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Nonprofit Champion | January 6, 2022

Dear Readers,

The biweekly policy newsletter of the National Council of Nonprofits has a **New Name** and **New Look**. Formerly *Nonprofit Advocacy Matters*, the new name - **The Nonprofit Advocate** - and look incorporate important and user-friendly updates. But we remain committed to delivering the advocacy and public policy news essential to nonprofit success.

As we see it, this newsletter serves as a critical part of the flywheel of both gathering information from and sharing analyses with the nonprofit community about emerging policy challenges and developments. That's why you'll still be able to find the latest news and action items at the **federal, state, and local** levels involving policies at issue in **legislative** bodies, **regulatory** agencies, and the **courts**. And, as always, we'll close each edition with an inspiring **Advocacy in Action** story of nonprofits advancing their missions in creative, passionate, and effective ways using tried-and-true as well as cutting-edge advocacy tools.

Below is a sneak peek at what *The Nonprofit Advocate* will look like in editions starting on Monday, January 10. [We'd love to get your feedback](#) on what you like, what more you need, and your thoughts in general as this New Year dawns.

The National Council of Nonprofits Policy Team

Supreme Court to Hear Vaccination Requirement Cases This Week

The U.S. Supreme Court is scheduled to [hear oral arguments](#) on Friday, January 7, concerning the legality of the Biden Administration's vaccination requirements in millions of workplaces. At issue are the [OSHA emergency temporary standard](#) affecting employers with 100 or more employees and a [rule from the Centers for Medicare and Medicaid Services](#) applicable to staff of employers receiving payments from the federal health care programs. States and businesses have filed lawsuits in every federal circuit challenging the authority of the federal government to mandate vaccinations or ongoing testing. Many courts acting on the cases have stayed enforcement of the requirements. However, on December 15 a [panel of the Sixth Circuit Court of Appeals](#) lifted the stay in a consolidated case, setting the stage for consideration by the Supreme Court this week. Employers are hoping for a quick resolution by the Court because [OSHA enforcement is slated to begin](#) as early as Monday, January 10.

? READ MORE: This newly published [report from the Congressional Research Service](#) provides extensive analysis of federal and some state vaccination requirements.

Past Their Expiration Date

The following tax provisions expired by the end of 2021, and it will require congressional action to restore them:

- **Child Tax Credit:** The maximum credit has reverted to \$2,000 from \$3,600 enacted as part of the ARPA, and eligible families will no longer receive monthly checks of between \$200 to \$250 per child under 18.
- **Earned Income Tax Credit** enhanced benefits and eligibility.
- **Universal Charitable (non-itemizer) Deduction** that allowed taxpayers claiming the standard deduction to still deduct charitable donations of up to \$300/individual and \$600/couple.
- **100% AGI Cap** for charitable contributions of cash.
- **25% Taxable Income Limit** for charitable contributions by corporations.

- **Employee Retention Tax Credit** (repealed effective 10/1/2021).
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Nonprofit Workforce Shortage

In the States

Charitable nonprofits from across the country continue to report significant difficulties retaining staff and filling vacancies. Nonprofit leaders and the news media are taking notice:

