

**SECRETARY OF LABOR
WASHINGTON**

DEC 17 2010

Mr. Jeffrey Crowley
Director
Office of National AIDS Policy
The White House
Washington, DC 20502

Dear Mr. Crowley:

Enclosed is the U.S. Department of Labor's operational plan for the implementation of the National HIV/AIDS Strategy as required by the Presidential Memorandum issued on July 13, 2010.

The Department of Labor is committed to assisting all individuals who are impacted by HIV/AIDS. My vision for the Department of Labor is *good jobs for everyone*, including individuals with HIV/AIDS.

If you have any questions or comments regarding the operational plan, please contact William E. Spriggs, Assistant Secretary for Policy, at (202) 693-5959.

Sincerely,



HILDA L. SOLIS
Secretary of Labor

Department of Labor Operations Plan for the Implementation of the National HIV/AIDS Strategy

December 9, 2010

Introduction

On July 13, 2010, President Obama issued a Presidential Memorandum outlining the National HIV/AIDS Strategy, which seeks to reduce the number of people who become infected with human immunodeficiency virus (HIV), increase access to care and quality of life for those living with HIV, and reduce HIV-related health disparities.¹ The National HIV/AIDS Strategy Federal Implementation Plan (Implementation Plan) addresses how the Administration will assess progress toward meeting the goals of the strategy.² Several Federal government agencies have a role in the Implementation Plan. The Department of Labor (DOL) is listed as one of the lead responsible agencies in implementing the strategy, along with the Departments of Health and Human Services, Justice, Housing and Urban Development, Veterans Affairs, and the Social Security Administration.

DOL's 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. In support of DOL's mission, Secretary Hilda L. Solis' vision is *good jobs for everyone*, including people who are affected by HIV/AIDS. While DOL does not have specific resources allocated to serving people with HIV/AIDS, DOL's agencies serve people with HIV/AIDS every day. Persons with HIV/AIDS utilize the public workforce system and are protected by laws that DOL enforces. Due to medical breakthroughs, many people with HIV continue to work or seek employment. According to the Centers for Disease Control and Prevention, one in six large U.S. worksites (more than 50 employees) and one in 16 small U.S. worksites (fewer than 50 employees) have experienced an employee with HIV/AIDS.³ However, stigma, discrimination, and unemployment among persons with HIV/AIDS are still major issues that must be addressed.

This document describes DOL's operational plan to implement the National HIV/AIDS Strategy. Because DOL does not have any specific funding allocated to domestic HIV/AIDS programming, DOL did not incorporate the budget development process with the Office of Management and Budget into the development of its Operational Plan and instead prioritized its goals through existing programs and activities.

DOL Agencies with Key Roles in Implementing the National HIV/AIDS Strategy

The Employment and Training Administration (ETA) works in partnership with states, localities, and community organizations to assist adults and youth in transitioning to good jobs by

¹ Presidential Memorandum – Implementation National HIV/AIDS Strategy, available at <http://www.whitehouse.gov/the-press-office/presidential-memorandum-implementation-national-hiv-aids-strategy>.

² National HIV/AIDS Strategy Federal Implementation Plan, available at <http://www.whitehouse.gov/files/documents/nhas-implementation.pdf>.

³ AIDS in the Workplace, available at http://www.brta-lrta.org/tools/pdf_mgrkit/mgr_kit.pdf.

administering effective, value-added programs that expand opportunities for employment, continuous learning, business competitiveness and community prosperity. A major portion of the country's federally funded employment and training services are offered at the One Stop Career Centers. The nation's 3,000 One Stop Career Centers serves thousands of Social Security disability beneficiaries (which includes beneficiaries with HIV/AIDS) who are seeking to gain employment or return to work. In addition, ETA supports the training of the health care workforce and also oversees the provision of employment and training services to the public, including individuals with HIV/AIDS. ETA and the Department of Health and Human Service's Health Resources and Services Administration (HRSA) are in discussions about how to better coordinate and collaborate in efforts to train the healthcare workforce.

The Office of Disability Employment Policy (ODEP) provides national leadership on disability employment policy by developing and influencing the use of evidence-based disability employment policies and practices, building collaborative partnerships, and delivering authoritative and credible data on employment of people with disabilities. One of ODEP's technical assistance centers, the Job Accommodation Network, offer specific resources for employers and employees on accommodating employees with HIV/AIDS.

The mission of the Office of Federal Contract Compliance Programs (OFCCP), a worker protection agency, is to enforce the contractual promise of affirmative action and equal employment opportunity for employees and applicants of federal contractors. OFCCP enforces Executive Order 11246, Section 503 of the Rehabilitation Act of 1973 (Section 503), and the Vietnam Era Veterans' Readjustment Assistance Act of 1974, 38 U.S.C. 4212. These laws prohibit federal contractors and subcontractors from discriminating on the bases of race, color, religion, sex, national origin, disability and veteran status. They also require affirmative action in employment by federal contractors and subcontractors.

