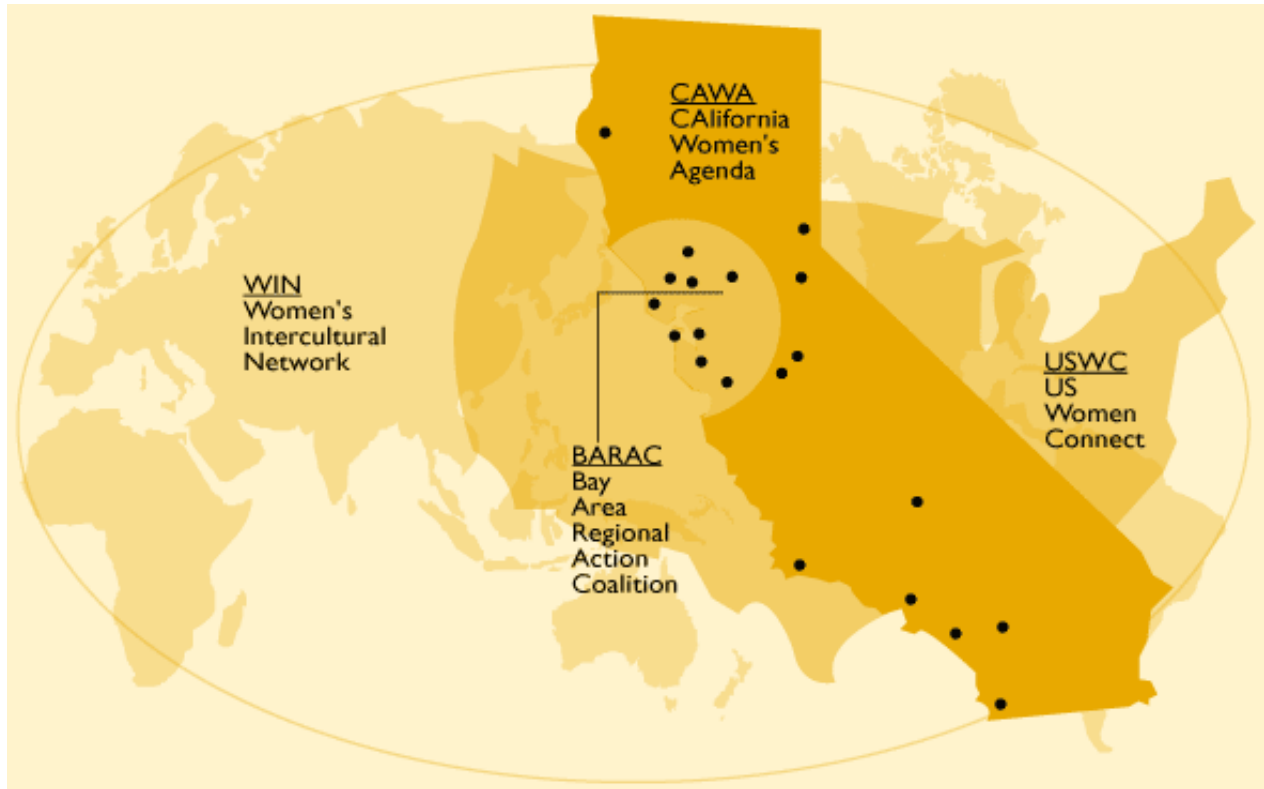


CALIFORNIA WOMEN'S AGENDA (CAWA) 2010-2015 ECONOMIC JUSTICE REPORT

CAWA

Is a network that is organizing – not an organization that is networking



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CAWA



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Vision Statement

This vision statement was adopted from previous CAWA Reports on Economic Justice.

All work performed by women is important—paid or non-paid. Women should have an equal share of the wealth of this country, and this entails equal pay for equal work and the equal opportunity to earn an income, whether they work inside or outside the home. We must develop laws and enforcement strategies that address inequality and ensure economic justice for all women—specifically marginalized groups such as women of color, older women, and women with disabilities. In this spirit, the following report highlights past economic achievements for women and girls in California and points out some persistent barriers to economic gender equality. It then offers strategies for facilitating economic justice.

