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# Building Back Better: A National Jobs Strategy

Policy proposals and a framework for action

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# Goals and Strategies for a National Jobs Agenda

## Three Pillars of a National Jobs Agenda

Three broad but measurable goals should guide the Biden-Harris administration's jobs agenda. They can be advanced through discrete actions and policy levers, including discretionary investments, regulatory changes, executive orders, and legislative reforms. A national jobs agenda should aim to:

- ***Make all jobs good jobs and create more:*** A good job is one that pays a local living wage, provides sufficient hours and a predictable schedule, and includes essential benefits like paid leave, health insurance, and retirement savings. According to the Cornell Law School's Job Quality Index, our economy currently generates more bad jobs than good jobs.<sup>1</sup> Reversing that trend through a combination of job-generating investments and policies to increase wages and benefits should be at the center of economic policy.
- ***Facilitate access to good jobs:*** Labor markets are not perfect: even when unemployment is low, some job seekers will struggle to find work, and when it is high, some employers will struggle to find workers. The federal government should do much more to connect job seekers and employers through a variety of direct and indirect supports, from wage subsidies to skills training to career counseling. The federal government must also take clear steps to dismantle structural barriers to work, including by eliminating permanent punishments that prevent people with a record from accessing employment.<sup>2</sup> Community colleges, workforce intermediaries, community-based organizations, and the public workforce system are all critical partners in this work.
- ***Eliminate racial and gender inequities in hiring, pay, and job quality:*** Increasing the supply of good jobs is not enough to ensure that all Americans have access to them. It is critical to implement concrete strategies to address discriminatory hiring, inequities in pay and benefits, occupational segregation,<sup>3</sup> and other employment practices that systematically exclude or disadvantage specific groups of workers. Having adequate data to track progress towards equity goals is also critical, and the federal government should make long-overdue investments in civic technology infrastructure that can support enhanced wage records.<sup>4</sup>

## Five Core Strategies of a National Jobs Agenda

We propose the following core strategies as anchors for an all-of-government effort. These strategies, while not exhaustive, encompass a wide range of activities that advance one or more of the goals outlined above:

### ***1. Leverage the power of the federal government as investor, purchaser, and employer to create new jobs and improve the quality of existing jobs.***

Beginning in the 1980s, increases in GDP stopped translating into better jobs or higher wages.<sup>5</sup> Restoring the link between economic growth and good jobs is critical for building shared prosperity. The federal government is uniquely positioned to create and improve jobs through its various spending and regulatory capacities. The private sector alone is unlikely to generate enough good jobs to support economic recovery and will need a robust, sustained, and well-coordinated federal push to create and improve jobs.

Embedding a focus on jobs into every aspect of federal spending is the foundation of an all-of-government approach to building a Good Jobs Economy. The Build Back Better plan already promises to create good jobs through investments in infrastructure, care, and climate change mitigation. The government can also require that companies and organizations that contract with the federal government or receive federal funding pay living wages, provide essential benefits, and hire local employees. It can reward businesses (including small companies and social enterprises)<sup>6</sup> that prioritize racial and gender equity in hiring and pay, and it can do the same for labor unions. Finally, the government can serve as a model employer itself, hiring entry-level apprentices and prioritizing racial and gender equity across the public workforce.

### ***2. Accelerate employment through active labor market policies, including national service, transitional jobs, and subsidized employment programs.***

Extended bouts of unemployment exact a heavy toll on individuals, both financially and emotionally. A painful lesson from the Great Recession was that many long-term unemployed people never found new jobs, generating a cascade of negative outcomes for those workers and their families. Young workers also struggled to gain a secure foothold in the post-recession economy.<sup>7</sup> Even during periods of low unemployment, many job seekers face significant barriers to employment that can effectively lock them out of the labor market. This is especially true for people with conviction records.<sup>8</sup> Opportunity youth, youth and adults impacted by the justice system,<sup>9</sup> long-term unemployed people, people with disabilities, older workers, and workers without postsecondary credentials are all particularly vulnerable to extended or permanent unemployment in the absence of active labor market strategies.

While millions of workers are unemployed, American communities are facing shortages of workers in critical sectors such as health, education, social services,

and community development, which the private sector is not well positioned to fill. Strategic investments in workforce and economic development that channel resources to communities to create needed jobs can fill in where the private sector falls short. Youth employment, community jobs, national service programs, and transitional employment<sup>10</sup> are all examples of successful labor market interventions that can counter the devastating impacts of long-term unemployment while adding value to communities.<sup>11</sup> The Biden-Harris administration can embed these proven strategies into larger investments in infrastructure, the care economy, and climate change mitigation.