The Center for Faith-based and Neighborhood Partnerships at the U.S. Department of Labor implements Secretary Solis' vision of *good jobs for everyone* by building partnerships with faith-based groups, community organizations, and neighborhood leaders. The Center works in collaboration with DOL agencies to improve the lives of the most vulnerable and disadvantaged workers and job seekers.

DOL's Role in Implementing the National HIV/AIDS Strategy

The DOL official responsible for coordinating the agency's ongoing efforts to implement the Strategy is Assistant Secretary for Policy William E. Spriggs. Staff in each agency responsible for action items will submit status reports to Assistant Secretary Spriggs on a quarterly basis. The Office of the Assistant Secretary for Policy (OASP) will share progress reports on achieving the goals of the National HIV/AIDS Strategy with the Office of National AIDS Policy (ONAP) on an annual basis, or at such other times as the ONAP requests.

The below section describes responsible agency officials and proposed action items for each corresponding item outlined in the Implementation Plan.

***Plan Section “Increasing Access to Care and Improving Health Outcomes for People Living with HIV”:* Take deliberate steps to increase the number and diversity of available providers of clinical care and related services for people living with HIV.**

2.2 Strengthen the current provider workforce to improve quality of HIV care and health outcomes for people living with HIV: Federal agencies should engage clinical providers and professional medical societies on the importance of routine, voluntary HIV screening and quality HIV care in clinical settings consistent with HHS and CDC guidelines.

By the end of 2011, DOL and HRSA will work with health professions associations and collaborate on workforce training efforts to increase the number of health providers who are culturally competent.^{4,5}

- Responsible Agency Official: Jane Oates, Assistant Secretary, ETA
- Staff Contact Person: Sue Liu, ETA
- Proposed Agency Actions:
 1. In conjunction with several offices within HHS and healthcare industry partners and associations (American Health Care Association, Paraprofessional Healthcare Institute the College of Direct Support, the National Center for Assisted Living, American Network of Community Options and Resources and several grantees), ETA launched the Long-term Care, Supports, and Services Competency Model earlier this year. This guide includes information on essential academic and workplace skills, including key behaviors that enable workers to progress along an articulated career pathway in the long-term care industry. By focusing on the various skill sets of workers and including as a core competency person-centered services such as the importance of cultural sensitivity, this guide emphasizes the knowledge of cultural and linguistic competence. Because adherence to cultural and linguistic competence is essential to workers’ professional ethics, cultural and linguistic competence is part of the guide’s discussion on critical work functions. The guide also includes as a technical content area an understanding and application of the principles of the National Standards for Culturally and Linguistically Appropriate Services (CLAS) and cultural sensitivity.
 2. ETA is working with California and Florida (each funded \$547,000) to support training of community health workers (CHWs). Through this investment, ETA’s CHW grantees will train and provide long-term employment opportunities to workers, to increase the number of culturally competent and highly skilled workers. This investment will help bridge the healthcare service delivery gap by increasing workers’ ability to effectively work in underserved and marginalized communities to ensure access to information and

⁴ National HIV/AIDS Strategy Federal Implementation Plan, p. 20.

⁵ According to the Department of Health and Human Services’ Office of Minority Health, cultural and linguistic competence is a set of congruent behaviors, attitudes, and policies that come together in a system, agency, or among professionals that enables effective work in cross-cultural situations. Culture refers to integrated patterns of human behavior that include the language, thoughts, communications, actions, customs, beliefs, values, and institutions of racial, ethnic, religious, or social groups. Competence implies having the capacity to function effectively as an individual and an organization within the context of the cultural beliefs, behaviors, and needs presented by consumers and their communities. See <http://minorityhealth.hhs.gov/templates/browse.aspx?lvl=2&lvlID=11>.

healthcare service providers. ETA will monitor and guide the grantees' projects in California and Florida. The information and experience gained from monitoring these grantees will be invaluable lessons learned and could be shared with other providers for replication. ETA hopes that these projects will create employment opportunities for culturally competent health workers in local communities through partnerships with public and nonprofit organizations, as well as healthcare providers.

It is important to note that future pertinent occupational and wage data on CHWs may be available in the near future. As such, this information may have an impact on programs to be developed and shaped by ETA. Earlier this year, the Bureau of Labor Statistics, in response to public comments, added CHW to the Standard Occupational Classification (SOC) system, used by federal agencies to classify workers into occupational categories for data collection, calculation or dissemination. In upcoming years, CHW wage and employment data will be made publically available. ETA looks forward to this data; the inclusion of CHWs in the SOC also means it may be possible to include information on the CHW occupation in the BLS occupational handbook. This description of training and education needed, including earnings, expected job prospects and what workers do on the job for each occupation will be helpful in the consideration of potential ETA training programs for community health workers. CHWs can provide outreach and education to persons with specific conditions such as HIV/AIDS.

