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NO TURNING BACK: Defending and Advancing Workers' Rights Together



Rising to Meet the Moment

Friends,

We're at a pivotal moment in the fight for workers' rights. Much that we cherish and fought so hard to win over the decades is now under threat, as are many of the people and institutions that bravely led those battles.

The progress we made in recent years tackling income inequality and strengthening worker protections is now in jeopardy under the Trump administration and the 115th Congress, whose actions belie their "support the forgotten worker" rhetoric.

NELP is rising to the challenge of our time—to stop the rollbacks of workers' rights where we can, and to make sure all Americans understand how these harmful moves betray the trust and interests of America's workers.

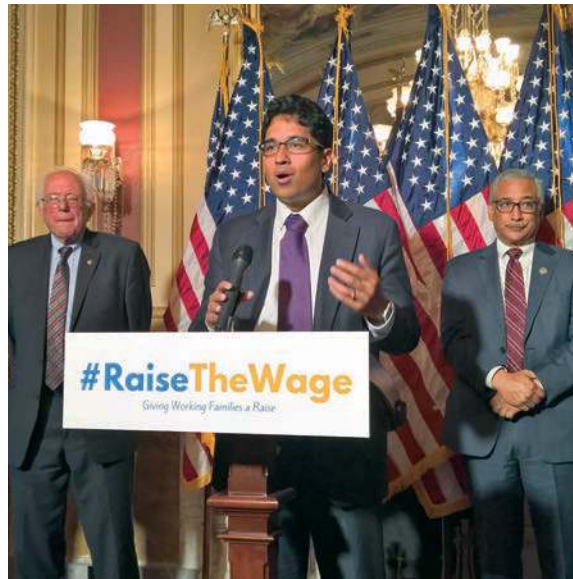
"Every decision ... will be made to benefit American workers," said the president at his inauguration. Yet so far, the worker-related actions taken by this administration and Congress inure to the benefit of the super-rich and corporations, at working people's expense.

But we take heart in knowing that Americans care deeply about the rights of working people. No matter what politicians and their corporate cronies say, ordinary Americans simply do not believe that the world's richest nation and largest economy should leave out or leave behind anyone who works—or aspires to work—for a living.

Their deep support for the rights of working people reinforces NELP's determination to fight any and all attempts to take away those rights. Indeed, this support—*your support*—was what enabled us to help win important victories for workers in 2016, as detailed in these pages.

Fighting Back Strong

But we know that real impact and lasting change require vigilance and persistence. So we're rolling up our sleeves and hunkering down for the enormous challenges ahead. We're humbled to be part of a powerful coalition of allies and advocates that is fiercely determined to repel the attacks on workers and their rights.



Raj Nayak, NELP's director of research, joined Sen. Bernie Sanders, Rep. Bobby Scott, and other elected officials and allies to unveil the Raise the Wage Act of 2017.

We're grateful for the generous support that has strengthened NELP's capacity, enabling us, among other things, to bring several senior Labor Department officials into our ranks, including former Solicitor of Labor Patricia Smith, former Deputy Chief of Staff Raj Nayak, and former OSHA Chief of Staff Debbie Berkowitz.

And we're proud that in a crucial early test, NELP helped lead a coalition that defeated the labor secretary nomination of fast-food CEO Andrew Puzder—a man wholly unsuited to serve as the nation's chief worker advocate.

Like you, we refuse to turn back the clock on workers' rights. We will fight to preserve and strengthen the fundamental economic rights and protections that workers and their families depend on.

We will fight as our movement has always fought, with organizing, advocacy, and fierce determination to build from our past to create a better, stronger, and fairer tomorrow for all of America's workers.

Now, as always, NELP will not rest until work provides dignity, opportunity, and economic security to all workers. Thank you for standing with us in this fight.

In solidarity and gratitude,

Christine L. Owens
Executive Director

What's at Stake?

We face a time of extraordinary challenge and peril for working people. After many years of progress, crucial worker protections are under attack. What's at stake is nothing less than the economic security, safety, and well-being of America's workers and their families.

In these pages, we look at how far we've come as a movement, how much we've accomplished just in the past year, and how we're fighting back now and girding for the tough fights ahead.



Since taking office, President Trump and Congressional Republicans have set their sights on dismantling crucial worker protections for the benefit of corporations and the uber-wealthy. (Reuters/Lucas Jackson)

Immigrant Workers' Place in America

The administration's hateful and xenophobic policies and actions threaten immigrant workers' livelihoods and families and embolden abuse and exploitation.

