

Message from the Presidents

It's been a busy year already for A Better Balance, and an exciting one too. In late June, the White House hosted a Summit on Working Families that both of us attended. Both the President and Vice President shared personal stories of work-family struggle, praised New York City and others for enacting paid sick time laws, and called on Congress to pass the Pregnant Workers Fairness Act. The summit also highlighted workplace flexibility, family leave, and fairness for LGBT families—all issues that are close to our hearts and central to our work. After eight years of advocating for working families, we felt as though we had arrived. Not only did the summit inspire an overwhelming sense of accomplishment, but it also inspired our hope for the future of this movement.

Thank you to those who have been cheering us on from the start and to those who have joined our team in the years since. Your generous support has sustained our work in New York and beyond. But much more remains to be done.

We are committed to using our strength and expertise on behalf of those in need. Every day, the A Better Balance team continues our outreach efforts and provides free legal representation to workers, while we push for systemic policy solutions at the city, state, and federal levels. This newsletter highlights some of our recent successes, and we are thrilled to share them with you.

We hope we can continue to count on you and your generosity as we fight to make fair, flexible and family-friendly workplaces a reality for all Americans. We couldn't do this without you.

Thank you in advance for all of your much needed support.

Sincerely,
Dina and Sherry

New York City's Earned Sick Time Act Takes Effect

The sick leave law we fought long and hard for went into effect on April 1, 2014! The law provides paid sick time to nearly **1.2 million** workers who had no sick time before. For **3.4 million** private sector workers in New York City, the law creates a legal right to a minimum amount of sick time for personal or family care that an employer cannot reduce or withdraw.

On July 30, 2014, workers covered by the law became eligible to start using their earned sick time if they have been working for their employer since the law went into effect on April 1. But our work is far from finished! We have produced numerous know-your-rights materials in English and Spanish, conducted trainings for workers around the city, and taken many calls on our free legal hotline from workers with questions about their sick time. We are working closely with the Department of Consumer Affairs (DCA) which has the responsibility for enforcing the paid sick days law and Sherry will be co-chairing the Advisory Council to DCA on effective enforcement of the law. Julie Menin, Commissioner of DCA, called to thank us



DCA Commissioner Julie Menin with ABB Legal Intern Margot Finkel during the July 16th Day of Action

for all of our help in making their outreach Day of Action on July 16th a great success. In the months ahead, we will continue our outreach efforts and provide free legal representation to workers who need to enforce their new sick time rights. If you have questions about the law, please call our legal hotline at 212-430-5982.

In addition to the victory in New York City, paid sick time laws that we drafted are now in effect in Newark, New Jersey as well as Jersey City, New Jersey. Paid sick time laws that we worked on passed

in both San Diego (California) and Eugene (Oregon) in July, and paid sick time ballot initiatives we helped to draft will go to a vote in November in Massachusetts and six New Jersey cities. We expect to be working on other paid sick time laws around the country in the coming months.



ABB Co-President Sherry Leiwant testifying at the NYC Paid Sick Days Expansion Bill Hearing

Fighting for LGBT Working Families

Through reports, speaking engagements, legislative campaigns, and regulatory reform, we are working to advance LGBT-inclusive workplace leave and employment nondiscrimination protections. Recently, A Better Balance hosted a national webinar for leaders of the LGBT rights and work-family movements to explore opportunities for collaboration. We also held a workshop at Creating Change, the country's largest LGBT rights conference, which was featured on the front page of *The Houston Chronicle's* business section.

On June 20, 2014, the Obama administration announced a proposed rule change to the Family and Medical Leave Act to make the law's definition of "spouse" more inclusive of same-sex spouses. A Better Balance has been advocating for this change for a year, and we are now gathering comments in support of the proposed rule. We look forward to building on this work in the year ahead.

Keeping Up the Pressure for Paid Family Leave

We were thrilled to help draft and pass a paid family leave insurance program in Rhode Island last year. Inspired by that victory, we have been keeping the pressure on New York to follow suit. In March 2014, the New York State Assembly voted 89-44 to pass our Paid Family Leave Insurance Act, and we are working with the New York State Senate to finish this bill.

