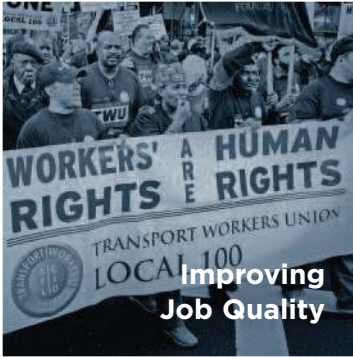




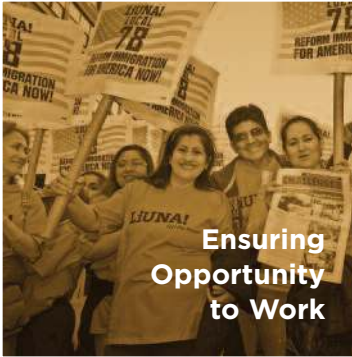
Shaping Issues. Driving Change. Improving Lives.



**Fostering A
Good-Jobs
Recovery**



**Improving
Job Quality**



**Ensuring
Opportunity
to Work**



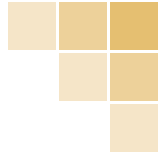
**Defending the
Unemployed**

NELP

**National Employment
Law Project**

About NELP

For 44 years, the National Employment Law Project has sought to ensure that work is an anchor of economic security and a ladder of opportunity for all working families. In partnership with national, state, and local allies, NELP promotes policies and programs that create good jobs, strengthen upward mobility, enforce hard-won workplace rights, and help unemployed workers regain their footing. To learn more about NELP, visit www.nelp.org.



Letter from the Executive Director

Friends,

Ask Americans to name their top national concerns and most say “jobs and the economy.” Things are improving, but finding good jobs that help workers provide for today and prepare for tomorrow remains a challenge. Yet too often these days, Washington seems stuck in a bad version of the movie *Groundhog Day*, mired in gridlock over long-term budget deficits, while ignoring the immediate jobs crisis and its current and future consequences.

At NELP, we’re cutting through the clatter and focusing on what really matters to workers: good jobs with livable wages that extend economic opportunity and security to all who want and need to work. That’s what we did in 2012—and that’s what we’re doing now, as we work to:

Protect unemployment benefits for millions seeking work.

With long-term unemployment still record-high and job growth too limited for all who are looking, we led efforts to renew federal aid through 2013, defended against unprecedented attacks on state benefits, won new federal incentives for state work-sharing programs, and laid the groundwork to challenge egregious unemployment insurance cuts in some states.

Raise and strengthen the minimum wage.

With stagnant wages curbing consumer demand, income inequality expanding, and jobs growing mostly at the low end of pay, we’re trying to restore a strong federal minimum wage—\$10.10 per hour, and indexed—and helping allies in 10 state wage campaigns. Strengthening the minimum wage will boost the economy, build a solid wage floor at the bottom of the labor market, and benefit 30 million workers and their families.

Win comprehensive immigration reform.

We know the only way to guarantee fair, healthy, and safe workplaces for any worker is to protect these rights for every worker. In expanding access to U visas for immigrant victims of workplace crimes and exposing employers’ use of immigration status to undermine workers’ rights, we’re helping to ensure inclusion of strong worker protections in immigration reform and a pathway to citizenship for millions.

Highlight the dual crises of slow job growth and declining wages.

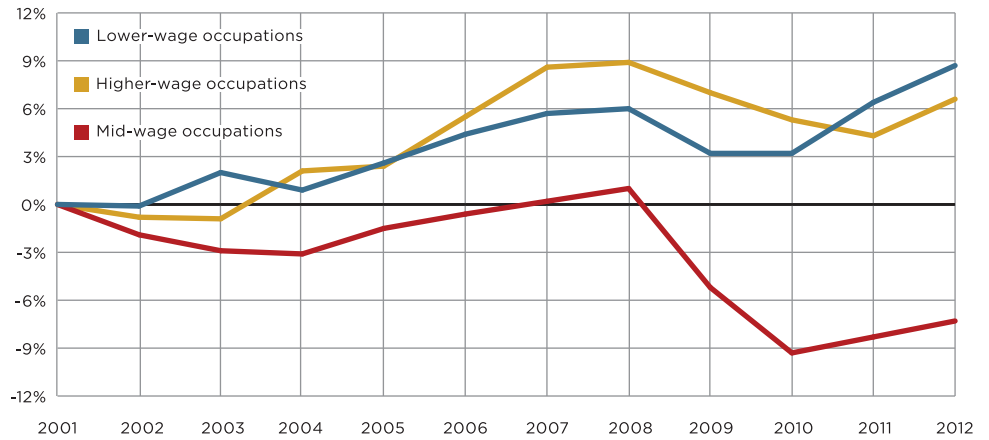
In reports like [The Low-Wage Recovery and Growing Inequality](#) and [Slower Wage Growth, Declining Real Wages Undermine Recovery](#), we painted the

Rising poverty, falling wages, growing economic insecurity, and rampant workplace abuses are just some of the consequences of policies that put corporate profits ahead of workers’ well-being. It doesn’t have to be this way.

