

Pursuant to Executive Order 13985 (January 20, 2021) on "Advancing Racial Equity and Support for Underserved Communities Through the Federal Government"

Equity Action Plan Summary


U.S. Department of Labor

The U.S. Department of Labor's (DOL) mission is to foster, promote, and develop the welfare of the wage earners, job seekers, and retirees of the United States; improve working conditions; advance opportunities for profitable employment; and assure work-related benefits and rights.

Delivering equity through DOL

Advancing equity complements and reinforces the Department's core functions, which necessitates close attention to the needs of workers who have faced and continue to face exclusion, marginalization, and discrimination. Realizing the full promise of wage-and-hour laws, for instance, requires assessing whether we are protecting the most vulnerable workers—such as low-paid workers, women of color workers, LGBTQ+ workers, workers with disabilities, veterans, and immigrant workers—who are most likely to experience violations of their rights. In a similar vein, the federal-state Unemployment Insurance system fails to fulfill its objectives when large numbers of workers—especially low-paid workers or workers of color—cannot access adequate benefits in a timely manner.

The need to center underserved populations in the Department's work would be important at any moment, but it is especially urgent as the country grapples with deep social and economic disparities revealed and accelerated by the COVID-19 pandemic and the accompanying economic crisis. Not only were women, workers of color, immigrant workers, low-



paid service-sector workers, and other disadvantaged groups hit hardest by illness and death, but they also suffered some of the largest economic damage. New federal actions, bolstered by the passage of the American Rescue Plan and Bipartisan Infrastructure Law, have provided timely and much-needed support to these vulnerable communities and promise new historic investments in the coming years. But more work remains to ensure that the Department fully realizes its mission that all working people, jobseekers, and retirees have the economic security, opportunity, and voice they need to thrive in our society.

New strategies to advance equity

- **Advance fairness for underserved workers by equitably implementing the Nation’s wage and hour protections**

Economically marginalized and underserved workers tend to be the most vulnerable to wage and violation, and non-citizen workers, Latino workers, women workers, and Black workers are especially likely to experience minimum wage violation. To address these barriers, DOL will develop strategic partnerships with community-based organizations, worker centers, unions and industries; conduct equity-focused outreach to essential workers; reaffirm its commitment to preventing and addressing workplace retaliation; and develop partnerships with state and local governments to advance equitable enforcement priorities.

- **Launch a comprehensive initiative to address systemic barriers to accessing Unemployment Insurance for underserved workers, including workers of color**

The current system of unemployment insurance—both before and during the pandemic—provides unequal access to benefits for marginalized communities, including racial and ethnic minorities, low-paid and part-time workers, workers with limited English proficiency, and workers with lower levels of formal education. DOL is engaged in a comprehensive effort to improve timely access to benefits for eligible workers, above all for workers historically underserved by the UI system by promoting greater worker awareness and knowledge about the program, piloting efforts to streamline benefits application and certification, reducing backlogs that have disparate impacts on underserved communities, revising fraud detection tools to ensure that screening methods do not have disparate impacts on underserved communities, and creating new indicators of program access and barriers to identify equity gaps.

- **Ensure workers with limited English proficiency are fully aware of their rights and can access workplace protections**

Data suggest that limited English proficiency (LEP) workers are disproportionately likely to experience workplace violations, like wage theft, and during the COVID-19 pandemic, language barriers posed

New strategies to advance equity

significant risks to LEP workers who were unable to receive important health and safety information from employers or government agencies. DOL is committed to ensuring that all workers, including LEP workers, are fully aware of their rights, knowledgeable about the process for exercising their rights in the event of a potential violation, and able to report any suspected violations to appropriate authorities without fear of retaliation. DOL will increase internal language capacity through hiring and retaining more bilingual and multilingual staff, develop centralized resources for Departmental agencies to use to meet the needs of individual programs and populations served, and provide more resources and interactions in the languages used by populations served.

- **Deliver equitable access to workforce training for historically underserved workers and job seekers to address persistently high unemployment rates faced by communities of color and other underserved communities**

Prior to the COVID-19 pandemic, the unemployment rate for Black workers was 6.1 percent compared to 3.3 percent for white workers, and these disparities have persisted through the pandemic and the recovery. The mission of the public workforce system is to develop the welfare of job seekers by improving their working conditions and advancing opportunities for profitable employment. To accomplish this goal and foster equity, DOL will identify programmatic barriers that prevent underserved populations from receiving full and equitable access to workforce services, establish performance measures to drive accountability, establish and maintain strong relationships with stakeholders representing underrepresented communities, and develop and continue to invest in programs and services that mitigate the challenges faced by underserved communities.