- **Alaska:** [Reimagining the Workplace](#), Laurie Wolf, **The Foraker Group**, Dec. 13, 2021, providing a thoughtful analysis of how work in the nonprofit sector is changing and what it means to nonprofit operations.
- **Arizona:** [Short staffing leads to special needs participants waiting for services](#), Steve Stockmar, *Surprise Independent*, Dec. 20, 2021.
- **Connecticut:** [Officials Say Nonprofit Workforce Shortage Limits Access To Services](#), Christine Stuart, *NBC Connecticut*, Dec. 6, 2021, explaining the impact of worker shortages at nonprofits and the need for action. "Without workers the people who depend on services: our family members, our friends, our neighbors, they're at risk," said Gian-Carl Casa, President of the **CT Community Nonprofit Alliance**.
- **Massachusetts:** [Human services sector struggling amid wage competition](#), Chris Van Buskirk, *WBUR*, Dec. 6, 2021, quoting Michael Weekes, **Providers' Council** CEO, as explaining: "While our chief competitor for talent was state government, and the health and hospital industries, we're now losing them to grocery and retail stores, both of which can offer higher rates of pay for all their employees."
- **Minnesota:** [Minnesota nonprofits grapple with sudden staffing shortages in the 'Great Resignation'](#), Kelly Smith, *Minneapolis Star Tribune*, Dec. 5, 2021, reporting on a new report from the **Minnesota Council of Nonprofits** that finds nonprofits are having a difficult time recruiting and retaining workers just in the last six months.
- **New York:** [As Workers Gain Pay Leverage, Nonprofits Can't Keep Up](#), Ben Casselman, *New York Times*, Dec. 23, 2021.

Special Report

What was initially considered a challenge has now become a workforce crisis in need of rapid remedy and long-term commitment to overcoming preexisting problems exacerbated by the COVID-19 pandemic. Read more about the impact of the nonprofit workforce crisis on communities and immediately available solutions. [The Scope and Impact of Nonprofit Workforce Shortages](#), National Council of Nonprofits, Dec. 13, 2021, using responses and comments from nonprofits throughout the country to explain the **causes** and **impacts** of the nonprofit workforce shortage and propose 10 **solutions** that state associations can pursue in their upcoming legislative sessions

2022 Public Policy Agenda

In mid-December, the Board of Directors of the National Council of Nonprofits approved the [2022 Public Policy Agenda](#) with three significant improvements. The focus on **pandemic relief** clearly emphasizes the need for employee retention tax credits, greater charitable giving incentives, and state/local investment of American Rescue Plan Act funds in the work of charitable nonprofits. A new paragraph in the employment section (Part III) highlights the significant challenges of **nonprofit workforce shortages** and promotes specific policy solutions. There's also a new paragraph focusing on **vaccination and testing policies**.

Numbers in the News

88%

Nearly nine-in-ten voters (88%) support making the universal charitable deduction permanent for all taxpayers and 74% support raising the cap for the universal charitable deduction to \$4,000 per person, according to [new public opinion polling](#) commissioned by Independent Sector.

Upcoming Events

- Jan. 10, [2022 Nonprofit State of the State](#), Florida Nonprofit Alliance
- Jan. 10, [Legislative Preview](#), Maryland Nonprofits

- Jan. 11, [WV Policy Institute](#), West Virginia Nonprofit Association

Why We Publish This Newsletter

We believe that, to be successful, nonprofits – just like for-profit businesses and governmental entities – need a supportive and reliable policy environment in which to operate. Nonprofits can be neither efficient nor effective in improving the lives of individuals and strengthening communities when governments are undercutting their ability to function, such as by tampering with charitable giving incentives, imposing taxes on tax-exempt organizations, encroaching on nonprofits’ independence and decision-making, and adopting costly or unreasonable regulations. And as with the other segments of the economy, nonprofits need public policies and programs – such as employment tax credits, contracting and grants reforms, and direct spending programs – to help them operate and serve their communities. Nonprofits need timely access to the latest information about policy threats and opportunities that *The Nonprofit Advocate* provides in order to be able to advocate for their missions.

In each edition, we share information so nonprofits can learn about and track items enabling them to take action as they see fit. A few times each year, we ask readers for their insights from the real world to inform policymakers and other advocates, thereby turning the newsletter into a conduit for nonprofits of all types to share their information and perspectives to build a stronger advocacy muscle for the community. The successful results of this approach are reflected in the two major reports highlighted above. Other times we use the newsletter to issue Action Alerts so nonprofits know it’s time to engage on particular legislative and regulatory policy threats or opportunities. At all times, the focus of *The Nonprofit Advocate* is on nonprofit success, which we believe is essential for the wellbeing of individuals and communities.