



2022 Mid-Year Update: *Our Progress Toward Advancing Racial and Economic Justice*

In January, the National Employment Law Project (NELP) released our [2022 Policy and Advocacy Agenda](#) describing our fight for a good-jobs economy. This mid-year update highlights accomplishments over the last six months and elevates areas of focus for the second half of 2022.

NELP is a leading advocacy organization with the mission to build a just and inclusive economy where all workers have expansive rights and thrive in good jobs. With our partners, NELP [advances its mission](#) through transformative legal and policy solutions, research, capacity-building, and strategic communications at the local, state, and federal levels. Our vision of a good-jobs economy means we have economic security over a lifetime. It means we can count on just working conditions, benefits, and wages—where equity is baked into policies and employers are accountable. A good-jobs economy is built on worker power, with which we collectively shape the conditions of the job to ensure our communities rise together. Together, we are advancing transformative solutions to achieve racial and economic justice and support Black and immigrant workers in building power.

Below are highlights from the first six months of 2022 and notable initiatives continuing throughout the year aimed at:

1. Raising Wages and Benefits and Making Workplaces Safer
2. Building Worker Power
3. Strengthening Enforcement to Secure Worker Rights
4. Advancing Toward an Inclusive Economy Centering Workers of Color

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Raising Wages and Benefits and Making Workplaces Safer

With prices rising at the fastest rate in 40 years—for everything from gas and rent to groceries—workers cannot wait for higher wages. NELP and our partners are making the case for raising the minimum wage and indexing it—so it keeps up with the cost of living and workforce productivity growth. As a leader of the new [Raise Up NY coalition](#), NELP is supporting a campaign to raise the minimum wage in New York City to more than \$20 and to increase it each year across New York State through [indexing](#) to ensure it never falls behind again. In [Hawaii](#), lawmakers made history in May by approving a bill to raise the state’s minimum wage to \$18 by 2028. At the federal level, we have been defending the [Biden executive order](#) raising the hourly minimum wage to \$15 for federally contracted workers against a challenge by corporations and regressive state attorneys general. In the months to come, NELP will continue to support workers as they boldly demand more robust wages and job security. In several states, NELP is partnering with allies to end the longstanding racist exclusion of farmworkers from the right to overtime pay and the 40-hour work week. In early 2022, NELP provided [testimony](#) to help [Oregon](#) and [New York](#) join California and Washington State in this growing movement.

During the COVID-19 pandemic, a surge in e-commerce spurred growth in industries such as warehousing, where companies use temporary and staffing agencies—part of a trend of corporations shifting risk downwards onto workers while channeling wealth upwards to CEOs. To understand the experiences of temp workers, NELP partnered with worker and advocacy groups on national surveys of 1,337 temp workers. Released in February, the [Temp Workers Demand Good Jobs](#) report draws from these unprecedented surveys and spotlights widespread industry abuses such as poverty pay, wage theft, and unsafe conditions. On the contracted workers front—in which corporations mislabel workers as independent contractors—[innovative policy proposals](#) are being developed to create a system of universal labor rights. Looking ahead, we continue to formalize a national table with allies and support the NY DIRECT Coalition; together we are combating corporate efforts to “gigify” jobs that erode pay and working conditions for workers.

Underpaid workers—especially Black and Latinx workers—have been the most impacted by an unemployment insurance (UI) system that was never designed to support most workers of color. In February, we made the case in [Reforming Unemployment Insurance is a Racial Justice Imperative](#) that federal reform of the UI system is critical to [advancing racial justice](#) in the economy. Throughout this year, we have supported state advocates’ efforts to increase access and eligibility for UI. One successful campaign included a push for a bill in Colorado to improve the UI system; the bill was signed into law in May. The bipartisan Colorado bill includes a program extending benefits to undocumented workers; two other states, California and New York, also introduced bills to support workers who lack work authorization. We also continue to support [overpayment waivers](#) to prevent

workers from being required to pay back so-called “overpayments” of benefits. Planned for fall 2022, we will be publishing materials for advocates gearing up for the next wave of UI reform.