NELP | Letter from the Executive Director

Economic inequality continues to grow in the 21st century, and the middle is being hollowed out. Since 2001, employment in lower-wage and higher-wage occupations has risen by 8.7 and 6.6 percent, respectively; but employment in mid-wage occupations has fallen by 7.3 percent.

Occupational Growth Rates, Indexed to 2001



Source: NELP analysis of Current Population Survey (www.nelp.org/LowWageRecovery)

landscape of today's economy as workers view it; and with *Getting Real: Time to Re-Invest in the Public Employment Service*, identified concrete policies to put America back to work.

Tackle unfair employment barriers.

Our research detailing harsh impacts of refusals to consider job applicants with criminal records and remedial approaches to ease these effects helped inform new EEOC guidance strengthening job rights for people with records, while our work with grassroots partners secured introduction of several state bills banning hiring discrimination against the unemployed.

The pages that follow highlight NELP's 2012 achievements, victories often won against many odds and requiring us and our allies to overcome many obstacles. And as the media excerpts throughout reflect, NELP's work has influenced coverage of critical economic and workplace issues and helped inform public awareness and discourse on the economy. We're proud of what we, with the loyalty and generosity of our partners, friends and supporters, were able to do for America's workers last year. We thank you for your partnership, and look forward to our work together in tackling the challenges ahead.

In solidarity,

Christine L. Owens
Executive Director

Fostering A Good-Jobs Recovery

The real deficit problem facing our nation is a deficit of good jobs. We need around 8.5 million more jobs just to get back to pre-recession employment levels. But the jobs we're creating today are mostly lower-wage jobs.

NELP is a leader in tracking the recovery and promoting policies that create good jobs

NELP was first to tell one of the defining stories of the Great Recession and its aftermath: how the well-paying jobs we lost in the recession have been replaced by lower-paying jobs in the recovery. In August 2012, we published our latest chapter of that important story with our report, *The Low-Wage Recovery and Growing Inequality*.

The study finds that mid-wage occupations suffered by far the biggest losses in the recession, while lower-wage occupations are seeing

Our analysis only confirms what America's working families have long known and felt: good jobs are increasingly hard to find.

But beyond highlighting the problem, NELP is focused on developing policy solutions that foster the creation of good jobs. After publishing an [economic recovery agenda](#) in 2011 that laid out concrete policy options for states and cities to spur good-jobs creation, NELP followed up in 2012 with two issue briefs, detailed below, that examine "green" job creation

.....
"The recovery continues to be skewed toward low-wage jobs, reinforcing the rise in inequality and America's deficit of good jobs. While there's understandably a lot of focus on getting employment back to pre-recession levels, the quality of jobs is rapidly emerging as a second front in the struggling recovery."
.....

-Annette Bernhardt, NELP policy co-director, as quoted in [CNN Money](#), August 31, 2012



.....
the biggest gains in the recovery, growing more than twice as fast as mid-wage and higher-wage occupations. These two trends are accelerating a rise in wage inequality that dates back 30 years.

The wide coverage of our reports, especially in the business press, has injected the low-wage jobs problem into the national conversation about the economy. Even Federal Reserve officials are now citing NELP's low-wage recovery findings in their remarks.

.....
strategies in greater depth. And we continue working at the local level to support initiatives that encourage well-paying, family-sustaining jobs.

A meaningful economic recovery must take into account not only sheer numbers of jobs created but also the quality of those jobs. As we continue to track the economic recovery, wage trends, and the quality of jobs being created, it's a message we intend to drive home. ■



Study Finds: Low-Wage Recovery and Growing Job Inequality

August 31, 2012

Annette Bernhardt, NELP policy co-director: “If you look at the data, this is about the financial crash, the collapse of the housing bubble, the cuts in state and local services, which have really hurt mid-wage occupations.

“We have lost more than 600,000 state and local jobs. Those are teachers, those are cops, those are firefighters, and those are largely mid-wage jobs. We have to get those back, and we should be sending more money down to the states to help.”

Living-Wage Victories in NYC

NELP helped allies win the adoption of historic living-wage and prevailing-wage policies in New York City to ensure that subsidized economic development creates family-supporting jobs. NELP served as key advisor to the campaigns, helping design the policies, recruiting economic development experts from other cities to share their experiences, and organizing a team of economists to debunk a flawed, million-dollar study commissioned by the Bloomberg administration to oppose the reform package. Now NELP is helping allies push to implement the reforms, and fend off a legal attack by Mayor Bloomberg.



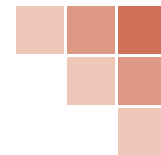
CITY&STATE

Living Wage as Litmus Test?

June 3, 2012

According to Paul Sonn, the legal co-director of the National Employment Law Project, who helped write the bill, the legislation has broad enough public support to ensure it will “de facto form a new policy agenda for the next Democratic mayor.”

As the mayoral race draws closer, unions and living-wage supporters expect to probe candidates’ willingness to go further than what the current bill requires, Sonn added.



