

JANUARY 2021



# TRANSITION BRIEFING & RECOMMENDATIONS

**Creating Good Jobs for Working Families**

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## Introduction

The COVID-19 pandemic, the economic crisis, and the increasing impacts of climate change have devastated the [health and economic well-being](#) of millions of families with low incomes. Workers of color, immigrants, young people, women, workers in jobs paying low wages, and frontline workers are among the hardest hit by these crises. Worse still, significant job losses and reductions in income have [deepened racial inequities and exacerbated poverty](#) and economic hardship for millions. As the pandemic rages, millions of workers are living with great economic uncertainty and continue to struggle to provide for their families. Furthermore, the pandemic has highlighted the fact that many of these jobs paying low wages and the workers in them—who were once considered expendable—are essential to the economy. Therefore, true economic recovery will require building back high-quality jobs in all sectors—including growth sectors like clean energy and the care economy—that treat all workers and working families as essential, strengthen the economy, and enable workers to meet family obligations, save for the future, and move out of poverty. It will require investments in workers through workforce development and training, subsidized jobs, and work supports such as affordable child care. It will also require a new social contract ensuring all workers can access critical workplace rights, benefits, and protections.

## 1. Addressing the COVID Crisis

The Biden-Harris Administration, starting on January 20, should urge Congress to introduce and pass a sweeping COVID relief and economic recovery package that supports near-term economic relief, provides workers with pathways out of poverty, and spurs equitable economic growth in local and state economies. This should include:

- **Extending short-term comprehensive and inclusive [paid sick leave](#) and [paid family and medical leave](#)** during the pandemic, as well as establishing a long-term paid sick leave and [paid family and medical leave](#) program. Access to paid leave has helped flatten the COVID curve and has saved lives. States where workers gained emergency paid leave through the Families First Coronavirus Response Act (FFCRA) led to over [15,000 prevented COVID cases per day](#). Paid leave is a critical work support that allows workers to stay connected to their jobs and needed income when they must to take leave to heal, bond, or care for themselves or a loved one. It should be included as a national job quality standard in all Department of Labor (DOL) administered workforce programs.
- **Making an immediate investment in restoring and rebuilding the nation's child care and early education system** through pandemic child care relief. This requires at least \$50 billion for a child care stabilization fund, with an additional \$7 billion for the Child Care and Development Block Grant (CCDBG), \$11.2 billion for Head Start/Early Head Start, and support for preschools. Combined, these dollars will equitably support and sustain providers, [build a 21<sup>st</sup> century caregiving and education workforce](#), and support parents—especially mothers—as they return to work or seek to return to work.
- **Developing and funding a national transitional jobs program in a COVID-19 response** to support the near-term economic recovery and provide much-needed long-term investment

into historically oppressed communities. The federal government must develop and implement a permanent national [transitional jobs](#) program targeting key populations, including youth and young adults and those impacted by the criminal justice system, and providing them with access to quality career pathways.

- **Expanding our nation's existing investment into workforce and education opportunities that target those impacted by the criminal justice system including the Workforce Innovation and Opportunity Act (WIOA) and the Perkins Career and Technical Education Act.** Other key steps include ensuring that existing workforce development programs have adequate funding to respond to the economic crisis, incentivizing Ban the Box policies, lifting state occupational licensing bans for individuals with a criminal record, and equitably expunging records after individuals have fulfilled their requirements to the justice system.
- **Making urgent investments in [workforce opportunities and supports for youth and young adults](#).** This could include creating a permanent national youth subsidized jobs program that prioritizes Black, Indigenous, and people of color (BIPOC) youth and young adults and those who have historically been economically marginalized, while connecting these communities to high-quality, full-time employment with benefits, advancement opportunities, and holistic supports.
- **Making additional investments in vehicles such as WIOA, the Runaway and Homeless Youth Act (RHYA), and the Corporation for National and Community Service (CNCS),** to support youth and keep them connected through virtual and in-person programming (should it be safe) by supporting partnerships with community-based organizations, educational institutions, and other youth-serving programs.

