## Leading Age®

## **Workforce Policy Weekly**

October 28, 2022

LeadingAge Coronavirus Update Calls Next Week. Ideas you can use today to increase staff retention. And your pandemic business plan. Should we be worried about the differences between millennial and Gen X workers? Is it valuable to only give the most attention to underperforming staff while letting your high performers take the lead? The pandemic has caused a shift in the way we think about managing and building teams. Join us on Monday, October 31 at 3:30 PM ET to hear from leading human capital expert Karl Ahlrichs, and his proven methods to inspire and manage teams. He will challenge your perceptions on managing staff and will shed insights on how we can learn from the experience of COVID to be better managers and recruit and retain new staff. On Wednesday, November 2 at 3:30 PM ET, we will highlight a new Pandemic Toolbox from the Health Action Alliance and will hear from Dan Pasquini, who authored a Pandemic Business Plan for action. He will share the latest lessons learned and tools being used by major corporations as they respond to COVID-19. If you haven't registered for LeadingAge Update Calls, you can do so here. You can also find previous call recordings here. Note that to access recordings of the calls you need a LeadingAge password. Any staff member of any LeadingAge member organization can set up a password to access previous calls and other "members only" content.

LeadingAge LTC Coalition Letter to Congress: Prioritize Aging Services Workforce. On October 18, LeadingAge joined Argentum and the American Senior Housing Association (ASHA) in co-signing a letter to the Senate and House Congressional leadership, and to the co-chairs of the House 21<sup>st</sup> Century Long-Term Care Task Force, to ask for help in addressing the historic workforce shortage crisis, that has significantly impacted the aging services workforce. Here's the link to the letters: <a href="https://leadingage.org/leadingage-workforce-coalition-letter/">https://leadingage.org/leadingage-workforce-coalition-letter/</a>. The LTC Workforce Coalition letters ask for a robust and targeted federal investment, to develop in-demand career paths and help train a workforce to care for older adults in their greatest need. Additionally, the letters specifically ask Congress to:

- Expand federal incentives to allow aging services providers to retain and attract qualified staff;
- Expand existing federal workforce funding allocated to states, and prioritize long-term care workforce shortages;
- Increase funding for senior living and geriatric care in academic settings;
- Expand and incentivize the Registered Apprenticeship Programs to develop career pathways for aging services providers and stakeholder partnerships; and
- Enact common-sense immigration programs that build dependable international pipelines of trained caregivers.

IRS Employee Retention Credit FAQs Available: LeadingAge has produced an "Employee Retention Credit FAQ" document for members with the help of our Venable Law Firm attorney, Chris Moran. The Employee Retention Credit (ERC) is a fully refundable tax credit for employers equal to 50 percent of qualified wages (including allocable qualified health plan expenses) that eligible employers pay their employees. This Employee Retention Credit applies to qualified wages paid after March 12, 2020, and before January 1, 2021. The ERC FAQ document is available on the LeadingAge website, here is the link: <a href="https://leadingage.org/irs-employee-retention-credit-erc-faqs/">https://leadingage.org/irs-employee-retention-credit-erc-faqs/</a>

**NLRB and DOL Extend Deadline for Comments on Proposed Rules.** As we have shared earlier, both the National Labor Relations Board (NLRB) and the U.S. Department of Labor (DOL), Wage and Hour

Division, have issued proposed rules relating to standards defining when individuals are considered employees of a given organization. The NLRB rule would revise the so-called "joint employer" standard, and the DOL rule would establish a framework for classifying individuals as employees versus independent contractors. An article summarizing the two rules is <u>available here</u>. Recently both agencies have extended the deadline for comments on their respective proposals: comments to NLRB are due Dec. 7, and comments to DOL are due Dec. 13. LeadingAge is developing comments on both proposals, and we will work with members and state partners to inform our submissions and ensure they are comprehensive of the issues involved.

ACL Launches National Center to Strengthen the Direct Care Workforce. The Administration for Community Living (ACL) has awarded a five-year grant totaling over \$6 million to establish a national center to expand and strengthen the direct care workforce across the country. Led by the National Council on Aging (NCOA), with several partners, including PHI, National Alliance for Caregiving, and the Green House Project. The national "Direct Care Workforce Capacity Building Center" will serve as a hub, providing tools, resources, and training to assist state systems and service providers and to support the development and coordination of policies and programs that contribute to a stable, robust direct care workforce. The center's website will share resources from the federal government, highlight state and local model policies and best practices that can be replicated or adapted, and share training and technical assistance materials. In addition, the center will facilitate peer-to-peer sharing of lessons learned and promising practices through learning collaboratives and support collaboration between state systems, including Medicaid, aging, disability, and workforce agencies; service providers; and aging, disability and labor stakeholders. This initiative builds upon the ongoing collaboration to strengthen the direct care workforce between ACL, the Department of Labor, and other HHS agencies, including the Centers for Medicare & Medicaid Services (CMS) and the Assistant Secretary for Planning and Evaluation. More information can be found <a href="here">here</a> on ACL's website.

