

SPOTLight

Because no one should have to choose between work and family.



VICTORY FOR OUR CLIENT

Last summer, we filed a complaint, along with co-counsel Emery Celli Brinckerhoff & Abady LLP, on behalf of Nikki Columbus, a curator whose prestigious job offer from MoMA PS1 was rescinded after she disclosed that she had recently given birth.



Nikki Columbus

In March, we were thrilled to announce that we successfully settled the case and that as a key component of the agreement, which included monetary relief for Ms. Columbus, the New York City museum agreed to distribute newly written or revised anti-discrimination policies based on A Better Balance's model language. *The New York Times* covered the outcome of the case.

from drafting to step by step negotiations with both the Governor and legislators and extensive research on each of the problem areas with advice on how to resolve differences among the stakeholders. This is a huge step forward in our continuing effort to ensure that all workers can take time to care for themselves and their families without risking their economic security.

Connecticut is only one of the 25 plus states ABB has been assisting over the last few months as legislators and coalitions around the country have prioritized paid family and medical leave and sought our advice and help on proposals. We also provided extensive assistance to support the successful passage of laws, greatly expanding and improving existing paid family and medical leave laws in California and New Jersey.



the work and family legal center

In The Legislature

PWFAs

We are continuing to lead the fight for pregnant worker fairness at the federal and state level. In May, we released an extensive new report, *Long Overdue: It Is Time for the Federal Pregnant Workers Fairness Act*, including original research and legal analysis about how pregnant workers are still routinely jeopardizing their health—and economic security—when denied medically necessary reasonable accommodations.

On the heels of the report, the House introduced the Pregnant Workers Fairness Act with bipartisan support and the sponsors cited *Long Overdue* in the press release. We will continue our efforts until the bill passes!

In the states, after years of tireless advocacy, the Kentucky Pregnant Workers Act passed this year! ABB worked with lawmakers to draft the bill and testified in support five times. We are so thankful for the bravery shown by our former clients,

Lyndi Trischler and Sam Riley, in advocating for the bill. We also provided extensive support to 11 other state pregnant worker campaigns across the country including legislative drafting, testimony, technical assistance, and outreach and education.

Paid Leave

Victory in Connecticut!! And counting!

Last weekend, Connecticut became the 8th state in the U.S. to pass paid family and medical leave with an excellent law making 12 weeks of job protected leave available to almost all Connecticut workers with a generous wage replacement so that workers can take advantage of it.

The victory was the product of tireless work by the coalition on the ground led by Connecticut Women's Education and Legal Fund and CT Working Families. But both legislators and the coalition joined in thanking ABB for our work on this bill—



In The Legislature

Paid Sick Time

Our model laws for paid sick time are the basis of almost all state laws enacted. We created and supplied tool kits to coalitions around the country to ensure policy points of the laws and their importance are understood while supporting successful campaigns.

In May, Maine became the 12th state to guarantee paid time off for workers including time allowed for illness. The Maine law is the first in the country to require general paid time off for workers—time that can be used by the worker for whatever the worker chooses, including but not limited to sick time. We were in almost daily contact with the coalition and policy makers as they sought to ensure that this unique paid time off law would be available for sick time and protect workers from retaliation.

We also continued our active assistance to ongoing campaigns in Nevada, Morgantown, West Virginia and Albany, New York on paid sick leave. We were key commenters on paid sick time regulations issued following passage of the law in New Jersey, and we provided amicus brief support to defend the sick time laws we helped pass in Minneapolis, Austin and Pittsburgh. We recently received a favorable decision in the intermediate appellate court in Minnesota upholding the Minneapolis law.

We produced a series of three reports on the future of work and delivery of benefits in an economy where work is changing: *Constructing 21st Century Rights for a Changing Workforce*. The reports give a blueprint for ensuring that all workers, no matter how classified, have access to rights and benefits.

Equal Pay

In New York State, we continue to lead advocacy efforts to pass progressive equal pay legislation, including a bill to ban employers from asking for, or relying on, salary history to determine wages.

We're currently working on a bill to ban pay discrimination based on "protected class status," which includes sex, race, religion, gender identity and expression, national origin, military status, and all other categories protected under the New York human rights law, and to update the standard to prohibit employers from paying an employee less if they perform "substantially similar work" rather than just "equal work," a narrower standard currently in the law.

We continue to push equal pay policy forward on a national level as leaders of Equal Pay Today, a national roundtable.

Family Definition

This year, we continued to advocate for laws and policies reflecting family diversity. In the 2018-2019 legislative session, we provided technical assistance, bill language, and research to advocates and policymakers in 17 states regarding inclusive family definitions.

Earlier this year, we supported our partners in New Jersey who successfully expanded the state's paid family leave program; among other updates to the program, workers in New Jersey gained the right to care for extended relatives and close loved ones with a serious illness, joining a growing number of cities and states that have passed paid leave laws with ABB's model family definition. Connecticut also followed New Jersey's lead recently by passing a paid family and medical leave law that includes all loved ones.