By the end of 2011, HRSA, AHRQ, and DOL will coordinate with HHS OS to work with States, local governments, and state health professions associations to implement their recommendations and guidance to strengthen the current HIV/AIDS provider workforce.⁶

- Responsible Agency Official: Jane Oates, Assistant Secretary, ETA
- Staff Contact Person: Sue Liu, ETA
- Proposed Agency Actions:
 1. Following the lead of HHS OS and in working with other agency partners, ETA will be part of overall coordinating efforts to work with States, local governments, and state health professions associations to implement and assess recommendations and guidance. Using this information, ETA and its agency partners will determine how to best strengthen the current HIV/AIDS provider workforce.

Plan Section "Reducing HIV-Related Health Disparities": Support people living with HIV with co-occurring health conditions and those who have challenges meeting their basic needs, such as housing.

3.1 Engage communities to affirm support for people living with HIV: Faith communities, businesses, schools, health care providers, community-based organizations, social gathering sites, and all types of media outlets should take responsibility for affirming nonjudgmental support for people living with HIV and high risk communities.

⁶ National HIV/AIDS Strategy Federal Implementation Plan, p. 21.

By the end of 2010, HHS OS, DOJ, and DOL Offices of Faith Based and Community Initiatives will develop a plan for engaging more faith leaders to promote nonjudgmental support for people living with HIV.⁷

- Responsible Agency Official: Phil Tom, Director, Center for Faith-based and Neighborhood Partnerships
- Staff Contact Person: Phil Tom
- Proposed Agency Actions:
 1. The Departmental Faith-Based Offices will work together to start a campaign to remove stigma around HIV/AIDS. DOL's Center of Faith-based and Neighborhood Partnerships will work with the White House Faith-Based Office to conduct outreach and education.
 2. DOL's Center for Faith-based and Neighborhood Partnerships will assist HHS' Partnership Center in developing regional strategies in linking health departments and faith-based leaders to conduct more education with faith communities to promote HIV/AIDS testing.

By the end of 2011, DOL will consider ways to increase supports for employers to hire and maintain employment of people with HIV and how to integrate them in broader employment initiatives for people with disabilities.⁸

- Responsible Agency Officials: Kathy Martinez, Assistant Secretary, ODEP and Jane Oates, Assistant Secretary, ETA
- Staff Contact Person: Dylan Orr, ODEP and Sue Liu, ETA
- Proposed Agency Actions:
 1. DOL will plan and host a HIV Employment Roundtable with representatives from DOL, SSA, DOJ, and HHS OS, HIV/AIDS organizations, researchers, employers, and other stakeholders to identify and discuss employment issues relevant to people living with HIV/AIDS; explore model strategies and best practices for integration into broader disability initiatives; and identify better ways for this population to access income supports, obtain job skills, and improve employment outcomes.
 2. DOL's ODEP will continue to identify ways to better integrate people living with HIV/AIDS into its ongoing policy initiatives to increase employment for people with disabilities.
 3. ODEP will provide targeted HIV/AIDS resources to employers and employees through the Job Accommodation Network and work with HIV/AIDS partner agencies, stakeholders and other organizations to bring attention to this resource.

⁷ National HIV/AIDS Strategy Federal Implementation Plan, p. 25.

⁸ National HIV/AIDS Strategy Federal Implementation Plan, p. 25.

4. DOL will ensure that the importance of workplace flexibility for people with HIV/AIDS is considered as the workplace flexibility agenda is developed and implemented.
5. DOL will facilitate improved outreach to the HIV/AIDS community through its general communication and outreach activities, including ODEP's Add-Us-In Initiative. Add-Us-In is designed to increase the ability of businesses owned, operated, and controlled by African Americans, Asian Americans, Latino or Hispanic Americans, members of federally recognized Tribes and Native Americans, women, and Lesbian, Gay, Bisexual, and Transgender individuals to employ adults and youth with disabilities through creating models and strategies that can be replicated nationwide.
6. DOL will continue to educate employers and employees about employees' rights under the Family and Medical Leave Act (FMLA). Under FMLA, eligible employees would be entitled to leave for absences due to HIV/AIDS.

By the end of 2011, HHS OS will coordinate with DOL to develop standardized occupational guidelines for outreach workers, health educators, hotline operators, peer counselors, and testing/counseling personnel.⁹

- Responsible Agency Official: Jane Oates, Assistant Secretary, ETA
- Staff Contact Person: Sue Liu, ETA
- Proposed Agency Actions:
 1. At the leadership of HHS OS, DOL will discuss the Long-term Care, Supports, and Services Competency Model and its connection, relevance and applicability to other healthcare personnel.

By the end of 2011, DOL, SSA, DOJ, and HHS OS will develop a joint initiative to consider ways to help individuals living with HIV access income supports, including job skills and employment.¹⁰

- Responsible Agency Official: Jane Oates, Assistant Secretary, ETA and Kathy Martinez, Assistant Secretary, ODEP
- Staff Contact Persons: Sue Liu, ETA and Dylan Orr, ODEP
- Proposed Agency Actions:
 1. DOL will plan and host a HIV Employment Roundtable with representatives from DOL, SSA, DOJ, and HHS OS, HIV/AIDS organizations, researchers, employers, and other stakeholders to identify and discuss employment issues relevant to people living with HIV/AIDS; explore model strategies and best practices for integration into broader disability initiatives; and discuss better ways for this population to access income supports, obtain job skills, and improve employment outcomes.

