

**Testimony for the FY16 Budget Hearing on the  
Department of Employment Services**

**Committee on Business, Consumer & Regulatory Affairs  
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The Legal Aid Society of the District of Columbia<sup>1</sup> submits this testimony on the Department of Employment Services' FY 2016 budget and respectfully requests that this Committee:

- (1) Support the Department of Employment Services' increased budget for American Job Centers ("One-Stop Career Centers"), and
- (2) Recommend increased funding for employer outreach and education about recent legislation enhancing protections for workers, including survivors of domestic violence.

**I. Legal Aid Supports the \$2 Million Increase in Local Funding for American Job Centers ("One-Stop Career Centers")**

American Job Centers, also known as "One-Stop Career Centers," provide desperately needed services to unemployed workers. After a job loss, an unemployed person can file for unemployment benefits; get help creating or updating their resume; access job-training resources, including workforce training; and even find referrals to jobs. These services are especially important for our lowest-income neighbors who are more likely to be unemployed.<sup>2</sup> Low-income workers are also more likely to need workforce training to compete in the job market and less likely to have access to a computer at home, which is more important than ever for finding work.

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<sup>1</sup> The Legal Aid Society of the District of Columbia was formed in 1932 to "provide legal aid and counsel to indigent persons in civil law matters and to encourage measures by which the law may better protect and serve their needs." For more than 80 years, Legal Aid attorneys and volunteers have served tens of thousands of the District's neediest residents. Legal Aid currently works in the areas of housing, family law, public benefits, consumer, and appellate law. Since 2011, Legal Aid has represented or counseled more than 200 low-income claimants in unemployment matters at the Department of Employment Services, Office of Administrative Hearings, or the D.C. Court of Appeals. By helping claimants receive the benefits they are legally entitled to, Legal Aid helps prevent utility terminations, evictions and other collateral consequences of unemployment. Legal Aid's testimony is based on these experiences. More information about Legal Aid can be obtained from our website, [www.LegalAidDC.org](http://www.LegalAidDC.org), and our blog, [www.MakingJusticeReal.org](http://www.MakingJusticeReal.org).

<sup>2</sup> While unemployment rates have decreased citywide, the unemployment rate in Ward 8 (at 16.5%) or Ward 7 (13.4%) is two or three times as high as Ward 1 (6.0%), Ward 2 (5.8%), or Ward 3 (5.4%). See District of Columbia Labor Force, Unemployment and Unemployment Rate by Ward (February 2015), [http://does.dc.gov/sites/default/files/dc/sites/does/page\\_content/attachments/2015%20Unemployment%20Rate%20by%20Ward\\_0.pdf](http://does.dc.gov/sites/default/files/dc/sites/does/page_content/attachments/2015%20Unemployment%20Rate%20by%20Ward_0.pdf).

Thus, Legal Aid strongly supports the DOES FY16 budget's \$2 million increase in funding allocated for the One-Stop Career Centers. While the Centers are primarily funded with federal dollars, committing local resources has the possibility of enhancing services for unemployed residents.

However, as part of this recommendation, Legal Aid asks this Committee to continue to oversee agency operations to ensure that this budget is well spent. It is concerning that despite the clear need for job search resources and adult workforce development, the DOES spent only \$53 million of \$63 million allocated for workforce development last year – with the largest shortfall in spending at One-Stop Career Centers. With unemployment rates at 16.5% in Ward 8 and 13.4% in Ward 7,<sup>3</sup> the DOES can and should be utilizing all allocated funds at the One-Stop Career Centers to support unemployed workers.

## **II. Legal Aid Requests Increased Resources for DOES Outreach to Employers on New Workers Rights Legislation Benefitting Survivors of Domestic Violence**

In recent years, this Council strengthened many workplace laws that protect vulnerable workers in the District of Columbia, including laws that raise the minimum wage, prohibit inquiries about criminal background for most of the job application and interview process, secure paid sick and safe leave to more workers, and provide unemployment benefits to survivors of domestic violence who lose their job because of abuse. The DOES FY16 budget should include more funding to provide outreach and education to employers about these important changes. When employers know and comply with their legal obligations, not only does the worker benefit but the District of Columbia also saves resources that would have been spent investigating and processing complaints and claims.

Legal Aid has already represented several survivors of domestic violence with workplace problems. We will continue to litigate these cases one-by-one, seeking justice for each survivor who reaches out. However, for every survivor who reaches out and goes forward with her case, there are dozens more whose workplace conflicts never reach an adjudicative body.

For example, Legal Aid represented a woman seeking a Civil Protection Order (CPO) against her abuser, which usually requires at least one full day in D.C. Superior Court. When our client asked her employer for the day off work, her employer refused, threatening to fire her if she missed work. Even though victims of domestic violence are allowed to take leave for exactly such purposes under the Earned Sick and Safe Leave Act, our client was understandably very afraid of losing her job. For her, and many survivors like her, it is an awful choice: risk losing a job needed to provide for her family (she was not comforted to know that she had a meritorious legal case when it would take months or years of litigation to reach a resolution) or drop the protection order case needed to keep away an abusive partner. This client, and many others like her, chose to drop her protection order case.

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<sup>3</sup> *Id.*

The onus should not be solely on the victim of domestic violence to “know their rights” and speak out against an employer’s impermissible conduct. The DOES can and should provide comprehensive education and outreach to employers about new workplace protections. We believe that many employers will comply when they are informed about their legal obligations and the impact their conduct has on victims.

## **Conclusion**

Legal Aid thanks the Committee for the opportunity to submit this testimony on the DOES FY16 budget. We look forward to working with the DOES to provide education and training about changes in the law.