***3. Increase investments in apprenticeship, work-based learning, sectoral partnerships, career pathways, and other effective workforce development strategies.***

A Good Jobs Economy is one in which young people are able to acquire the skills and experience necessary to get a good job and in which adults in need of a new job can do the same. Our postsecondary education and training systems offer a variety of programs that promise to prepare people for good jobs, with very mixed results. But as the Obama administration's review of job training programs revealed, some strategies, such as apprenticeship, career pathways, on-the-job training, and sectoral partnerships, have demonstrated consistently strong results.<sup>12</sup>

The Build Back Better plan's proposed investments in community colleges and workforce development are already well aligned with a national jobs strategy. Our public workforce and unemployment insurance systems are chronically underfunded compared to other advanced economies and in desperate need of capacity-building investment.<sup>13</sup> Workforce development strategies like pre-apprenticeship<sup>14</sup> and apprenticeship, work-based learning, and sectoral partnerships already enjoy bipartisan support in Congress, opening up the possibility for additional discretionary investments to expand them. Investments in infrastructure, care jobs, and climate change mitigation can also include set-asides for these high-quality training and employment strategies.

***4. Strengthen enforcement of worker protections and update labor laws and regulations; prioritize racial and gender equity in enforcement.***

The steady decline in job quality over the last few decades stems in part from the erosion of worker protections. The growth of the gig economy and arm's-length employment arrangements that free businesses from paying a minimum wage or adhering to health and safety regulations have been particularly detrimental.<sup>15</sup> The weakening of protections has not been uniform: low-wage workers in retail, hospitality, child care, and home care are among the most vulnerable to wage theft and workplace safety violations. Black and Latinx workers and women are especially likely to be affected.

A Good Jobs Economy requires strong and enforceable worker protections. It also requires labor laws and regulations that can keep pace with how technology is transforming work arrangements and ensure those changes benefit workers as well as companies and consumers. The Biden-Harris administration can pursue a variety of administrative, regulatory, and legislative enforcement strategies to strengthen worker protections and update labor policies.

***5. Support unions and other forms of worker organization that enhance job quality and advance racial and gender equity.***

Workers covered by a union contract make, on average, 11.2 percent more in wages than their non-union peers and are significantly more likely to have jobs that offer health insurance, retirement benefits, and employer-funded training.<sup>16</sup> The higher wages and benefits negotiated by unions within a particular industry sector or geographic region often have spillover effects, raising the wages and benefits for non-union workers.<sup>17</sup>

Increasing unionization rates, particularly in the private sector, will be critical for sustaining a Good Jobs Economy. Currently, only 12 percent of Americans workers are union members; among those who work in the private sector, only six percent are. The Biden-Harris administration can strengthen unions through executive orders, investment strategies, enforcement of labor laws, procurement policies, and revised funding models. It can also work with Congress on legislation to strengthen worker protections and facilitate organizing and collective action.

## **Framework for Action**

The next section contains a framework to support the coordination and implementation of the national jobs agenda outlined above. The framework identifies opportunities to advance each of the five strategies through a variety of federal policy levers, including executive actions, regulatory and administrative changes, legislation, and fiscal policy, with the White House playing a leading role in coordinating inter-agency activities and public messaging on the goal of creating a Good Jobs Economy.

## Federal Policy Framework for Action

**Executive leadership:** Across the five core strategies outlined above, the White House should lead an all-of-government approach to building a Good Jobs Economy by coordinating interagency efforts; working with Congress on relevant legislation and budget negotiations; convening key stakeholders across the public and private sectors; commissioning research, evaluation, and analyses to guide policy; and leading through public messaging to build support for a national jobs agenda.

Below, we lay out specific policy actions the Biden-Harris administration can take in the categories of **1) Regulatory, administrative, and executive actions, 2) Legislative actions, and 3) Fiscal and budgetary actions** in order to advance a national jobs agenda. Cited resources provide further context and guidance related to the associated policy actions.

Core strategy:	Regulatory, administrative, and executive action:	Legislative action:	Fiscal and budgetary action:
Leverage the power of the federal government as investor, purchaser, and employer to create jobs and improve job quality.	<p>Issue EOs raising minimum pay and benefits for federal contract workers,<sup>18</sup> and eliminate the subminimum wage.</p> <p>Update EO 13502 (2009) on project labor agreements to assign preference to bids that include them.</p> <p>Direct OPM to extend federal pay and hiring flexibilities to allow agencies to hire apprentices in non-traditional occupations.</p>	Work with Congress to pass legislation to support new investments in traditional infrastructure projects, as well as in projects focusing on education, climate change mitigation, the care economy, and broadband and digital infrastructure. <sup>19</sup>	Increase funding for programs for new and existing community service jobs that support national infrastructure projects, including the Nurse Corps, <sup>20</sup> the Public Health Job Corps (created by EO 13996), and a proposed Climate Corps. <sup>21</sup>