Retrofitting Commercial Buildings

Our July 2012 issue brief, *Rebuilding Our Way to a Sustainable Recovery: Making Commercial Building Retrofit Jobs Into Quality Jobs for Our Communities*, looks at energy-efficiency renovation projects for commercial real estate buildings and highlights best practices to make these jobs *quality jobs*.

Promoting Community Benefit Agreements in Ohio

NELP brought together community and faith-based groups in Toledo, and supported the work of allies to do the same in Cleveland, laying the foundation for a network of advocacy and community-organizing groups to push for the wider use of community benefit agreements that can help affected communities create good jobs in Ohio.

Tracking Decline in Wages

Our April 2012 report, *Slower Wage Growth, Declining Real Wages Undermine Recovery*, finds that real wage growth slowed during the recession and continued to decline afterwards, amplifying concerns not only about the quality of jobs added to the economy, but also about the strength of the recovery.

THE HUFFINGTON POST

Wage Growth Slowing Despite Recovery

May 3, 2012

“However you look at it, wages for most Americans are just limping along, and it’s become a real sap on the recovery,” NELP director Christine Owens said in a statement. “You can’t rebuild an economy when so many have so little to spend.”

Upgrading City Systems to Create Good Jobs

Our March 2012 issue brief, *City Systems: Building Blocks for Achieving Sustainability and Creating Good Jobs*, examines how municipalities around the country are looking at upgrades to the systems that keep our cities running—trash removal, water treatment, and power grids—as a means to improve public health, modernize public infrastructure, and create quality jobs.

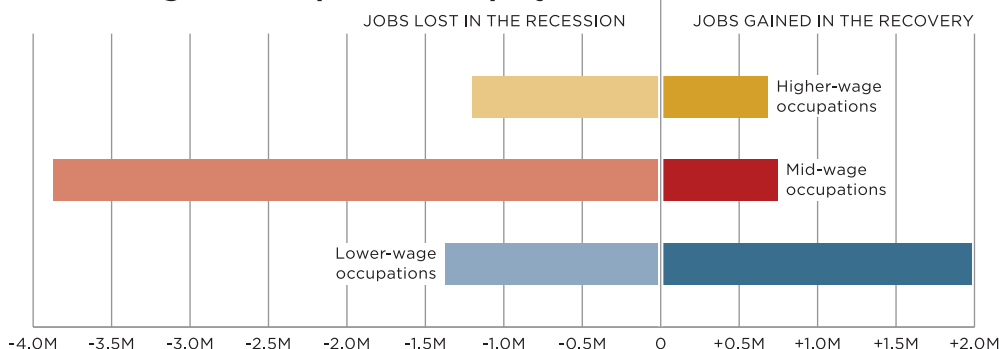
THE HILL

House Transportation Bill Bad for Infrastructure, Economy, Jobs

Op-Ed: February 15, 2012

Anastasia Christman, NELP senior policy analyst: “As the economy continues its slow recovery, the country truly needs an energy and infrastructure bill that will boost job growth while meeting our vital infrastructure and energy needs.” ■

Net Change in Occupational Employment



Source: NELP analysis of Current Population Survey (www.nelp.org/LowWageRecovery)

Improving Job Quality

Workers are working as hard as ever but with less to show for it. Core wage and labor standards, and their enforcement, haven't kept up with the realities of the low-wage labor market: stagnant wages, wage theft, and other workplace abuses.

NELP leads the push to raise the minimum wage and strengthen core labor protections

Proposals to raise the minimum wage are making top headlines in 2013, especially after President Obama called for a federal increase in his State of the Union speech. And new federal rules to extend wage-and-hour protections to home care workers—our nation's fastest-growing occupation—are likely imminent. But these developments didn't just come out of nowhere.

In 2012, NELP helped launch a new wave of state and federal campaigns to raise the minimum wage. We convened a national coalition of more than 40 groups to push for a long-overdue federal increase and helped organize a national day of action in July, with rallies in more than 30 cities. We provided support to state and city minimum wage campaigns around the nation and

helped allies in Arizona, Florida, and Missouri rebuff misguided attempts to undermine existing minimum wage laws. And we worked tirelessly to insert the issue into the news cycle at every opportunity.

NELP continues to work to improve the quality of America's jobs in other critical ways, advocating for reforms to strengthen core labor standards and their enforcement. We're pressing for regulatory and administrative reforms at the U.S. Labor Department, including new rules to finally extend federal minimum wage and overtime protections to our nation's 2.5 million home care workers. We engage the courts to uphold workplace protections for low-wage and immigrant workers, submitting amicus briefs in strategically important cases.

The New York Times

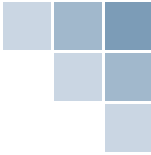
Raising the Floor on Pay

April 9, 2012

[L]awmakers are facing growing pressure to raise the minimum wage, which was last increased at the federal level to \$7.25 an hour in July 2009.

"It's always good to surface an issue that captures voters' enthusiasm and distinguishes the bad guys and the good guys," said Jen Kern, minimum wage campaign coordinator at the National Employment Law Project, an advocacy group for low-wage workers.