Momentum for paid family leave insurance in the states has bolstered a growing movement at the national level. At the end of 2013, Senator Kirsten Gillibrand and Representative Rosa DeLauro introduced legislation to establish a national family and medical leave insurance program. On June 21, 2014, President Obama denounced the lack of paid family leave in the U.S. "It puts us way behind the times," the President said. "Only three countries in the world report that they don't offer paid maternity leave. Three. And the United States is one of them. It's time to change that. A few states have acted on their own to give workers paid family leave, but this should be available to everyone, because all Americans should be able to afford to care for a family member in need."

Advancing Fairness for Pregnant Workers Across the Country

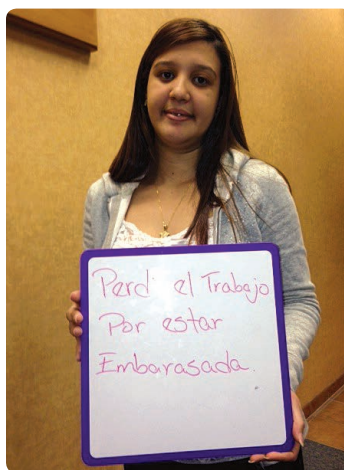
Earlier In June, President Obama called on Congress to pass the federal Pregnant Workers Fairness Act, which was inspired by Dina Bakst's Op-Ed in the *New York Times*. "Right now a pregnant woman could be fired for taking too many bathroom breaks, probably by a boss who has never been pregnant," President Obama said. "Congress should pass the Pregnant Workers Fairness Act without delay." A Better Balance has been campaigning actively for the PWFA, speaking at a Mother's Day event with members of Congress in support of the bill and planning future advocacy with our partners.



ABB Co-President Dina Bakst Speaking at a press conference for the NYC Pregnant Workers Fairness Act

Although Congress has yet to act, states and cities are passing similar measures with our assistance. Recent legislation protecting pregnant workers has passed or is about to pass in Maryland, West Virginia, New Jersey, Minnesota, Illinois, Delaware, Philadelphia, New York City, and Providence and Central Falls (Rhode Island). A Better Balance provided legal, drafting and messaging support for many of these bills.

Here in New York, we have been conducting outreach and education to ensure that women in all five boroughs know their rights under the city's PWFA, which went into effect in January. We have already used the law to help Floralba Espinal, a pregnant retail worker in the Bronx who was sent home on unpaid leave when she temporarily needed to avoid heavy lifting to avoid having another miscarriage. We got Floralba back to work, with back pay, and convinced her employer to update its policies. The *New York Times* featured Floralba's story and this quote from Dina: "[We hope this victory] will give other pregnant women in New York City, especially those in low wage and physically demanding jobs, the courage to stand up for what they need to stay healthy and on the job."



Floralba Espinal, ABB client who got her job back after being pushed out because of a temporary lifting restriction due to pregnancy

In another major development for low-wage workers, Walmart has bowed to pressure from A Better Balance and our allies to improve its policies for pregnant employees. Walmart's new "Accommodation in Employment" policy explicitly states that temporary disabilities caused by pregnancy are eligible for the same reasonable accommodations as other disabilities. Although a major win, this change does not go far enough: Walmart can continue to force pregnant workers off the job if they are not considered "disabled." The Pregnancy Discrimination Act mandates equal treatment, nothing less, and we will continue to fight until Walmart obeys the law in full.

A Better Balance's Southern Office Has Launched

A Better Balance's new Southern Office, based in Nashville, TN, is tackling workplace fairness and discrimination in some of the most impoverished corners of our country. Our first order of business was leading a diverse coalition of Tennessee organizations, from labor to religious groups, to urge U.S. Senator Lamar Alexander (R-TN) to support the Pregnant Workers Fairness Act (PWFA). Thirty organizations signed on and a group of local supporters met with Senator Alexander's staff to discuss this important issue. A Better Balance also published an Op-Ed in the Tennessean, the largest newspaper in the state, about the PWFA and the letter of support to Senator Alexander.