Issue Areas

Family Policies, Affordable Child Care, Economic Development, Occupational Segregation, Gender Pay Gap, Immigration, Female Veterans

Introduction

The inclusion of female representation at all levels of government is necessary to strengthen women's rights on the federal and local levels. Two historic milestones in women's advancement were the founding of the Women's Bureau of the U.S. Department of Labor in 1920 and the President's Commission on the Status of Women in 1961. While the Bureau was established to advocate for improving conditions for women in the workforce, the Commission laid out a comprehensive policy agenda for women's advancement. Before the Commission ended its activities after two years, it published a final comprehensive report on the status of women in the U.S. in all areas of public life—that is, social, cultural, economic, and political. It was a groundbreaking report that outlined key areas of discrimination against women and emphasized the need for further action. The document, titled "American Women," included points pertaining to gender, economic justice, and security. These key points also addressed the need for family policies, from paid maternity leave to affordable child care and from equal pay for equal work to the extension of workers' rights to include domestic and agricultural workers—issues that have not been comprehensively addressed on the national level as of over 50 years later. Today, efforts to mitigate gender inequality are focused on the local level,

where diverse initiatives are being implemented. The state of California is taking a lead in these efforts.

In addressing these issues, states and municipalities have played the significant role of implementing innovative strategies at the local level to help women and their families advance. New Californian laws and/or legislative amendments to better assist families and combat women's discrimination have been passed and implemented in the last five years, including the following legislative wins.

Achievements and Progress

Pregnancy and Family Leave

In 2012 California legislators passed an amendment to the Pregnancy Disability Leave (PDL) law. The new PDL regulations clarify rules to employers and offer greater job-protection for employees who are pregnant. Among term modifications is a revised definition for the phrase "disabled by pregnancy" that now expands to include health conditions such as morning sickness, time off for prenatal and postnatal care, post-partum depression, etc. Under the California Family Rights Act (CFRA), this leave can be combined with additional time off of up to 12 weeks to bond with their newborn. While CFRA is non-paid but job-protected leave, the Paid Family Leave (PFL) law guarantees partial pay of 55% of one's weekly wages and gives employees up to six weeks to bond with their newborn or take care of a family member. The PFL law passed in 2002 and was further expanded in 2014 to allow employees to take time off to care for a grandparent, grandchild, sibling, or parent-in-law.

Paid Sick Leave

The Mandatory Paid Sick Leave law applies to all employees, including self-employed, who are covered by Disability Insurance. The new legislation also supports families and single mothers, allowing them to stay at home with a sick child for up to three days a year without a pay cut. The regulation took effect in 2015 and allows employees to earn paid sick leave after 90 days of employment. For every 30 hours of work, employees earn 1 hour of paid sick leave, up to 3 days per year. All employees are eligible, though there are a few exceptions; these include collective bargaining agreements and providers of publicly funded in-home supportive services. The Paid Sick Leave law classifies eligible time off as instances involving an employee's illness or preventative care, or the illness or preventative care of a family member of the employee.

Strengthening the Fair Pay Act

In the area of equal pay for equal work, California Governor Jerry Brown recently signed into law a new piece of legislation that strengthens the Fair Pay

Act from 2009. The new law will bar an employer from paying women less for performing “substantially similar work” to male employees. The new law also ensures employees can discuss their own or co-workers’ wages openly without fearing employer retaliation. This legislation protects employees from gender-based pay discrimination.