Ms. Kern argued that raising the minimum wage would even stimulate the economy. "You ask business why they're not hiring. They say it's because no one is buying anything," she said. "Well, a higher minimum wage would give people more money to spend."



“Workers are sort of grinning and bearing it. It’s always hard for workers who are still working at an employer to come forward and complain or even to ask about pay discrepancies or long hours, because they fear losing their jobs.”

—Cathy Ruckelshaus, NELP legal co-director, as quoted on Marketplace, July 12, 2012



Building on our partnerships with major worker-center networks and other low-wage worker advocates, NELP provides policy and legal support for local campaigns fighting wage theft. And we play a pivotal role in the national Caring Across Generations campaign, helping to set

its legal and policy reform agendas.

With wages stagnating, labor abuses growing, and economic security slipping away even for full-time working families, improving the quality of America’s jobs is one of the most urgent challenges facing our nation today. NELP is on the job. ■

Value of the Federal Minimum Wage, in 2012 Dollars



Source: NELP analysis of Bureau of Labor Statistics Consumer Price Index (CPI-U)

THE HUFFINGTON POST

Home Care Workers Urge Obama to Follow Through on Granting Minimum Wage Protections

December 13, 2012

[Putting professional home care aides in the same category as teenage babysitters] wasn’t the intent of Congress, said Sarah Leberstein, a staff attorney at the National Employment Law Project, whose group has produced a video calling on the president to “finish what you started” with the rule change.

“If you take a look at the history of this, it should be a no-brainer,” Leberstein said.

The San Diego Union-Tribune

Domestic Workers Deserve Basic Rights

Op-Ed: March 15, 2012

Tsedeye Gebreselassie, NELP staff attorney: “The homes in which [domestic workers] work—while they may be small, intimate and informal—are their workplaces. It’s not too much to ask that these women—who provide invaluable care for the people we love most, and whose work in our homes makes our work outside the home possible—receive the protections most other workers take for granted.”

Supporting Local Minimum Wage Victories

NELP provided campaign support to allies in NY, CT, NJ, IL, MO, Albuquerque, and San Jose as they moved proposals to raise the minimum wage onto local agendas. Our work contributed to victories at the ballot box in November in San Jose and Albuquerque—the first successful actions to raise the minimum wage since the recession—where voters approved increases to \$8.50 and \$10.00, respectively, with annual inflation indexing in future years.

AP

Minimum Wage Gap Grows Wider Between States

December 31, 2012

Automatic increases designed to compensate for inflation have steadily pushed up wages in some states...

Paul Sonn, legal co-director at the National Employment Law Project, said he hopes more states will start looking at automatic adjustments as the economy recovers.

“We think there’s a case that it’s better for everyone, including the business community, to have predictable, regular, small increases every year,” Sonn said.



Corporate Profits Versus Stagnant Wages

NELP’s report, *Big Business, Corporate Profits, and the Minimum Wage*, showed that while America’s largest low-wage employers have fully recovered from the recession and are enjoying strong profits, pay for low-wage workers continues to stagnate.

THE Nation.

This Week in Poverty: The Minimum Wage, 100 Years Later

June 8, 2012

“The fact is low wages are still a key growth strategy for many employers,” says Jack Temple, policy analyst for NELP. “Low-wage industries and jobs are among the economy’s fastest-growing, and last year no fewer than thirty-five of the nation’s fifty largest low-wage businesses posted gains that exceeded their pre-recession levels, even after adjusting for inflation.”

Walmart’s “Chain of Greed”

In June, NELP issued a report showing that the subcontracting practices of retail giants like Walmart are contributing to rampant workplace violations affecting thousands of workers who load and unload consumer goods at the nation’s largest distribution hubs. The report, *Chain of Greed: How Walmart’s Domestic Outsourcing Produces Everyday Low Wages and Poor Working Conditions for Warehouse Workers*, detailed evidence describing Walmart’s direct ties to and control over its subcontractors and third-party employers.

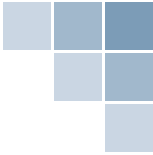
theguardian

Walmart Supply Chain: Warehouse Staff Agencies Accused of Wage Theft

October 18, 2012

“There are lots of low-skilled, low-paid workers and it’s easy for employers to chisel away at them. Wage theft is rampant in this industry. It is a perfect storm for wage theft,” said Cathy Ruckelshaus, an expert on the warehousing industry at the National Employment Law Project.

Critics say that Walmart has a responsibility to these workers, even though it keeps responsibility for them at arm’s length by layers of subcontracting. “Walmart knows there is a problem,” said Ruckelshaus.



Challenging Independent Contractor Abuses

NELP provided key research, legal, and policy support for efforts to address illegal independent-contractor misclassification and the increasing use of subcontractors in low-wage jobs. NELP advised campaigns in Maine and Tennessee, testified before state legislatures, submitted amicus briefs in federal appellate cases, and consulted with state labor officials on closing loopholes that allow employers to evade core labor and employment responsibilities.