The Southern Office is also busy advocating on behalf of clients. Lyndi Trischler, a police officer in Florence, KY, reached out to us upon learning she would be forced off her job while pregnant because of a newly enacted citywide policy restricting modified duty to only those employees with on-the-job injuries. The policy states that no city employees are permitted to work if they have any medical restrictions. A Better Balance filed a charge with the Equal Employment Opportunity Commission (EEOC) on Officer Trischler's behalf against the city, for pregnancy and disability discrimination. Officer Trischler is at risk of losing not only critical income but also health benefits prior to her due date. Her heartbreaking story was chronicled in the Washington Post this month. We have also filed a charge with the EEOC against the grocery store chain, Kroger, because a Nashville, TN client was pushed off the job while pregnant after she requested an accommodation to avoid exacerbating her health complications. After filing the charge Kroger let her return to work, but we are still fighting to ensure that Kroger's policies regarding pregnant workers are in full compliance with the law.

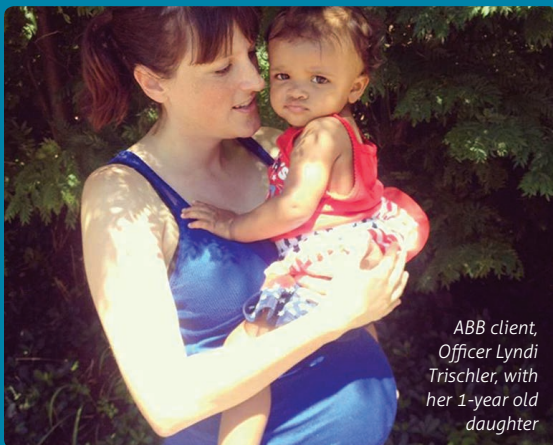


ABB client, Officer Lyndi Trischler, with her 1-year old daughter

Crafting a Right to Request Flexible Work and Predictable Scheduling

A Better Balance has been helping lead efforts to encourage more flexible workplaces and to address the problems faced by many hourly workers, who are denied advance notice of their schedules and are forced to be available even when they are not guaranteed work. On July 22, Representatives George Miller and Rosa DeLauro introduced a federal law that would allow all workers to request and receive changes in their schedule, such as different start and stop times, as long as there is no bona fide business reason for refusing the change. In addition, the bill will require advance schedules for workers in retail, the food service industry, and the building cleaning industry. A Better Balance helped to draft this bill and participated in a Congressional briefing to explain the importance of policies to encourage flexible work and predictable schedules. A Better Balance is also working on these issues in New York City.

Harnessing Stories for Advocacy



ABB Community Advocate and former Client Armanda Legros with Senator Harkin after testifying at the Senate HELP committee hearing

In addition to helping individuals resolve their workplace problems, we are committed to empowering the men and women we serve to advance change for all. Dena Adams, who reached out to A Better Balance for help in 2011, came with us to New York's City Hall to testify in support of a citywide bill that would ban workplace discrimination based on an individual's status as a family caregiver. "There are

a lot of parents out there that have lost their jobs because of childcare but they didn't have no place to go so they just rolled over," Dena told members of the Civil Rights Committee of the New York City Council. "Me, I wanted to fight. So I called everybody that I could find and A Better Balance is why I'm here today."

At our spring celebration, we honored Armanda Legros, a former client of our legal clinic, with A Better Balance's Community Advocate Award. Armanda has bravely shared her experience with elected officials and pushed for policy change to help other pregnant workers like her. In late May, Armanda brought her message to Washington D.C., where she testified before the U.S. Senate Committee on Health, Education, Labor & Pensions in support of the Pregnant Workers Fairness Act and other protections for working families. "If you truly value families, and children," Armanda told the Committee, "then you have to make sure that the women who bear those children and raise them can earn the fair and equal wages we need to support them."

