provide transparency to the public and to ensure the ability of complainants and employers to track complaints); OSHA regulations and guidance staff, OSHA technical support staff, OSHA federal compliance assistance programming; OSHA stats; USDOL Freedom of Information Act capability; Strategic Partnerships with Community-Based Organizations with the Assistance of Grant Funding.

In addition, participants stress the need to increase and re-allocate DOL budgets to increase available staff and resources for effective enforcement mechanisms, including tripling the number of investigators to ensure that staff can effectively address critical worker needs. Advocates around the country report that federal investigators often lack the language skills to ensure effective outreach and communication with immigrant workers. Agencies should create immigrant worker specialists in each regional office to conduct targeted outreach and enforcement activities. Also, it was recommended that DOL expand OFCCP funding to ensure rigorous enforcement and monitoring of updated and disaggregated workforce utilization goals.

Several agreed that DOL must engage in greater and more effective enforcement to address systemic labor abuses, specifically in agriculture. This is especially true for farmworker women and indigenous workers, who face unique challenges in the workplace. DOL must ensure that it is maximizing its enforcement by increasing its use of the tools available under the law. DOL must also ensure adequate resources for WHD, OSHA, Foreign Labor Certification Data Center and the Office of the Solicitor to carry out their enforcement responsibilities.

Finally, an idea was submitted that suggested that DOL could ensure consistent enforcement nationally by doing an internal audit, and by being transparent about priorities of the regional offices and why determinations may not be issued as well as how and why filing locations and methods result in different responses and outcomes by regional office.

Provide Uniform and Comprehensive Training for All Staff in Regional Offices on Racial Justice and Include Sensitivity Training

An idea pointed out the significant differences between the regional offices in terms of, for example, NLRB offices investigating cases regarding “protected concerted activities” for non-union workers and in preventing retaliation by employers seeking to use immigration status to deter workers from engaging in protected concerted activity. Similar inconsistencies are seen within other federal agencies as well, and this Administration should make determined efforts to ensure that a worker’s ability to access justice is not determined by their geographic location.

Build Equitable Career Pathways for Underrepresented Populations with Overlapping Barriers to Employment

Ideas in the dialogue discussed the lack of career pathways for those from underserved communities and how different groups face similar barriers to employment. Participants in the dialogue are looking to DOL to address skills gaps and systemic deficits that can prevent successful career attainment and upward mobility for many. Suggestions include more inclusive apprenticeships and holistic workforce development programs.

Pursue the Goals of Transparency, Ongoing Engagement and Meaningful Collaboration

Participants agreed that meaningful engagement is key to advancing worker equity. Several ideas suggested agencies engage with workers and worker organizations in truly collaborative ways, treating workers and advocates as partners in ensuring that workplaces are just and that workers are able to assert their rights. By engaging with workers as partners, DOL gives them agency over their workplace complaints and allows them to exercise their power in ways that—regardless of the outcome of any case or campaign—leaves them in a stronger position based on their exercise of power in the process. Several ideas felt it was vital that DOL demonstrate its stated commitment to advancing worker equity by engaging regularly and directly with workers, community-based organizations, and workers’ rights advocates. This engagement must be based on principles of partnership and inclusion, going far beyond mere sharing of information, and instead embodying true inclusion of leaders from impacted communities and

workers' advocates in assisting DOL in carrying out its mission to achieve racial equity through an economic recovery. This centers around working families, and specifically, to ensure compliance with federal employment, labor and civil rights laws.

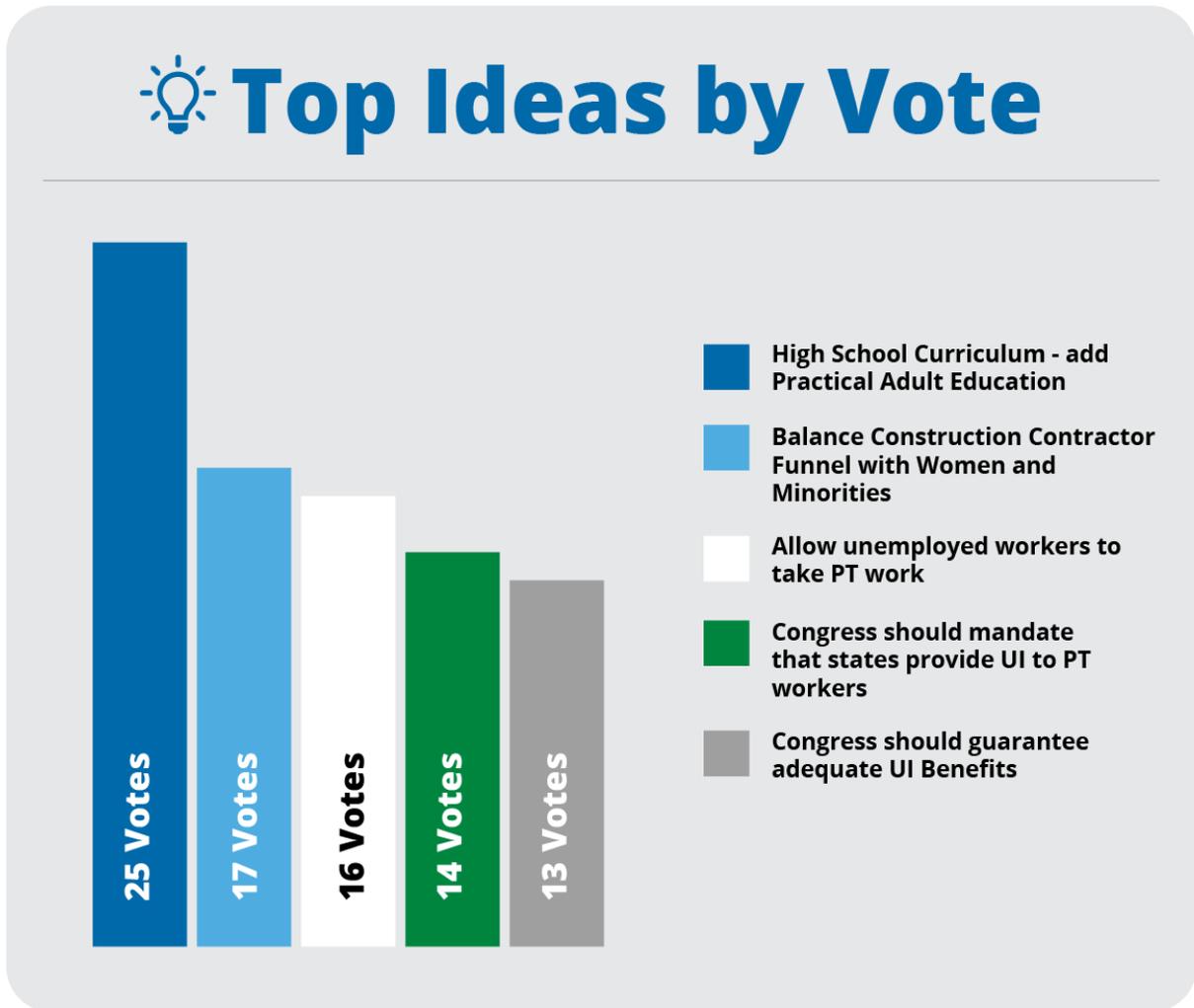
All the federal agencies tasked with the enforcement of workers' rights and labor protections, such as the DOL, including OSHA, the EEOC and the NLRB should perform internal assessments of their effectiveness in collaborating with worker centers and workers' rights advocates. The agencies should issue statements of their intention to engage in just and fair enforcement practices that include both racial justice in enforcement practices and robust partnerships with worker centers and grassroots organizations that promote information sharing and transparency. There should be designated contact people in all the local and regional offices who are available to the community and prepared to help address any issues that are raised regarding any of the following policy demands. Agencies should ensure that they are adequately staffing their outreach and education efforts and are expending all their available resources to do so.

