



Women's Equality Advances in New York



ABB Co-President Dina Bakst (Back Center) with advocates and NYS Governor Cuomo after the signing of Women's Equality Bills.

New York is moving women's equality forward with groundbreaking legislation that will go into effect early in 2016. This year we saw Albany pass bills that A Better Balance (ABB) championed to promote equal pay, fairness for pregnant workers, and nursing mothers' rights at work, while combating workplace discrimination based on parental status. New York now has one of the strongest equal pay laws on the books and is the fourth state (after Alaska, Connecticut, and the District of Columbia) to enact statewide protections for parents against discrimination in the workplace. And the first ever breastfeeding law mandating notice of rights in maternal health care facilities was recently signed. With these new protections in place, ABB is turning our attention to enforcement. In July, we hosted a webinar with NYCLU, and released an easy-to-read guide to the newly passed provisions of law, which is available on our website.

Pregnant Worker Fairness

After two years of tireless work, ABB finally saw fairness for pregnant workers become reality in our home state of New York. On October 21st, Governor Cuomo signed into law a bill guaranteeing reasonable accommodations to pregnant workers, which ABB drafted and pushed hard to enact. New York is the tenth state since 2013 to add explicit pregnancy accommodation protections to the law. In Illinois and West Virginia, where similar laws passed in 2014, we worked with local advocates to submit comments on the proposed regulations that will be used to enforce the law in those states. Since many practical details get hashed out in regulations, our input will have a large impact on how the law is implemented on the ground. And we continue to lead campaigns for pregnancy accommodation bills in Kentucky and Tennessee, while also assisting advocates with campaigns in Massachusetts, Ohio and Colorado.

Fairness for pregnant workers also continues to gain ground on the national stage. The federal Pregnant Workers Fairness Act was reintroduced this summer, and for the first time with bipartisan support in both the House and the Senate. And in October, ABB released our latest report entitled *Pregnant and Jobless: Thirty-Seven Years After Pregnancy Discrimination Act, Pregnant Women Still Choose Between Paycheck and a Healthy Pregnancy*. The report features stories of women we've helped through our free legal clinic, including those we have assisted through our Southern Office, compiles information on more than a dozen new state and local pregnant worker fairness laws in effect around the country, and uses New York City as a case study to make the case for a clear federal standard.

Pregnant and Jobless:

Thirty-Seven Years After Pregnancy Discrimination Act, Pregnant Women Still Choose Between A Paycheck and A Healthy Pregnancy



Outreach and Education



We've been pounding the pavement to spread the word about sick time, pregnancy accommodation, breastfeeding rights, and other critical workplace protections to low-wage workers and organizations that serve them, including health care providers, social service organizations, and union partners. In 2015, we've attended events in all five boroughs of New York City, conducted more than 20 trainings, and distributed more than 19,000 copies of our materials.

ABB's Southern Office has also been hard at work spreading awareness and information about key legal protections. We were one of only three presenters at a WIC breastfeeding fair in Nashville, TN attended by hundreds of pregnant women and their supporters. We distributed know-your-rights materials both there and at several other major local events, presenting to the attendees, answering questions, and listening to stories from women facing challenges at work related to pregnancy and breastfeeding.

And we've been educating increasing numbers of people online. Just this summer ABB hosted and participated in four webinars covering everything from paid family leave in New York and the national leave landscape, to schedules that work, and women's equality measures in New York. Our Babygate website continues to offer a one-stop resource for expecting and new parents about their workplace rights, and materials ABB helped to develop are now featured on the Center for WorkLife Law's Pregnant@Work website, which brings together medical professionals, attorneys, professors, social workers, and others, all with the aim of helping pregnant women to stay healthy and stay employed.

Progress on Paid Leave

National attention to the gap in workers' access to paid sick time and paid family leave, and the burden this gap places on the ability to care for families, is continuing to grow—in the media, from presidential candidates, and in legislatures and communities around the country. ABB continues to play a critical role in finding policy solutions

for this problem. We have updated our model bills on paid sick time and paid family and medical leave (together with the National Partnership for Women & Families). Those models continue to serve as the basis for legislation and as a basis for advocates and legislators around the country to engage ABB to help them with in-depth support on paid leave drafting, legal issues, and strategic advice.