As Common as Dirt

September 11, 2012

[O]ne of the thorniest problems facing American workers [is] the rise of subcontracted labor and the question of who is responsible when abuse occurs.

“If you think about the jobs we can’t outsource and will stay here, that’s where you see a lot of subcontracting going on,” says Catherine Ruckelshaus, legal co-director of the National Employment Law Project, a policy advocacy group. Subcontracting has sprawled into other low-wage jobs in construction, janitorial, security, health-care, housekeeping, and warehouse industries, often at name-brand companies like Amazon and Wal-Mart.

Protecting Immigrant Workers

After winning new U visa protocols in 2011 to protect immigrant victims of workplace crimes, NELP coordinated a pro bono effort to secure U visas for more than 100 immigrant workers who were victims of abuse by their employers. It’s one of the first class-action lawsuits in which a government agency is certifying large numbers of U visas, enabling the victims to come forward without fear of being deported.

The Star-Ledger

New Rules for Guest Worker Program Help Fight Abuses

Op-Ed: April 27, 2012

Rebecca Smith, coordinator, Immigrant Worker Justice Project: “The guest worker program has increasingly made foreign workers vulnerable to human trafficking.

“[Workers are] lured with false promises of permanent green cards and lucrative jobs [but] the well-paid jobs they were promised don’t materialize.”



THE HILL

Strong VAWA Protections Are Win-Win for Crime Victims and Law Enforcement

Op-Ed: May 8, 2012

Eunice Cho, NELP staff attorney: “Among [VAWA’s] provisions is the ‘U’ visa, which provides immigrant victims with the opportunity to live and work safely without fear of deportation. The U visa provision is a ‘win-win’ for all stakeholders: It helps law enforcement prosecute serious crimes ... and it encourages the victims of crimes to come forward.” ■

Ensuring Opportunity to Work

Unfair hiring barriers are shutting millions of qualified workers out of the job market.

Employers use criminal background checks and even the status of being unemployed as reasons to screen out entire groups of job applicants.

NELP was instrumental in a landmark policy victory for workers facing hiring barriers

In April 2012, NELP and close allies scored a landmark victory in protecting the employment rights of job-seekers with criminal records. In a bipartisan 4-to-1 vote, the U.S. Equal Opportunity Employment Commission adopted revised guidelines detailing the proper way for employers to use arrest and conviction records in their hiring decisions so that they comply with the nation's civil rights laws.

The new 52-page [guidance](#) (the old one was 2 pages!) incorporates

Background checks had since exploded into a mega-industry, with millions of Americans facing serious obstacles to employment because of old or minor arrests or convictions. Our push for reform gained more urgency after a 2007 federal appeals court decision refused to follow the old EEOC guidance, stating it wasn't well supported or reasoned.

NELP spread the word about the revised guidance widely via the media, fact sheets, and outreach efforts that

.....

“[T]here's an appropriate use of background checks—nobody's denying that. But there's a more fair way to conduct the process. It's time to get back to some of these standards to ensure fairness given the proliferation of background checks.”

—Maurice Emsellem, NELP policy co-director, as quoted to [Reuters](#), April 26, 2012



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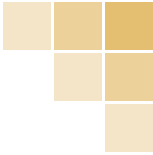
most of the priorities for which NELP and our key partner on this work, Community Legal Services of Philadelphia, have advocated for many years.

Employers now have concrete guidelines on how to design their policies to comply with the law, including illustrative examples, best practices, and supportive research. The guidance directs employers to consider an applicant's individual circumstances, such as rehabilitation and employment history. A *New York Times* [editorial](#) described the new EEOC policy guidance as “must reading for all employers.”

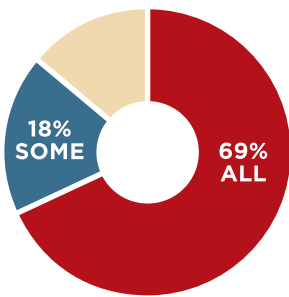
An update of the EEOC's old 1987 policy guidance was long overdue.

engaged key national, state, and local groups. We sponsored a webinar that drew close to 700 participants. We continue to inform and educate employers, advocates, and workers about the revised guidance—so that more employers understand and comply with the law, and more workers are aware of the protections meant to keep the doors to employment open to them.

NELP continues to work to mitigate employment barriers and restore hope and opportunity for millions of Americans who struggle to find work because of a blemish in their record. ■



Percentage of Employers Who Screen All or Some Candidates for Criminal Records



Source: Society for Human Resources Management

The New York Times

Equal Opportunity Panel Updates Hiring Policy

September 1, 2012

The Equal Employment Opportunity Commission on Wednesday approved an updated policy that makes it harder for employers to use background checks to systematically rule out hiring anyone with a criminal conviction.

“It makes a big difference because a lot of employers have very little understanding of the basic guidelines on criminal background checks, and some have ignored them altogether,” said Maurice Emsellem, co-director of policy for the National Employment Law Project. “The E.E.O.C. has made a big effort to make it easier for employers to understand the standard and for workers to understand their rights.”