**Executive Orders.** The Biden-Harris Administration should:

- **Use FEMA disaster relief funds** (made available by a redeclaration of the ongoing COVID health and economic crises) to temporarily extend COVID crisis unemployment insurance (UI) payments to provide immediate relief to dislocated workers and families, including immigrant workers and families, in the short term. In the long term, the President must work with Congress to incorporate federally funded extended UI payments into an economic recovery package.
- **Create a nationwide [Public Health Jobs Corps](#)** that is staffed by newly displaced workers and workers who have faced historic barriers to employment and volunteers. In doing so, the Administration must ensure these jobs have strong job quality standards, take care not to displace currently employed people, and ensure the Public Health Jobs Corps prioritizes the recruitment and hiring of *people in historically marginalized communities who have faced historic barriers to employment* and who have borne the brunt of the COVID health and economic crises.

**Administrative Guidance.** The Biden-Harris Administration should:

- Have DOL issue and update guidance that supports the **equitable implementation and state uptake of [workshare, or short-term compensation \(STC\), programs](#)** to avert mass layoffs and the economic burden of long-term underemployment and unemployment on workers and families. This time-tested lay-off aversion strategy will help countless workers, especially workers of color, women, young workers, and workers with low incomes who face significantly high unemployment and [underemployment](#) rates.
- Direct DOL to create an **“enforcement strike force”** to review current enforcement efforts by the DOL enforcement agencies. This “strike force” should help the enforcement agencies rescind harmful regulations and sub-regulatory guidance, such as the Industry Recognized Apprenticeship Programs (IRAPs) that [weaken worker protections and opportunities](#). Furthermore, these agencies should be directed to use all the tools and policies, including robust outreach and education, at their disposal to fully enforce the labor laws under its purview, especially since [research](#) shows that workers in jobs paying low wages end up being subjected to higher rates of labor violations during recessions.
- DOL should **issue guidance and provide technical assistance to ensure existing workforce development programs target these key populations for transitional jobs program** and provide them with supportive services including cash assistance, food and nutrition supports, housing, child care, transportation, and health and mental health care.
- **Adopt youth-friendly policies in existing federal programs.** Several youth-friendly policies could be implemented by youth-serving systems to better meet young people’s needs. Among these are ensuring youth representation on federal advisory committees for programs that serve or should serve them and establishing these as paid advisory opportunities. Additionally, the Administration should have DOL and other agencies issue subregulatory guidance in their programs to promote youth participation in decision-making bodies on the state and local level.
- Direct the Council of Economic Advisors, National Economic Council, Domestic Policy Council, and Office of Management and Budget to work with federal agencies to develop [immediate and long-term youth-centered policies and investments](#) and produce a public report within 90 days.

**Congressional Action.** The President should use the bully pulpit of the White House and work with Congress to prioritize legislative proposals that help to accelerate a long-term economic recovery. An economic stimulus package designed to implement an equitable long-term recovery should include:

- **The creation and funding of a permanent, [federally subsidized jobs program](#) that targets youth and adults who have been marginalized, displaced, left out, or left behind in our economy.** To help move people out of poverty, these jobs must provide [living wages, benefits, and critical supports such as paid leave and predictable work schedules](#). A federally subsidized jobs program should prioritize good jobs in emerging sectors like the green and care economies that will help drive a resilient economy and economic security for workers and families.
- **Large-scale investments in workforce development programs, such as transitional jobs, that can connect displaced workers facing structural barriers to high-quality, high-wage**

**work with benefits and advancement opportunities.** [Transitional jobs, which](#) combine subsidized employment with supportive services, skill building, and job development, are an evidence-based strategy for providing work experience and earned income to people facing barriers to accessing employment even when the economy is growing. Transitional jobs have also proven to be [particularly effective at serving people impacted by the criminal legal system](#). This program should target dislocated workers—particularly opportunity youth, people of color, immigrants, youth and adults impacted by the criminal justice system, individuals who lack foundational skills, English language learners, and workers who live in areas of substantial unemployment.

