

ECONOMIC JUSTICE

Our Vision

We envision a world where women living with HIV face no negative employment or economic consequences related to their health status, sex, gender or gender expression, family responsibilities, race or ethnicity. Further, we envision a world where women living with HIV are fully supported and prepared to participate in the workforce in ways that we choose.



ECONOMIC JUSTICE
WOMEN LIVING WITH HIV DESERVE FINANCIAL SECURITY

Current State of Play:

Women with HIV occupy spaces where the impacts of racism, patriarchy, transphobia, trauma, poverty and HIV intersect. While economic insecurity can create vulnerability to acquiring HIV in the first place, for people diagnosed with HIV, our diagnosis can lead to a lifetime of poverty as a result of harmful policies. Poverty erects significant barriers to health care, while undermining the dignity, safety and self-determination of people living with HIV and increasing vulnerability to criminalization and interpersonal and structural violence.

Women and people of trans experience living with HIV are more likely than men to live below the federal poverty line (FPL), yet they are also more likely to hold significant caretaking responsibilities for chosen and extended family members. People of trans experience face persistent gender-based discrimination, surveillance and hyper-criminalization that contribute to higher rates of unemployment and poverty, the effects of which are amplified for people of color. Having a criminal record may erect an insurmountable barrier to finding and maintaining employment as well as to accessing safety net services, such as SNAP (food stamps), Temporary Aid for Needy Families (TANF) and subsidized housing. Without intervention, these inequities will persist and grow, restricting agency and basic quality of life for the majority of PLHIV who are people of color, low-income, and/or LGBTQ.

For many living with HIV, their diagnosis has been a sentence to a lifetime of poverty, because eligibility for life-sustaining programs such as the AIDS Drugs Assistance Program (ADAP), some medical care services

and housing programs require enrollees to earn less than a specified amount of money annually to qualify for benefits. Under these “income eligibility caps,” PLHIV are forced to keep their incomes below a certain level to maintain access to life-extending medications, stable housing and other services. As a result, individuals who attempt to earn more to support themselves and their loved ones may be penalized and excluded from care, as many employers still do not offer affordable, comprehensive health insurance coverage to their employees. This is an outrageous violation of human rights, requiring people to be poor in order to obtain necessary health care and services.

We strive to uphold the human rights and agency of PLHIV by removing barriers to economic security.

At the Federal Level, We Support:

1. Advancing Opportunities for Employment for People Living with HIV

If considering entering the workforce after years of being on disability, PLHIV may face significant obstacles. These include a lack of accessible and accurate information about work incentives and eligibility for programs, concerns about losing access to essential benefits, the fear of getting sick and ending up out of work and disqualified for benefits, and lack of assistance in navigating the transition to work. Any

employment opportunities made available to PLHIV should fully support the principles of self-determination, informed consent, and voluntary participation, while seeking to minimize risk to the individual and any dependents.

- PWN supports policies and programs that increase the ability of PLHIV to navigate job transitions and career advancement without concerns about loss of access to health coverage, housing, nutrition assistance, or income.
- The Department of Education (Rehabilitation Services Administration), Department of Labor (Employment and Training Administration, and the Office of Disability Employment Policy) should coordinate the creation of a federal jobs and vocational rehabilitation program specifically for people living with HIV that supports rather than hinders the ability to remain in care and in receipt of vital services. The program should specifically address barriers to employment experienced by PLHIV who are people of color, immigrants, women and of trans experience.
- Ryan White-funded service delivery settings should integrate employment services, professional skills development, vocational rehabilitation, and computer literacy programs.

2. Implementing Federal “Ban the Box” Legislation for Public and Private Employers

The U.S. leads the world in incarceration rates, with Black and Latinx people bearing the brunt of decades of racially motivated overpolicing, surveillance and discriminatory treatment in court proceedings. An estimated 70 million U.S. adults have histories of arrest or conviction. For communities vulnerable to HIV, housing instability, mental illness, substance use, racism and transphobia may place them at risk for being targeted by law enforcement. Thus, a significant percentage of U.S. PLHIV have a history of contact with the criminal justice system. Many employers disqualify job seekers with a history of contact with the criminal justice system, creating a vicious cycle of poverty that may span generations. Legislation like S.842 / H.R.1905 Cumming (D-NY), the Fair Chance to Compete for Jobs Act of 2017, which would prohibit federal employers and contractors from asking job applicants about their criminal history, attempts to address this inequity. Broadly referred to as “Ban the Box” legislation, these efforts would remove barriers to employment for people with a history of criminal justice contact in both the public and private sector.

