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## A BETTER BALANCE'S 2020 NEW YORK STATE WORKING FAMILIES AGENDA

A Better Balance's mission is and has always been to help workers care for themselves and their families without compromising their economic security. ABB has been proud to work in partnership with New York State to advance many pioneering solutions for workers and their families, as leaders of the coalitions to pass both the Women's Equality Act and, more recently, New York's groundbreaking paid family leave law.

New York has long been a leader in advancing protections for working families. But there is still more work to do. Too many workers—especially women of color, who are overrepresented in the low-wage workforce—who have personal or family health needs have little to no workplace protections or protected time off when they need it most. Caregivers continue to struggle, with little in the way of legal protections, when it comes to balancing the need to care for a family member while still earning a paycheck. And pregnant women are still facing discriminatory disciplinary policies that penalize them for attending to their pregnancy-related needs.

A Better Balance's 2020 Working Families Agenda lays out key policies we view as integral to advancing equality and opportunity for workers and their families in New York State.

### **KEY PRIORITIES**

- **Paid Sick and Safe Time**
  - The Policy:
    - Guarantee that every worker in New York State can earn and use a minimum amount of job-protected paid sick time to care for themselves and their loved ones when they are ill, injured, or need preventive care as well as to address safety needs such as relocation and court appearances related to domestic violence, stalking, and assault. The policy should include clear prohibitions on retaliation for using paid sick time protected under the law. A paid sick time guarantee for almost all workers has been in place in New York City since 2014, and a paid sick leave guarantee went into effect in Westchester County in April 2019. It's time for this policy to be in effect for all workers in New York State.

- **Paid Family & Medical Leave**

- The Policies:

- Modernize temporary disability insurance (“TDI”), which provides benefits for workers who cannot work due to their own serious, non-work-related medical condition. TDI needs to be improved to provide New Yorkers with paid medical leave that offers full employment protections and benefits that are high enough to be meaningful. The benefit level for TDI has not been raised since 1989 and stands at a maximum of \$170 a week. Raising the benefit level and improving the program are long overdue.
    - Remove outdated exceptions to coverage to ensure that all private and public sector employees, including part-time domestic workers, in New York State have a legal right to paid family and medical leave.
    - Make paid family leave benefits more portable, ensuring that workers in our changing economy can use the benefits they have paid for.
    - Expand the definition of family under the paid family leave law to include siblings and other extended and chosen family.
    - Ensure that self-employed workers can meaningfully access their right to paid family leave by removing the onerous waiting period.

- **Expand Anti-Discrimination Protections & Enforcement**

- The Policies:

- Expand the protections of the New York State Human Rights law to include domestic workers in all of the law’s protections, thus ensuring that domestic workers, who are predominantly women of color and immigrants, can work with respect and dignity.
    - Update the Human Rights Law to include caregiver discrimination.
    - Ensure the State has strong and effective state agencies to enforce pregnancy discrimination and other complaints and develop an investigation fast-track for pregnancy accommodation complaints at the Division of Human Rights so that workers can stay safe and on the job when protection is most essential.

- **Fair Disciplinary Policies**

- The Policy:

- Pass legislation ensuring that workers cannot be subject to discipline for lawful absences, including those related to a known disability, pregnancy-related conditions or protected paid family leave or sick leave where sick time is guaranteed by law. The policy should include a requirement that



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employers engage in a good-faith, interactive process to determine if an employee is entitled to a reasonable accommodation before any disciplinary action is assessed.

- **Fair & Flexible Scheduling**

- The Policies:

- Ensure workers, especially in the retail and food industries, can have a fair say in, and advance notice of, their schedules.
    - Implement flexible work laws that require employers to consider alternative work arrangements without fear of retaliation.

- **Childcare**

- The Policies:

- Ensure New York State allocates in the 2020-2021 budget:
      - \$60 million towards achieving quality, affordable childcare by 2025
      - \$40 million towards creating a fund to improve the quality of childcare and workforce compensation
      - at least \$150 million towards the expansion of universal pre-K in New York State
    - Increase reimbursements for preschool special education classes and strengthen partnerships with Pre-K community partners
    - Enact NYC Under 3, a plan to make child care affordable for New York City families with infants and toddlers.

- **Equal Pay**

- One Fair Wage

- End the sub-minimum wage for tipped workers, which puts disproportionately female workforces at increased risk for sexual harassment and perpetuates the gender wage gap.

- Salary Range

- Pass legislation requiring employers to disclose the salary range for a position to applicants during the hiring process.

- **Worker Misclassification**

- Pass the Fair Play in Employment for All Act to ensure that employers cannot evade labor protections by misclassifying their workers as independent contractors.

- **Labor Law Enforcement**

- Pass the EmPIRE Act to create a whistleblower cause of action that empowers workers to combat labor law violations.



### **KEY RELATED PRIORITIES**

- **Sexual Harassment**
  - Ensure strong enforcement of new NYS anti-sexual harassment laws.
  - Enact policies that are responsive to the needs of specific industries, particularly low-wage industries
  
- **Wage Theft**
  - Pass the Securing Wages Earned Against Theft Act to ensure that workers can recover wages that are owed to them.
  
- **Long-Term Care**
  - Support efforts to increase funding for home care in ways that honor the rights of seniors and those with disabilities while also valuing the work of home care providers.