One idea put forward was that DOL ensure the National Strategic Enforcement Partnership Initiative incorporate workers, worker groups and unions into active participation in all the agencies' enforcement work. Several felt that workers' groups are integral to successful enforcement efforts, as they are trusted by workers and have a deep understanding of issues on the ground. They are also best able to reach marginalized BIPOC and immigrant communities, including those workers who are most impacted and least likely to complain, and to ensure continued involvement of worker complainants through the long enforcement process.

Several participants stressed that it should be a DOL priority to secure the sustainability of the robust collaborations with worker centers and community-based organizations by establishing a grant program through which workers' organizations are funded for ongoing engagement in collaborative efforts. They recommended expanding and prioritizing funding for worker leadership development and training programs such as the OSHA Harwood training grants to community-based organizations, worker centers and unions to develop a network of worker leaders. These worker leaders can serve as peer educators and provide training and education on workers' rights, especially to underserved communities.

Top Ideas by Vote

Below are the five top ideas by vote from the *Advancing Worker Equity in U.S. Department of Labor's Policies, Programs and Procurement National Online Dialogue*. The ideas listed in the following section include minor typographical corrections, which have in no way impacted the substance or the intention of the revised posts.



High School Curriculum, Add Practical Adult Education

Topic: Outreach and Education

25 Up Votes | 0 Down Votes | 25 Net Votes

Comments: 4

Followers: 3

Required classes for Juniors and Seniors should include education about credit cards, bank accounts, health plans, budgeting and retirement fundamentals to include

terminology, resources, simple quizzes to test their knowledge. Most underprivileged communities have generations of family in same household, but no one has this basic knowledge or has minimal knowledge and should have the information available in multiple languages.

Balance Construction Contractor Funnel with Women and Minorities

Topic: Equitable Federal Contractor Workplaces

18 Up Votes | 1 Down Votes | 17 Net Votes

Comments: 2

Followers: 2

There are over 808,891 construction workers currently employed in the United States. From that, 87.8% of all construction workers are men. Nationally, only 3.4% of construction trade workers are female, as of 2018, according to U.S. Labor Department statistics. One of the challenges is that this has always been a white male dominated field where you were typically brought into the union by your uncle, brother, or father.

There are some programs in place but not many, to bring more women into this field. A new program — the first in Philadelphia since the 1980s — is aiming to make a difference, particularly for women. On July 13, 2021, eight women began the WINC Tradeswomen Readiness Program, a six-week pre-apprentice class.

Apprenticeship programs like this for women and minorities will start to bring a more balanced and diverse workforce to a very unbalanced field. DOL should enforce dedicated apprenticeships for women and minorities.

Allow Unemployed Workers to Take PT Work

Topic: Unemployment Insurance Program

16 Up Votes | 0 Down Votes | 16 Net Votes

Comments: 1

Followers: 2

When laid-off workers are looking for a new full-time job, sometimes only part-time work is available. But many states have rules that discourage workers from accepting part-time work while continuing their job search. Workers receiving UI typically lose all or most of their benefits when they take a part-time job even if their part-time wages are far lower than pre-layoff earnings. To encourage work, there should be a federal standard that allows workers in every state to receive income totaling 110% of their pre-layoff average weekly wage from combined UI benefits and earnings from part-time work.