⁹ National HIV/AIDS Strategy Federal Implementation Plan, p. 25.

¹⁰ National HIV/AIDS Strategy Federal Implementation Plan, p. 25.

2. DOL will work with other federal agencies to identify existing federal supports for individuals living with HIV.
3. DOL will provide basic information on the public workforce system to other federal partners and provide public use materials for dissemination. DOL will educate other federal partners about the public workforce system, provide them with informational materials, and encourage and assist them in disseminating these materials to their community networks throughout the nation.

It is important to note that as DOL proceeds with the implementation of the newly launched Disability Employment Initiative, potential best practices and lessons learned may be identified from its grantees in serving individuals with HIV/AIDS. DOL will use this information to consider ways to strengthen the capacity of the public workforce system.

3.4 Strengthen enforcement of civil rights laws: The Department of Justice and other Federal agencies must enhance cooperation to facilitate enforcement of Federal antidiscrimination laws.

By the end of 2011, DOJ/EEOC, DOL, HUD DOJ, the Equal Employment Opportunity Commission, DOL's Office of Federal Contract Compliance Programs, and HUD's Fair Housing Enforcement Office will prioritize and fast track investigations of discrimination charges involving HIV, as necessary and appropriate under relevant statutes, and consider additional policies to prevent discrimination from occurring.¹¹

- Responsible Agency Official: Patricia Shiu, Director, OFCCP
- Staff Contact Persons: Terry Hankerson and Robin Lee, OFCCP
- Proposed Agency Actions:
 1. OFCCP will develop a memorandum to the field regarding prioritizing and tracking investigations of employment discrimination complaints involving HIV/AIDS. In addition, compliance evaluations will include the investigation of possible employment discrimination involving HIV/AIDS discrimination.
 2. OFCCP will monitor and report on a quarterly basis OFCCP complaints involving HIV/AIDS discrimination.
 3. OFCCP will update the Federal Contract Compliance Manual Chapter 6, Appendix D policy regarding OFCCP complaints involving HIV/AIDS discrimination.
 4. OFCCP will develop public education materials on employment rights under Section 503 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act with emphasis on HIV/AIDS. OFCCP will also post educational materials on OFCCP's

¹¹ National HIV/AIDS Strategy Federal Implementation Plan, p. 26.

website and send these materials to field offices to be used during compliance assistance seminars.

5. OFCCP's Division of Policy, Planning and Program Development will work with OFCCP's Communications Team to develop outreach and educational materials regarding the employment rights of individuals with HIV/AIDS. This will include incorporation of HIV/AIDS discrimination into the Spring OFCCP staff training related to disability complaints, and hosting of webinars related to this issue.

6. OFCCP's Communications Team will host at least one outreach event with OFCCP stakeholders regarding the employment rights of individuals with HIV/AIDS.

Plan Section "Achieving a More Coordinated National Response to the HIV Epidemic in the United States"

1.1 Ensure coordinated program administration: The Federal Government will increase its focus on coordinated planning for HIV services across agencies. States and tribal and local governments will also be encouraged to collaborate and develop coordinated planning models, including coordinated prevention and care planning and resource allocation activities.

By the end of 2010, HHS OS will work with HUD, VA, DOL, SSA, DOJ, and other relevant Departments or agencies to establish an ongoing process to discuss coordination of planning and services delivery for domestic HIV programs.¹²

- Responsible Agency Official: William E. Spriggs, Assistant Secretary, OASP
- Staff Contact Person: Noelle Lee, OASP
- Proposed Agency Actions:
 1. DOL will work with other federal agencies as appropriate to develop a process for coordination.

By the end of 2011, HHS OS, HUD, VA, DOL, SSA and DOJ and other relevant agencies will produce a joint progress report on HIV/AIDS program collaboration. This report will highlight key deliverables, areas for consolidating grant awards, successes and current challenges, and proposed measurable outcomes.¹³

- Responsible Agency Official: William Spriggs, Assistant Secretary, OASP
- Staff Contact Person: Noelle Lee, OASP
- Proposed Agency Actions:
 1. DOL will work with other federal agencies as appropriate to produce a joint progress report.

¹² National HIV/AIDS Strategy Federal Implementation Plan, p. 27.

¹³ National HIV/AIDS Strategy Federal Implementation Plan, p. 28.

2.2 Provide regular public reporting: Progress in reaching Strategy goals will be reported by the Federal Government through an annual report at the end of each year.

By the end of 2011, HHS OS, DOJ, DOL, HUD, VA, and SSA will submit data, as requested, to ONAP on successes and challenges.¹⁴

- Responsible Agency Official: William Spriggs, Assistant Secretary, OASP
- Staff Contact Person: Noelle Lee, OASP
- Proposed Agency Actions:

1. DOL will submit data as requested.

¹⁴ National HIV/AIDS Strategy Federal Implementation Plan, p. 30.