Family Friendly Policies and the CEDAW Ordinance

Local ordinances on the municipal level are often groundbreaking policies that spearhead state- and nation-wide implementation. For example, take a city like San Francisco whose Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)¹ ordinance opened the door for relevant public and private gender-responsive policies. San Francisco’s Family Friendly policies allow for flexible schedules upon request by employees, who need not fear retaliation from their employer. Strengthening the PFL policy to include full pay for mothers and fathers for six weeks was another step forward in supporting families in San Francisco (You can find more information on San Francisco CEDAW ordinance at <http://sfgov.org/dosw/cedaw-ordinance>). A Los Angeles mayoral directive that implemented the CEDAW ordinance at the local level recognized the urgent need for a comprehensive gender equality strategy to eliminate barriers and challenges for women, at least on the local level (Read full Executive Directive at http://www.lamayor.org/sites/g/files/wph446/f/page/image/ED_11.pdf).

Barriers and Ongoing Challenges for Women in California

The Shortcomings of Family Policies

While California offers the strongest and most comprehensive policies in the nation regarding employment protection and compensation for women, including mothers and pregnant women, often the most vulnerable populations in low-wage and less-qualified jobs do not enjoy these benefits. For example, the PDL regulations only apply to workplaces with a minimum of 5 employees, and only an employee who works at a job with a minimum of 50 employees can qualify for job-protected extended leave for up to 12 weeks under CFRA. While

¹ **CEDAW** defines what constitutes discrimination against women and sets up actionable agenda to end such discrimination. CEDAW is an international treaty ratified by UN member-states except the U.S. as the only industrialized democracy. Thus U.S. cities are taking action in implementing CEDAW ordinances as effective policy tools to bring about change at the local level.

all employees qualify for PFL, this program does not guarantee job protection.² This might put the most vulnerable into a tough existential situation where they have to make difficult choices between employment and family. However, even if mothers or other family members qualify for PFL of up to 6 weeks or unpaid but job-protected CFRA for up to 12 weeks, returning to work might not be an economic possibility considering the cost of California's child care, which is among the highest in the U.S.

Table 1

Table 1 Top 10 Least-Affordable States for Center-Based Infant Care in 2012						
State	Average Annual Cost of Infant Care in a Center+	State Median Income for Single Mother Family++	Cost of Care as a Percentage of Median Income for a Single Mother Family	State Median Income for a Married Couple++	Cost of Care as a Percentage of State Median Income for a Married Couple	Rank (Based on Percentage of State Median Income for a Married Couple)
Oregon	\$13,452.00	\$21,828.00	61.6%	\$72,226.00	18.6%	1
New York**	\$14,939.00	\$25,883.00	57.7%	\$90,725.00	16.5%	2
Minnesota	\$13,876.00	\$25,988.00	53.4%	\$89,608.00	15.5%	3
Massachusetts	\$16,430.00	\$27,587.00	59.6%	\$109,090.00	15.1%	4
Colorado	\$12,736.00	\$26,089.00	48.8%	\$85,137.00	15.0%	5
California*	\$12,068.00	\$27,237.00	44.3%	\$81,484.00	14.8%	6
Illinois	\$12,697.00	\$24,226.00	52.4%	\$85,715.00	14.8%	6
Hawaii	\$12,473.00	\$28,507.00	43.8%	\$86,699.00	14.4%	8
Washington	\$12,108.00	\$25,927.00	46.7%	\$84,464.00	14.3%	9
Kansas	\$10,518.00	\$22,996.00	45.7%	\$77,034.00	13.7%	10

Note: Affordability is a comparison of average cost against state median income. State rankings do not include the District of Columbia.
+ Source: Child Care Aware® of America's January 2013 survey of Child Care Resource and Referral State Networks. Some states used the latest state market rate survey.
++Source: U.S. Census Bureau, American Community Survey, 2009-2011 three-year estimates. Table B19026.
* 2009 Data, adjusted for inflation
** 2008 Data, adjusted for inflation

Source: Parents and the High Cost of Child Care. Child Care Aware, 2013.