Congress Should Mandate That States Provide UI to PT Workers

Topic: Unemployment Insurance Program

14 Up Votes | 0 Down Votes | 14 Net Votes

Comments: 1

Followers: 1

All workers need support when they are thrown out of a job through no fault of their own. Yet many states have rules that block part-time, underpaid, seasonal, and temporary workers from being eligible for unemployment benefits when they are laid off. For example, some states have rules that require workers to have been paid a certain level of wages over a short period of time; rules obligating workers to be seeking full-time employment while receiving UI; limits on the reasons a worker can leave a job and still receive UI; and loopholes that deny UI benefits for workers affiliated with staffing agencies, among others. Due to historical inequity and ongoing systemic discrimination, people of color are more likely than white workers, and women are more likely than men, to be in these underpaid and temporary jobs. Workers of color are also more likely to be working part-time but want full-time hours. To fix this problem, federal standards should require that part-time workers in all states remain eligible for benefits when searching for part-time work. In addition, workers who separate from full-time work but need to start working part-time because of a major life event (such as the birth of a child or the illness/ injury of a dependent) should be eligible for UI benefits if they make a good faith effort to find work that is suitable for them given their caregiving responsibilities.

Congress Should Guarantee Adequate UI Benefits

Topic: Unemployment Insurance Program

13 Up Votes | 0 Down Votes | 13 Net Votes

Comments: 6

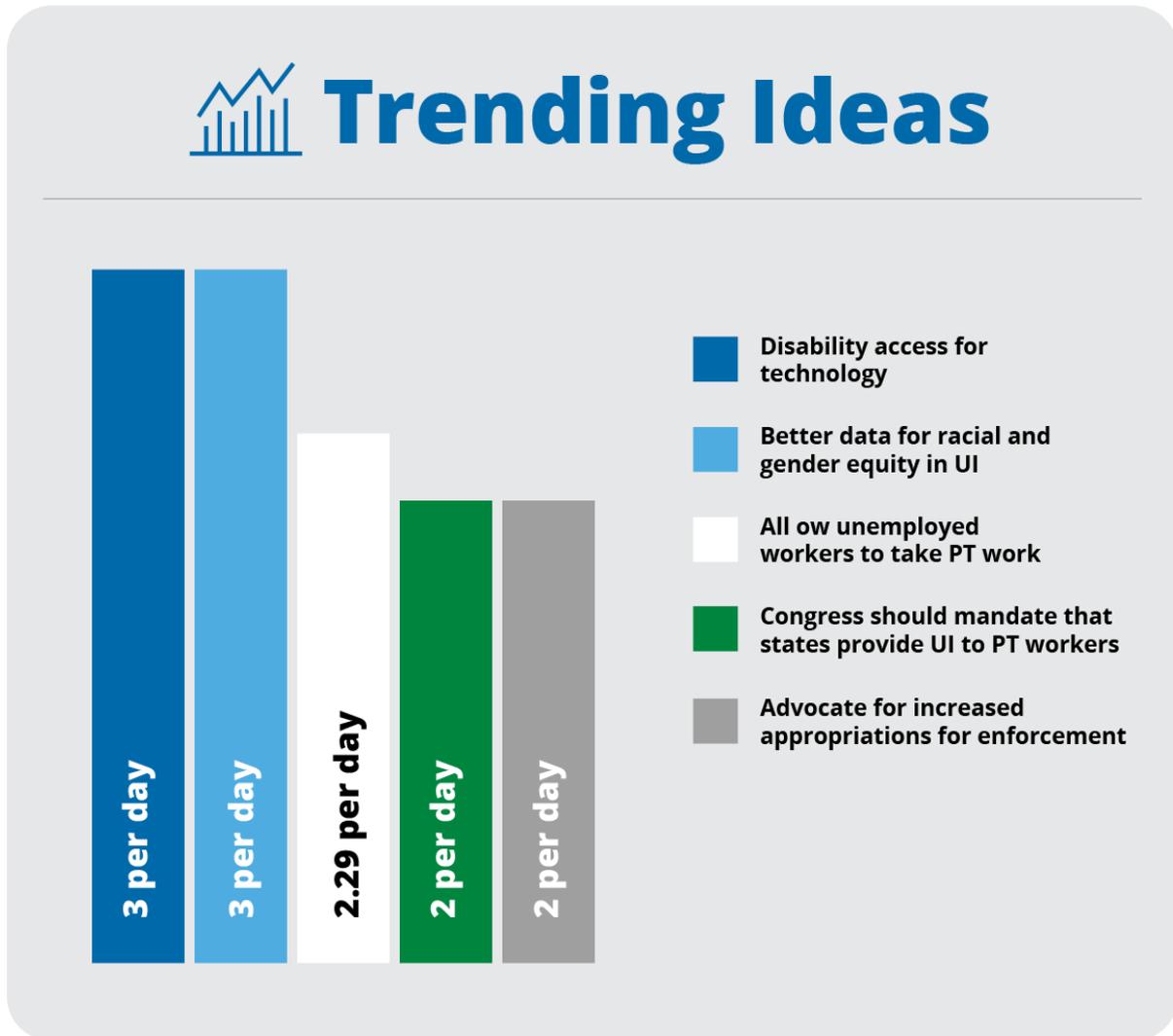
Followers: 2

When the pandemic hit, Congress passed the CARES Act providing an extra \$600 weekly supplement to unemployment benefits. Later on, the UI supplement was renewed at the level of \$300 a week. The extra money provided to unemployed workers and their families boosted incomes and helped keep millions of people out of poverty. But as of September 6, 2021, the supplement has expired, and unemployed workers now receive an average benefit of only \$344 a week. In some states, average benefits are much lower: just \$180.67 in Louisiana and \$201.22 in Mississippi. Workers thrown out of a job cannot get by on such scanty benefits and may face poverty, hunger, and insecure housing as a result. The Federal Government should guarantee a standard benefit

amount that workers and their families can actually survive on while they seek new jobs. Unlivable unemployment benefits are most likely to harm Black workers because the states with the largest Black populations tend to pay the lowest benefits, while, due to systemic racism, the typical Black family has less wealth than the typical white family to cushion them from hardship when they lose employment. To advance worker equity and prevent severe economic hardship for laid off workers, the federal government should ensure workers across the country receive benefits that replace at least 85% of wages for the lowest-paid workers with a sliding wage replacement scale for higher-paid workers. Workers should also receive an additional benefit to support children and other dependents: a minimum of \$35 per week per dependent.