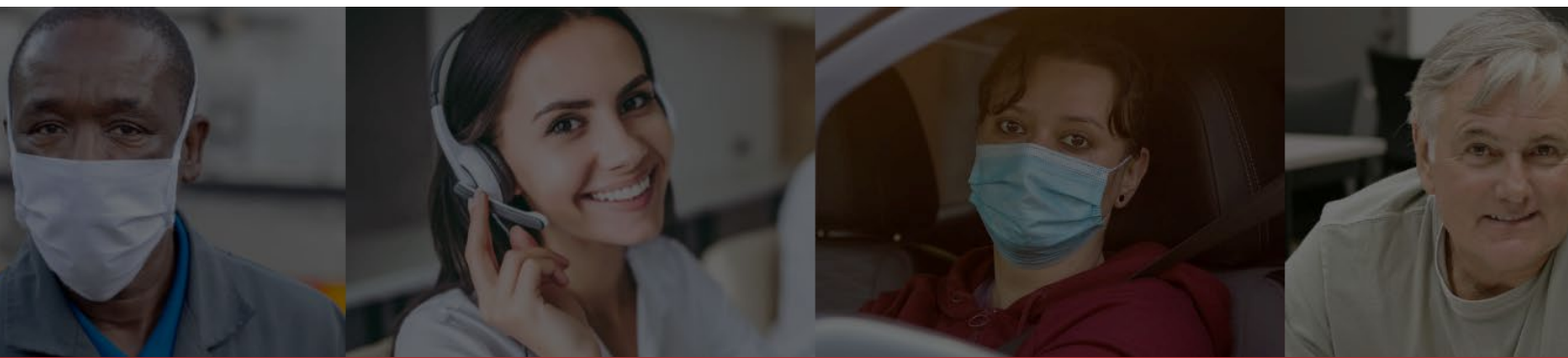
We continue to elevate the need to strengthen health and safety protections for workers. With [New Yorkers for a Fair Economy](#), we issued [Warehousing Pain](#) in May, showing injury rates at Amazon facilities in New York State shot up 64 percent in 2021. We also [debunked](#) Amazon’s misrepresentations of injury rates. As part of this effort, we supported the successful push through the state legislature of the Warehouse Worker Protection Act, a bill to reduce worker injury. If signed by the governor, this win would make New York the second state to adopt these crucial protections. As extreme heat becomes more dangerous due to climate change, we are identifying opportunities to increase protections for workers. At the state and local levels in Oregon and Florida, we supported advocates’ long-standing efforts to bolster worker protections from heat and smoke; at the federal level, we submitted [extensive comments](#) in support of a heat standard.

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Building Worker Power

Non-competes are increasingly being used by companies in underpaid industries to block workers from changing jobs, thus effectively limiting workers’ economic opportunity. [Non-compete agreements](#) not only limit workers’ power and autonomy, but also exacerbate existing inequities that disproportionately harm workers of color. NELP [will continue to support the growing movement](#) to ban non-competes at the state level. While many states are moving in the right direction, we are making the case that federal legislative reform and rulemaking are still crucial—especially for workers in states that have no intention of freeing workers from these coercive agreements.

The National Coalition for Worker Justice (NCWJ) aims to bolster engagement in federal advocacy of worker centers and other groups dedicated to building worker power. As a steering committee member of NCWJ, we continue to formalize the coalition and have promoted the active engagement of more than 50 worker centers in federal administrative advocacy. Our support of worker centers—nearly 40 in 2022 so far—continues through provision of in-depth assistance and strategic thought partnership. For example, we are supporting the [Mississippi Workers’ Center for Human Rights](#) (MSWCHR), which centers underpaid Black workers, as it explores developing a pilot occupational health clinic and learning center for workers.



3

Strengthening Enforcement to Secure Worker Rights

As a member of the California Coalition for Worker Power, we have advocated this year for additional state funds for enforcement of anti-retaliation laws and increased support for worker education and outreach. In the second half of 2022, the coalition will release new survey results documenting the effects of retaliation on California workers. We will also make policy recommendations aimed at strengthening anti-retaliation protections and ensuring that workers have the supports they need to speak up about workplace issues.

In its sixth year, the California Strategic Enforcement Partnership (CSEP) brings together community groups, legal organizations, and the California Labor Commissioner's Office. As the coordinator of CSEP, we have been supporting a planning process to develop the next stage of the partnership, while concurrently, organizations in CSEP continue to pursue wage theft cases. Building on our learnings from CSEP, NELP, in partnership with the organization Workshop, launched in 2022 a national project aimed at developing strategic partnership collaboration models between government and community-based organizations that can enhance workplace protections.

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Advancing Toward an Inclusive Economy Centering Workers of Color

Late in 2021, through the efforts of the [Laborers' Fight Back](#) campaign, the [New York City Council passed a bill](#) to help regulate labor brokers and temporary staffing agencies that hire and pay workers to perform work for third-party companies. In New York, labor brokers target workers on parole for temporary construction jobs—paying poverty wages and lacking safe work conditions. We [supported](#) Laborers' Local 79 in its successful push for this policy reform. In 2022, we have been strategizing with the coalition to identify reforms to prevent companies from funneling people of color and court-surveilled workers into underpaid, insecure work that exacerbates racialized economic inequality.

NELP advocated for [The Fair Chance Act of 2019](#), a law that prohibits federal agencies and contractors from inquiring about job applicants' conviction or arrest history until after a conditional offer of employment has been made. In [April](#), the Office of Personnel Management [published proposed regulations](#) to implement this federal law. With this opportunity, we are committed to working with the Biden administration to support the enforcement of the Fair Chance Act and other federal hiring practices that support more equitable workplaces. In the months to come, we will be developing materials that comprehensively explore the steps of fair chance employment to encourage the hiring of people with arrest or conviction records.