SECRETARY OF LABOR
WASHINGTON

DEC 17 2010

Mr. Jacob Lew
Director
The Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Dear Mr. Lew:

Enclosed is the U.S. Department of Labor's operational plan for the implementation of the National HIV/AIDS Strategy as required by the Presidential Memorandum issued on July 13, 2010.

The Department of Labor is committed to assisting all individuals who are impacted by HIV/AIDS. My vision for the Department of Labor is *good jobs for everyone*, including individuals with HIV/AIDS.

If you have any questions or comments regarding the operational plan, please contact William E. Spriggs, Assistant Secretary for Policy, at (202) 693-5959.

Sincerely,



HILDA L. SOLIS
Secretary of Labor

Department of Labor Operations Plan for the Implementation of the National HIV/AIDS Strategy

December 9, 2010

Introduction

On July 13, 2010, President Obama issued a Presidential Memorandum outlining the National HIV/AIDS Strategy, which seeks to reduce the number of people who become infected with human immunodeficiency virus (HIV), increase access to care and quality of life for those living with HIV, and reduce HIV-related health disparities.¹ The National HIV/AIDS Strategy Federal Implementation Plan (Implementation Plan) addresses how the Administration will assess progress toward meeting the goals of the strategy.² Several Federal government agencies have a role in the Implementation Plan. The Department of Labor (DOL) is listed as one of the lead responsible agencies in implementing the strategy, along with the Departments of Health and Human Services, Justice, Housing and Urban Development, Veterans Affairs, and the Social Security Administration.

DOL's 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. In support of DOL's mission, Secretary Hilda L. Solis' vision is *good jobs for everyone*, including people who are affected by HIV/AIDS. While DOL does not have specific resources allocated to serving people with HIV/AIDS, DOL's agencies serve people with HIV/AIDS every day. Persons with HIV/AIDS utilize the public workforce system and are protected by laws that DOL enforces. Due to medical breakthroughs, many people with HIV continue to work or seek employment. According to the Centers for Disease Control and Prevention, one in six large U.S. worksites (more than 50 employees) and one in 16 small U.S. worksites (fewer than 50 employees) have experienced an employee with HIV/AIDS.³ However, stigma, discrimination, and unemployment among persons with HIV/AIDS are still major issues that must be addressed.

This document describes DOL's operational plan to implement the National HIV/AIDS Strategy. Because DOL does not have any specific funding allocated to domestic HIV/AIDS programming, DOL did not incorporate the budget development process with the Office of Management and Budget into the development of its Operational Plan and instead prioritized its goals through existing programs and activities.

DOL Agencies with Key Roles in Implementing the National HIV/AIDS Strategy

The Employment and Training Administration (ETA) works in partnership with states, localities, and community organizations to assist adults and youth in transitioning to good jobs by

¹ Presidential Memorandum – Implementation National HIV/AIDS Strategy, available at <http://www.whitehouse.gov/the-press-office/presidential-memorandum-implementation-national-hiv-aids-strategy>.

² National HIV/AIDS Strategy Federal Implementation Plan, available at <http://www.whitehouse.gov/files/documents/nhas-implementation.pdf>.

³ AIDS in the Workplace, available at http://www.brta-lrta.org/tools/pdf_mgrkit/mgr_kit.pdf.

administering effective, value-added programs that expand opportunities for employment, continuous learning, business competitiveness and community prosperity. A major portion of the country's federally funded employment and training services are offered at the One Stop Career Centers. The nation's 3,000 One Stop Career Centers serves thousands of Social Security disability beneficiaries (which includes beneficiaries with HIV/AIDS) who are seeking to gain employment or return to work. In addition, ETA supports the training of the health care workforce and also oversees the provision of employment and training services to the public, including individuals with HIV/AIDS. ETA and the Department of Health and Human Service's Health Resources and Services Administration (HRSA) are in discussions about how to better coordinate and collaborate in efforts to train the healthcare workforce.

The Office of Disability Employment Policy (ODEP) provides national leadership on disability employment policy by developing and influencing the use of evidence-based disability employment policies and practices, building collaborative partnerships, and delivering authoritative and credible data on employment of people with disabilities. One of ODEP's technical assistance centers, the Job Accommodation Network, offer specific resources for employers and employees on accommodating employees with HIV/AIDS.

The mission of the Office of Federal Contract Compliance Programs (OFCCP), a worker protection agency, is to enforce the contractual promise of affirmative action and equal employment opportunity for employees and applicants of federal contractors. OFCCP enforces Executive Order 11246, Section 503 of the Rehabilitation Act of 1973 (Section 503), and the Vietnam Era Veterans' Readjustment Assistance Act of 1974, 38 U.S.C. 4212. These laws prohibit federal contractors and subcontractors from discriminating on the bases of race, color, religion, sex, national origin, disability and veteran status. They also require affirmative action in employment by federal contractors and subcontractors.