Trending Ideas

Below are the trending ideas from the *Advancing Worker Equity in U.S. Department of Labor's Policies, Programs and Procurement National Online Dialogue*. "Trending" is determined based on the number of daily clicks and how they have grown over the course of the dialogue.



Two of the trending ideas, **Allow Unemployed Workers to Take PT Work** and **Congress Should Mandate That States Provide UI to PT Workers** were also the top ideas by vote. See the [Top Ideas by Vote](#) section for a full description. Below are the other three trending ideas in the dialogue.

The ideas listed in the following section include minor typographical corrections, which have in no way impacted the substance or the intention of the revised posts.

Disability Access for Technology

Topic: Unemployment Insurance Program

3 Up Votes | 0 Down Votes | 3 Net Votes

Comments: 0

Followers: 1

DOL should focus its technical assistance on ensuring that all unemployment insurance application websites meet WCAG 2.1 AA standards (or the most recent version of standards). These technological changes allow UI claimants with disabilities to equitably access benefits, and also represent principles of universal design that benefit the entire population. Standards include provision that give claimants enough time to complete online questionnaires, providing text alternatives for non-text content so those that need braille or other changes can utilize them; providing sign language interpretation for video content; technology features that make it easier for user to see and hear content separating foreground and background such as proper contrast ratios and the ability to resize text. These standards can be viewed at <https://www.w3.org/WAI/WCAG21/quickref/?showtechniques=122>

Better Data for Racial and Gender Equity in UI

Topic: Unemployment Insurance Program

3 Up Votes | 0 Down Votes | 3 Net Votes

Comments: 0

Followers: 1

Information on racial and gender in the UI system is too limited. Currently, states are only required to submit information on the ETA 203 form, which collects demographic information on those who are receiving UI benefits (continued claims status). States struggle to provide researchers or advocates any additional information, because limited data reporting resources are focused on completing required ETA forms. ETA reports are hard coded in mainframe systems, and efforts to connect the race, ethnicity, gender or age of claimants to other UI data elements are frustratingly difficult to accomplish. The only solution is for the US DOL to mandate data collection to include demographics for other elements. The highest priority data elements to understand by race, ethnicity and gender are (1) those who have applied for unemployment insurance (regardless of whether they are eligible) (2) those who are denied unemployment benefits (3) those who are charged for overpayment, in other words those claimants who have an overpayment established in their name (4) those who appeal benefits, and the outcomes of those appealed.

The Secretary should make recommendations to improve the accuracy of demographic data collection. These data contain high numbers of those identified as "Information Not Available." TCF analysis reveals that this is likely because questions about Hispanic identity and race are asked separately, and Hispanic workers are likely to check "other" for race. More effective data collection would identify what share of claimants are White, Black, Non-white Hispanic, White Hispanic, Asian American or Pacific Islander, Native American or white.