In the past six months, we have provided drafting and legal assistance to paid leave campaigns in 16 states. During this same period, we have also celebrated passage of several new paid sick time laws at the city, county, and state level. Paid sick time laws were passed in the state of Oregon, Maryland's Montgomery County, Pittsburgh (PA), and Elizabeth (NJ). Jersey City (NJ) also expanded its paid sick time law. There are now four states, 20 cities, and 1 county in the U.S. with paid sick time laws on the books! Progress also continues on paid family leave. The U.S. Department of Labor has granted more than \$1 million in grants to cities and states to assist with research and implementation of paid family leave grants, and ABB will serve as a resource to these grant recipients. We continue helping to lead the campaign for paid family leave in New York. During the last 6 months, we have worked closely with advocates in Washington, D.C. to draft a robust paid family and medical leave proposal, submitted testimony on the Massachusetts paid family leave bill we helped to draft and became part of research teams in Minnesota and Connecticut exploring the best possible policy approaches to paid family leave in those states.

Our work is not done when a new paid leave law is on the books, however. ABB recently helped to draft paid sick time regulations in Oregon and Massachusetts, and we have discussed enforcement strategies with many of the cities and states with paid sick time laws. Our insight into enforcement has been shaped by our work in New York City. ABB led the way in drafting and passing the New York City Earned Sick Time Act (ESTA); since then, we've played a critical role in enforcing it as the leading organization providing advice and legal representation to workers whose sick time rights are violated. In 2015, the first full year the law was in effect, we've received more than 160 calls to our free legal hotline and have assisted (or are assisting) nearly 50 clients putting tens of thousands of dollars in client pockets. In addition, we are continuing to work with the city agency charged with enforcement of ESTA to try to improve procedures for ensuring all New Yorkers have the benefit of this law.



ABB Staff Attorney Molly Weston (Far Left) with advocates in Albany lobbying for NYS Paid Family Leave.

Workplace Flexibility/ Predictability



ABB Co-President Sherry Leiwant speaking at a press conference on the release of our *Families and Flexibility* report.

The need for workers to have control over their schedules has always been a key issue for ABB. Many low-income workers don't even know what their work hours will be from one

week to the next, making family life difficult or impossible. At the same time, all workers are hurt by their inability to create working schedules that allow them to meet their families' needs. In June 2015, ABB Co-President Sherry Leiwant published an article in the *Clearinghouse Review*, co-authored with colleagues from the Center for Popular Democracy, on potential legal and policy solutions to the problems facing working families around unpredictable and often abusive scheduling practices. Sherry also participated in two well-attended webinars in June on the importance of enacting policy solutions to address the problems of abusive scheduling. In September 2015, we released *Families and Flexibility: Building the 21st Century Workplace*, a report we co-authored with New York City Comptroller Scott Stringer based on an extensive survey of New York City workers. The survey found an overwhelming need for workplace protections like the right to request flexibility, prior notice of one's work schedule, and paid family leave.

Working for LGBT Equality

Through our joint LGBT Work-Family Project with Family Values @ Work, ABB is working with a dozen paid leave campaigns interested in expanding recognition of diverse families. We are also raising the profile of this work nationally. In October, ABB co-hosted a second annual LGBT work-family conference bringing together 35 leaders from the LGBT, work-family, labor, reproductive rights, and economic/racial justice movements. Participants discussed and explored opportunities to work across our movements both proactively and defensively, especially following the Supreme Court's marriage equality decision in June. ABB has also led workshops on the need for paid leave and efforts to broaden diverse family recognition at several LGBT conferences, including the Equality Federation's Summer Meeting (a gathering of state LGBT rights groups) and Pride @ Work's triennial conference (a meeting with LGBT leaders from the labor movement).

Voices from our Clinic

Our free legal hotline continues to buzz with calls from men and women seeking information about their legal rights and help to guide them through a crisis at work related to their own illness, pregnancy, or care for a loved one in their family. In 2015 thus far, we received more than 350 calls from New York City and beyond, and have provided information, advice, coaching on self-advocacy, referral, and, in many cases, direct representation to low-income individuals in need.



Nicolet's Son

Nicolet, who called us from Queens, lost her job at a large food and beverage company after announcing her pregnancy and asking for minimal time off to attend her prenatal appointments. "ABB helped me assert my rights under this law [the NYC PWFA]. As a result of their efforts, my employer offered me my job back and agreed to make me whole. . . Pregnant workers everywhere need a law like the NYC PWFA so they are not unfairly pushed out of a job when they are willing and able to work and in need of only modest accommodations to protect their health."