Lack of Affordable Child Care and the Double Burden

The final decision to become a stay-at-home mom is often an economic necessity rather than a free choice, as studies have shown. Child Care Aware

² California Family Leave Laws: Know Your Rights! The California Work and Family Coalition, Labor Project for Working Families, 2013. <https://las-elc.org/sites/default/files/media/LPWF-Know-Your-Rights.pdf>

released a report stating the average cost of child care in California is \$12,068 annually,³ making California's child care providers among the most expensive in the nation. In comparison, the report included a median income of \$27,237 for a single mother living in California; thus, she would have to pay over 44% of her wages to cover the cost of child care (see Table 1). In short, due to a lack of acceptable choices, women are placed in precarious situations that undermine their economic stability and affect their future wages, financial preparation for retirement, and pension. On the other hand, mothers who return to the workforce after 6-12 weeks are often confronted with an unsupportive work environment and are subject to a double burden, with expectations to deliver a strong performance at work in addition to being a model housewife and caring mother. Or, in search of more flexible schedules, they instead end up in unstable positions with unpredictable schedules at jobs that do not offer any benefits.

Women Left Out of Economic Development

Despite playing an increasing role in local and national economies, women are not perceived as breadwinners. Also, when the economy takes a downturn and jobs are cut, women often draw the short straw. According to a California Budget Project study, female employment in California declined along with male employment between 2007 and 2010, but while male employment picked up after 2010, women's employment declined by 1.2% between 2010 and 2011.⁴ During financial crises, women are more likely to lose their jobs or experience significantly reduced hours, and it takes them longer to recover lost jobs than it does men.

In this chain of events, it should be no surprise that poor families and/or single mothers are more likely to depend on social support programs. However, social programs are the first to be cut during economic downturns. CalWORKs is a state social welfare program that provides women and their families with financial support and services. A total of 94% of CalWORKs recipients are single mothers. The 2013 fiscal year witnessed significant cuts to this program's budget: five hundred million was cut in response to the ongoing fiscal crisis.⁵ Overall, budget cuts since 2008 have amounted to three billion dollars.⁶ Moreover, the

³ Parents and the High Cost of Child Care. Child Care Aware, 2013. http://edsources.org/wp-content/uploads/cost_of_care_2013_103113_0.pdf

⁴ Falling Behind: The Impact of the Great Recession and the Budget Crisis on California's Women and Their Families. California Budget Project, 2012. http://calbudgetcenter.org/wp-content/uploads/120201_Falling_Behind.pdf

⁵ Evaluation of the SB1041 Reforms to California's CalWORKs Program. RAND, 2015. <http://www.air.org/resource/evaluation-sb-1041-reforms-californias-calworks-program-background-and-study-design>

⁶ Get the Facts—CalWORKs Works. CWDA, 2012. <https://www.scribd.com/document/97675117/CalWORKs-Fact-Sheet>

stronger economy has not resulted in a return to 2007 funding levels. Today, fewer families than ever qualify for the CalWORKs program. In 1996, benefits to families were at 80% of the Federal Poverty Level (FPL). In January 2015, this dropped to 41% of the FPL.⁷ As the California Women’s Policy Summit reported: “In 2014, just under 353,700 children in California were served through state and federal child care assistance programs, compared to 450,121 prior to the Great Recession, resulting in nearly 100,000 fewer children served.”

Even during periods of economic growth, women and their families do not share equally in the benefits of a stronger economy. As research shows, in most U.S. states Democratic governments traditionally focus on investing in and creating job opportunities in the construction and infrastructure sectors, while Republican governments focus on tax cuts and business support—these are all male-dominated sectors. In short, women are often left out of government job-creation policies and state or federal attempts at economic recovery. On the other hand, sectors with greater numbers of female employees remain stagnant, receiving minimum government support.

Table 2

California				
Occupation	Male estimate	Female estimate	Median earnings for males	Median earnings for females
Healthcare support occupations	18%	82%	\$25,500	\$25,000
Personal care and service occupations	23%	77%	\$17,500	\$13,900
Office and administrative support occupations	31%	69%	\$30,300	\$30,800
Education, training, and library occupations	31%	69%	\$50,200	\$33,600
Healthcare and technical occupations	31%	69%	\$78,400	\$61,500
Computer, engineering, and science occupations	74%	26%	\$87,500	\$68,400
Natural resources, construction, and maintenance occupations	92%	8%	\$31,200	\$15,000
Protective service occupations	80%	20%	\$52,300	\$37,300

⁷ Recommendations on CalWORKs. Presented at the Women’s Policy Summit, January 14, 2015. CCRWF, 2015. <http://ccrwf.org/wp-content/uploads/2014/11/CalWORKs-WPS15-FINAL1.pdf>

Source: American Community Survey 1-Year Estimates. U.S. Census Bureau, 2014.