Advocate for Increased Appropriations for Enforcement

Topic: Enforcement

12 Up Votes | 0 Down Votes | 12 Net Votes

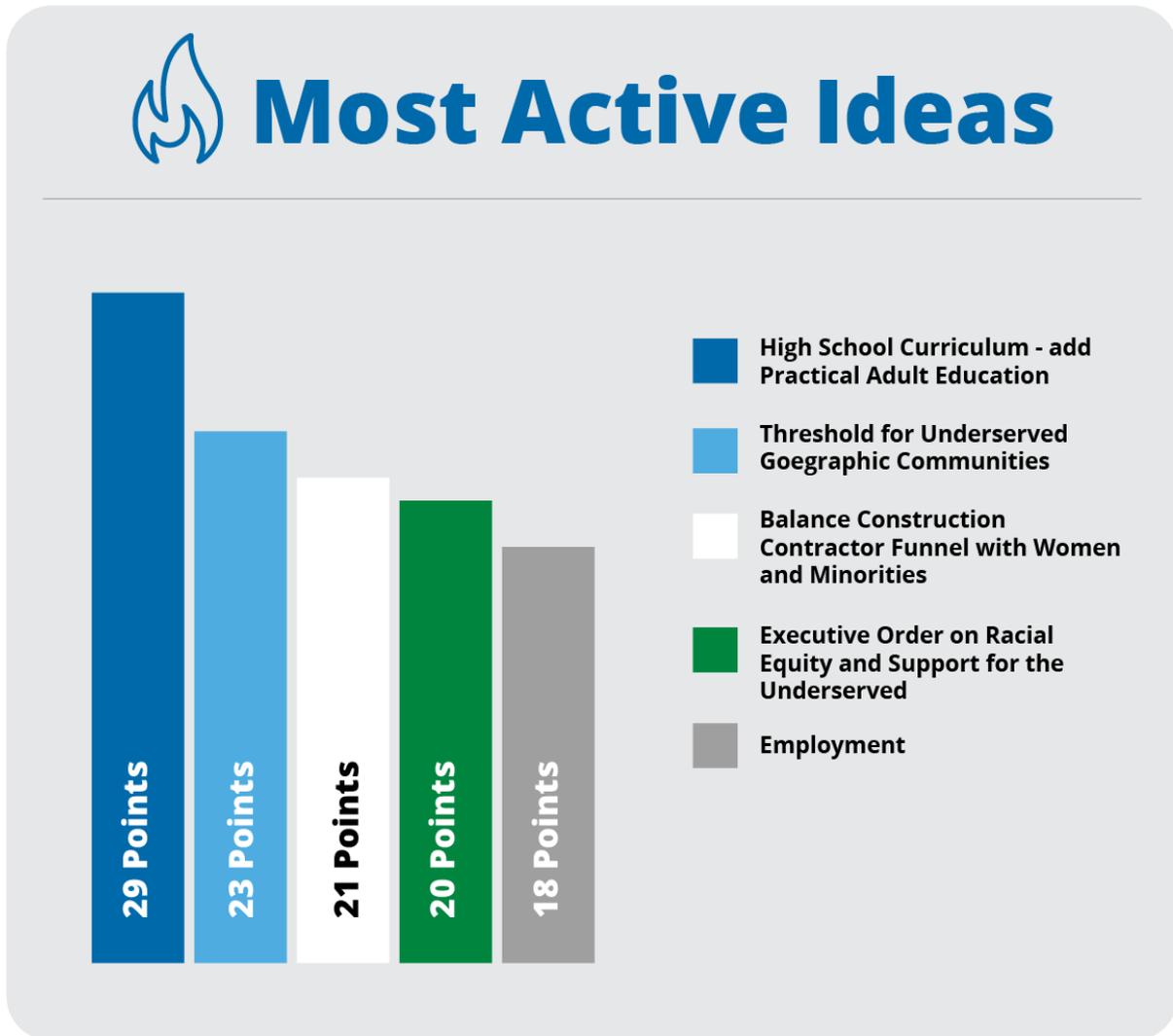
Comments: 0

Followers: 1

USDOL must work with the Biden Administration and Congress to significantly increase funding for labor standards enforcement. Significant increases in funding and obtaining approval for new types of investments, such as grant programs to support strategic enforcement in partnership with community organizations, are critical to improving access and equity in the Department's work. Please see the attached document for more details and specific recommendations for DOL's agencies.

Most Active Ideas

Below are the most active ideas from the *Advancing Worker Equity in U.S. Department of Labor's Policies, Programs and Procurement National Online Dialogue*. "Most active" is determined based on the idea's total number of views, comments, votes and followers over the course of the dialogue.



Two of the most active ideas, **High School Curriculum, Add Practical Adult Education** and **Balance Construction Contractor Funnel with Women and Minorities** were also the top ideas by vote or one of the trending ideas. See the [Top Ideas by Vote](#) or [Trending Ideas](#) sections for a full description of the ideas. Below are the other most active ideas.

The ideas listed in the following section include minor typographical corrections, which have in no way impacted the substance or the intention of the revised posts.

Threshold for Underserved Geographic Communities

Topic: Equitable Federal Contractor Workplaces

15 Up Votes | 4 Down Votes | 11 Net Votes

Comments: 4

Followers: 3

Being that there are certain jurisdictional thresholds in place for equal employment opportunity for EO 11246, and VEVRAA, there should be a threshold in place for underserved geographic communities.

When it comes to gender, race and sexuality, diversity has been at the forefront of equity in the workplace for many years. One form of inequality that has been absent is discrimination based on social class or socio-economic background, which could be assumed by where someone lives or their zip code. A person deemed from the wrong part of town may be looked over for a position or red-lined.

In the 1960s, sociologist John McKnight coined the term "redlining" to describe the discriminatory practice of fencing off areas where banks would avoid investments based on the racial makeup of certain communities. Have we eradicated this problem today?

The DOL should create a threshold for federal contractors to reinforce the need to recruit, hire and retain underserved communities. And when looking at the employee equity within the workplace, reference location and DMA demographics.

Executive Order on Racial Equity and Support for the Underserved

Topic: Equitable Federal Contractor Workplaces

10 Up Votes | 6 Down Votes | 4 Net Votes

Comments: 4

Followers: 2

The executive order on racial equity and support of the underserved has already been established. Our labor law is against discrimination and harassment due to religion, age, ethnicity, gender, disability, or race. There's not anything else to do beyond that. Despite what Biden and his people say, America doesn't discriminate against underserved communities, including women, people of color, LGBTQ+ people, people with disabilities, and others. Of course, you're always going to have some people who discriminate, but that's their opinion, and nobody can make them change their minds, but people need to accept that and move on with their lives. Somehow, there are many

immigrants, legal ones, which have come to America with nothing and are successful., as well as people of color and disabilities, women, and LGBTQ. If they're capable of working hard to succeed, everybody else can do the same. Most Americans accept LGBTQ +. Our town has a gay man on the Chamber of Commerce that has done so much for our town, and people love him, he's a wonderful person, and that's how we judge him by the kind of person he is. That is the key; it's not about a person's race, sexual preference (why that's anybody's business, I don't get, especially the government), sex, and disabilities, but the kind of person they are and as in the workplace, their qualifications. This hiring people by their race, sex, sexual preference, and disabilities alone will only benefit those people financially but ends up discriminating against those that worked hard to be successful and doesn't help the clientele of the business that hired them. By not hiring the most qualified person for the job but hiring by diversity alone is ludicrous. I used to be that work and determination were the way to success. America has opportunities for all people, and it's up to them to take them.

Employment

Topic: Unemployment Insurance Program

8 Up Votes | 5 Down Votes | 3 Net Votes

Comments: 5

Followers: 3

As an Employer, I have had many Interviews with Unemployment Candidates and the biggest struggle is that they do not return for employment after we make a competitive offer. This has been the standard practice of these interviewees and it is quite frustrating because this is affecting all businesses.