## 2. Strengthening the U.S. Workforce

The Biden-Harris Administration should make an enthusiastic commitment to far-reaching investments in [emerging sectors with ample opportunity for high-quality, high-wage jobs, like the green economy](#) and [care economy](#). Investments in renewable energy, sustainable food systems, and [green infrastructure](#) can fast track displaced workers and the nation to economic recovery and [lay the foundation for new opportunities and innovations](#) in the American workforce. The Administration should prioritize improving the job quality, workplace protections, and training opportunities of essential jobs, like caregiving jobs. These critical jobs in child care, early education, and long-term care have traditionally been held by women, especially women of color, and offer low pay, little or no benefits, and few opportunities for training and advancement. The Administration has a real opportunity to make these caregiving jobs—that provide critical scaffolding for the overall U.S. workforce, by enabling others to work—into good jobs. Among the steps the Administration should take are:

- **Making Significant Political Appointments.** Appoint a Jobs Czar and create an Interagency Task Force on increasing access to good jobs, with a focus on growing sectors such as the green and care sectors and improving the job quality of “essential” jobs paying low wages. Furthermore, appoint individuals to the National Economic Council (NEC) and Council of Economic Advisors (CEA) with strong backgrounds, track records, and commitments to job quality and expanding jobs in the care and green economy.
- **Conducting Critical Stakeholder Engagement.** Hold listening sessions across the country and meetings at the White House with workers, unions, worker advocates, community advocates, people impacted by the justice system, youth and young adults, and businesses to identify what is working and what is needed in key growth sectors and how to improve low-quality service sector jobs.
- **Issuing Executive Orders.** The Administration should take action to increase the minimum wage to \$15 an hour, with automatic annual adjustments, and eliminate subminimum wages for all federal contract workers. Higher wages would immediately improve the economic security of federal contractors with low incomes and serve as a first step to honoring President Biden’s [campaign commitment](#) to a \$15 an hour federal minimum wage.
- **Directing DOL to Review its Budget and to Reprogram Existing Funds.** The President must demonstrate and signal both to the public and to Congress his commitment to support critical programs that safeguard and strengthen workplace protections and workforce

development opportunities. He can take this initial step before issuing his first budget. That budget should include needed significant investments to support new workforce development initiatives, rebuild the labor enforcement workforce, strengthen anti-retaliation efforts to protect worker voice and rights, and re-engage in [strategic enforcement by](#) prioritizing and directing efforts at sectors with high rates of labor violations.

- **Issuing Administrative Guidance.** The Administration should establish a set of national job quality standards that are incorporated in all workforce programs under the purview of the U.S. Department of Labor to ensure any taxpayer dollars spent on supporting job training or job creation invests in good jobs—those with livable wages, benefits, paid leave, fair work schedules, and opportunities for training and advancement. DOL must enforce these standards and collect data to make certain the Department is investing in good jobs.
- **Taking Congressional Action.** The President should use the bully pulpit of the White House and work with Congress to prioritize legislative proposals that help to accelerate a long-term economic recovery by establishing strong federal job quality standards and investing in good jobs and workforce development opportunities that help to move workers with low incomes and families along pathways out of poverty. This includes efforts to:
  - **Reauthorize the National Apprenticeship Act** to increase access to high-quality apprenticeship and pre-apprenticeship models among historically oppressed communities and to address systemic racial and gender inequities.
  - **Prioritize WIOA Reauthorization** and strengthen initiatives to support people of color, immigrants, youth, women, and adults impacted by the criminal justice system and job seekers who have been disproportionately impacted by the economic crisis.
    - **Establish a new WIOA title specifically for youth and adults impacted by the justice system** that emphasizes access to subsidized employment and transitional jobs models, integrated education and training, access to supportive services, and community-informed reporting and accountability requirements.
    - **Extend full access to all workforce development programs** and services authorized under the Workforce Innovation and Opportunity Act and the National Apprenticeship Act (NAA) to undocumented immigrant workers and reaffirm access for Deferred Action for Childhood Arrivals (DACA) recipients, Temporary Protected Status (TPS) recipients, and all other new Americans.
  - **Pass legislation to ban the use of criminal records to disqualify individuals from employment, occupational licensing, or occupational certification.**
  - **Pass the Marijuana Opportunity Reinvestment and Expungement Act** to decriminalize marijuana and reinvest in jobs and economic security of communities most impacted by the War on Drugs.
  - **Pass the Fairness and Accuracy in Criminal Background Checks Act** to remove barriers to employment for people with records.
  - **Pass the Protecting the Right to Organize (PRO) Act** to provide public service and federal government workers with essential collective bargaining rights.
  - **Support a Robust [Worker's Agenda](#)** for all workers, including independent and gig workers. This should include new pandemic-era worker protections with updated health and safety protocols; expanded telework; paid family and medical leave and paid sick