Occupational Segregation

Economic discrimination in employment is also evident when looking at gender, income, and occupation. Occupations that are traditionally male dominated tend to have higher wages than traditionally female jobs. The highest representation of women in jobs in California is seen in healthcare support occupations (82%), with a median income of \$25,000, and in personal care and service occupations (77%; 2014 one-year estimate), with median earnings of \$13,900 (while males occupy 92% of natural resource, construction, and maintenance jobs, with a median annual income of \$31,200) (see Table 2, U.S. Census Bureau, 2014). Healthcare support and personal care and service occupations have the highest concentration of women, but also the lowest pay level.⁸ On the contrary, occupations that are performed mostly by men tend to have a higher median income.

Gender Pay Gap

Roughly speaking, gender pay discrimination still remains a reality for about 50% of the U.S. population. Although women have been achieving advanced degrees in law, science, and humanities and have taken on work-related responsibilities equal to those of men, they still do not receive equal pay. Many cases have been documented of a clear bias toward and economic discrimination of women in positions with the same education, experience, and responsibilities as their male counterparts. In fact, women in California make on average 84 cents for every dollar made by a man (in the U.S. as a whole, the disparity is 76 cents to the dollar), as reported by the American Association of University Women in 2012. However, this difference becomes even more striking when we look at race distribution, age, and education level. Above all, according to a report issued by the Institute for Women's Policy Research in 2007, women's wages tend to decrease between the ages of 55-64, while men of the same age receive a raise.⁹

Economic discrimination, whether it be occupational segregation, pay inequality, or a lack of family programs, has a dire impact on women's pensions and further pushes them into poverty. All in all, women make 38% less over the course of their lifetimes than men.¹⁰ The increase in single senior women living in poverty is proof of this ongoing economic discrimination. Justice in Aging

⁸ American Community Survey 1-Year Estimates. U.S. Census Bureau, 2014.

⁹ Social Security and the Changing Economic Role of Women. Institute for Women's Policy Research, n.d. <http://www.iwpr.org/general-files/social-security-and-the-changing-economic-role-of-women>

¹⁰ Ibid. (Also, read: <http://now.org/resource/oppose-the-chained-cpi-a-benefit-cut-that-hurts-women>)

reported that “in California approximately 10% of women age 65 and over are living at or below the Federal Poverty Limit (FPL) compared to 6% of men. Over 15% of women over the age of 85 are living below the FPL.”¹¹

Emerging Issues in California

Immigration Reform

California has the nation's highest number of immigrants (10.3 million in 2013¹²), about 3 million¹³ of which are undocumented. We need to look more closely at the impact of our immigration policy on female immigrants. Current immigration priorities are focused on the H1B visa. Priority is given to males with technical and science educations (350,000 men vs. 140,000 women in 2011 in the U.S.). Immigration policy is less inclined to support family based visa programs (65% of permanent immigration), even though these programs would help women gain economic independence and protect them in the labor market from abuse and exploitation.¹⁴ Looking at immigration law, it is clear that reform is long overdue. Gender-responsive reform needs to be part of any progress.