New Venezuelan Migration Process Expands Legal Pathways to Citizenship and Employment Opportunities. On October 12, 2022, the Department of Homeland Security (DHS) announced actions to reduce the number of people arriving at the U.S. Southwest border, and create a more orderly and safe process for people fleeing the humanitarian and economic crisis in Venezuela. The new migration enforcement process authorizes 24,000 Venezuelan nationals and their immediate family members with a lawful pathway for traveling safely to the United States and to help them to become eligible to work here. Access to this process provides advance authorization to travel and a temporary period of parole for up to 2 years for urgent humanitarian reasons. DHS will administer the process, working with communities and other partners. Organizations, businesses, and other entities must be able to receive, maintain, and support the Venezuelan beneficiaries during the duration of their parole. More information on how supporters can become eligible for this process is available at

H-2B Visas for Temporary Nonagricultural Workers Supplemented. The Biden Administration announced on October 12, it will make available to employers nearly 65,000 supplemental H-2B temporary nonagricultural worker visas for fiscal year (FY) 2023, on top of the 66,000 that are normally available each year. At the same time, the White House has convened a Worker Protection Taskforce, to address the H-2B workers' vulnerabilities, including their limited ability to leave abusive employment without jeopardizing their immigration status, and incorporate policies that strengthen protections for H-2 workers. DHS also plans to issue a notice of proposed rulemaking relating to the H-2 programs,

www.uscis.gov/Venezuela. You can also access a LeadingAge article here, regarding the initiative.

which will incorporate policies that strengthen protections for H-2 workers. The LeadingAge article regarding the supplemental H-2B visas can be accessed <a href="https://example.com/here">here</a>.

While the H-2B program permits employers to temporarily hire noncitizens to perform nonagricultural labor or services in the United States, aging services workers, are not currently authorized to enter the United States under H-2 program. These activities also provide a clear picture of the commitment within the administration for H-2 workers, and some perspectives of creating an H-2 program for temporary aging services workers, such as the draft "H-2Age legislation" proposed by LeadingAge.

Survey Finds Family Caregivers Feeling Strained. Survey research from Homethrive <u>found</u> that on average, 20% or more of employees are acting as unpaid caregivers for loved ones. In their second annual survey on the subject, of the 200 adults who were working while providing caregiving support to loved ones 60% were female and 75% were supporting loved ones who were aging and/or have a disability. Survey results found caregiving is taking up more time than previously with a 79% increase in the number of employees spending 5 or more hours per week on caregiving. There has also been a marked impact on work with more than a third of caregivers leaving work early, missing days of work, or rearranging work schedules due to their caregiving responsibilities. Many respondents worried that caregiving would negatively impact their job performance. Only a third of respondents had access to caregiving support benefits but 80% said they would take advantage of the benefit if their employer offered one and would even consider switching jobs if it meant access to the benefit.

Have You Seen the New Workforce Recruitment Tools? Backed by recent national research among potential employees, LeadingAge prepared new workforce recruitment tools. LeadingAge members can access communications strategies, message frames, messenger guidance, and tips for crafting recruitment communications. These tools are part of the expanded Opening Doors to Aging Services initiative to increase awareness of the sector and move perceptions positively. Now specific insights about connecting with potential employees are available through Opening Doors to the Aging Services Workforce. These new resources are free to members. Access them now on the new LeadingAge website.

**Share Your Workforce Innovations with the Story Collector.** Do you have a story of innovation in staff recruitment, training, or retention? Tell your colleagues about innovations that help you fill positions, build a strong workplace culture, and promote the honorable and varied careers available in aging services. <u>Visit the LeadingAge Story Collector</u>, powered by LeadingAge Gold Partner Greystone, to tell us more.

**Start Planning Your 2023 Annual Meeting Sessions.** Save the date! Proposals for the <a href="2023 LeadingAge Call for Sessions">2021 LeadingAge Call for Sessions</a> must be submitted by December 5, 2022. Submit your original session idea for the opportunity to speak at the 2023 LeadingAge Annual Meeting + EXPO in Chicago, IL from November 5-8, 2023. Learn more and submit your proposal here.