Navigating the Compliance Landscape to Advance Good Jobs: Resources for Small Businesses

The Aspen Institute Economic Opportunities Program October 2024

1 Introduction

Job quality and the work of ensuring that all jobs are good jobs is intertwined with a complex landscape of laws and regulations - rules operating at the local, state, and federal levels that set important standards, establish protocols, and stand up safeguards that help workers have safe, fair, and equitable workplaces. Compliance is an essential component of advancing good jobs practices and systems across the U.S. and, as our team at the <u>Aspen Institute</u> <u>Economic Opportunities Program</u> (EOP) has conducted site visits and interviews, a topic that we are hearing prioritized among both business owners and workers.

We have heard from business owners across diverse industries an interest in accessing timely, sound legal guidance and tools as they seek to create high-quality jobs. We have also heard through our engagement with workers the importance of working in firms that are ensuring, at a minimum, a legally compliant workplace. Yet, through our work with practitioners and key intermediaries across the U.S., including a cohort of 11 community development financial institutions (CDFIs) engaging with small business owners on strategies to advance good jobs, we have consistently heard that small businesses are facing ongoing hurdles navigating and staying up to date on relevant compliance requirements.

In fall 2023, at our Shared Success annual learning meeting, we prepared a resource guide to help point our CDFI grantees to support in this area. Although initially provided for the Shared Success cohort, the grantees found the guide so useful that we decided to revise it and share it more broadly. This resource guide is intended to help spur ideas for how small businesses can overcome compliance hurdles and navigate quickly evolving regulatory landscapes. The guide is also designed to help advisors or entities working with small business owners, such as CDFIs, facilitate access to potential partners to help their clients effectively address these matters in a more timely, high-quality, and consistent manner. This document is not meant to be legal advice or an exhaustive list of organizations, but rather a snapshot of potential regional and national resources where organizations could seek guidance and further partnership or support.



T State and Regional Resources

Colorado

In Colorado, the Small Business Legal Assistance Program (SBLAP) was established to sustain the work of the Colorado COVID Legal Relief Program - a collaborative partnership focused on supporting small businesses during the pandemic. Designed to primarily provide free legal assistance to small businesses with 10 or fewer employees, SBLAP has brought together stakeholders across the Colorado legal community, including the Colorado and Denver Bar Association, the Colorado Attorney General's Office, the Colorado Lawyers Committee, the Denver Metro Chamber of Commerce, Mile High United Way, and multiple law firms. As a result of this extensive network, the legal services offered cover an extensive scope including areas in the labor and employment space that may support small businesses' goals in advancing job quality. This includes support offered around "employee ownership options (equity incentives, profit sharing, etc.); employment compliance; disciplinary actions; trainings; personnel advice; employee handbooks/manuals/policies and procedures ... Title VII discrimination/retaliation/harassment." For more information about the program, including information about how to participate, visit https://oedit.colorado.gov/small- business-legal-assistance.

California

In California, there are multiple legal clinics and resources across different regions of the state. In the Bay area, the Lawyers' Committee for Civil Rights runs a free Legal Services for Entrepreneurs (LSE) program through its Economic Justice team. The program hosts workshops and events, such as "Breaking Barriers: A Legal Series for Small Business Owners," and has offered additional free virtual legal clinics. For more information, visit https://lccrsf.org/get-assistance/legal-services-for-entrepreneurs/

Based in the Central Valley, New Business Community Clinic (NBCC) supports small businesses, workers' cooperatives, housing cooperatives, and nonprofit organizations in Fresno and the Central Valley. Student attorneys and volunteers provide expertise in corporate, commercial and transactional law to help entrepreneurs, with a particular focus on immigrant entrepreneurs. NBCC offers office hours and free online resources and webinars. In addition, the clinic offers workshops in English and Spanish on issues like business formation, employment law, and regulatory compliance. For more information, visit https://www.newbusinesslaw.org/services

