

A MESSAGE FROM THE CO-PRESIDENTS OF A BETTER BALANCE

The staff and board of A Better Balance hope that those of you and your family and friends affected by Hurricane Sandy have recovered from the storm. While the past month has been disruptive and heart-breaking for so many in the tri-state and other areas, we hope that the victories for working families described in this newsletter will remind you of all the great work that continues to be done, thanks to your support and commitment.

It's been an exciting year. Bills to strengthen legal protections for pregnant workers are moving at the city, state, and national levels. Paid sick days may soon become a reality in New York City. And a campaign for family leave insurance is being launched in New York State in the new 2013 legislative session.

While a significant part of our work focuses on changing policy, we are also working on the ground, providing free legal advice and support to clients facing unfair treatment because of their pregnancy

and caregiving responsibilities, educating workers on their rights in the workplace, and mobilizing them to take action to address the gaps that exist in current law.

A Better Balance is the leading legal team helping American workers get the time and flexibility they need to care for their families without risking their economic security. But we couldn't do it without the support of our generous donors. We want to thank the Ford Foundation, Public Welfare Foundation, Rockefeller Family Fund, Timothy and Michele Barakett Foundation, Anonymous (supporting a legal fellow from the NYU School of Law), Outten & Golden LLP, and the many corporations and individuals who are joining with us to advance family-friendly laws and policies in New York and around the nation.

We wish you and your families a happy, healthy holiday season and much joy in 2013.

Dina and Sherry

WORKPLACE FAIRNESS

On January 31, 2012, the New York Times ran an op-ed by A Better Balance (ABB) Co-Founder and Co-President Dina Bakst entitled, "Pregnant and Pushed Out of a Job."

Dina's op-ed helped to inspire Congressional action—ABB worked with legislators and partner organizations to draft the **Pregnant Workers Fairness Act (PWFA)**. On May 8th, Dina spoke at a press conference on the steps of the U.S. Capitol, alongside New York Representatives Jerrold Nadler and Carolyn Maloney, as the PWFA was introduced in the House of Representatives. She stated:

"The Pregnant Workers Fairness Act is common-sense legislation that would help millions of women, especially those who are economically vulnerable, to keep working and supporting their families. No pregnant woman in this country should have to choose between her job and a healthy pregnancy."

ABB also worked with Senator Bob Casey and Senator Jeanne Shaheen, plus a coalition of organizations, on the U.S. Senate version of the PWFA, which was introduced on September 19th. Along with the National Women's Law Center and other key groups, we also drafted a national storybook for legislators about pregnant women who have suffered under our current legal framework. ABB is working with the coalition and congressional leaders to reintroduce the bill in January, 2013. ABB has also contributed comments to and participated in meetings with the Equal Employment Opportunity Commission, which has decided to prioritize enforcement of pregnancy accommodations in 2012-2013.

On the state level, ABB has been working hard to promote a similar bill in New York—S. 6273—that would require reasonable accommodations for pregnancy unless doing so would be an undue hardship on the employer. We have been organizing support for the bill and working closely with Governor Cuomo's office to provide legal research that articulates the need for the law.



In July, New York City Council Member James Vacca asked ABB to help draft a city version of a reasonable accommodations bill. ABB staff worked closely with Council staff to draft the bill, which we expect to be introduced in December.

PAID SICK DAYS NEW YORK CITY CAMPAIGN

More than one million workers in New York City do not have a single day of paid sick time to care for themselves or ill loved ones. For these New Yorkers, taking time off from work to attend to a sick child or relative or get needed medical care for themselves often means loss of pay, retaliation like the loss of a good shift, or even being fired.

ABB has been at the center of the active campaign for paid sick days in New York City. Despite widespread public support and a veto-proof majority of 37 City Council Members who have signed on as co-sponsors of the bill, New York City Council Speaker Christine Quinn has refused to bring the Paid Sick Time Act to a vote. However, momentum around the bill continues to grow.

In mid-January of 2012, we re-launched our paid sick days campaign at an event on the steps of City Hall organized jointly with other members of the New York City Paid Sick Days Coalition. ABB's Co-Founder and Co-President Sherry Leiwant and ABB's Director of Parent Organizing Cari Jackson spoke at the rally, along with union leaders, workers, small business owners, and many elected officials.



In July, 2012 in a rally we helped organize, prominent women stood on the steps of City Hall and urged Speaker Quinn to allow a vote on the paid sick days bill. Following this successful event, the New York Times ran an editorial in early August supporting paid sick days and calling on the Speaker to reach a compromise with Councilwoman Gale Brewer, lead sponsor of the bill and a strong ally of ABB, and bring the bill to the floor. The Times called on ABB to supply them with information and answer their questions as they prepared the editorial, which ran on Sunday, August 5th. The Times ran a second editorial in support of the paid sick days campaign on October 14th.