Core strategy:	Regulatory, administrative, and executive action:	Legislative action:	Fiscal and budgetary action:
Accelerate employment through active labor market policies.	<p>Direct DOL to conduct outreach and technical assistance to the 23 states that do not currently have short-time compensation laws to encourage implementation.<sup>22</sup> Establish processes to proactively contact employers at risk of layoffs to plan work-sharing arrangements.</p> <p>Direct the Departments of Energy and Transportation, in coordination with DPC, to identify job roles necessary to mitigate climate change and, in coordination with DOL and ED, to identify existing training options aligned to those roles to support publicly subsidized green jobs.</p>	<p>Work with Congress to pass the Jobs for Economic Recovery Act (S. 4107, 116th) to create jobs through subsidized employment in the public and private sectors.</p> <p>Work with Congress to ensure that reauthorizations of National Apprenticeship Act, the Workforce Innovation and Opportunity Act (WIOA), and Higher Education Act focus on youth, communities of color, and those impacted by the criminal justice system.<sup>23</sup></p>	<p>Establish regular funding for an equity-driven national subsidized employment program through formula grants to states and competitive grants to localities and community-based organizations, to be overseen by the National Economic Council in coordination with DPC and OMB.<sup>24</sup></p> <p>Increase funding for program support staff at DOL to reverse an 11 percent decline in total staff during the Trump administration.</p>

Core strategy:	Regulatory, administrative, and executive action:	Legislative action:	Fiscal and budgetary action:
<p>Increase investments in apprenticeship, work-based learning, sectoral partnerships, and career pathways.</p>	<p>Direct DOL to work with state apprenticeship agencies to identify apprenticeable job roles in state and local government, and support development of new registered programs as needed.<sup>25</sup></p> <p>Direct DOL to issue guidance and technical assistance to support the expansion of statewide and regional apprenticeship partnerships that pool investment and expand multi-employer apprenticeship programs.</p> <p>Direct DOL, in coordination with ED, to engage with members of the Registered Apprenticeship-College Consortium (RACC), and make current degree apprenticeship opportunities among RACC members easily viewable by the public.</p>	<p>Work with Congress to reauthorize the Trade Adjustment Assistance Act, WIOA, and the National Apprenticeship Act, aligning provisions of these bodies of legislation with the core elements of a jobs-focused recovery strategy.</p> <p>Ensure that modernized federal workforce legislation addresses and continuously monitors inequities in access to durable, college-connected career pathways.<sup>26</sup></p> <p>Through National Apprenticeship Act reauthorization, establish shared national definitions and equity policies for pre-apprenticeship<sup>27</sup> and youth apprenticeship.<sup>28</sup></p>	<p>Use H-1B visa fees to fund discretionary investments to expand apprenticeship and support sectoral partnerships.</p> <p>Restore and increase funding for WIOA programs. Continue to target funding to dynamic regional workforce partnerships that demonstrate shared commitments to good jobs and racial equity and inclusion.<sup>30</sup></p> <p>Expand and institutionalize work-based learning using funding streams targeted to educational institutions, employers, and sector intermediaries. Allocate additional funding to improve public workforce information systems.</p>

Core strategy:	Regulatory, administrative, and executive action:	Legislative action:	Fiscal and budgetary action:
Strengthen enforcement of worker protections and update labor laws and regulations; prioritize racial and gender equity in enforcement.	Rescind Trump administration EO 13917, which weakened worker health and safety protections at meat processing factories.	Work with Congress to develop legislation that would extend National Labor Relations Act (NLRA) coverage to domestic and agricultural workers, as well as workers who are undocumented, disabled, or incarcerated.	Establish additional WIOA funding streams to help workforce boards support workers in highly segregated, low-quality, entry-level roles—particularly those in the health care sector—as they continue their education and careers. <sup>31</sup>
	Raise the overtime eligibility ceiling for salaried workers and restore the use of pre-litigation liquidated damages to support victims of wage theft.		
	Strengthen enforcement of OPM regulations prohibiting inquiries into federal job applicants' criminal backgrounds before a conditional job offer.	Extend the ABC test to define independent contractor status federally, and extend NLRA coverage to these workers.	Increase resources for agencies to hire and deploy staff to enforce labor laws, ensure workplace safety, and prevent retaliation against workers who raise safety concerns. <sup>32</sup>

