

**MEMORANDUM OF AGREEMENT  
BETWEEN THE  
U.S. DEPARTMENT OF LABOR, OFFICE OF DISABILITY EMPLOYMENT  
POLICY  
AND  
U.S. DEPARTMENT OF LABOR, WOMEN’S BUREAU**

**I. PURPOSE**

The purpose of this Memorandum of Agreement (MOA) is to establish an understanding between the Department of Labor’s Office of Disability Employment Policy (ODEP) and the Women’s Bureau (WB) to expand and promote the use of flexible workplace strategies among employers, particularly relating to the hiring and career advancement of individuals with disabilities (including female and male disabled veterans), and others with complex employment situations. This document defines the roles and responsibilities of both agencies.

**II. AUTHORITY**

For ODEP, the authority to enter into this MOA is 29 U.S.C. 557b (ODEP organic statute).

For the WB, the authority to enter into this MOA is 29 U.S.C. 13 (WB organic statute).

**III. BACKGROUND**

ODEP, established in 2001, provides “national leadership on disability employment policy by developing and influencing the use of evidence-based disability employment policies, building collaborative partnerships, and delivering authoritative and credible data on employment of people with disabilities.” ODEP also provides national leadership to increase employment opportunities for individuals with disabilities while striving to eliminate barriers to employment. ODEP supports the creation of expanded work options (including workplace flexibility policies and practices) and meaningful employment, promotes economic opportunities and independence, encourages self-determination, and supports inclusion of people with disabilities in their communities.

ODEP has implemented numerous studies and grant initiatives to identify best practices and emerging models of excellence that can result in improved employment using a universal design approach to employment strategies. One of ODEP’s evidence-based workplace flexibility strategies focuses on building flexibility around the job tasks rather than the traditional approach of building flexibility around a schedule or the location of work tasks. These and other workplace flexibility strategies are especially appropriate for individuals with disabilities, as well as mature workers, youth at risk, homeless women veterans, caregivers, people with limited English proficiency and ex-offenders and others.

WB, established in 1920, formulates standards and policies to promote the welfare of wage-earning women and improve women's working conditions. Workplace flexibility is one of the four current priority initiatives of the agency.

In FY 2010-2011, the WB sponsored a National Dialogue on Workplace Flexibility, which included ten national and regional dialogues across the country focused on various topics, including low-wage workers, small businesses and restaurant, hospitality and tourism. ODEP staff and ODEP-supported disability subject matter experts attended five of these dialogues in Dallas, Texas; Pasadena, CA; Silver Spring, MD; Boston, MA; and New York, NY.

Creating a flexible workplace can improve the recruitment, retention, productivity, performance, morale, and commitment of all employees, but especially of women who serve as the primary caretakers of their families. With the labor force now comprised of almost 50 % women, flexible work arrangements can assist them in meeting both the needs of their families and their employers.

In Fiscal Year 2011, ODEP and the WB worked together to identify and invited approximately 20-25 workplace flexibility subject matter experts (SMEs) and key Federal and State workforce stakeholders to a Workplace Flexibility Forum (Forum). These SMEs and key stakeholders provided recommendations for deliverables and actions to address workplace flexibility and work-life balance focused on schedules, locations, and tasks under the WB's Workplace Flexibility initiative, as these strategies relate to job seekers/employees with disabilities.

ODEP and the WB established, administered, coordinated, and facilitated this one-day Forum. This Forum informed the WB and ODEP on effective workplace flexibility strategies, content, and resources that include not only job seekers and employees with disabilities but other underserved populations that should be included in the WB's Workplace Flexibility Forums. Two outcomes of the Forum were: (1) a Workplace Flexibility Roadmap of Recommendations (to be developed in 2011) and (2) a Workplace Flexibility Toolkit (to be developed in 2012).

#### **IV. ELEMENTS OF COLLABORATION**

ODEP and the WB will collaborate to expand the understanding of workplace flexibility strategies by employers, workers, and the general public to increase the use of these strategies for employees with complex situations, including people with disabilities. In this regard, ODEP will coordinate with WB in implementing ODEP's Workplace Flexibility-Universal Design Employment project.

Expected Outcomes of ODEP's Demonstration Project include:

- (a) Development and implementation of employer policies on workplace flexibility,
- (b) Development and success of employer implementation strategies, including staff and management training,
- (c) Documentation of increased use of recruitment, return-to-work and/or advancement strategies for people with complex life situations, including job

- seekers with significant disabilities, older workers and disabled veterans, and to the extent feasible
- (d) Documentation of employee productivity and return-on-investment data.

The elements of collaboration are:

1. ODEP will seek the WB's advice in identifying potential employers, workplace flexibility projects and National Dialogues.
2. WB will share ODEP's final report with WB stakeholders (through the use of its web site and as a resource to be used in its workplace flexibility initiative) which will contain the outcomes generated by the Workplace Flexibility-Universal Design Employer Demonstration project, including sharing success stories with its networks and stakeholders.
3. ODEP will maintain open communication with the WB on the status of the Workplace Flexibility-Universal Design Employer Demonstration project.
4. ODEP will invite the WB to participate and provide advice in the monthly conference calls to discuss lessons learned with what is working well and not working well so they can adjust their training and technical assistance where appropriate.
5. ODEP will share the draft Final Report with the WB and invite the WB to provide comments on it.

## **V. DURATION OF AGREEMENT**

This MOA is effective upon the date of the last signature below for two years.

The MOA cannot be in effect beyond three years of original date of signature by all parties.

Either party may terminate the MOU by providing 30 days written notice to the other party.

## **VI. MODIFICATION PROCEDURES**

Either party to this agreement may propose a modification to this MOA at any time. All proposed modifications will be in writing and will become effective upon the date of the written agreement between the parties.

## **VII. DISPUTE RESOLUTION**

Any disputes arising under this agreement will be resolved informally by designated agency content persons.

## **VIII. EFFECT OF AGREEMENT:**

This agreement is an internal Government agreement and is not intended to confer any right upon any private person.

This agreement does not itself authorize the expenditure or reimbursement of any funds. Nothing in this agreement obligates the parties to spend appropriations or enter into any contract or other obligations.

Nothing in this agreement shall be interpreted as limiting, superseding, or otherwise affecting either agency's normal operations or decisions in carrying out its responsibilities and statutory or regulatory duties. This agreement does not limit or restrict the parties from participating in similar activities or arrangements with other entities.

The MOA is not a binding commitment of resources as the Bureau maintains its discretionary rights pertaining to any allocation of its resources, personnel or otherwise.

The agreement will be executed in full compliance with the Privacy Act of 1974.

**IX. AGENCY CONTACTS**

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**X. AUTHORIZING SIGNATURES AND DATES**

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Kathy Martinez  
Assistant Secretary  
Office of Disability Employment Policy  
U.S. Department of Labor

\_\_\_\_\_  
Sara Manzano-Díaz  
Director  
The Women's Bureau  
U.S. Department of Labor

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Date

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Date