California Rural Legal Assistance is a longstanding legal aid organization focused on advancing dignity and respect for the state's rural workforce. Their Agricultural Workers program focuses on legal training, outreach, and resources concerning employment rights, including topics such as health and safety, sexual harassment, and wages for agricultural workers in the state. Their legal aid services are targeted at workers, but the content of the

programs and awareness materials can help provide a lens on the perspective of BIPOC and women agricultural workers. California Rural Legal Assistance provides interpretation free of charge and has 17 offices from the Mexico border to Northern California. For more information, visit https://crla.org/locations

Oregon

In Oregon, through the **Oregon Bar referral service**, small businesses can access free legal clinics and nonprofit pro bono services. The Lewis & Clark Law School's Small Business Legal Clinic provides business transactional legal services to low-income small and emerging businesses and nonprofits. The University of Oregon School of Law offers business owners legal services through their Business Law Clinic during certain parts of the year. For more information, visit https://www.osbar.org/public/ris/

Missouri

In Missouri, four legal services organizations provide free legal support across the state – Legal Aid of Western Missouri, Legal Services of Eastern Missouri, Mid-Missouri Legal Services, and Legal Services of Southern Missouri. Services supporting small businesses vary by organization and entities seeking help may find relevant contacts/details through the Missouri Legal Services Program Services Area Map. Notably, in addition to providing free one-on-one attorney consultations for small businesses, Legal Services of Eastern Missouri's Community Economic Development Microenterprise Program offers presentations on legal issues and comprehensive resources focused on small business compliance. Guides, worksheets and compliance checklists are also available to assist entrepreneurs at different stages of their planning process. For more information, visit https://www.lsmo.org/ and https://www.lsmo.org/ and https://lsem.org/community-economic-development-program/

Florida

Supported by Florida legal aid organizations, the Florida Bar Foundation, JPMorgan Chase, and other participating partners, the **Florida Community Development Legal Project** (FCDL) is a statewide platform providing free legal advising services to eligible Florida small businesses and nonprofit corporations. FCDL uses a collaborative, community lawyering approach which engages clients in training, education, and involvement in the legal process. The program provides small businesses with guidance on a myriad of topics, including contracts, negotiations, employment law, governance matters, intellectual property and dispute resolution. For more information, visit https://www.flcommunitydevelopment.org/

North Carolina

In North Carolina, the North Carolina Bar Association Entrepreneurs Assistance Program coordinates volunteer attorneys to provide pro bono business law advice and counsel to small business owners through webinars and clinics held in partnership with non profit organizations that advise small business owners throughout the state that advise small business owners. The Charlotte Legal Initiative to Mobilize Businesses (CLIMB) provides pro bono legal services to small business owners of limited means in the region. Volunteer lawyers provide legal assistance on many issues, including discrimination laws, workers' compensation, payroll taxes, personnel files, and distinguishing between employees and independent contractors. For more information, visit https://www.ncbarfoundation.org/our-programs/entrepreneurs-assistance-program/ and https://www.climbnc.org/

Minnesota

In Minnesota, **LegalCORPS** views pro bono services and sound legal guidance as an essential component of helping small businesses thrive. As the state's only business law legal aid organization, LegalCORPS connects volunteer lawyers with small businesses and nonprofit organizations statewide for consultation and referrals/connections to experts. They also host educational workshops and, working with partner organizations, will create customized workshops on unique business legal topics. For more information, visit http://legalcorps.org/small-businesses/eligibility/advice

New England

Serving Maine, Massachusetts, Vermont, Connecticut, Rhode Island, and New Hampshire, the **Legal Food Hub** offers pro bono services to farmers, food entrepreneurs, and food-related organizations. The Hub offers assistance in any language and translation services. Volunteer attorneys assist with issues such as contracts, entity formation, employment law, and regulation. The Hub also provides access to free <u>legal guides</u> covering relevant food and farm laws in the respective states. For more information, visit https://www.legalfoodhub.org/

Michigan

The University of Michigan's Community Enterprise Clinic provides legal services to nonprofits, community-based organizations, social enterprises, and neighborhood-based small businesses. Founded in 1991 and serving Detroit and urban areas of the region, CEC provides legal advice and services on topics such as entity formation and governance, employee manuals, labor compliance, and regulatory compliance. For more information, visit https://michigan.law.umich.edu/academics/experiential-learning/clinics/community-enterprise-clinic-0

National Resources

Beyond state-specific resources noted in this guide, EOP encourages outreach to organizations that are already committed to increasing access to legal services, including law school clinics, legal aid organizations, nonprofit and community-based organizations serving entrepreneurs, and bar associations. As noted below, national organizations – including agencies and associations facilitating open access to compliance-related tools, legal advice, checklists, and educational workshops – may offer small business owners an additional avenue of support.