My idea is that the Unemployment Office offer a better 'Check and Balance' on these people that remain unemployed because I have many Colleagues that are facing the same issues. Why not issue the candidate a specific number that he or she will need to bring to the Interview and as the Employer we will contact Unemployment to give the result of the Interview....an existing software cannot be customized to add this the prompt.

*Thank you,
Employer Concerned*

Most Popular Ideas

Below are the three most popular ideas from each of the online dialogue's five topic areas. "Most popular" is determined based on the idea's total number of up votes, comments and followers at the conclusion of the dialogue.

The ideas listed in the following section include minor typographical corrections, which have in no way impacted the substance or the intention of the revised posts.

Most Popular Ideas from the Federal Contracting (Procurement) Topic

Support for Under Served Schools and Job Training Programs

6 Up Votes | 0 Down Votes | 6 Net Votes

Comments: 1

Followers: 1

Develop and implement a process for local federal office closures that directs lightly used electronic equipment, office furniture, and unused supplies to underserved and underfunded school districts and job training centers.

When local offices close a lot of useful equipment and supplies are simply disposed of and not re-purposed. Further, as a result of the pandemic, the current physical federal footprint will likely be reduced resulting in a surplus of equipment, supplies, etc., that will simply be thrown out unless there is a plan to repurpose it.

Food Deserts and Minority-Owned Businesses

6 Up Votes | 0 Down Votes | 6 Net Votes

Comments: 1

Followers: 1

Propose building or utilizing empty and/or condemned buildings/store fronts, within rural and urban 'food deserts'. Each building could have a minimum of 40,000 square feet of open space and be repurposed (by minority sub/contractors) as a green building with utilities. Accommodate possibly eight (8) minority-owned small businesses who are already established grocers, with a track record and an existing supply chain, offering only fresh meats, fruits and vegetables (FDA and Department of Agriculture). Processed foods should be kept to a minimum.

This should be a public/private partnership for funding, possibly subsidized with eight leases held and sponsored by local (Chambers of Commerce, Rotaries, Kiwanis, minority organizations, colleges and/or universities, etc.), state and/or federal government with adequate controls for management.

While avoiding nepotism and cronyism, establish training programs, apprenticeships and maybe scholarship for local residents to learn co-op, grocery/retail, and management skills of the overall enterprise.

This would require a buffer zone apart from other groceries, supermarkets and similar, for better acceptance. As a fig leaf for nearby minority-owned convenience stores, those owners (maximum of two) could be allowed to have one of the turnkey spaces and participate. Ensuring that they would be only selling fresh foods. Each of the eight leases should have specialty or unique products, but not preventing competition to keep prices in check. Appropriate contracts could be created, written and managed by minority-owned real estate and/or law firms.

Improvements to Contracting Process

4 Up Votes | 0 Down Votes | 4 Net Votes

Comments: 1

Followers: 1

Federal contracting implicates industries with significant employment of BIPOC, women, and LGBTQ+ workers, as well as workers with disabilities. Millions of contracts are signed each year between federal agencies and companies providing services like building maintenance, customer service, equipment maintenance, security, landscaping, and food service. While the recent executive order raising the minimum wage for federally contracted workers will provide needed relief to workers who provide these services, the Department of Labor can and should do more to ensure workers' wages are fair and that they actually receive what they are due. Prospective contractors in these industries, which are already characterized by low wages and high incidence of wage theft, may be tempted to submit very low bids for federal work that rest on poor employment practices and unrealistically low pay. The Department of Labor (DOL) already has extensive authority to remove that temptation through its powers to set and apply wage determinations under the Service Contract Act (SCA) and to strongly enforce contractor adherence to labor standards.

The SCA statute exempts certain categories of contracts from coverage, see 41 U.S.C. § 6702(b), but also gives the Secretary of Labor authority to create additional exemptions,

see 41 U.S.C. § 6707(b). To expand the Act's benefits to more workers, the current regulatory exemptions and definitions should be re-visited to assure they are consistent with the statutory mandate that they are necessary. DOL can also issue sub regulatory guidance that clarifies the narrow scope of the SCA's statutory exemptions for contracting agencies and contractors. Ambiguities in SCA coverage is a likely culprit in why contracting officers do not always include SCA clauses in covered federal contracts. All Agency Memoranda are a tool available to DOL to stop this problem.

DOL should update its process for issuing wage determinations and its methodology for setting wage and fringe benefits, including recognizing the efforts of workers to negotiate a collective bargaining agreement by exploring if the DOL can require CBA wage determinations to be incorporated into federal contracts immediately. At the same time, Wage and Hour Division (WHD) should publish a variance implementing a one-time increase in the SCA fringe rate, currently set at \$4.54/hour, for all wage determinations. Contractors and unions agree the current rate is not adequate. WHD under the Clinton administration similarly issued a variance to increase wages across the board, see DOL All Agency Memorandum 173, 58 Fed. Reg. 49,192 (Sept. 22, 1993).

Most Popular Ideas from the Equitable Federal Contractor Workplaces Topic

Balance Construction Contractor Funnel with Women and Minorities *(the full description of this idea can be found under [Top Ideas by Vote](#))*

18 Up Votes | 1 Down Votes | 17 Net Votes

Comments: 2

Followers: 2

Ensure Greater Compliance Among OFCCP Subcontractors

13 Up Votes | 1 Down Votes | 12 Net Votes

Comments: 1

Followers: 1

Currently, construction contractors are required to give written notice to OFCCP within 10 working days of awarding a construction subcontract in excess of \$10,000 (41 CFR 60-4.2). <https://www.dol.gov/agencies/ofccp/contract-award-notifications> This requirement gives OFCCP visibility into construction subcontractors. There is no similar requirement for supply and service contractors, which leads to many supply and service subcontractors not aware of their OFCCP compliance obligations as a condition of their federal subcontract and can lead to non-compliance. While there is an EEO clause required in subcontracts and purchase orders, it does not achieve the goal of bringing visibility and driving awareness of and accountability for compliance obligations.