3. Strengthening Employment Discrimination Protections for People of Trans Experience

People of trans experience face tremendous levels of discrimination and violence, contributing to high levels of unemployment and poverty. More than one in four people of trans experience have lost a job due to bias, and more than three-quarters have reported some form of workplace discrimination. The Equality Act would expand federal civil rights protections to include sexual orientation and gender identity. Introduced in 2015 by Sen. Jeff Merkley (D-OR) and Rep. David Cicilline (D-RI), the Equality Act would expand the Civil Rights Act of 1964 to include explicit protections against sexual orientation and gender identity-based discrimination in employment, housing, education, and public accommodations.

4. Eliminating the Ban on Federal Benefits for People Convicted of Drug Felonies

The legacy of the War on Drugs has devastated and economically depressed many communities of color. Yet the same individuals navigating the aftermath and trauma of incarceration remain excluded from federal programs that may support their economic security and successful reentry. The lifetime ban on essential federal benefits, including SNAP (food stamps) and Temporary Aid to Needy Families (TANF), imposed by the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA), and restrictions on access to housing for people convicted in state or federal courts of felony drug offenses should be repealed. Additionally, the Higher Education Act’s ban on student financial aid for individuals with drug-related convictions should be removed, and questions regarding criminal history for drug-related offenses should be omitted from the Free Application for Federal Student Aid (FAFSA).

At the Federal Level, We Oppose:

1. Cuts to the Social Safety Net

The current administration has waged an unprecedented war on poor people and people of color. Massive tax cuts were passed for the ultra-wealthy, creating tremendous strain on the federal government’s ability to fund programs that support a basic quality of life for low-income and middle-class people. Recent funding proposals from the administration continue to target these programs for drastic cuts while prioritizing the escalation of excessive military and defense spending. We fight legislative and budget proposals that exacerbate inequities for low-income people and actively

oppose federal attempts to cut or restrict funding for programs that provide low-income people living with HIV with assistance in accessing food (SNAP), health care (Medicaid, Medicare and Ryan White), housing/utilities (HOPWA and LIHEAP), and income (TANF).

2. Adding a Citizenship Question on the 2020 Census

The Constitution requires that every resident of the U.S. be counted every 10 years, regardless of citizenship or immigration status. Data from the census determines how political districts are drawn, how many legislators each state gets to represent their interests in Congress, and importantly, how billions of dollars of federal funding for vital public services are allocated. Adding the question that has not been featured on a formal census since the Jim Crow era is likely to have a chilling effect on the participation by immigrants, who, with other communities of color, have been historically undercounted. We oppose this effort to suppress the political power of people of color and the attempt to deprive states with large immigrant populations of key federal funding sources critically important to the health of PLHIV.

At the State/Local Level, We Support:

1. Living Wage Legislation

Implement state and local policies that support the rights of all people to work and be paid a living wage. The federal minimum wage is far too low for people to survive and take care of their families, and additionally fails to account for local cost of housing and cost living, which may vary greatly. In recent years, advocates for low-wage workers have moved to take matters into their own hands at the state and city level, by proposing and passing living wage legislation.

2. “Ban the Box” Policies and “Fair Chance” Hiring Laws

Ten states to date have mandated the removal of conviction history questions from job applications for private employers. Some states and cities have also passed legislation requiring that inquiries into criminal background be delayed until a conditional job offer has been made or delaying criminal history questions until a later stage in the interview process. These are collectively known as “Fair Chance” Hiring Laws. In addition, some city and county governments have established preference for contracting with vendors that “Ban the Box” on job applications. To advance economic opportunities for people living with and communities

affected by HIV, PWN-USA supports the expansion of such laws.

3. Inclusive Paid Sick, Safe, and Family and Leave Policies

Restrictive definitions of family constructed by the government fail to capture the depth and complexities of informal support networks and care-giving systems that allow many WLHIV to attend school, engage in health care, and care for loved ones. Inclusive paid leave policies that recognize chosen and extended family, informal support networks and caregiving responsibilities should be implemented at the local and state level. These policies should also reflect a standard for flexible use of personal time or sick time for navigating experiences surviving intimate partner, sexual violence and navigating the criminal justice system. Arizona, Rhode Island and the three biggest U.S. cities — New York, Los Angeles and Chicago—have passed laws giving workers the legal right to take paid time to care for chosen family, and eight states and more than 30 counties and cities have enacted paid sick and safe leave policies that support survivors of domestic violence or sexual assault.

4. Expanding Employment Opportunities for PLHIV through Increased Collaboration Between State Agencies

State Departments of Labor, state vocational rehabilitation agencies, and state HIV agencies should collaborate to expand opportunities for participation in job training, placement, education and return-to-work programs for PLHIV.