The Center for Faith-based and Neighborhood Partnerships at the U.S. Department of Labor implements Secretary Solis' vision of *good jobs for everyone* by building partnerships with faith-based groups, community organizations, and neighborhood leaders. The Center works in collaboration with DOL agencies to improve the lives of the most vulnerable and disadvantaged workers and job seekers.

DOL's Role in Implementing the National HIV/AIDS Strategy

The DOL official responsible for coordinating the agency's ongoing efforts to implement the Strategy is Assistant Secretary for Policy William E. Spriggs. Staff in each agency responsible for action items will submit status reports to Assistant Secretary Spriggs on a quarterly basis. The Office of the Assistant Secretary for Policy (OASP) will share progress reports on achieving the goals of the National HIV/AIDS Strategy with the Office of National AIDS Policy (ONAP) on an annual basis, or at such other times as the ONAP requests.

The below section describes responsible agency officials and proposed action items for each corresponding item outlined in the Implementation Plan.

***Plan Section “Increasing Access to Care and Improving Health Outcomes for People Living with HIV”:* Take deliberate steps to increase the number and diversity of available providers of clinical care and related services for people living with HIV.**

2.2 Strengthen the current provider workforce to improve quality of HIV care and health outcomes for people living with HIV: Federal agencies should engage clinical providers and professional medical societies on the importance of routine, voluntary HIV screening and quality HIV care in clinical settings consistent with HHS and CDC guidelines.

By the end of 2011, DOL and HRSA will work with health professions associations and collaborate on workforce training efforts to increase the number of health providers who are culturally competent.^{4,5}

- Responsible Agency Official: Jane Oates, Assistant Secretary, ETA
- Staff Contact Person: Sue Liu, ETA
- Proposed Agency Actions:
 1. In conjunction with several offices within HHS and healthcare industry partners and associations (American Health Care Association, Paraprofessional Healthcare Institute the College of Direct Support, the National Center for Assisted Living, American Network of Community Options and Resources and several grantees), ETA launched the Long-term Care, Supports, and Services Competency Model earlier this year. This guide includes information on essential academic and workplace skills, including key behaviors that enable workers to progress along an articulated career pathway in the long-term care industry. By focusing on the various skill sets of workers and including as a core competency person-centered services such as the importance of cultural sensitivity, this guide emphasizes the knowledge of cultural and linguistic competence. Because adherence to cultural and linguistic competence is essential to workers’ professional ethics, cultural and linguistic competence is part of the guide’s discussion on critical work functions. The guide also includes as a technical content area an understanding and application of the principles of the National Standards for Culturally and Linguistically Appropriate Services (CLAS) and cultural sensitivity.
 2. ETA is working with California and Florida (each funded \$547,000) to support training of community health workers (CHWs). Through this investment, ETA’s CHW grantees will train and provide long-term employment opportunities to workers, to increase the number of culturally competent and highly skilled workers. This investment will help bridge the healthcare service delivery gap by increasing workers’ ability to effectively work in underserved and marginalized communities to ensure access to information and

⁴ National HIV/AIDS Strategy Federal Implementation Plan, p. 20.

⁵ According to the Department of Health and Human Services’ Office of Minority Health, cultural and linguistic competence is a set of congruent behaviors, attitudes, and policies that come together in a system, agency, or among professionals that enables effective work in cross-cultural situations. Culture refers to integrated patterns of human behavior that include the language, thoughts, communications, actions, customs, beliefs, values, and institutions of racial, ethnic, religious, or social groups. Competence implies having the capacity to function effectively as an individual and an organization within the context of the cultural beliefs, behaviors, and needs presented by consumers and their communities. See <http://minorityhealth.hhs.gov/templates/browse.aspx?lvl=2&lvlID=11>.

healthcare service providers. ETA will monitor and guide the grantees' projects in California and Florida. The information and experience gained from monitoring these grantees will be invaluable lessons learned and could be shared with other providers for replication. ETA hopes that these projects will create employment opportunities for culturally competent health workers in local communities through partnerships with public and nonprofit organizations, as well as healthcare providers.

It is important to note that future pertinent occupational and wage data on CHWs may be available in the near future. As such, this information may have an impact on programs to be developed and shaped by ETA. Earlier this year, the Bureau of Labor Statistics, in response to public comments, added CHW to the Standard Occupational Classification (SOC) system, used by federal agencies to classify workers into occupational categories for data collection, calculation or dissemination. In upcoming years, CHW wage and employment data will be made publically available. ETA looks forward to this data; the inclusion of CHWs in the SOC also means it may be possible to include information on the CHW occupation in the BLS occupational handbook. This description of training and education needed, including earnings, expected job prospects and what workers do on the job for each occupation will be helpful in the consideration of potential ETA training programs for community health workers. CHWs can provide outreach and education to persons with specific conditions such as HIV/AIDS.