Since the OFCCP already has a system in place for subcontract award notification for construction, it can leverage and use the same system for the reporting of supply and service subcontractors. There are two possible ways to implement this. The first would place the responsibility of reporting on the prime contractor, similar to the requirement for construction contractors. To reduce the burden on prime contractors, another way this can be implemented is by shifting the burden of reporting to the subcontractor, and have the prime contractor include in its subcontract a clause stating the subcontractor requirement to report its subcontract award to OFCCP.

By bringing visibility to all federal contractors and subcontractors, we can ensure greater compliance, reach and educate more contractors of their obligations, drive accountability, and create more workplaces that are diverse and inclusive.

Remove College Degrees in Non-Related Fields as a Consideration

8 Up Votes | 2 Down Votes | 6 Net Votes

Comments: 2

Followers: 1

Often, job seekers are screened out by the lack of a college degree. Not a specific task targeted degree, but ANY degree. This creates an unfair advantage for individuals from more robust economic backgrounds.

After 10 years of work, that barrier to the success of an applicant, should not be allowed.

Most Popular Ideas from the Outreach and Education Topic

High School Curriculum, Add Practical Adult Education *(the full description of this idea can be found under [Top Ideas by Vote](#))*

25 Up Votes | 0 Down Votes | 25 Net Votes

Comments: 4

Followers: 3

Information Portal for Employers

10 Up Votes | 0 Down Votes | 10 Net Votes

Comments: 3

Followers: 2

Create a portal containing information similar to what we already have in JAN (Job Accommodation Network). Allow the employers to learn their responsibilities and ask questions without fear of an enforcement action. Many employers do not have the luxury of hiring an in-house counsel or an outside attorney every time they have compliance questions or issues. Help the employers with compliance.

When creating the portal, hire top UX/UI professionals to make navigation easy and intuitive. Make it as easy as possible for the employers to receive the latest information and the updates in the law.

DOL Should Recognize the Value of Independent Work for POC

9 Up Votes | 0 Down Votes | 9 Net Votes

Comments: 0

Followers: 2

The Department of Labor must acknowledge the importance of contingent and alternative work arrangements to the cause of worker equity. Underprivileged minority communities are increasingly turning to alternative work arrangements to escape the paradigm of economic dependence imposed by traditional employer-employee work arrangements, which have historically been exploitive towards many communities in the United States. Particularly in industries like transportation and logistics, the independent contractor labor model has provided many advantages over traditional employment for US minority groups. The prevailing "owner operator" model in this industry has allowed many thousands of minorities to develop their own thriving small businesses, because the absence of direction and control from an employer allows independent workers to make business decisions that benefit themselves first. One only needs to look at the

preponderance of African American, Latinx, and Asian American truck drivers using the owner operator model to see how important the freedom to develop one's own business is to minority communities in America.

The Department of Labor must recognize that these communities do not prefer employment to their contingent work arrangements – according to BLS statistics from the 2017-2018 Bureau of Labor Statistics survey on Contingent and Alternative Employment Arrangements, which surveyed 10,614 workers, only 8.8% preferred employment, whereas an astonishing 79.1% of those surveyed preferred the IC model. (About 7.5% said that their preferences depended on the circumstances.) There is a reason why recent growth across all industries has often been in the independent contractor and contingent worker segments – it is certainly not because there are no jobs available for those interested in traditional employment! There are thousands and thousands of workers in the status quo, particularly in fields like logistics and the building trades where demand for labor is at an all-time high, who could take jobs as traditional employees if they wished to. Yet they have not, and likely never will, unless the regulatory state forces their hand.

It would be in the best interest of all Americans for the Department of Labor not to override the choices and decisions of American workers, but it will particularly benefit the rising class of minority business owners who have cleverly leveraged the independent contractor model to develop their own small businesses in niche markets all across the United States. Being an IC allows the individual worker to negotiate the prices they think best. Being an IC also allows the worker to build up and monetize their own capital – receiving compensation not only for their time and expertise but also for the business infrastructure they have developed – the means of production which they control. An independent contractor has a real opportunity to develop their own business – meaning that their operations can be scaled beyond what they personally are able to produce in a day. The independent contractor model provides a pathway out of economic dependence and into a prosperous capital-owning position in society.

Obviously, all work arrangements have advantages and disadvantages. It would be disingenuous and harmful for the DOL to remove the ability of workers, particularly the most motivated and industrious workers, to choose to develop their own capital frameworks, seize the means of production for themselves, and use the tools of capital to elevate themselves. The logistics industry in particular is one of a few places where laborers can realistically own their own means of production and choose where and whether they work without harming another's ability to do either of those things. It will not serve the cause of equity to steal this opportunity away from these workers.

The Department of Labor must not take away the freedom from workers to choose how they will work. Workers in America have the opportunity to use the capitalist system to their own benefit – the growing number of African American, Latinx, Asian American, and first-generation immigrants taking up the independent contractor model to their own benefit shows the wisdom and the necessity of this approach. To advance equity for these minority workers, the US DOL must continue to perform their proper role and determine employment status based on the existence of direction and control. The Department should not take any action which will hamper workers who are seeking their own self-empowerment by tying their hands with additional constraints and regulatory burdens.

Most Popular Ideas from the Enforcement Topic

Advocate for Increased Appropriations for Enforcement *(the full description of this idea can be found under [Trending Ideas](#))*

13 Up Votes | 1 Down Votes | 12 Net Votes

Comments: 0

Followers: 1

Lower Barriers to People with Disabilities

10 Up Votes | 0 Down Votes | 10 Net Votes

Comments: 1

Followers: 1

DOL should make sure that its websites are fully accessible to people with disabilities.