Fairness in Federally Funded Workforce Programs

Prompted by a civil rights complaint filed by NELP, the U.S. Labor Department issued new guidelines in May to ensure that people with criminal records who seek employment through federally funded workforce programs and One-Stop Career Centers aren’t unfairly excluded from consideration for jobs. NELP had uncovered evidence that many employers’ job ads posted at local One-Stop centers contained language excluding anyone with a criminal record from applying. The new guidelines cover nearly 3,000 One-Stop centers and all federally funded job training and job placement programs in the nation.

Fighting “Unemployed Need Not Apply”

NELP remained the national leader in tackling the issue of hiring discrimination against unemployed workers. Bills prohibiting the practice of excluding the unemployed from hiring consideration, or prohibiting discriminatory job postings, were introduced in roughly 20 states, and enacted in Washington, D.C. and the state of Oregon.



Bigger Hurdles Than Dismal Job Growth for Unemployed

Op-Ed: July 25, 2012

Rebecca Dixon, NELP policy analyst: “As the economy improves, unemployed workers will hopefully have a better chance of finding work, but not if employers shut them out of the application process indiscriminately. Excluding currently-unemployed workers from new job openings is unfair and should not be tolerated.”



Quinn, Stringer Back Legislation to Make Discrimination Against Unemployed Illegal

March 22, 2012

The National Employment Law Project recently conducted a survey of major job websites including Monster, CareerBuilder, Indeed.com, and Craigslist and found that in a four-week period there were more than 150 listings that included exclusionary language such as “must be currently employed.”

“It was much more wide-spread than we were anticipating,” said [NELP’s] Mitchell Hirsch.



“Ban the Box” Grows

NELP made big strides in promoting “ban the box” reforms in 2012. The state of Colorado joined the cities of Newark, New York City, Durham, Cleveland, and Philadelphia in adopting reforms this past year. Such reforms mitigate the stigma of a criminal record by eliminating the requirement that applicants check a box on job applications if they have a criminal record; instead, background checks get deferred until later in the hiring process, when the information can be fairly weighed in light of an applicant’s qualifications. NELP published a ban-the-box [resource guide](#), provided expert counsel in all the major cities that adopted ban-the-box in 2012, and played a lead role in promoting reform in California. Today, 50 localities and 9 states have adopted ban-the-box policies.

HUFFPOST LIVE

Banning the Box

October 1, 2012

Michelle Rodriguez, NELP staff attorney:
“Criminal records screening at the fore isn’t all that useful. Other things, like looking at someone’s qualifications—that’s going to make a lot more sense to screen people out.”

THE PLAIN DEALER

Cuyahoga County Council Considers Eliminating Criminal History Question on Job Application

February 29, 2012

Proponents say pushing back the disclosure of criminal history gives employers a broader pool of applicants and helps past offenders re-enter society, rather than returning to crime.

The practice makes society safer, said Madeline Neighly, a staff attorney for the New York-based National Employment Law Project.

“We just need to make sure we’re not creating unnecessary barriers ... so folks can reintegrate and get on with their lives,” Neighly said.

Promoting Model State Employment Policies

Working with key allies, NELP played a lead role in promoting a range of state policies that reduce employment barriers for people with criminal records. We published an analysis of state legislation, *State Reforms Reducing Collateral Consequences for People with Criminal Records*, followed by a webinar in September that drew 300 participants.

SPRINGFIELD NEWS-SUN

Job Application Change Could Help Ex-Convicts

February 24, 2012

Cleveland and Cincinnati are among more than 30 cities nationwide to remove a question from job applications that asked if applicants have a criminal record.

Clark County commissioners as well as a half-dozen states, including Ohio, are considering “banning the box,” as it’s referred to by the New York-based National Employment Law Project. ■

Defending the Unemployed

Nearly four years after the recession officially ended, our nation is still plagued by persistently high unemployment. Nearly 12 million Americans are unemployed, and more than four million of them are long-term unemployed—out of work for 27 weeks or longer.

NELP led national campaigns in 2012 to win reauthorization of federal unemployment insurance—twice

As 2012 drew to a close, the fate of federal unemployment insurance hung in the balance. Two million jobless Americans faced an abrupt cut-off of benefits that helped them afford food, gas, and other basics. “Fiscal cliff” negotiations continued, until finally, on January 2nd, Congress voted to renew the Emergency Unemployment Compensation program through 2013.

NELP was instrumental in making it happen. We spearheaded a coalition of more than 35 groups demanding

payroll-tax-relief bill that also renewed the federal unemployment programs through the end of the year. Although the act included the first scaling-back of the federal unemployment programs since 2008, NELP fought off the most regressive proposals, including mandatory drug testing of the unemployed and a high-school diploma requirement.

Last year’s two reauthorizations marked the 10th and 11th renewals of federal unemployment insurance since

“Congress needs to see its way to reauthorize this program so it doesn’t lapse. It’s the middle of winter, it’s the only income some people have, it keeps their homes heated, roofs over their head, and it also allows them to feed their children.”

