

PRESIDENT OBAMA'S FY 2011 BUDGET: CIVIL RIGHTS AND WORKER PROTECTIONS

The budget strengthens enforcement of civil rights and increases protection for vulnerable populations, by providing the resources necessary to combat discrimination through enhanced investigation, litigation, outreach, and training efforts. In addition, the budget provides for improved enforcement of labor standards, increasing protection for the health, safety, wages, working conditions, and retirement security of working women and men.

- The budget provides a \$17 million increase in funding for the **Civil Rights Division of the Department of Justice**, including \$1.5 million to be devoted to employment pattern or practice litigation. The budget also proposes an \$18 million increase to support the enforcement activities of the **Equal Employment Opportunity Commission**, and a modest increase in funding for **civil rights enforcement for the Departments of Education and Health and Human Services**.
- To continue to restore the capacity of worker protection programs, the budget proposes a substantial \$67 million increase for the **Department of Labor's worker protection agencies**, enabling a return to 2001 staffing levels for all of these programs. This proposal also includes an \$8 million increase for **the Office of Federal Contract Compliance Programs (OFCCP)**, which is responsible for enforcing equal opportunity and promoting diversity in the federal contract workforce.
- The budget proposes a new joint Department of Labor and Treasury initiative to **stop the misclassification of employees** as independent contractors. Misclassification denies workers the protection of workplace protection laws, unemployment insurance coverage, and employer contributions toward Social Security and Medicare. The program will focus on fields where women are disproportionately represented, such as child care, home health care, grocery stores, and janitorial jobs. To support this initiative, the budget also includes an additional \$25 million for the Department of Labor to target misclassification. In addition, the budget proposes legislation to ensure the proper classification of employees, including shifting the burden of proof to employers to demonstrate that their employees are classified correctly and making misclassification a violation of the Fair Labor Standards Act.