Core strategy:	Regulatory, administrative, and executive action:	Legislative action:	Fiscal and budgetary action:
Support unions and other forms of worker organization that enhance job quality and advance racial and gender equity.	<p>Appoint National Labor Relations Board (NLRB) commissioners who are supportive of expanded worker organizing within traditional and nontraditional union sectors.</p> <p>Instruct the Secretary of Labor to establish sectoral bargaining panels when 5,000 workers (or 10 percent of workers) in a sector request recognition through a worker organization.<sup>33</sup></p>	<p>Work with Congress to pass the Protect the Right to Organize Act and the Making Work Pay Act.</p> <p>Establish the rights of non-union workers to workplace monitors, disciplinary representation, and works councils; require worker representation on corporate boards; protect all workers with a just-cause dismissal standard and forbid employers from compelling employees to attend anti-union meetings.<sup>34</sup></p>	<p>Prioritize union workers and union-friendly firms in infrastructure and care economy investments.</p> <p>Reallocate funding within DOL to allow for expanded activities supporting worker organization and workplace democracy.</p> <p>Increase staff of NLRB regional offices to investigate union suppression tactics and misclassification.</p>

## Endorsements

### Individual Endorsers:

- **Amanda Cage**, National Fund for Workforce Solutions
- **Ann Lichter**, Center on Rural Innovation
- **Annelies Goger**, Brookings Institution
- **Asha Banerjee**, CLASP
- **Brent Parton**, New America
- **Burt Barnow**, Georgetown University Institute of Public Policy
- **Caitlin Schnur**, Heartland Alliance
- **Carl Van Horn**, John J. Heldrich Center for Workforce Development at Rutgers University
- **Christopher King**, Ray Marshall Center, University of Texas at Austin's Lyndon B. Johnson School of Public Affairs
- **Chris Warland**, Heartland Alliance
- **Clair Minson**, Sandra Grace Counseling and Consulting Services, LLC
- **Daniel Edelman**, Next 100
- **Duy Pham**, CLASP
- **Earl Buford**, Partner4Work
- **Emily Vadehra**, Next100
- **Jeannine La Prad**, Corporation for a Skilled Workforce
- **James C. Haynes**, OIC of America
- **Jane Oates**, Working Nation

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**Katie Spiker**, National Skills Coalition

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- **Larry Good**, Corporation for a Skilled Workforce
- **Maria Heidkamp**, John J. Heldrich Center for Workforce Development at Rutgers University
- **Martha Ross**, Brookings Institution
- **Mary Alice McCarthy**, New America
- **Martin Simon**, formerly of National Governors Association
- **Maureen Conway**, Aspen Institute
- **Melissa Young**, Heartland Alliance
- **Michael Prebil**, New America
- **Molly Bashay**, CLASP
- **Pronita Gupta**, CLASP
- **Stephen Crawford**, George Washington Institute of Public Policy
- **Stuart Andreason**, Federal Reserve Bank of Atlanta
- **Sarah Miller**, Federal Reserve Bank of Atlanta
- **Todd Greene**, WorkRise, Urban Institute
- **Victoria Palacio**, Legal Action Center

*Please note:* Affiliations listed for individuals above are for identification purposes only. Unless the organization is listed as an endorser below, affiliations do not indicate the organization's support for the positions outlined in this piece.

**Organizational Endorsers:**

- **Center for Law and Social Policy (CLASP)**
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**Center on Rural Innovation**

- **Corporation for a Skilled Workforce (CSW)**
- **Heartland Alliance**
- **JFF**
- **John J. Heldrich Center for Workforce Development at Rutgers University**
- **Legal Action Center**
- **National Fund for Workforce Solutions**
- **National Skills Coalition**
- **New America**
- **Next100**
- **OIC of America**

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## About the BETS Taskforce

The **Better Employment and Training Strategies Taskforce** (BETS) is a coalition of more than 40 leading practitioners and experts working to modernize the United States' outdated patchwork of workforce policies. The five BETS workgroups were convened in November 2020 to develop recommendations aimed at informing the incoming Biden-Harris administration and the 117th Congress on issues and policy options related to unemployment insurance, workforce development, job quality, youth employment, and federal jobs initiatives.

The BETS Taskforce was convened by **Prof. Stephen Crawford** of the **George Washington Institute of Public Policy**, **Stuart Andreason** of the **Federal Reserve Bank of Atlanta**, and **Larry Good** of **Corporation for a Skilled Workforce**. The above document is the final product of the federal jobs strategy workgroup chaired by **Carl Van Horn** of the **John J. Heldrich Center for Workforce Development at Rutgers University** and **Mary Alice McCarthy** of the **Center on Education & Labor at New America** (CELNA).

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