days; expanded fair workweek laws; \$15 minimum wage and strengthened Equal Pay Act; strengthened collective bargaining and anti-retaliation measures; and expanded Unemployment Insurance.

- **Pass the Connecting Youth to Jobs Act and the Opening Doors for Youth Act** that target youth workforce development and economic mobility. Their provisions include, but are not limited to, year-round subsidized jobs for Opportunity Youth, summer youth employment, work-based learning strategies, and community partnerships.

### 3. Advancing Skill Training and Apprenticeships

The President should urge Congress to prioritize reinvestment in proven workforce training programs like Registered Apprenticeships, pre-apprenticeships, and labor-management partnerships that meet high job-quality standards.

- **The Registered Apprenticeship (RA) system** is America's most successful federally authorized workforce development program. According to DOL, 94 percent of people who complete RAs are employed upon completion, earning an average starting wage of [above \\$70,000 annually](#). Creating new partnerships among community colleges, unions, and employers could help to expand RAs to workers with low incomes and workers of color in a short period of time.
- **High-quality pre-apprenticeships** are another tool to increase equity and affordable, high-quality employment pathways, especially for youth from communities that have been historically marginalized. Registered pre-apprenticeship programs can offer training, experience, and a network for youth to find pathways either to a Registered Apprenticeship program or to another postsecondary pathway.
- **Labor-management partnerships** can help workers acquire the education, workforce development opportunities, and supportive services they need to contribute to various growing industries, including health care. A major focus of labor-management partnerships involves moving front line workers through career pathways to higher wage occupations, such as Registered Apprenticeships, to increase equity in the workforce.

The Administration can support these workforce training programs through:

**Executive Orders.** The Administration should affirm access to all workforce development programs and services authorized under the Workforce Innovation and Opportunity Act and the National Apprenticeship Act to eligible noncitizen workers such as DACA recipients, TPS recipients, asylees, and refugees. The Administration should also direct DOL to [enforce federal nondiscrimination requirements](#) for all WIOA-funded providers.

**Administrative Guidance.** The Administration should [expand greater access to robust supports and wraparound services in RAs](#). It should also couple a legislative reauthorization of NAA with regulatory and sub-regulatory reinforcements through the DOL to clarify, encourage, and enforce—where applicable—the provision of such wraparound supports as child care, transportation, equipment, books, supplies, uniforms, and related costs.

**Congressional Action.** The President should urge Congress to invest \$100 billion to expand Registered Apprenticeships, pre-apprenticeships, and labor-management partnerships and ensure they meet high job-quality standards. This investment can mobilize American talent and [build a 21<sup>st</sup> century caregiving and education infrastructure and workforce](#) that centers [affordability and accessibility for families](#), along with high-quality, high-wage career pathways for workers.