By the end of 2011, HRSA, AHRQ, and DOL will coordinate with HHS OS to work with States, local governments, and state health professions associations to implement their recommendations and guidance to strengthen the current HIV/AIDS provider workforce.⁶

- Responsible Agency Official: Jane Oates, Assistant Secretary, ETA
- Staff Contact Person: Sue Liu, ETA
- Proposed Agency Actions:
 1. Following the lead of HHS OS and in working with other agency partners, ETA will be part of overall coordinating efforts to work with States, local governments, and state health professions associations to implement and assess recommendations and guidance. Using this information, ETA and its agency partners will determine how to best strengthen the current HIV/AIDS provider workforce.

Plan Section "Reducing HIV-Related Health Disparities": Support people living with HIV with co-occurring health conditions and those who have challenges meeting their basic needs, such as housing.

3.1 Engage communities to affirm support for people living with HIV: Faith communities, businesses, schools, health care providers, community-based organizations, social gathering sites, and all types of media outlets should take responsibility for affirming nonjudgmental support for people living with HIV and high risk communities.

⁶ National HIV/AIDS Strategy Federal Implementation Plan, p. 21.

By the end of 2010, HHS OS, DOJ, and DOL Offices of Faith Based and Community Initiatives will develop a plan for engaging more faith leaders to promote nonjudgmental support for people living with HIV.⁷

- Responsible Agency Official: Phil Tom, Director, Center for Faith-based and Neighborhood Partnerships
- Staff Contact Person: Phil Tom
- Proposed Agency Actions:
 1. The Departmental Faith-Based Offices will work together to start a campaign to remove stigma around HIV/AIDS. DOL's Center of Faith-based and Neighborhood Partnerships will work with the White House Faith-Based Office to conduct outreach and education.
 2. DOL's Center for Faith-based and Neighborhood Partnerships will assist HHS' Partnership Center in developing regional strategies in linking health departments and faith-based leaders to conduct more education with faith communities to promote HIV/AIDS testing.

By the end of 2011, DOL will consider ways to increase supports for employers to hire and maintain employment of people with HIV and how to integrate them in broader employment initiatives for people with disabilities.⁸

- Responsible Agency Officials: Kathy Martinez, Assistant Secretary, ODEP and Jane Oates, Assistant Secretary, ETA
- Staff Contact Person: Dylan Orr, ODEP and Sue Liu, ETA
- Proposed Agency Actions:
 1. DOL will plan and host a HIV Employment Roundtable with representatives from DOL, SSA, DOJ, and HHS OS, HIV/AIDS organizations, researchers, employers, and other stakeholders to identify and discuss employment issues relevant to people living with HIV/AIDS; explore model strategies and best practices for integration into broader disability initiatives; and identify better ways for this population to access income supports, obtain job skills, and improve employment outcomes.
 2. DOL's ODEP will continue to identify ways to better integrate people living with HIV/AIDS into its ongoing policy initiatives to increase employment for people with disabilities.
 3. ODEP will provide targeted HIV/AIDS resources to employers and employees through the Job Accommodation Network and work with HIV/AIDS partner agencies, stakeholders and other organizations to bring attention to this resource.

⁷ National HIV/AIDS Strategy Federal Implementation Plan, p. 25.

⁸ National HIV/AIDS Strategy Federal Implementation Plan, p. 25.

4. DOL will ensure that the importance of workplace flexibility for people with HIV/AIDS is considered as the workplace flexibility agenda is developed and implemented.
5. DOL will facilitate improved outreach to the HIV/AIDS community through its general communication and outreach activities, including ODEP's Add-Us-In Initiative. Add-Us-In is designed to increase the ability of businesses owned, operated, and controlled by African Americans, Asian Americans, Latino or Hispanic Americans, members of federally recognized Tribes and Native Americans, women, and Lesbian, Gay, Bisexual, and Transgender individuals to employ adults and youth with disabilities through creating models and strategies that can be replicated nationwide.
6. DOL will continue to educate employers and employees about employees' rights under the Family and Medical Leave Act (FMLA). Under FMLA, eligible employees would be entitled to leave for absences due to HIV/AIDS.

By the end of 2011, HHS OS will coordinate with DOL to develop standardized occupational guidelines for outreach workers, health educators, hotline operators, peer counselors, and testing/counseling personnel.⁹

- Responsible Agency Official: Jane Oates, Assistant Secretary, ETA
- Staff Contact Person: Sue Liu, ETA
- Proposed Agency Actions:
 1. At the leadership of HHS OS, DOL will discuss the Long-term Care, Supports, and Services Competency Model and its connection, relevance and applicability to other healthcare personnel.

By the end of 2011, DOL, SSA, DOJ, and HHS OS will develop a joint initiative to consider ways to help individuals living with HIV access income supports, including job skills and employment.¹⁰

- Responsible Agency Official: Jane Oates, Assistant Secretary, ETA and Kathy Martinez, Assistant Secretary, ODEP
- Staff Contact Persons: Sue Liu, ETA and Dylan Orr, ODEP
- Proposed Agency Actions:
 1. DOL will plan and host a HIV Employment Roundtable with representatives from DOL, SSA, DOJ, and HHS OS, HIV/AIDS organizations, researchers, employers, and other stakeholders to identify and discuss employment issues relevant to people living with HIV/AIDS; explore model strategies and best practices for integration into broader disability initiatives; and discuss better ways for this population to access income supports, obtain job skills, and improve employment outcomes.