Female Veterans

Female veterans need appropriate services. As a recent report by Mount Saint Mary's University stated: “California ranks second in the nation behind Texas in having the largest number of female veterans. Of the estimated 2,035,213 women veterans in the U.S., 164,516 reside in California.”¹⁵ Despite the fact that the percentage of women serving in the U.S. Army is low, the number of homeless female veterans is comparatively higher than males. Adequate services are needed to support women once they leave the army. It is projected that the number of female veterans will rise 3% by 2020.¹⁶

¹¹ Aging, Women and Poverty in California: A Forum to Discuss the Needs of Older Californians. Justice in Aging, 2016. <http://www.justiceinaging.org/aging-women-and-poverty-in-california>

¹² New Americans in California. American Immigration Council, 2015. <http://www.immigrationpolicy.org/just-facts/new-americans-california>

¹³ Profile of the Unauthorized Population: California. Migration Policy Institute, 2013. <http://www.migrationpolicy.org/data/unauthorized-immigrant-population/state/CA>

¹⁴ Chen, Michelle. “Is Gender Justice Getting Shafted in Immigration Reform?” Truthout, March 27, 2013. <http://truth-out.org/news/item/15350-is-gender-justice-getting-shafted-in-immigration-reform>

¹⁵ The Report on the Status of Women and Girls in California. Mount Saint Mary's University, 2016. https://www.msmu.edu/uploadedFiles/Content/Status_of_Women_and_Girls/RSWG2016_FullReport_FINAL.pdf

¹⁶ Women Veterans by the Numbers. California Research Bureau, 2010. <http://www.library.ca.gov/crb/09/womenveteransbrieflystated.pdf>

Overall Recommendations and Action Plan

When it comes to gender equality policies, the U.S. ranks behind many Western countries. A comprehensive gender equality strategy needs to be implemented at the state level to ensure gender mainstreaming, including gender-responsive budgeting, gender-disaggregated data, and monitoring and regular evaluation by state agencies and non-governmental organizations. Passing the CEDAW ordinance is one step that would create a foundation for an actionable state-wide strategy for women's equality.

California Commission on the Status of Women as an Oversight Body

The California Commission on the Status of Women needs to spearhead a gender equality initiative that will guide further actions in the decision-making process. The Commission should serve as an oversight body that monitors the government's steps in implementing gender equality policies and publish regular outcome reports. All commissions should follow similar steps at the county and municipal levels.

Public and Private Sector Gender Analysis

We need to create and implement a strategy to encourage a comprehensive gender analysis of both public agencies and private companies. Companies will need to be motivated to undergo such an analysis. Thus, funds need to be allocated so that companies can be offered free-of-charge gender analysis that will serve to assess their weaknesses, determine areas for improvement, and offer recommendations. San Francisco's Gender Equality Principles along with the Gender Equality Challenge initiative serve as good examples of how to develop a roadmap to gender equality in the private sector (Read more at <http://www.genderprinciples.org/>). While the Fair Employment and Housing Act protects people from harassment and discrimination in employment and establishes a legal framework, its enforcement tools are sometimes inefficient and based on outdated ideas.¹⁷ As various research findings suggest, discrimination takes many forms; moreover, it is frequently subtle, and there is often no direct intention to discriminate.¹⁸

Gender-Responsive Budgeting

California's gender equality strategy needs to include a gender-responsive budget to ensure that women are not implicitly discriminated against by policies that fail to take into account the nuances of gender differences and cultural expectations. Such a strategy would allow for improved resources for entire families. To remedy the economic opportunity gap, the state government needs

¹⁷ California Employment Discrimination Law and Its Enforcement: The Fair Employment and Housing Act at 50. RAND, 2010. http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1596906

¹⁸ Ibid.

to implement gender-responsive budgeting and reinstate social programs to benefit the most vulnerable populations. Sectors with higher female employment need to benefit equally from the recovering economy. Further, CalWORKs benefits must be renewed at their pre-economic-crisis levels and conditions for accessing CalWORKs programs for women must be improved.

Protecting Workers' Rights

Poor women and single mothers are more likely to be employed in part-time jobs with unpredictable schedules. Following the Retail Workers Bill of Rights¹⁹, we should expand the pool of eligible employees to other sectors to offer greater employment stability and financial security.