We are proud to work with such dedicated activists and thank Armanda and Dena for their courage and leadership.

A Better Balance in the Media

Supreme Court Takes Up UPS Pregnancy Discrimination Case	Ashlea Ebeling, <i>Forbes</i>	July, 2014
Paid Family Leave in America is a Disgrace: But that might finally change	Rebecca Traister, <i>New Republic</i>	July, 2014
New York City extends paid sick days to more workers	Sally Herships, <i>Marketplace</i>	June, 2014
New NYC law aims to prevent workplace discrimination during pregnancy	Mario Diaz, <i>PIX 11 News</i>	June, 2014
New York Lawmakers Urge Passage of Pregnancy Non-Discrimination Bill	Teddy Wilson, <i>RH Reality Check</i>	June, 2014
Women Discover and Share Support Systems at 'Let's Talk'	Eileen Stukane, <i>Chelsea Now</i>	June, 2014
Lawmakers, advocates push for pregnancy accomodation bill	Casey Seller, <i>Capitol Confidential</i>	June, 2014
Family advocates open Nashville wing, write to senator	Tony Gonzalez, <i>The Tennessean</i>	May, 2014
Pregnant workers need greater legal protections	Elizabeth Gedmark, <i>The Tennessean</i>	May, 2014
Women's Rights Groups Pressure Walmart to Improve Pregnant Worker Policies	<i>Feminist Wire, Ms. Magazine</i>	April, 2014
Pregnant Workers At Walmart Fear The Company's New Policy Won't Go Far Enough To Protect Them	Bryce Covert, <i>Think Progress</i>	April, 2014
Wal-Mart Swears Its New Pregnancy Policy Has Nothing to Do With Outside Pressure	Susan Berfield, <i>Businessweek</i>	April, 2014
Under pressure, Wal-Mart upgrades its policy for helping pregnant workers	Lydia Depillis, <i>The Washington Post</i>	April, 2014
Women's Rights in the Workplace- A Better Balance	Jack Tuckner & Deborah O'Rell, <i>Progressive Radio Network</i>	March, 2014
De Blasio set to sign paid sick time bill after public hearing	Jillian Jorgensen, <i>Staten Island Advance</i>	March, 2014
What Happens After We #BanBossy?	Jessica Grose, <i>ELLE</i>	March, 2014
This Pregnant Woman Has Her Job Back Thanks To A New Anti-Discrimination Law	Bryce Covert, <i>Think Progress</i>	February 2014
Pennsylvania Legislator Introduces Pregnant Workers Fairness Act	Tara Murtha, <i>RH Reality Check</i>	February 2014
Accomodating Pregnant Employees	Adrienne Fox, <i>HR Magazine</i>	February 2014
Same-Sex Couples Often Don't Get Spousal Leave	L.M. Sixel, <i>The Houston Chronicle</i>	February 2014
The Mommy-Track Myth	Olga Khazan, <i>The Atlantic</i>	February 2014
NYC, Calif. Bills Show Fight to Protect Caregivers	Jim Fitzgerald, <i>The Big Story</i>	February 2014
Placed on Unpaid Leave, a Pregnant Employee Finds Hope in a New Law	Rachel Swarns, <i>The New York Times</i>	February 2014
New law protects pregnant workers from discrimination	Erin Durkin, <i>NY Daily News</i>	January 2014



On May 5th A Better Balance Celebrated its 8th Anniversary

The Board of Directors is deeply grateful for the support of all our sponsors, donors, guests and volunteers. Many thanks to all who attended and gave generously in support of A Better Balance.



Pictured from Left to right: ABB Co-President Sherry Leiwant, Distinguished Corporate Citizen Award Honoree Tom Nides, ABB Co-President Dina Bakst, Women's Rights Trailblazer Award Honoree Janice Goodman, Lou Gordon, Distinguished Leadership Award Honoree Cynthia DiBartolo, Community Advocate Award Honoree Armanda Legros