⁹ National HIV/AIDS Strategy Federal Implementation Plan, p. 25.

¹⁰ National HIV/AIDS Strategy Federal Implementation Plan, p. 25.

2. DOL will work with other federal agencies to identify existing federal supports for individuals living with HIV.
3. DOL will provide basic information on the public workforce system to other federal partners and provide public use materials for dissemination. DOL will educate other federal partners about the public workforce system, provide them with informational materials, and encourage and assist them in disseminating these materials to their community networks throughout the nation.

It is important to note that as DOL proceeds with the implementation of the newly launched Disability Employment Initiative, potential best practices and lessons learned may be identified from its grantees in serving individuals with HIV/AIDS. DOL will use this information to consider ways to strengthen the capacity of the public workforce system.

3.4 Strengthen enforcement of civil rights laws: The Department of Justice and other Federal agencies must enhance cooperation to facilitate enforcement of Federal antidiscrimination laws.

By the end of 2011, DOJ/EEOC, DOL, HUD DOJ, the Equal Employment Opportunity Commission, DOL's Office of Federal Contract Compliance Programs, and HUD's Fair Housing Enforcement Office will prioritize and fast track investigations of discrimination charges involving HIV, as necessary and appropriate under relevant statutes, and consider additional policies to prevent discrimination from occurring.¹¹

- Responsible Agency Official: Patricia Shiu, Director, OFCCP
- Staff Contact Persons: Terry Hankerson and Robin Lee, OFCCP
- Proposed Agency Actions:
 1. OFCCP will develop a memorandum to the field regarding prioritizing and tracking investigations of employment discrimination complaints involving HIV/AIDS. In addition, compliance evaluations will include the investigation of possible employment discrimination involving HIV/AIDS discrimination.
 2. OFCCP will monitor and report on a quarterly basis OFCCP complaints involving HIV/AIDS discrimination.
 3. OFCCP will update the Federal Contract Compliance Manual Chapter 6, Appendix D policy regarding OFCCP complaints involving HIV/AIDS discrimination.
 4. OFCCP will develop public education materials on employment rights under Section 503 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act with emphasis on HIV/AIDS. OFCCP will also post educational materials on OFCCP's

¹¹ National HIV/AIDS Strategy Federal Implementation Plan, p. 26.

website and send these materials to field offices to be used during compliance assistance seminars.

5. OFCCP's Division of Policy, Planning and Program Development will work with OFCCP's Communications Team to develop outreach and educational materials regarding the employment rights of individuals with HIV/AIDS. This will include incorporation of HIV/AIDS discrimination into the Spring OFCCP staff training related to disability complaints, and hosting of webinars related to this issue.

6. OFCCP's Communications Team will host at least one outreach event with OFCCP stakeholders regarding the employment rights of individuals with HIV/AIDS.

Plan Section "Achieving a More Coordinated National Response to the HIV Epidemic in the United States"

1.1 Ensure coordinated program administration: The Federal Government will increase its focus on coordinated planning for HIV services across agencies. States and tribal and local governments will also be encouraged to collaborate and develop coordinated planning models, including coordinated prevention and care planning and resource allocation activities.

By the end of 2010, HHS OS will work with HUD, VA, DOL, SSA, DOJ, and other relevant Departments or agencies to establish an ongoing process to discuss coordination of planning and services delivery for domestic HIV programs.¹²

- Responsible Agency Official: William E. Spriggs, Assistant Secretary, OASP
- Staff Contact Person: Noelle Lee, OASP
- Proposed Agency Actions:

1. DOL will work with other federal agencies as appropriate to develop a process for coordination.

By the end of 2011, HHS OS, HUD, VA, DOL, SSA and DOJ and other relevant agencies will produce a joint progress report on HIV/AIDS program collaboration. This report will highlight key deliverables, areas for consolidating grant awards, successes and current challenges, and proposed measurable outcomes.¹³

- Responsible Agency Official: William Spriggs, Assistant Secretary, OASP
- Staff Contact Person: Noelle Lee, OASP
- Proposed Agency Actions:

1. DOL will work with other federal agencies as appropriate to produce a joint progress report.

¹² National HIV/AIDS Strategy Federal Implementation Plan, p. 27.

¹³ National HIV/AIDS Strategy Federal Implementation Plan, p. 28.

2.2 Provide regular public reporting: Progress in reaching Strategy goals will be reported by the Federal Government through an annual report at the end of each year.

By the end of 2011, HHS OS, DOJ, DOL, HUD, VA, and SSA will submit data, as requested, to ONAP on successes and challenges.¹⁴

- Responsible Agency Official: William Spriggs, Assistant Secretary, OASP
- Staff Contact Person: Noelle Lee, OASP
- Proposed Agency Actions:

1. DOL will submit data as requested.

¹⁴ National HIV/AIDS Strategy Federal Implementation Plan, p. 30.