Programs and Initiatives to Encourage Women to Enter Non-Traditional Jobs

State policies must ensure fair pay for women doing substantially similar work as men. Both private companies and public employers need to ensure diversity in the workplace. Quotas or other mechanisms to ensure equal access to employment need to be implemented. For example:

- Instituting requalification programs for unemployed and older women. And supporting women and girls entering STEM programs and non-traditional occupations.
- Private employers, along with the public and nonprofit sectors, need to work together to implement programs to help women enter non-traditional employment fields.

Getting the Work-Life Balance Right

As more women enter the workforce, family friendly policies need to reflect this cultural change. California needs to support families and help them achieve a good work-life balance. Research shows that less-stressed parents are more productive in the workplace and more satisfied with their work. To achieve this work-life balance, we should remove any limits to qualifying for PDL or CFRA bound to number of employees. We must advocate for policies that move us toward job-protected paid leave for all employees, regardless of their employer's size so that every parent can spend quality time with their children and give them undivided attention and emotional support that every child deserves. Working mothers need state policies to accommodate their family demands and respond to the changing employment structure. The following steps are recommended:

- A living wage should replace the minimum wage, which often does not

¹⁹ Effective July 2015 retail employees will have the right to a more predictable work schedule. Under the law, employers also have to offer increased hours up to 35 hours/week to their existing part-time employees before hiring new employees. See more at <http://sfgov.org/olse/formula-retail-employee-rights-ordinances>

correspond to the actual basic needs of a family to maintain a decent living standard.

- Affordable child care: we should extend child care, including flexible child care for mothers who do not work standard hours (this would include preschool and early learning programs).
- There needs to be more subsidies for child care services for low-income families.
- Higher wages are necessary for child care providers.
- Education on PFL is needed: only 36% of registered voters are aware of the program.²⁰
- We should promote and implement mandatory paid parental leave in the length of one year for all companies regardless of their size.
- It is important to advocate for family friendly policies, such as the flexible work schedules or flextime laws that are already in effect in countries like the U.K. and Australia (this was approved in San Francisco and went into effect in January 2015).

What Can You Do Now?

Join the Cities for CEDAW campaign, form a coalition in your city and demand that your elected government officials implement CEDAW ordinance in your city. You can find out more information on how CEDAWj ordinances impact economic justice and how to engage in the campaign at Cities for CEDAW website: <http://citiesforcedaw.org/>

In Conclusion

State legislatures have the responsibility to devise an action plan to end discrimination against women while pushing for gender-responsive policies. In the last five years, California's legislators have been focused on regulating and expanding employment benefits. A recent bill adjusted time off for eligible child guardians from the extended family, including stepparents and foster parents, who can now take up to 40 hours a year off from work to participate in child-related school activities. Another bill made additional amendments to the CFRA to clarify employees' rights and employers' obligations.

Employment bills have also focused on advancing the rights of domestic workers and caregivers. According to one legislative proposal, there are over 200,000 domestic workers in California, and they provide essential services to many Californian families. Until 2013, domestic workers, caregivers, housekeepers, and

²⁰ Just 36% of Voters Aware of State's Paid Family Leave Program. California Center for Research on Women and Families, 2015. <http://www.field.com/fieldpollonline/subscribers/RIs2494.pdf>

nannies were not covered by labor regulations and workers' rights laws. The Domestic Workers Bill of Rights (AB 241) was passed by the California Senate and signed by the governor in September 2013. This bill guarantees domestic workers overtime pay (California was the third state, after New York and Hawaii, to pass such a bill). Although this bill shows promise for domestic workers, who are often immigrant women and frequently have limited options for employment, the enforcement of the bill in practice has proved difficult in New York.

These are all positive steps in the right direction, but overall these bills lack teeth and do not comprehensively advance the status of women in California. While state legislation is far ahead of federal gender equity policy initiatives we cannot settle for less than what all women deserve because many are still left behind. We need policy tools that will address the core issues of economic injustice. We also urge state and federal legislators, along with state and federal commissions on women and girls, to move these issues and recommendations forward more progressively.

Without comprehensive actionable strategies we cannot succeed in building long lasting change.