We look forward to building on this momentum in 2019 through new polling and communications research!



Breastfeeding

We continue to lead efforts ensuring no breastfeeding worker has to choose between her job and her health.

In New York State we advocated for, and won passage of, a law clearly stating employers cannot discriminate, and must accommodate, based on lactation. In New York City, two new laws went into effect—requiring employers with 4 or more employees to provide a "lactation room" for employees and to have a lactation accommodation policy—both of which we advocated for. In South Carolina, we helped lawmakers draft a bill to provide protections to all breastfeeding employees in the state—the bill passed the House unanimously and we continue working towards full passage next session.

We are also helping lead federal efforts to expand breastfeeding protections nationwide.

Preemption

ABB's Defending Local Democracy Project has been working around the country to block state interference with progressive, local laws. This year, legislators in Texas introduced several bills that would have prohibited local labor standards laws and overturned paid sick time laws in Austin, Dallas, and San Antonio.

We provided legal support to our partners in Texas in this effort, and we are thrilled to report that the Texas bills failed and the local paid sick time laws survived. We also supported coalitions in Florida and West Virginia who resisted sweeping bills to block local workplace justice measures, and we testified in Tennessee to beat back sweeping preemption bills to limit local authority to regulate businesses, create affordable housing, protect immigrant communities, and more.

In addition to our legislative work, we are also actively helping cities defend progressive laws in court. Here in New York, we filed an amicus brief supporting New York City's Fair Workweek Ordinance, which currently ensures predictable schedules for fast food and retail workers.

We also filed amicus briefs supporting Austin and Minneapolis's paid sick time ordinances, both of which we helped draft. In the Minneapolis case, the state Court of Appeals upheld the ordinance in its entirety, meaning workers are now able to earn time off to care for their own health and that of their loved ones.

Finally, ABB continued to work with advocates, providing education about the rise of preemption and how it is used to hinder progressive policymaking through a workshop at Creating Change, one of the largest conferences for LGBTQ advocates, and a webinar for the Mississippi Conference of Black Mayors.