New strategies to advance equity

- **Develop Registered Apprenticeships that create equitable pipelines into federal employment so that the federal workforce reflects the diversity of the Nation**

Existing hiring practices and pre-qualifications may inadvertently dissuade or exclude otherwise talented and diverse candidates from accessing employment apprenticeship opportunities in the federal government. Advancing equity requires a qualified and diverse workforce that is representative of the communities that it serves, and one way to advance this goal is through developing government-registered apprenticeships that can provide new pathways to federal service for job applicants and help close the gap for the demand for skilled workers. DOL will provide new pathways for diverse candidates to find employment in the Federal Government, expand the recruitment pool by leveraging Historically Black Colleges and Universities (HCBUs) and other educational institutions serving diverse populations, and provide the support needed to persist, succeed, and complete a registered apprenticeship program.

Building on DOL's progress

This equity action plan builds on DOL's progress delivering on equity and racial justice in the first year of the Biden-Harris Administration.

- **Broadening the equity impacts of DOL grantmaking**

DOL has established Department-wide principles for advancing equity in grantmaking, for instance, by removing barriers to the participation of small, new, or emerging community-based organizations in the grantmaking process; encouraging grantees to serve hard-to-reach and historically underserved populations; building a pipeline of diverse community-based organizations capable of delivering services to local communities; supporting existing grantees that demonstrate commitments to expanding their own diversity, equity, and inclusion work; and building accountability for equity in grant reporting requirements and associated research and evaluation activities.

- **Understanding and improving the equity data collected**

Advancing equity requires data to assess the needs of underserved populations, the scope of existing programs, and the impacts of potential interventions. Last year, DOL conducted an inventory of the equity-oriented data collected by agencies to better understand where there are gaps in necessary data and opportunities for addressing those gaps. One issue identified by this inventory involves missing demographic data for program participants, which makes it more difficult to assess whether those programs are reaching our nation's workers. Lessons from this project are being applied to other programs to expand the collection of demographic data and improve its quality and strengthen analyses of equitable access to programs and services.

- **Centering vulnerable and underserved communities in the rulemaking process**

As part of the development of DOL's rulemaking agenda, program agencies have prioritized initiatives which are especially important for

Building on DOL's progress

low-paid workers, workers of color, and other traditionally underserved communities. For instance, the Occupational Safety and Health Administration (OSHA) issued rules requiring employers to provide time off for vaccination and recovery to remove obstacles to this life-saving protection for low-paid workers in underserved communities. OSHA has launched an enforcement initiative on heat-related work hazards, which pose an increasing risk to many workers as climate change continues. OSHA also began its rulemaking process around a workplace standard governing hazardous heat conditions, publishing an Advance Notice of Proposed Rulemaking and seeking diverse stakeholder input. The Wage and Hour Division (WHD), for its part, has engaged in rulemaking for tipped workers. Tipped workers are disproportionately people of color, and most are women. They suffer a poverty rate over twice that of non-tipped workers. The rule helps ensure tipped workers are treated with dignity and respect and that they receive the appropriate wage for the work they are performing.

● **Building stronger partnerships with community-based organizations**

DOL is forging stronger partnerships with community-based organizations that have trusted relationships and reach into traditionally underserved populations. These partnerships can help workers better understand their workplace rights and expand access to employment and training-related benefits and services. These partnerships can also help DOL better understand the needs faced by specific communities. For instance, the Veterans' Employment and Training Service (VETS) launched an engagement initiative with Historically Black Colleges and Universities (HBCUs) to help connect service members and veterans with employment supports, spread awareness of VETS' work, and better understand the needs of underserved communities of color and their intersection with service members and veterans. For its part, the Office of Disability Employment Policy (ODEP) has launched several national online dialogues to solicit broad stakeholder input on the effectiveness of employment programs and services for people from underrepresented groups within

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the disability community. ODEP has also entered into a formal alliance with the American Association for Access, Equity, and Diversity, which includes a range of collaborative activities to advance the inclusion of people with disabilities into the workforce.

- **Establishing equity focused Agency Priority Goals (APGs)**

APGs are two-year goals that provide agencies a mechanism to focus leadership priorities, set outcomes, and measure results, bringing attention to mission areas where agencies need to drive significant progress and change. To highlight the importance of this initiative, DOL has established an APG, An Economy for all Workers or “Equity APG”, which encompasses the equity initiatives of twelve DOL sub agencies. Equity is also a core component of the Department’s other two APGs: Strengthening America’s Safety Net for Workers or “UI APG” and Making Safe, Healthful, Fair-Paying and Equitable Workplaces a Priority or “Worker Protection APG.” These APGs prioritize the advancement of racial equity, diversity, and inclusion, to better support underserved communities, and to hold the Department accountable to this goal.