—Judith Conti, NELP federal advocacy coordinator, as quoted in *USA Today*, December 18, 2012



that Congress renew this crucial aid for unemployed job-seekers and their families. We launched a campaign in November that kicked off with a [report](#) detailing the consequences of a failure to renew, followed by the release of six fact sheets over as many weeks, to keep up the drumbeat in the media and the halls of Congress. We organized unemployed workers online and shared their stories via our website and blog, [UnemployedWorkers.org](#).

It was the second time in 2012 we had successfully fought for reauthorization. The first was in February 2012, when Congress enacted a

2008. Since the program began, its crucial lifeline of support has helped keep afloat more than 22 million unemployed workers and their families, preventing millions from falling into poverty, keeping jobless workers plugged into their job search, and boosting the economy.

As the nation’s leading advocate for unemployment insurance programs at the federal and state levels, NELP continues to fight for stronger unemployment programs that are critical to building economic security for workers and their families. ■



Should U.S. Extend Unemployment Insurance Amid Federal Fiscal Uncertainty?

December 7, 2012

Judith Conti, NELP federal advocacy coordinator: “As of Dec. 31, we think the program should be reauthorized as it is today. The measures of long-term unemployment have not changed at all since Congress reauthorized this program.

“So we want it to stay the same and we want to make sure that families have that income support so they can stay attached to the work force, so they can stay out of poverty, and hopefully get back into the system, back into working as quickly as possible.”



Number of Long-Term Unemployed Older Workers Quintupled. The Help Hasn't.

Op-Ed: April 23, 2012

Claire McKenna, NELP policy analyst: “Once older workers lose a job, they are more likely than younger workers to remain unemployed—which is where the hardship really sets in.

“With commitments like family or a mortgage, less geographic mobility, and often less capacity to switch career tracks, it’s much more immediately precarious to lose a job when you’re older than when you’re younger.”



Defending Floridians’ Access to Jobless Aid

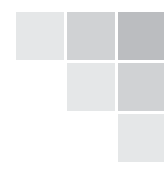
In May 2012, NELP and Florida Legal Services filed a [complaint](#) with the U.S. Labor Department after the state of Florida erected obstacles to applying for unemployment insurance that raised serious concerns under federal law. The barriers included eliminating telephone claims-filing—the most widely used method around the nation, and essential for those without internet access—and imposing a 45-question online exam testing applicants’ math, reading, and research skills. The share of unemployed jobless workers in Florida receiving state jobless aid plummeted to 16 percent—the lowest in the nation—after the obstacles went up. A ruling is still pending.



Florida’s Unemployed Blocked From Benefits, Advocacy Groups Complain to Labor Department

May 24, 2012

“No state is free to erect procedural barriers that keep otherwise eligible workers from accessing unemployment insurance,” said George Wentworth, senior staff attorney at the National Employment Law Project.



Fighting to Restore Unemployment Fund Solvency

In July 2012, NELP published a damning analysis of the unemployment insurance solvency crisis and how it could have been averted had state governments financed their programs responsibly instead of doling out employer tax breaks. Our report, *Lessons Left Unlearned: Unemployment Insurance Financing After the Great Recession*, showed that the insolvency problems now being used to justify deep state benefit cuts were largely due to unprecedentedly low employer contributions, not excessive benefits.

Promoting Best Practices to Help Dislocated Workers

NELP provided technical assistance to local unions representing 2,000 locked-out American Crystal Sugar workers in Minnesota and North Dakota. We helped set up rapid-response support services and peer counseling for the dislocated workers and provided legal advice and support for workers' unemployment insurance claims in North Dakota.

Securing Access to Training for Laid-Off Workers in Indiana

After hearing from affected workers, NELP intervened with the Indiana Department of Workforce Development, challenging the agency's arbitrary enrollment barriers that wrongfully excluded laid-off Navistar workers from a federal job-training program. Following media attention and NELP discussions with the U.S. Labor Department, the Indiana workforce agency relented, allowing workers a new opportunity to participate in training. ■

THE HUFFINGTON POST

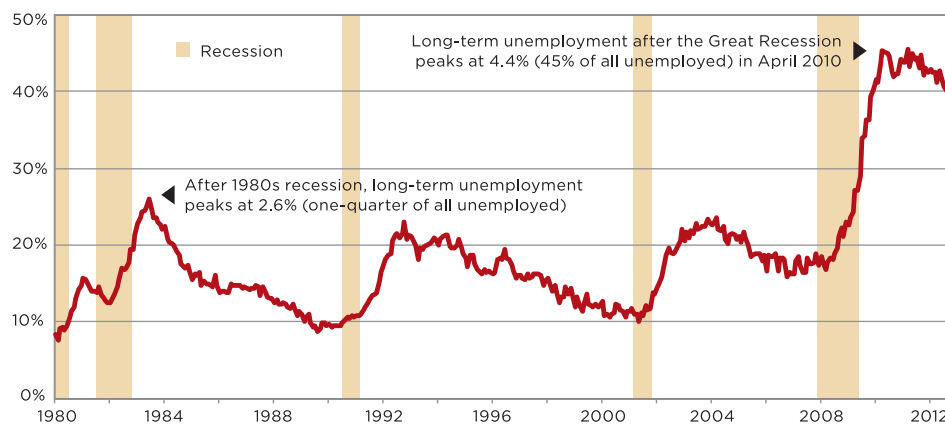
Unemployment Insurance Cuts Come After Tax Cuts

August 2, 2012

Most states failed to make prudent decisions about funding their unemployment trust funds over the years, according to a comprehensive report from the National Employment Law Project.