The DACA (Deferred Action for Childhood Arrivals) program has protected 800,000 young people from deportation since 2012.

Overtime Pay for 12.5 Million Workers

Millions of low-income and middle-class workers who earn less than \$47,476 annually could lose overtime pay eligibility if this Obama-era rule is blocked or scrapped.

California and other states are fighting back with efforts to lock in the overtime expansion at the state level.

Joint Employer Accountability

Companies with the power to control working conditions must bear legal responsibility for them, no matter how they obtain their workers or how they classify them. But the House GOP wants to do away with these protections.

Workers in contracted arrangements should not be left holding the bag when their employers won't pay them what they're owed.

Honest Retirement Investment Advice

The conflict-of-interest rule requires financial advisors to act as fiduciaries, putting retirement savers' interests first—but industry is trying to kill the rule.

New conflict-of-interest protections will save people investing in retirement funds more than \$17 billion each year.

Workers' Safety and Health

Regulations limiting workers' exposure to cancer-causing silica and beryllium dust and fumes are facing implementation delays and possible rollback.

It took nearly 20 years to make the new silica protections a reality. They will save 600+ lives per year.

Smart Enforcement of Strong Standards

Cuts in agencies' resources, watered-down regulations and policies, and a re-ordering of enforcement priorities will come at workers' expense.

Slashing the Labor Department budget by one-fifth would mean abandoning for millions the goals of economic opportunity, safety on the job, and adherence to the baseline labor standards set by federal law.

No Turning Back: Defending and Advancing Workers' Rights

1913

Creating the Labor Department

An act of Congress establishes the U.S. Department of Labor, whose mission is to foster, promote, and develop the welfare of U.S. wage earners, job seekers, and retirees; improve working conditions; advance opportunities for profitable employment; and assure work-related benefits and rights.

Today, NELP is fighting to ensure the Labor Department upholds this crucial mission for all of America's workers.



1935

Right to Organize and Bargain Collectively

Congress enacts the National Labor Relations Act to curtail unfair labor practices and protect workers' right to organize and bargain collectively; it establishes the National Labor Relations Board to enforce the new law.

NELP is working to ensure that corporations are not allowed to use forced arbitration agreements requiring workers to give up their right to band together to challenge employer misconduct in court.

1935

Safety Net for the Most Vulnerable

The brainchild of the nation's greatest labor secretary, Frances Perkins, the Social Security Act of 1935 begins payment of benefits to the elderly, disabled, and unemployed, laying the foundation for the modern social safety net.

NELP remains focused on defending and modernizing the safety net for working families and job-seekers so that nobody falls through the cracks.



1938

The 40-Hour Workweek and Minimum Wage

Another brainchild of Labor Secretary Frances Perkins, the Fair Labor Standards Act normalizes the 40-hour workweek and codifies paid overtime, minimum wage, and child labor laws. It also creates the Wage and Hour Division to enforce the law.

NELP is a leader in the fight to raise the minimum wage and overtime thresholds at the federal, state, and local levels, and to ensure strong enforcement of these laws.

1964

Banning Discrimination in the Workplace

One year after Dr. Martin Luther King, Jr. delivers his "I Have a Dream" speech at the March on Washington for Jobs and Freedom, President Lyndon B. Johnson signs the Civil Rights Act of 1964. Title VII of the Act prohibits employment discrimination based on race, color, religion, sex, or national origin.

NELP delivers on Title VII's promise through our work to ensure job-seekers with past convictions are not shut out of employment and have a fair chance to work.



1968

The Poor People's Campaign

Americans' struggle for better jobs, better homes, better schools, and a better life gives rise to the Poor People's Campaign of 1968, whose economic justice agenda—an "Economic Bill of Rights"—remains relevant as ever today.

Dr. King's vision of poor and working people coming together as a social and political force with the power to transform society continues to inspire and motivate all of us at NELP.

NELP 2016 Select Highlights

MORE THAN EVER, NELP is committed to ensuring that work provides dignity, opportunity, and economic security to all of America's workers. Stand with us to defend and advance the protections that America's workers count on.

RAISING PAY

NELP is fighting for wages that families can live on—and an economy that works for all of us. We provide support on the policy, legal, and communications fronts to state and local minimum wage campaigns around the country.