Nelson, a restaurant worker who called us seeking help securing his earned sick time under the law, said:

"I am very, very thankful to you and A Better Balance. I feel supported still by you because my boss can't retaliate against me and he knows that what he did was illegal. I don't have to be afraid. Now I give your phone number to other workers and I tell them, if you have problems with sick time, A Better Balance is there for you."

Carmen, who also received assistance with paid sick leave through our hotline said: "I am very happy I could change the rules and change how they treat other people. I had felt I couldn't do anything, I didn't know what to do. You helped me resolve the case, and I'm very thankful. Now other people at the job won't have the same problems."



Carmen



Aurelio

Aurelio told us: "Your services were really good and I'm very thankful. I'll use the check for my rent and for my kids. I could tell you are really concerned about helping us, helping people with workplace problems."

*Some names have been changed.

Moving Families Forward: Reflections on a Decade of Change

Join ABB at New York University Law School on March 7, 2016 for a conference to review our progress advancing the rights of working families, and help us carry our momentum into a new decade.

A Better Balance has helped to usher in a sea change in the national conversation around the modern work-family push-pull—we have been at the forefront devising policies, drafting legislation, and guiding advocates around the country to push for systemic solutions. Now, in our 10th Anniversary year, we reflect on the challenges and accomplishments of the work-family movement over the past ten years, and discuss what lies ahead.

ABB's Annual Spring Celebration!

Please Save the Date for our 10th Anniversary Celebration at the Gansevoort Park Avenue on Monday, May 2, 2016.

A Better Balance in the Media

Pregnant and Jobless: Pregnant Women Still Choose Between Paycheck and a Healthy Pregnancy	<i>Dina Bakst, Ms. Magazine</i>	November 2015
Bakst, '97: Advocating For Work/Family Balance	<i>Lori Atherton, Michigan Law Quadrangle</i>	November 2015
Pregnant and Jobless: Pregnant Women Still Choose Between Paycheck and a Healthy Pregnancy	<i>Dina Bakst, The Huffington Post</i>	October 2015
Gov. Cuomo Signs Women's Equality Bills Into Law	<i>Feminist Newswire, Feminist Majority Blog</i>	October 2015
How Hard Should You Push For Paternity Leave	<i>Caitlin Moscatello, GQ</i>	October 2015
Cuomo signs Women's Equality Act bills	<i>Matthew Hamilton, TimesUnion</i>	October 2015
Sneezy Does It	<i>Rita Pyrellis, Workforce</i>	October 2015
How To Negotiate Your Maternity Leave At A Small Company	<i>Jessica Grose, Elle</i>	October 2015
Should you get paid sick days for mental health?	<i>Sophie Weiner, Hopes and Fears</i>	October 2015
Paid family leave research gains funding	<i>Jamie McGee, The Tennessean</i>	September 2015
Families and Flexibility: New Yorkers Need a 21st Century Workplace	<i>Scott M. Stringer, 1 Million for Work Flexibility</i>	September 2015
White-Collar Women Don't Speak Up About Pregnancy Discrimination. Here's Why.	<i>Tom Spiggle, The Huffington Post</i>	September 2015
Is Marissa Mayer's short maternity leave typical? See how U.S. policies compare	<i>Megan Holohan, Today</i>	September 2015
Attorney General gets retailers to back off last-minute worker scheduling	<i>Brian Nearing, Times Union</i>	August 2015
New York May Soon Catch Up in Providing Paid Family Leave	<i>Andrea Sears, Public News Service</i>	August 2015
Op-ed: Dear Wal-mart, Do the Right Thing- Give Married Workers Equal Benefits	<i>Contributors, The Advocate</i>	July 2015
8 things pregnant women should know about the workplace	<i>Keira McNett, Motherly</i>	July 2015
Pittsburgh City Council proposal would force city businesses to provide paid sick days	<i>Ashley Murray, Pittsburgh City Paper</i>	July 2015
Why the US is behind when it comes to paid parental leave	<i>Adam May, Inside Story on Al Jazeera America</i>	July 2015
4 Parenting Laws That Could Change Your Life - If They Pass	<i>Maura Hohman, What To Expect</i>	July 2015
Top 6 Things Fathers Should Know About Their Workplace Rights	<i>Dina Bakst, The Huffington Post</i>	July 2015
Albany expands rights for breastfeeding mothers	<i>Joseph Spector, The Journal News</i>	July 2015
Legislature passes new protections for breastfeeding	<i>Laura Nahmias, Capital New York</i>	July 2015
Democrats Sick Leave Win Includes Vulnerable Farm and Domestic Workers	<i>Chris Gray, The Lund Report</i>	July 2015