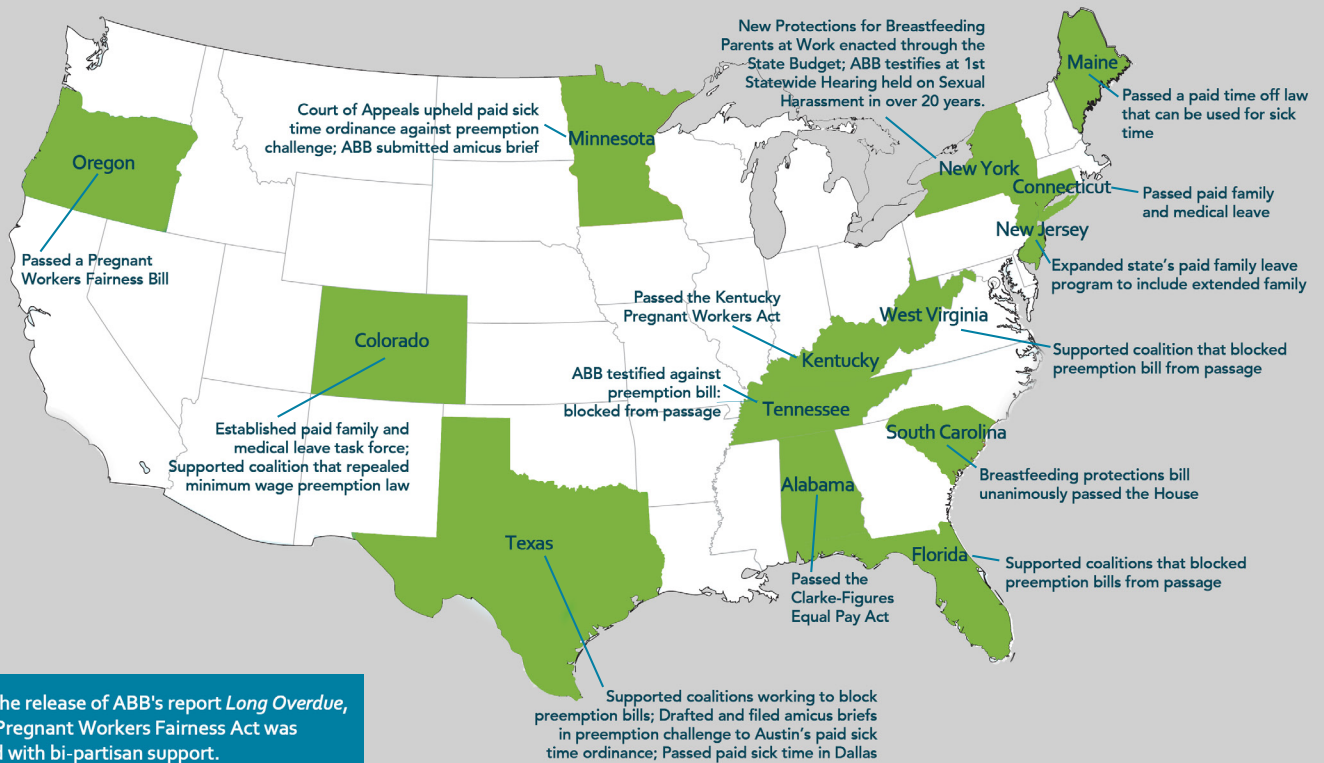
Know Your Rights

In 2019 alone, we've conducted more than 20 outreach and education events on paid family leave, safe and sick time, pregnancy and breastfeeding accommodations, and other topics, reaching hundreds of workers directly and countless others indirectly through trainings for other nonprofit services providers.

Our public audiences have primarily been low-income women (including new and expecting mothers), immigrants, LGBTQ-identified people, and survivors of domestic violence. Our direct services provider audiences have been organizations of social workers, community health advocates, legal aid providers, and others.

Across The Country

2019 ABB-Supported Victories Across the Nation



*Following the release of ABB's report *Long Overdue*, the Federal Pregnant Workers Fairness Act was reintroduced with bi-partisan support.

Colorado

We've expanded into the Mountain West! ABB's Senior Staff Attorney, Jared Make, is based in Denver and became deeply involved in Colorado's 2019 legislative session.

In addition to our years of legal work to support Colorado's paid family and medical leave coalition, ABB is now involved on the ground in the state, meeting with legislators and the Governor's staff, testifying at the Capitol, and raising awareness of the need for paid family and medical leave.

The Colorado Legislature took a big step forward on the issue this year by passing a law to establish a paid family and medical leave task force and conduct multiple studies on the issue, paving the way for passage of a program in 2020. Jared also provided legal support and testified on behalf of the Colorado Local Wage Option Act, which was passed in May and restores Colorado cities' and counties' ability to raise the minimum wage.



Senior Staff Attorney Jared Make (far right) with the "Work Here, Thrive Here" coalition following Governor Polis' signing of the Local Wage Option Act.

In Your Corner

At A Better Balance

We regularly hear from workers who call our free legal helpline to understand their workplace rights surrounding pregnancy, parenting, sick leave, family and medical leave, and more.

We've spoken to hundreds of people with heartbreaking stories of sacrifice and struggle, and most are eager to ensure that no one else has to face the hardships they have experienced. Here are a few recent stories:

Reyna

We helped Reyna—who was fired from her job at a large cleaning company after requiring hospitalization due to her high-risk pregnancy—stand up to her employer, get her job back, and be paid for 40 hours of sick time:

"Thanks to A Better Balance, I found out that I had rights and that what happened to me was an injustice. I learned how to stand up for myself and fight for my rights."



Danielle



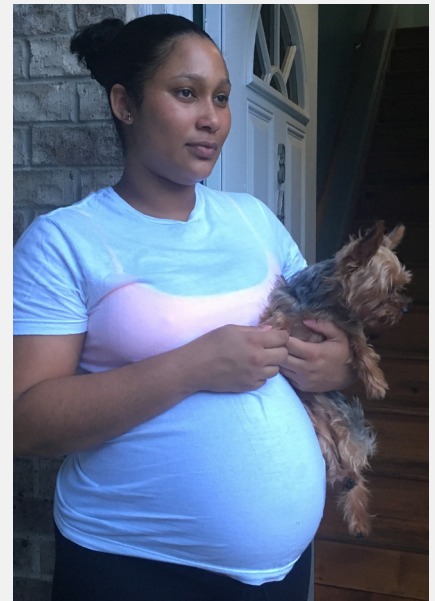
We informed Danielle, a restaurant worker in NYC, of her right to be paid the full minimum wage for the sick time she had taken, and helped her approach her employer:

"I would have never had the confidence to approach my managers about getting my sick pay....Working at a restaurant, many of us never knew that was an option....It truly wouldn't have happened without you! I will continue to spread the information you have given me."

Chadel

We filed a case on behalf of Chadel, who endured a hostile work environment and sexual harassment from her boss at a donut shop, then was removed from the schedule after announcing her pregnancy. We are fighting to recover lost wages and other relief that she needs to support herself and her now eleven-month-old baby. Her case is pending.

"I was devastated. I have a baby coming and all of a sudden I couldn't pay my bills. What happened to me was wrong and I don't want it to happen to anyone else."



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A Better Balance Offers a Free and Confidential Legal Helpline:

1-833-NEED-ABB

1-833-633-3222

Thank you for your continued support!

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