

AGREEMENT ESTABLISHING AN ALLIANCE
BETWEEN
THE OFFICE OF DISABILITY EMPLOYMENT POLICY,
U.S. DEPARTMENT OF LABOR
AND
THE NATIONAL WORKING POSITIVE COALITION (NWPC)

The Office of Disability Employment Policy (ODEP) and the National Working Positive Coalition (NWPC) recognize the value of establishing a collaborative relationship to promote the employment of people with disabilities, including people living with HIV/AIDS. ODEP and the NWPC hereby form an Alliance to conduct outreach, education and technical assistance activities that promote the recruitment, hiring, retention and advancement of people with disabilities, including people living with HIV/AIDS.

Alliance Activities

Specifically, ODEP and NWPC agree to work together to carry out the following activities:

- *Share expertise and information* on hiring, advancing, and retaining people with disabilities, specifically targeting people living with HIV/AIDS.
- *Promote and disseminate information* on ODEP and NWPC resources to NWPC members, ODEP stakeholders, and others.
- *Develop and publicize resources on the value of hiring and retaining people living with HIV/AIDS and other people with disabilities.* Such resources include, but are not limited to, educational materials, success stories, and case studies developed collaboratively or by individual parties
- *Identify issues* of specific concern to employers and others to which the Alliance should direct particular attention and resources, and determine how best to communicate relevant information to these constituencies.
- *Speak, exhibit, and/or appear* at mutually agreed upon ODEP and NWPC events.
- *As appropriate, convene and/or participate in stakeholder meetings* focused on forging innovative strategies for recruiting, hiring, retaining and promoting people with disabilities, including people living with HIV/AIDS.
- *Provide technical assistance to employers and employees* regarding replicable employment strategies, policies and effective practices for people with disabilities, including people living with HIV/AIDS.

- *Participate in meetings and/or discussions with representatives from other ODEP Alliances* to exchange information on various disability employment issues that are being addressed and to explore opportunities for additional collaborative activities.
- *Carry out other activities, as mutually agreed upon,* that promote the hiring, advancement, and retention of people with disabilities, including people living with HIV/AIDS.

In addition to the activities above, ODEP and NWPC will also work together on the *Campaign for Disability Employment (CDE)*, a collaborative effort to promote employment for people with disabilities. The CDE, funded by ODEP, sponsors the “What can YOU do?” (WCYD) outreach initiative promoting disability employment across the United States. In working together on this effort, ODEP will, at no cost:

- Provide a copy of the “I Can” video public service announcement (PSA).
- Grant NWPC a fully-paid, royalty free, non-exclusive, non-transferrable, worldwide, irrevocable, and perpetual license to use, reproduce, distribute, display, publicly perform, digitally perform, transmit, and create derivative works of the “I Can” video PSA.
- Represent and warrant that it has obtained all rights, grants, assignments, conveyances, licenses, permissions, and authorizations necessary or incidental to any materials owned by third parties which have been included on the “I Can” PSA, and such permission shall include the right of NWPC to use such third-party materials to support the goals of the CDE.
- Grant permission to NWPC to link to the www.whatcanyoudocampaign.org Web site, where appropriate from the NWPC Web site.
- Acknowledge NWPC as a strategic partner of the www.whatcanyoudocampaign.org Web site. Such an acknowledgement is not an endorsement of NWPC products, services, or other activities.

NWPC will at no cost:

- Modify the end slate of the “I Can” PSA to include the NWPC logo and invite viewers to contact it for disability employment information.
- Promote the WCYD initiative by directing NWPC Web site visitors to the CDE Web site, where appropriate.
- Maintain the integrity of the CDE and WCYD initiative in all WCYD products.
- Ensure accessibility meets the standards of the American’s with Disabilities Act in all NWPC media products produced in connection with the CDE and WCYD initiative (e.g., video captioning).

- Share modifications made to the “I Can” PSA with the CDE and ODEP for review prior to airing, printing, or publishing.
- Provide periodic reports to ODEP on the effectiveness of the WCYD products it distributes.

Alliance Implementation

An implementation team made up of representatives of both parties will establish specific goals, develop a plan of action, determine working procedures, and identify the roles and responsibilities of the participants. In addition, they will meet at least three times per year in person, or by conference call, to track and share information on activities and progress in achieving the goals of the Alliance.

The points of contact for the respective parties are as follows:

ODEP

Dylan Orr
Special Advisor
202-693-7906
orr.dylan@dol.gov

NWPC

Mark Misrok
President
646-407-2342
markmisrok@gmail.com

General Alliance Provisions

ODEP Alliances provide the parties with an opportunity to participate in a voluntary, cooperative relationship that supports shared goals and furthers the national dialogue on employing people with disabilities. In accordance with that understanding, the following provisions apply:

- This Alliance agreement will remain in effect for two years.
- By entering into an Alliance with a party, ODEP is not endorsing any of that party’s products or services; nor does the Alliance partner enter into this agreement with the purpose of promoting particular products or services of any party.
- Advance review and approval both by DOL and NWPC is required for any jointly developed products, the use of the U.S. Department of Labor (DOL) seal or agency logos, the use of registered trademark(s) and related designs of the NWPC or DOL, and/or NWPC or DOL press releases or other documents related to the Alliance.
- Any conference, seminar or related activity undertaken pursuant to this agreement will be memorialized in a separate agreement.
- This agreement may be modified in writing at any time with the concurrence of both signatories.

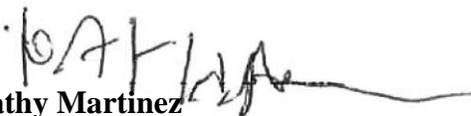
- All disputes arising under this agreement will be resolved by consultation between the parties.
- Either signatory may terminate this agreement for any reason at any time, provided they give 30 days written notice.
- This agreement is not intended to legally bind the parties, nor is it intended to confer any right upon any private person.

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

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

Signatures

In signing this Alliance, ODEP and NWPC demonstrate their joint commitment to the employment, retention, and advancement of people with disabilities including people living with HIV/AIDS and commit to carrying out the education, outreach, and technical assistance activities as described above.


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


—
Mark Misrok
President
National Working Positive Coalition

June 17, 2013