LawHelp.org offers a general guide to accessing and understanding legal aid at the local level. It provides answers to frequently asked questions and specific topical legal guides, as well as a portal that helps users access the relevant websites for the statewide legal information programs. For more information, visit https://www.lawhelp.org/

The American Bar Association's Free Legal Answers site offers a virtual legal advice clinic. Attorney volunteers provide responses by email to users nationwide. For more information, visit https://freelegalanswers.org/

The **U.S.** Department of Labor's (DOL) Employee Benefits Security Administration offers interactive materials including topic-specific "advisors." Notably, employers, including small businesses with as few as one employee, can seek guidance in areas such as establishing, maintaining, and managing employee benefits. For example, the DOL's <u>Small Business</u> <u>Retirement Savings Advisor</u> interprets current laws to provide a range of compliance options and considerations small businesses can consider as paths to offering a retirement savings program. For more information about the range of benefits that could be leveraged to improve job quality, please also visit EOP's January 2024 report, "<u>Benefits Beyond Measure: The Role of Workplace Benefits in Improving Job Quality.</u>"

The **U.S. Small Business Administration** provides resources for small businesses looking to hire and manage employees. This includes information on establishing payroll structures, filing taxes with employees or independent contractors, offering benefits, and federal and state labor laws. For more information, visit https://www.sba.gov/business-guide/manage-your-business/hire-manage-employees

Safe and compliant working conditions are a key pillar of job quality. To assist business owners with compliance requirements that may apply to their industries, the **Occupational Safety and Health Administration** provides a Compliance Assistance Quick Start guide. A comprehensive list of state resources, including OSHA plans and relevant contacts, is also provided by the U.S. Department of Labor at its state resources landing page. For more information, visit https://www.osha.gov/complianceassistance/quickstarts/general-industry and State Resources.

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About Shared Success

The Aspen Institute Economic Opportunities Program is partnering with 11 CDFIs for <u>Shared Success: Scaling Financial Intermediary Strategies to Advance Job Quality, Equity, and Small Business Prosperity</u>. This pilot, supported by the Gates Foundation, focuses on advancing job quality among small- and medium-sized businesses.

About Good Companies/Good Jobs

The Aspen Institute's <u>Good Companies/Good Jobs</u> (GCGJ) initiative equips companies to advance economic opportunity through a key lever: good jobs. Through research, commentary, and convening, GCGJ elevates how companies



can create shared value for workers, businesses, and communities. GCGJ is an initiative of the Institute's Economic Opportunities Program. Learn more at <u>aspeninstitute.org/gcgj</u>.

About the Economic Opportunities Program

The Aspen Institute Economic Opportunities Program (EOP) advances strategies, policies, and ideas to help low- and moderate-income people thrive in a changing economy. We recognize that race, gender, and place intersect with and intensify the challenge of



economic inequality and we address these dynamics by advancing an inclusive vision of economic justice. For over 25 years, EOP has focused on expanding individuals' opportunities to connect to quality work, start businesses, and build economic stability that provides the freedom to pursue opportunity. Learn more at aspeninstitute.org/eop.

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The Aspen Institute is a global nonprofit organization committed to realizing a free, just, and equitable society. Founded in 1949, the Institute drives change through dialogue, leadership, and action to help solve the most important challenges facing the United States and the world.



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The Aspen Institute Economic Opportunities Program 2300 N Street NW #700 Washington DC 20037

aspeninstitute.org/eop

eop.program@aspeninstitute.org