In October, ABB co-organized a stroller march in front of City Hall attended by 150 mothers and fathers, many with children. At the event, we delivered 50,000 petitions and postcards to Speaker Quinn from ordinary New Yorkers supporting paid sick days. Cari Jackson, ABB's Director of Parent Organizing, co-emceed the event with Monifa Bande of MomsRising, bringing home the point that this is an issue for all moms in New York City. Following the event, Sherry appeared on "The Call," a televised news program on NY1, and answered questions about the bill. The snap poll conducted during the program showed 81% of viewers in favor of bringing the bill to a vote.



In response to business concerns and to ensure that small businesses are not burdened, ABB and the Paid Sick Days Coalition made numerous business-friendly amendments to the Paid Sick Time Act in 2012. The City Council will likely hold a hearing on the amended paid sick days bill in the near future. Stay tuned for details!

PAID SICK DAYS NATIONAL CAMPAIGNS

ABB is the leading national organization that provides legal support to paid sick days campaigns around the country. In 2012, we worked with paid sick days campaigns in Massachusetts, Michigan, Oregon, New Jersey, Philadelphia, and two cities in Florida (Orlando and Miami). We support these local and state advocates by providing draft legislation, legal research, and timely answers to questions by legislators, coalition members, and the press. Based on our experience with the issue of paid sick days, we also offer technical and tactical advice and help talk through policy issues.

"Without the helpful information of 'A Better Balance: The Work & Family Legal Center' I'd have been in the dark about various details regarding the NJ family leave act, my rights and responsibilities. It was wonderful to know there's 'someone' out there able to answer any questions, reduce concerns and who could have given advise and contacts in case of problems. Thank you Jared and the whole organization of A Better Balance!" – ABB Client

PAID FAMILY LEAVE

ABB is excited to be one of four organizations, along with the New York Paid Leave Coalition, the New York Civil Liberties Union, and the Community Service Society, leading the effort to make family leave insurance a reality in New York State. We have held a series of strategy meetings aimed at launching a robust campaign in 2013 to add family leave insurance to New York's Temporary Disability Insurance program, ensuring that workers can get paid leave when they need time off to care for a new child or a seriously ill family member. ABB is now gearing up for a large organizing and social media campaign to raise awareness and encourage support for paid family leave among families across the state, including a petition and public education. We have also created updated fact sheets and materials for use in this campaign. On April 24, we co-sponsored a conference at the Ford Foundation with

the National Center on Children's Poverty and the New York Paid Leave Coalition on family leave insurance. The conference brought together about 100 advocates and researchers and enlisted the support of children's and public health advocates to support this issue.



In June, 2012, ABB helped to coordinate and participate in a day in Albany to educate representatives about the family leave insurance bill. We discussed the bill with more than a dozen state senators and state assembly members, as well as numerous senate and assembly staff members. We also distributed a story booklet with quotes from New Yorkers who need paid family leave; these quotes were taken from ABB's Signon.Org petition that has more than 11,100 signatures in support of paid family leave.

OUR IMPACT

We continue to expand the number of people we serve through our free Families @ Work Legal Clinic, where we have a strong referral network of experienced employment attorneys. We have provided help to dozens of clinic callers this year: expectant parents wondering how much leave they could take upon the birth of their children; women who suddenly got the cold shoulder from their bosses or were pushed out of their jobs after announcing they were pregnant; and workers who faced disciplinary action or termination because they took time off to care for a hospitalized family member.

Our callers are uniformly grateful for the counsel we offer. One recent caller, a single pregnant woman, referred to one of our staff as "my guardian angel" and said she had no idea what she would have done had she not found A Better Balance. In another case, we successfully advocated on behalf of a low-income hospital worker who had been pushed out of her job after showing her supervisor a doctor's note with a lifting restriction. Losing her job had a devastating effect on her. She was unable to pay rent and had to move into a homeless shelter. We were able to obtain a settlement agreement for her that included a monetary reward and enabled her to move out of the shelter before giving birth to a healthy baby girl.

PUBLIC EDUCATION/KNOW YOUR RIGHTS

Our work both in the clinic and in organizing has made us aware of the need for better understanding of the rights that currently exist for women and families with caregiving responsibilities. We have done a great deal of outreach in this area. In February, ABB and the Legal Aid Society conducted a "Know Your Rights" training on discrimination and benefits laws applicable to working families for 25 members of ROC – the Restaurant Opportunities Center. We also joined the New York Paid Leave Coalition and the Community Service Society of New York in June for a presentation on workers' rights to 100 social workers from agencies throughout the city. We highlighted the critical need for three pending bills: the NYC Paid Sick Time Act, the New York Family Leave Insurance Act, and the New York Reasonable Accommodations for Pregnant Women Act.

STAY TUNED!

ABB is creating a new organizing section of our website called "Families for a Better Balance" to mobilize New York's working families to share their stories, learn about their rights at work, and take action on work-family issues. Stay tuned for the launch of the new page in early 2013!