EXPANDING WORK OPPORTUNITY

A conviction in one's past shouldn't be a life sentence to joblessness. NELP is working to expand fair-chance hiring laws to every corner of the nation, because everyone deserves an opportunity to work for a better life.

Together

1970

Assuring Safe and Healthy Workplaces

Congress enacts the Occupational Safety and Health Act, establishing the Occupational Safety and Health Administration to ensure workers' right to a safe and healthful workplace.

Today, NELP is fighting for stronger occupational safety standards and better working conditions in some of the nation's harshest workplaces, including poultry and meat processing plants.



1974

Protecting Pensions and Benefits

Signed into law on Labor Day 1974, the Employee Retirement Income Security Act, or ERISA, sets the minimum standards for retirement, health, and other benefits.

NELP is defending recently adopted rules that protect retirement savers from investment advice compromised by advisers' hidden conflicts of interest.



1974

Equal Access to Justice for All

Congress establishes the Legal Services Corporation, a publicly funded nonprofit, to finance civil legal aid for low-income Americans.

Founded five years earlier as a Columbia Law School clinic, NELP becomes an LSC "back-up center" in the 1970s and 80s, offering technical support to legal services attorneys and taking on workers' rights class-action litigation.

1993

Family and Medical Leave

Congress enacts the Family and Medical Leave Act, providing 12 weeks of unpaid, job-protected leave for new parents, caretakers of injured or ill relatives, and workers with personal health problems.

NELP remains staunchly committed to extending these rights into paid family and medical leave and paid sick leave.



1994

The Living Wage Movement

After the City of Baltimore adopts an influential 1994 living wage ordinance, the movement to raise wage standards through city and county contracts gains nationwide momentum.

Current and former NELP staffers play key roles as community organizers and lawyers providing rapid response legal, policy and communications support for campaigns.



2012

The Fight for \$15 Begins

Launched in New York City in 2012, when fast-food workers walked off their jobs demanding \$15 an hour and union rights, the Fight for \$15 movement has spurred minimum wage increases around the country—and placed the need for higher pay atop the national agenda.

Today, NELP provides key support to numerous Fight for \$15 efforts and is a proud partner and leader in the fight to #RaiseTheWage and win union rights for low-wage workers.

ENSURING SAFE WORKPLACES

NELP is working to strengthen health and safety protections for low-wage workers. We're fighting for tougher health and safety standards, advocating for robust enforcement in low-wage industries, and building effective campaigns to hold employers accountable.

STRENGTHENING THE SAFETY NET

NELP is leading an array of efforts to strengthen economic security for unemployed workers, including advocating for reemployment programs to reduce long-term unemployment and income support for a larger share of unemployed workers through a more robust unemployment insurance system.

UPHOLDING LABOR STANDARDS IN AN EVOLVING ECONOMY

NELP is working to ensure that workers in outsourced work arrangements or the on-demand economy are covered by hard-won workplace protections, and we're developing new models for turning "gig" jobs into good jobs.

JANUARY

- **Raising Pay**
- **Expanding Work Opportunity**
- **Ensuring Safe Workplaces**
- **Strengthening the Safety Net**
- **Upholding Labor Standards in an Evolving Economy**



Nearly 3 million workers are seriously injured each year

FEBRUARY



Helping Foundations Become Fair-Chance Employers

In partnership with the Executives' Alliance for Boys and Men of Color and the Formerly Incarcerated, Convicted People and Families Movement, NELP helps launch the Ban the Box Philanthropy Challenge (endorsed by 47 foundations) and later publishes the fair-chance hiring in philanthropy toolkit.

MARCH

California and New York Are First to Pass Statewide \$15 Minimum Wage

California and New York will both gradually phase up their minimum wages to \$15 statewide over the next several years. Nearly 10 million workers will see raises thanks to these groundbreaking wage wins.



Victory for Oklahoma Workers Hurt on the Job

Oklahoma state commission rules "opt out" plans illegal, finding that although the plans claim to pay the same benefits as the state-mandated plans, the opt-out plans allowed employers to exclude many work injuries from compensation, such as harm arising from asbestos exposure. The ruling is later upheld by the Oklahoma Supreme Court.