## 4. Improving Racial and Gender Equity

The Biden-Harris Administration has an opportunity to begin developing a more equitable and inclusive economic future for working families, especially people of color, women, immigrants, and those impacted by the criminal justice system. Structurally racist and exclusionary systems have traditionally disadvantaged these groups. The Administration's economic recovery plan must seek to dismantle barriers in the workforce system that precludes these workers from accessing economic opportunity. The Administration can improve equity with:

### *Executive Orders*

- **Extend Work Authorizations and Protections for Immigrant Workers.** Fully implement status and work authorization for Deferred Action for Childhood Arrivals and end termination of Temporary Protected Status.
- **Provide vital labor protections—such as requiring the payment of prevailing wages and the provision of personal protective equipment (PPE)—for people who are incarcerated and remove obstacles to employment for youth and adults impacted by the criminal legal system.** [Dozens of states](#) are relying on prison labor to help manufacture personal protective equipment (PPE) for frontline workers during this COVID-19 pandemic. However, these workers are not protected by the Fair Labor Standards Act and are, therefore, easily exploited and afforded few health and safety protections as the pandemic rages on. In a sad twist of irony, these workers making PPE are rarely provided with PPE, themselves.
- **Direct the Federal Bureau of Prisons to raise wages—as well as labor standards—for apprentices who are incarcerated—bringing them in line with the minimum wage or the average wage for registered apprentices—and ensure the apprenticeships include high-quality education programs.** Beyond the immediate effect in the federal prison system, such action builds momentum for definitive legislative action enshrining such standards for federal and state prison systems.

**Administrative Guidance.** The Biden-Harris Administration should issue new guidance that supports immigrants and those impacted by the criminal legal system and addresses other structural barriers to employment.

- The Department of Justice (DOJ), in collaboration with DOL, should issue guidance and best practices for states seeking to **transition away from the use of criminal records to disqualify** individuals from employment, occupational licensing, or occupational certification.
- The DOL should update and **bolster its oversight and enforcement of apprenticeable occupations to ensure that Registered Apprenticeships** are more [equitably accessible to individuals who are incarcerated or were formerly incarcerated and that incarcerated](#)

[apprentices are paid wages identical to those they would receive if they were not incarcerated.](#)

- DOL, HHS, and other federal agencies should **issue guidance and provide technical assistance to direct existing workforce development programs to target youth and adults impacted by the criminal legal system** with transitional jobs programs and provide supportive services including cash assistance, food and nutrition supports, housing, child care, transportation, and health and mental health care.
- Issue new guidance to states to clarify that **DACA, TPS, and undocumented immigrant workers can access workforce development services** and programs authorized under WIOA and the NAA.
- Issue guidance that prioritizes transparency and equity in all education and workforce development opportunities, including the data they produce. All federal agencies involved in the federal workforce system, including DOL, ED, and USDA, among others, should **expand education and workforce program data reporting to include more nuanced summary and microdata by race, ethnicity, and gender** for all program participants and completers. More complete data will allow program administrators and agencies to better assess the quality of education and workforce programs and make them more universally accessible and equitable.

***Reverse Harmful Regulations and Ensure Equal Employment Opportunity Regulations are Fully and Robustly Enforced.*** The Administration should reverse the harm done to workers—especially workers with low incomes and BIPOC workers—and make investments to enforce labor laws and dismantle structural racism.

- On Day One, the President should rescind the previous administration’s so-called Executive Order on Combating Race and Sex Stereotyping, which prohibits federal agency employees and federal contractors from participating in diversity, equity, and inclusion training.
- Fully enforce updated EEO regulations for the apprenticeship program to ensure greater participation by women, workers of color, and workers with disabilities in the Registered Apprenticeship program.

In addition to the prioritization of high-quality, high-wage career opportunities with benefits and supports for all workers, a comprehensive good jobs agenda includes actions to **urgently address the child care crisis and invest in equitable child care and early learning for all**; to divest from mass incarceration and law enforcement and **invest in communities and families of color**; to invest in youth and young adults; and to **provide long-overdue paid leave to all workers and their families** as laid out in CLASP’s related transition memos.