

# CIVIL LEGAL AID SUPPORTS FEDERAL EFFORTS TO HELP KEEP AMERICA WORKING

## THE NEED

Every American who wants a job should be able to work. People with jobs should feel secure in their work and able to advance in their career, and those who lose their jobs should be supported until they are back at work again. While our economy is growing, too many Americans still face challenges securing employment or addressing job-related issues while employed.

People seeking work are vulnerable to fraudsters peddling “work at home schemes” and low-quality vocational schools that collect federal student aid dollars, but then fail to provide graduates with the skills they need to find a job. Victims can be left with substantial debt and no job prospects. Others re-entering the work force after a period of incarceration face significant barriers to employment like securing housing or continuing their education. Many people with steady employment also face hardships. Some employers misclassify workers, calling them independent contractors instead of employees, and leading to a denial of critical protections including family and medical leave, overtime, minimum wage and unemployment insurance. Additionally, many people -- looking for employment or on the job -- find themselves victims of illegal discrimination based on race, gender, national origin, age, sexual orientation or disability.

## EXAMPLES OF THE FEDERAL RESPONSE

Since the Great Recession, the Federal Government has taken decisive action to bolster economic growth by promoting jobs and job security.

The Department of Labor (DOL), in coordination with the U.S. Departments of Education (ED) and Health and Human Services (HHS), administers the recently enacted Workforce Innovation and Opportunity Act (WIOA). WIOA helps job seekers access employment, education, training, and supportive services to succeed in the labor market and to match employers with the skilled workers they need to compete in the global economy. It also ensures continuation of the network of American Job Centers that offer job training, education and employment services for unemployed and underemployed workers and youth looking for work.

DOL’s Misclassification Initiative works to combat misclassification of employment status and restore benefits to those wrongly denied them as a result. To combat discrimination, the DOL Office of Disability Employment Policy (ODEP) works to enhance the capacity of the workforce system to provide employment services to people with disabilities.

The HHS Office of Family Assistance administers the Temporary Assistance for Needy Families program (TANF), helping needy families achieve self-sufficiency, including support for job preparation and employment.

The Federal Trade Commission (FTC) is on the front lines of the fight against fraudulent employment schemes. The FTC also educates the public about fraudulent business opportunities, diploma mills, and other scams to help job-seekers avoid fraud.

The Department of Justice and DOL fund reentry initiatives, such as Second Chance Act and Reintegration of Ex-Offenders, in communities around the country. These grants support job training – and other important strategies and services -- designed to reduce recidivism by improving outcomes for people returning from prisons, jails, and juvenile facilities.

**Evidence suggests that legal interventions such as expungement and reducing a felony to a misdemeanor, stem the decline in earnings and may even boost earnings. Halting the decline in earnings suggests that the interventions make a meaningful difference in people’s lives and are key components of an effective employment reentry strategy.**

~Jeffrey Selbin and Justin McCrary, University of California, Berkeley School of Law  
*Got Clean Slate? New Study Suggests that Criminal Record Clearing May Increase Earnings (2014)*





# Legal aid is essential to closing persistent opportunity gaps and to creating shared prosperity in an economy that works for everyone.

~ Secretary Thomas Perez, U.S. Department of Labor

## Legal Aid Helps

- **Represent workers to secure the wages and benefits they are entitled to**, including unpaid wages and unemployment benefits.
- **Expunge or seal criminal records, reinstate a revoked or suspended driver’s license, untangle outstanding court debt issues, modify child support orders, and secure certificates of rehabilitation** for people previously incarcerated, dramatically increasing their ability to obtain and keep a job.
- **Represent employees who are misclassified** on the job before state and Federal agencies, ensuring that workers receive appropriate benefits.
- **Educate consumers about fraudulent employment and education schemes** and report cases to the FTC for possible enforcement.
- **Advise job seekers or employees who are discriminated against** in the work place.
- **Stabilize lives by preventing illegal evictions or foreclosures, resolving credit report problems, obtaining child support and custody orders or securing domestic violence restraining orders**, improving people’s chances for steady employment.

### Legal Aid gets Dad Back on Road to Work

After five years working as a delivery driver for a home improvement chain, “Joe” lost his job when his driver’s license was suspended because medical expenses for his prematurely-born daughter left him unable to pay outstanding traffic fines. SonomaWORKS, Sonoma County’s HHS-funded welfare-to-work program, referred Joe to what seemed like a perfect job as a delivery driver for a parts store. When the employer offered him a position contingent on securing a driver’s license, he sought help from Legal Aid of Sonoma County. With funding from California’s TANF program, Joe’s legal aid lawyer successfully arranged an affordable payment plan for a reduced bail amount so Joe could pay off his fines and get his drivers license reinstated. Thanks to the legal and employment services provided through SonomaWORKS, Joe once again became self-sufficient.

### Lawyer’s Help Clears Barriers for Working Mom

“Francesca,” a 21 year-old single mother of two children, received a job offer to work at a major bank’s call center. But when a background check revealed a 3-year old municipal ticket for retail theft, she lost the offer. When she was 18, she got the ticket for taking \$20 worth of clothing from a former retail employer. At the time, she paid the fine understanding the municipal ticket was not a crime. DOL Face Forward grantee WestCare Wisconsin, referred Francesca to their partner, Legal Action of Wisconsin, for help. Within one month, her attorney got the municipal ticket case reopened and dismissed. After the attorney submitted proof of the dismissal to the state criminal investigation bureau clearing Francesca’s criminal background report, the bank hired Francesca. After less than 8 months on the job, Francesca even got a raise.