OSHA Updates Protections Against Cancer-Causing Silica Dust

A full 19 years after OSHA first began the rulemaking, an updated standard is finally in place to protect millions of workers in construction, manufacturing, and fracking from exposure to cancer-causing silica dust.

APRIL

Report: States Fall Short in Removing Occupational Licensing Barriers for Workers with Records

NELP's report shows that stronger reforms are needed to remove blanket bans and other unfair restrictions preventing people with records from entering state-regulated occupations.



226 million Americans covered by ban-the-box protections

MAY

Obama Bans the Box in Federal Hiring

New regulations issued by the Office of Personnel Management direct federal agencies to ban the box in federal hiring and to take additional steps to reduce employment barriers for people with records.

Boosting Overtime Rights for 12.5 Million Workers

NELP and coalition partners fought for an updated rule that expands overtime pay rights to 12.5 million more workers—and now, with a federal judge deciding to invalidate the rule, we are doubling down on efforts to defend this crucial victory.



12.5 million Americans stand to benefit from expanded overtime pay protections

JUNE

Report: How to Strengthen Unemployment Protections

To help prepare America's economy for the next recession, the Center for American Progress, Georgetown Center on Poverty and Inequality, and NELP propose modernizing the federal-state unemployment insurance system and establishing a new Jobseeker's Allowance benefit.

'Rights on Demand' Series Examines 'Gig Economy' Workers' Rights

NELP's policy brief series considers why "on demand" workers must be covered by workers' compensation laws; whether the much-touted flexibility of these jobs really must come at the expense of employee protections; whether companies are running afoul of civil rights laws in how they screen job applicants; and what are model employer practices.

Report: Predatory Sales Practices at Wells Fargo and Other Big Banks

Low wages and hyper-aggressive sales metrics at Wells Fargo and other big banks put both frontline bank workers and customers at risk. Our report, *Banking on the Hard Sell*, finds that many workers suffered harassment and threats over meeting extreme sales quotas, and that low base wages created pressures to put their own financial interests above those of customers.

JULY



OSHA Increases Penalties for Safety Violations for First Time in 25 Years
NELP helps win tougher penalties against employers for safety violations causing serious injury or death.



NELP's proposed reforms to UI would boost the share of newly unemployed workers protected by nearly 9 percentage points

AUGUST

4,800 working people are killed on the job every year



19.4 million workers have won \$62 billion in raises since the Fight for \$15 launched in 2012

SEPTEMBER

Convening Health Care Employers Around Fair-Chance Hiring
In partnership with the Safer Foundation and the JPMorgan Chase Foundation, NELP convenes the major health care employers in the Bay Area, Cleveland, and the Dallas/Fort Worth area to promote fair-chance hiring.



47 foundations have taken the challenge to implement fair chance hiring practices

OCTOBER



70% of voters see shift from hiring directly to contracting out as bad for workers

NOVEMBER



Minimum Wage Ballot Victories Show Strong Support for Raising Wages
Voters in four states and one city approve ballot measures raising their minimum wages by substantial margins on Election Day 2016. Voters in Arizona, Colorado, and Maine back measures to raise the minimum wage to \$12 by 2020, while Washington State voters pass a \$13.50 by 2020 measure.

Historic Worker Safety Ordinance
In response to worker deaths on the job, Boston passes a law to deny or revoke city permits based on work safety histories or safety concerns.

5 States and 23 Localities Adopt Fair Chance Policies
We helped secure ban-the-box hiring policies in five states and 23 localities to ensure people with records have a fair chance to work; and two more states and the City of Austin extended existing policies to apply to private employers.

DECEMBER

Minimum Wage Victories in 7 States and 18 Localities
NELP helped win statewide minimum wage increases in California, New York, Oregon, Arizona, Colorado, Maine, and Washington, as well as increases in D.C., Miami Beach, and Flagstaff, the first non-coastal city to adopt a \$15 minimum wage.



Report: More Workers Face Unstable Earnings and Wages
Unemployment insurance reforms can help cushion the shocks of income volatility, posit The Century Foundation and NELP in the report, *A New Safety Net for an Era of Unstable Earnings*.

Stopping the Nomination of the Anti-Labor Secretary
With Jobs with Justice and other partners, NELP leads fierce opposition to the president's initial choice for labor secretary—fast-food CEO Andrew Puzder. After weeks of criticism over his apparent lack of regard for workers, Puzder finally withdraws from consideration, handing NELP and partners an astonishing victory.