Discrimination

9 Up Votes | 1 Down Votes | 8 Net Votes

Comments: 1

Followers: 1

I recently had discrimination along with other issues with a company I had worked for 14 years and had a case against them. Well, I was informed that I couldn't file a few of issues against the employer because of the number of employees. I don't care if you have 1 employee or 500 employees' discrimination is discrimination and with laws like that in place employers know they can get away with treating those employees just horribly. All employment laws should apply to employees. Also, when an employee does what DOL tells them and files suit and even if employee wins, make sure you cover them on the backside of that suit. Once my suit was over the employer retaliated against me and I was treated horribly and when I contacted EEOC and DOL I was told that there weren't enough employees with company for them to enforce what I was stating. So, at DOL's advice and taking the company to court, cost me a job that I had for 14 years with No Severance pay, nothing.

Most Popular Ideas from the Unemployment Insurance Program Topic

Allow Unemployed Workers to Take PT Work *(the full description of this idea can be found under [Top Ideas by Vote](#))*

16 Up Votes | 0 Down Votes | 16 Net Votes

Comments: 1

Followers: 2

Congress Should Mandate That States Provide UI to PT Workers *(the full description of this idea can be found under [Top Ideas by Vote](#))*

14 Up Votes | 0 Down Votes | 14 Net Votes

Comments: 1

Followers: 1

Congress Should Guarantee Adequate UI Benefits *(the full description of this idea can be found under [Top Ideas by Vote](#))*

13 Up Votes | 0 Down Votes | 13 Net Votes

Comments: 0

Followers: 1

Appendix A: Resources Links Shared in the Online Dialogue

Organizations and Not-for-Profits

- [Employment Empowerment for Youth & Adults with Disabilities](#)
- [Parents in Tech Alliance \(PTA\)](#)

Reports and Resources

- [2020 Resolutions, Resolution 2020-04: Regarding Repeal of Discriminatory Legislation Concerning Unemployment for Blind Workers, National Federation of the Blind](#)
- [Covering More Workers with Unemployment Insurance: Lessons from the Great Recession, Urban Institute](#)
- [Civil Rights Principles for Hiring Assessment Technologies, The Leadership Conference on Civil and Human Rights](#)
- [Disability Equality Index, Disability:IN](#)
- [Ending child labour, forced labour and human trafficking in global supply chains, International Labour Organization](#)
- [ERG/BRG Resources, Disability:IN](#)
- [Executive Order: RESTORING THE FEDERAL GOVERNMENT AS MODEL EMPLOYER OF PEOPLE WITH DISABILITIES, Inclusive America](#)
- [How to Meet WCAG \(Quick Reference\), Web Accessibility Initiative \(WAI\)](#)
- [Improving Workplace Condition Through Strategic Enforcement: A Report to the Wage and Hour Division, Boston University](#)
- [Justice4Women Policy Priorities](#)
- [Look Into Job Opportunities with the Federal Government as an Employee or Contractor, RespectAbility](#)
- [Peer Mentoring Supplement to the Elements of Effective Practice for Mentoring™, Mentoring.org](#)
- [RE: Public Comments on RIN 1235-AA41 – Increasing the Minimum Wage for Federal Contractors, The Leadership Conference on Civil and Human Rights](#)
- [Section 3. Eligibility, Economic Policy Institute](#)

State, National and International Government Resources

- [Apprenticeships, Women's Bureau](#)
- [Apprenticeship.gov](#)
- [Contract Award Notification Requirement, Office of Federal Contract Compliance Programs](#)
- [Employer Assistance and Resource Network on Disability Inclusion \(EARN\)](#)
- [Family and Medical Leave \(FMLA\), U.S. Department of Labor](#)
- [Federal Employment, Schedule A, Employer Assistance and Resource Network on Disability Inclusion \(EARN\)](#)
- [FIELD ASSISTANCE BULLETIN No. 2021-2: Practice of Seeking Liquidated Damages in Settlements in Lieu of Litigation, Principal Deputy Administrator of Wage and Hour Division](#)
- [How to File a Charge of Employment Discrimination, U.S. Equal Employment Opportunity Commission](#)
- [Legislative Commission on Data Practices, Minnesota Legislature](#)
- [Memorandum of Understanding among the U.S. Department of Labor, the Equal Employment Opportunity Commission, and the U.S. Department of Justice](#)
- [Minnesota Legislative Reference Library, Minnesota Legislature](#)
- [Partnership on Inclusive Apprenticeship \(PIA\)](#)
- [Publicaciones Por Idiomas / Publications by Language, Wage and Hour Division](#)
- [Response to Mr. Heller September 2017 Emails, Minnesota IT Services](#)
- [Share DOI Employee Organizations, U.S. Department of Interior's Office of Human Capital](#)
- [Stay at Work/Return to Work, Office of Disability Employment Policy](#)
- [Unemployment Insurance Relief During COVID-19 Outbreak, Find State Unemployment Insurance Office, U.S. Department of Labor](#)
- [Worker Outreach, Office of Federal Contract Compliance Programs](#)

News Articles and Blogs (by date)

- [Autodesk announces annual appreciation bonus for Employee Resource Group leads, – Autodesk, September 30, 2021](#)
- [Women are drowning in unpaid labor at home. Stop making them do it at work, Fast Company, August 19, 2020](#)
- [Not all unemployed people get unemployment benefits; in some states, very few do, Pew Research Center, April 24, 2020](#)
- [The Importance of Disability Employee Resource Groups, – Medium, June 13, 2019](#)
- [Are Employee Resource Groups Good for Business, SHRM, August 25, 2016](#)