



the work and family legal center

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PREGNANCY PENALTY IS A ROOT CAUSE OF INCOME INEQUALITY AND GENDER WAGE GAP IN NEW YORK CITY, ARGUES NEW REPORT CITED IN TODAY'S NEW YORK TIMES
City must advance multi-faceted strategy to address systemic inflexibility and bias against mothers that perpetuates inequality among women and children

(New York, N.Y.) Despite advances in gender equality over the past 40 years, women continue to jeopardize their livelihoods simply by having children, according to [a new report released today](#) by [A Better Balance: The Work and Family Legal Center](#). The pregnancy penalty is the topic of [Rachel Swarns' "The Working Life" column in today's New York Times](#), which features A Better Balance clients and highlights the need for better enforcement of the Pregnant Workers Fairness Act:

We know that the Pregnant Workers Fairness Act can make a difference. Talk to Sonica Smith, a pregnant sales associate at Zara, a clothing store, who recently negotiated regular breaks to rest and go to the bathroom. Talk to Floralba Fernandez Espinal, who was reinstated after being forced out of her job at a thrift shop. Both women were represented by Dina Bakst, the co-president of A Better Balance, the legal advocacy group that now represents Ms. Valencia, who hopes to recoup the wages she lost.

A Better Balance's report, [The Pregnancy Penalty: How Motherhood Drives Inequality and Poverty in New York City](#), names and explains the pregnancy penalty and offers solutions to the persistent bias and inflexibility towards women in the workplace that starts when they become pregnant and snowballs into lasting economic disadvantages. The report features stories of individual New Yorkers whose experiences illustrate the phenomenon of the pregnancy penalty in real and accessible terms. One woman was fired shortly after announcing her pregnancy, could not secure a new job while visibly showing, could not make rent and had to move out of New York City, only to be sued later by her landlord for breaking her lease. She said "I often ask myself, "Why did I pursue an education if I am just going to end up like this? Fired for starting a family." Dena Adams, a single mother with no family in the area, lost her job after 15 years of dedication to her employer when her schedule was abruptly altered to require unpredictable evening and weekend hours when she could not secure childcare for her daughter. Despite attempts to negotiate an alternative schedule Dena was fired and could not find employment for over a year.

"New York City prides itself on being a progressive city of equal opportunity, but these stories, and the broader data, show that we still have a lot of work to do in order to make



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good on that promise,” said Dina Bakst, Co-President of A Better Balance and co-author of the report. “Our economy and New York City’s children rely on mothers’ workforce participation. We simply cannot afford to ignore the pregnancy penalty when we talk about inequality.”

The report outlines a variety of recommendations to combat the pregnancy penalty, including legislative proposals and solutions that focus on the New York City’s own municipal workforce, where the wage gap for women with children is 21.4 percent (4 percentage points larger than the wage gap for mothers in the city’s for-profit sector).

“New York has the opportunity to lead here—both in setting policy and as an employer itself,” said Phoebe Taubman, Senior Staff Attorney at A Better Balance and the report’s other co-author. “Our city can demonstrate how supporting mothers in the workplace can lead to better economic outcomes for families and for our city as well.”

While New York City does not guarantee paid family leave to its employees, the city of Washington, D.C. recently announced that all of its municipal workers are now entitled to up to eight paid weeks off for the birth or adoption of a new child or to care for a seriously ill family member. A Better Balance’s report encourages elected leaders in New York to build upon recent victories for universal pre-kindergarten and earned sick time and establish New York City as a leader for rest of the country.

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