

Workforce Policy Weekly

December 9, 2022

Upcoming LeadingAge Coronavirus Calls. All calls are at 3:30 pm ET. On **Monday, December 12**, Alex Goldstein will join us to talk about @FacesofCOVID, an online initiative that has been cataloging the faces and names of those who died from coronavirus. Goldstein started this forum “...as a way to affirm that these people were more than a statistic and their lives mattered and they had dignity, and that it meant something.” On **Wednesday, December 12**, Erin Vigne, Director, of Clinical Affairs at AMDA - The Society for Post-Acute and Long-Term Care Medicine will join us to talk about their new "Tripledemic Toolkit". 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.

White House Spells Out Needs if There is a Year-Long CR, Includes Immigration Policies. Congress and the President have very few days left to reach an agreement on the passage of the fiscal year 2023 federal budget. The current continuing resolution (CR), instead of a real budget, officially runs out on December 16. If negotiations for a fiscal year 2023 appropriations break down, Congress could also enact a full-year stopgap funding bill, that would fund federal agency programs at the current fiscal year 2022 funding levels until September 30, 2023. On December 5, the White House transmitted a [list of needed exceptions, or “anomalies,” to any possible continuing resolution](#) that keeps federally appropriated programs funded at fiscal year 2022 levels through the duration of fiscal year 2023. The FY 2023 Full Year CR Anomaly Request includes funding programs that impact immigration policies that might be of interest to aging services stakeholders.

The FY 23 Full Year CR Anomaly Request is proposing:

- \$490 million to extend the U.S. Citizenship and Immigration Services. The request includes \$375 million for asylum processing/adjudication, \$256 million for backlog reduction and \$134 million for refugee processing.
- \$3.9 billion in funding beyond current resources for the HHS Office of Refugee Account, which includes \$2.1 billion for Unaccompanied Children, and \$1.8 billion for refugees.

Additionally, there are several non-funding issues included in the Anomaly Request. Of note, is the State Department's Afghan Special Immigrant Visas (SIV) program. The request emphasizes the justification for the FY 2023 Budget request which includes a proposal to add 4,000 SIVs for Afghan allies, and to extend the program to sustain the commitment to resettle vulnerable Afghans who have supported our mission in Afghanistan for the past two decades. The Administration requested to further increase the SIV cap in FY 2023, and notes Congress has not yet acted to expand and extend the program. Additionally, the justification highlights the FY 2023 draft Senate State, Foreign Operations, and Related Programs bill includes such an extension, and it must be included in a full-year CR if not enacted in other legislation to meet our commitments to our Afghan allies.

Bipartisan “DACA/Border” Immigration Deal Could Include a LeadingAge Priority. Senators Thom Tillis (R-NC) and Kyrsten Sinema (D-AR) have negotiated an agreement on a draft framework of immigration

reform that impacts the fate of Deferred Action for Childhood Arrivals (DACA) recipients and achieving a more orderly process for asylum seekers at the southern border. This compromise would allow some undocumented immigrants who came to the country as children to avoid deportation and earn permanent status. If passed, the border security components of this bill would represent Congress's biggest step forward to ensure we have a secure border in many years.

We have also received reports that this draft agreement could make long-needed adjustments to the legal immigration system to recapture unused green cards, which will help employers fill and create jobs, and bring down inflation.

In a November 28, letter to Congressional leaders, LeadingAge referenced the Health Care Workforce Resilience Act (S. 1024, H.R. 2255), that would recapture unused employment-based immigrant visas and make them available to 40,000 foreign nurses and doctors -- as one of the legislative proposals that should be included in the final year-end legislative package, that would help ensure aging services providers can meet the needs of older adults who are in need of services. The [letter](#) urged Congress to work together to find a compromise to address the DACA program and those with Temporary Protected Status (TPS). Additional details on the Bipartisan "DACA/Border" Immigration Deal will be shared as the framework for this bill is finalized.

New LeadingAge Workforce Crisis Resource Document. LeadingAge advocates can access a new resource, a "[Workforce Crisis: America Needs Caregiving Professionals Now](#)" two-page document that provides updated statistics on the population of the United States that is rapidly aging, and the steadily dwindling direct care professionals that provide immediate caregiving support. Additionally, the document provides an overview of the contributing factors and barriers to growing an aging services workforce, and the "all-of-government" approach lawmakers should make to resolve the problem. This document should be a part of the coordinated advocacy campaign, as LeadingAge advocates communicate why Congress should take action for the aging services workforce now! Here's a link to the document: [Workforce-Crisis-Two-Pager.pdf \(leadingage.org\)](#)

LeadingAge Writes in Opposition to Proposed NLRB Rule. On December 7, LeadingAge submitted [comments](#) to the National Labor Relations Board (NLRB) voicing opposition to a proposed rule that would significantly expand the standard for determining whether separate entities may be considered "joint employers" of particular employees under the National Labor Relations Act. This standard is very important, because if an organization is considered to share or codetermine certain terms and conditions of employment for another organization's employees, both organizations may be required to bargain with a union representing jointly employed workers, and each organization may be liable for unfair labor practices committed by the other. Our comments emphasized that the expansive breadth of the proposed standard would unreasonably impose risks on organizations of expanded collective bargaining obligations and of liability for unfair labor practices committed by those organizations' business partners with respect to their own employees. We will continue to follow the progress of this proposed rule, which we expect to be finalized during the first quarter of 2023.

Develop your COVID personal action plan now. With COVID cases on the rise again during the fall and winter months, it's more important than ever to have a personal action plan in place for you and your family. Don't wait until you get sick before deciding what to do. This template has been developed by the Centers for Disease Control and Prevention (CDC) so everyone has the tools and information

necessary to put a plan together now. [Check out the COVID Personal Action Plan here](#). The template can be shared with residents, clients, patients, anyone served or cared for by LeadingAge members, too.

New Education on the LeadingAge Learning Hub. Several new and recently recorded learning opportunities are available on the LeadingAge Learning Hub.

- December 14 Webinar: Join us on December 14 at 2:00 p.m. ET for the follow-up webinar to the June 2022 [Active Shooter Preparedness webinar](#). The new webinar, [Active Shooter Events: Creating and Maintaining a Secure Environment](#) will detail the appropriate controls residential communities should have in place to recognize, assess, and manage security threats and active shooter situations.
- New DEI QuickCast: [Cultivating Cultures of Belonging is a 20-minute QuickCast](#) about the role of privilege and cultural humility in creating organizations where everyone feels a sense of belonging.