States now owe \$43 billion to the federal government, according to NELP policy analyst Mike Evangelist, and it's likely lawmakers will rely more heavily on benefit cuts than tax hikes in order to get out of debt.

Long-Term Jobless in Aftermath of the Great Recession Account for Record Share of the Unemployed



Source: NELP analysis of Current Population Survey

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Your investments allow us to deepen our research, advocacy, and legal work each year and address the challenges facing America's workers today.

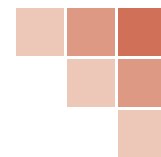
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ENVISIONING WORK

Distinguished Speakers Forum and Awards Reception: New York City, September 27, 2012



On September 27, 2012, NELP hosted a panel discussion and cocktail reception to celebrate two champions of workers' rights: Eric Schneiderman, New York State Attorney General, and Jacqueline Berrien, Chairwoman of the U.S. Equal Employment Opportunity Commission. The evening also featured an exhibition of artwork that explored the past, present, and future of work and workers.

More than 200 worker advocates, labor leaders, artists, and allies joined us to recognize the awardees and support NELP's continuing work to restore economic security and opportunity in the 21st century. ▶

Above, former New York Times columnist Bob Herbert, Jared Bernstein of the Center on Budget and Policy Priorities, Professor Dorian Warren of Columbia University, and Lynn Rhinehart of the AFL-CIO discuss the policy and legal implications of the 2012 elections.



1. (L-R) NELP board members Lucille Logan, Terry Meginniss, Tom Weeks, Panta Rhea Foundation's Janet Shenk, and Working Families Party's Dan Cantor; **2.** Pre-reception forum; **3.** NELP board members (L-R) Terry Meginniss, Lucille Logan, Tom Weeks, Laura Fortman, Jared Bernstein, Jim Sessions, Wendy Chun-Hoon, Elaise Fox, Jon Hiatt; **4.** Ford Foundation representatives (L-R) Anna Wadia, Maya Harris, Helen Neuborne; **5.** NELP's Rebecca Smith and The Discount Foundation's Susan Wefald; **6.** Dan Werner of the Southern Poverty Law Center and Andrew Elmore of the NYS Attorney General's Office.



7. Labor attorneys Jules Bernstein and David Goldberg; **8.** Darlene Lombos and Bob Bower of Community Labor United (Boston), NELP’s Christine Owens, Jane McDonald of the AFL-CIO, and Sonia Ramirez of the Building & Construction Trades Department, AFL-CIO; **9.** Christine Owens with honorees NYS Attorney General Eric Schneiderman and EEOC Chairwoman Jacqueline Berrien; **10.** Courtney Stein, Michael Bernstein, and NELP interim board chair Jim Sessions; **11.** NELP’s Cathy Ruckelshaus and event co-chair Adam Klein of Outten & Golden; **12.** Madeline Janis of LAANE, NELP board member Jared Bernstein, and NELP’s Cathy Ruckelshaus and George Wentworth.

In Memoriam

Jon Kest (1955–2012)



Jon Kest was, quite simply, the most innovative and well-respected community organizer of poor and working-class people in New York City, and his work earned him a national reputation for tactical creativity and strategic insight.

Jon began his work more than 35 years ago organizing chapters of the Association of Community Organizations for Reform Now in Arkansas. He went on to build ACORN in Philadelphia before moving to New York in 1982 where, under his decades of leadership, NY ACORN grew into a powerful voice for workers and the poor. Committed to building political power for that constituency, Jon also helped found and lead the Working Families Party, which has become a major force in city and state politics. When ACORN was attacked and forced to disband, Jon and his dedicated staff and leaders created New York Communities for Change in 2010 to carry on the work.



The full range of Jon's organizing accomplishments—around issues such as housing, education, fair lending and political representation—are too numerous to mention. Some of his signature efforts, though, were for workers' rights: organizing 30,000 workfare workers to challenge Mayor Giuliani's welfare policies; collaborating with the United Federation of Teachers to organize tens of thousands of home day care workers; and spearheading city and state living wage and minimum wage campaigns. Even as he battled cancer, Jon was a leader in the bold effort to organize the city's lowest-paid workers—greengrocers, car-wash and fast-food workers—including a one-day strike of fast-food workers last November that gained national attention and galvanized a growing movement.

Jon never sought the limelight, always content to be the unnamed architect of the winning strategy, the organizer watching from the back of the room. His work lives on in the progressive policies he helped deliver, in the scores of organizers he trained and inspired, and in the lives and work of countless workers and community leaders who continue to lead the struggle for economic justice. ■

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