ABB IN THE MEDIA

OCTOBER, 2012 – *NY Times Letter to the Editor: Pregnant Workers*, Dina Bakst, ABB Co-President

OCTOBER, 2012 – *NY1: The Call, Episode 10/4/12* (TV interview with ABB Co-President, Sherry Leiwant), John Schiumo, NY1

OCTOBER, 2012 – *New Yorkers March to Support Paid Sick Leave*, Maggie Freleng, WeNews

SEPTEMBER, 2012 – *Pregnancy and Pink Slips*, Nancy Redd, Huffington Post Live

SEPTEMBER, 2012 – *The Maternity Leave Myth*, Nisha Gopalan, New York Post

AUGUST, 2012 – *Vote Nay on Sick Pay, Biz Bosses Tell Quinn*, Sally Goldenberg, New York Post

JULY, 2012 – *In Bloomberg's Healthy NYC, Still Afraid to Take (on) Sick Days*, Nancy Scola, The Atlantic

JULY, 2012 – *In the Spotlight: Is Pregnancy a Disability?*, Kim Schworm Acosta, Fit Pregnancy

JULY, 2012 – *Yahoo CEO Marissa Mayer's Post-Baby Plans...Yeah, so?*, Rene Lynch, L.A. Times

JUNE, 2012 – *In Sickness and in Health? LGBT New Yorkers Need Family Leave Insurance*, Jared Make, ABB Staff Attorney, Huffington Post

JUNE, 2012 – *Marzena Castillo, Mom, Claims She Was Fired From Chicago Restaurant For Having A Baby*, Jessica Samakow, Huffington Post

JUNE, 2012 – *Brewer Bill Would Protect Caregivers*, Hamodia Staff, Hamodia

MAY, 2012 – *3 Reasons Why Card-Carrying Capitalists Should Support Paid Family Leave*, Cali Williams Yost, Forbes

MAY, 2012 – *The Pregnant Workers Fairness Act*, Maria Vega, Fit Pregnancy

MAY, 2012 – *Do We Really Need the Pregnant Workers Fairness Act?*, Cynthia Calvert, Workforce 21C

MAY, 2012 – *This Mother's Day, Stand Up for Expecting Moms*, Dina Bakst, ABB Co-President, Huffington Post

MARCH, 2012 – *New Mandates for Paid Sick Leave Raise Hackles*, Martha C. White, MSNBC

FEBRUARY, 2012 – *Protecting Pregnant Women in the Workplace*, SPAR with Jamila Bey, featuring Phoebe Taubman, ABB Senior Staff Attorney

FEBRUARY, 2012 – *One Mancession Later, Are Women Really Victors in the New Economy?*, Bryce Covert, The Nation

FEBRUARY, 2012 – *The Dangers of Being Female*, Marianne Mollmann, Huffington Post

FEBRUARY, 2012 – *Heavy Lifting: Pregnant Women are Forced to Carry an Extra Load in the Workforce*, Joan Williams, MomsRising

FEBRUARY, 2012 – *Breast-feeding and Pregnant Women Make Waves--and Headlines*, Rene Lynch, L.A. Times

FEBRUARY, 2012 – *The Wage Gap Between Moms, Other Working Women*, Michel Martin, NPR's "Tell Me More"

FEBRUARY, 2012 – *Amy Zvovushe, Pregnant Woman, Asked to Resign Instead of Taking Maternity Leave*, Jessica Samakov, Huffington Post

FEBRUARY, 2012 – *Connecticut Woman Told That Maternity Leave Viewed as Resignation*, Susanna Kim, ABC News

JANUARY, 2012 – *We're Seriously Still Debating Whether or Not It's Okay to Discriminate Against Pregnant Women?*, Erin Gloria Ryan, Jezebel

JANUARY, 2012 – *Accommodating Pregnant Women at Work*, KJ Dell'Antonia, Motherlode

JANUARY, 2012 – *When You're Fired For Being Pregnant*, Rachel Zimmerman, WBUR (Boston NPR)

JANUARY, 2012 – *Pregnant, and Pushed Out of a Job*, Dina Bakst, ABB Co-President, New York Times Op-Ed

JANUARY, 2012 – *Kids These Days: Work/Family Life Balance*, KSKA, Alaska Public Radio
(Phoebe Taubman, ABB Senior Staff Attorney, Contributing Guest)

ABB'S ANNUAL SPRING CELEBRATION!

ABB celebrated its sixth year on May 7th, 2012 with over 150 friends and supporters as we honored Martha Baker, ABB Board member and Consultant & Founder of Equity in Education & Employment; Anne Weisberg, Director of Diversity at Black Rock; and Ali Wing, Founder & CEO of Giggle.

WE'RE GEARING UP FOR NEXT YEAR'S EVENT!

May, 2013 at the Gansevoort Park Avenue. Details to follow.

"A Better Balance really empowered me to more emphatically state my needs. I think it's WONDERFUL that you guys are fighting to legislate fair conditions for pregnant women in the work place, and to offer advice to people like me. Communicating with you really helped me feel that I wasn't alone and powerless. Thanks again for your time and advice!"

– ABB Client