

A BETTER WORK, BETTER CAREGIVING 2020 POLICY AGENDA

Big Ideas for Human-Centered Policies that
Enable Women and Working Families to Thrive

New America's Better Life Lab is pleased to offer the following ideas for you to leverage in service of all people in the United States as a candidate for elected office. The recommendations are organized into the three categories of our expertise, plus concrete action steps you can take as a candidate or elected official to support gender equity and working families in policy, practice and culture. We welcome the chance to discuss and highlight particular opportunities in greater detail with you and your colleagues.

Contents

[The Case for Change](#)

[Ideas for Supporting Gender Equity and Working Families on the Campaign Trail and in Office](#)

[Family-Forward Policy](#)

- Support a gender-neutral, universal national paid family and medical leave program with incentives for men to participate
- Invest in a high-quality, accessible, affordable, universal care system with well-trained, well-paid workers who provide care to children and adults
- Create a monthly child allowance for all families with children under 18, free of work requirements
- Support pregnant and breastfeeding workers with reasonable accommodations

[Work Redesign](#)

- Extend civil rights and labor protections to uncovered workers
- Support stable and predictable schedules for workers
- Give workers the right to request flexible work
- Create clear definitions for contract work to avoid worker misclassification that prevents workers from accessing benefits and training

[Gender Equity](#)

- Close the pay and leadership equity gaps with data, transparency and accountability
- Update and enforce civil rights laws to prevent gender-based harassment and discrimination and promote civil and respectful work environments
- Eliminate the dual earner marriage penalty and second earner bias with individual taxation

The Case for Change: We Need Better Work. Better Care. Better Life.

In the past half century, the role of women, and the way people and families live and work has changed dramatically. While women comprised about 30 percent of the American workforce in 1950, they've made up [close to half](#) the workforce since the 1990s. A majority of mothers with young children work outside the home. More mothers, many of them single, are their family's sole or primary breadwinner. The majority of children—[six in ten American families](#)—are being raised in single parent and dual-income families where all parents work.

Yet cultural attitudes, organizational practices, and public policy remain woefully behind, reinforcing traditional breadwinner-homemaker gender roles, creating persistent inequalities, driving work-life conflict, contributing to stress and ill-health, and robbing individuals, families, and communities of the time, stability, and opportunity to thrive and lead self-directed lives.

You have the power to change that as an elected official or candidate for office.

Ideas for supporting gender equity and working families on the campaign trail and in office

- Committing to diversity, equity & inclusion in hiring and promoting campaign staff, office staff, and administration and cabinet appointments.
- Being transparent about recruiting, hiring, pay, and promotion processes.
- Creating workplace cultures that are civil and respectful with strong policies against sexual harassment and hostile workplace environments. Ensure they are enforced equally at all levels of campaign teams and staff.
- Implementing family-forward policies for your team and staff, including flexible work, paid family leave, and offering child care subsidies.
- Refraining from gender stereotyping and bias when talking about other candidates and challenge the media to do the same.
- Sharing your own family story highlighting the challenges you've faced attempting to combine work and care responsibilities.
- Using your platform to change the narrative of what's possible for families and people of all genders to make real choices about how to combine work and life without penalty.
- Applying a responsive gender-equity lens to all aspects of [policy making](#) and [analysis, budget planning](#) and debate.
- Developing programs that incentivize mentorship and sponsorship between senior and junior staffers to make sure that women gain equal opportunities, growth, and support in the workplace.
- Pledging that neither you nor your staff will appear on [all-male panels](#).

Family-Forward Policy

Support a gender-neutral universal national paid family and medical leave program with incentives for men to use it

When workers have time to care for themselves and their loved ones, children, families, gender equity and the economy flourish.

We recommend that candidates build on successful state programs and support a universal national paid family & medical leave system that ensures:

- **Universal, Gender-Neutral Paid Leave for all reasons addressed by the Family and Medical Leave Act (FMLA) of 1993.** The well-established Family and Medical Leave Act provides job-protected, unpaid leave to eligible workers who need time to care for a new child, or to address a personal or family member’s serious health issues. The FMLA also allows time for military families to provide care to a wounded service member or address a service member’s deployment. State paid leave programs also provide such comprehensive paid leave. In Congress, bipartisan attention to expand on the FMLA through a national paid leave program has focused on parents caring for newborn and newly adopted children. But workers caring for new children are only [a minority of workers](#) (21 percent) who use the unpaid FMLA each year. The growing aging population is requiring more workers to take time to care for elderly family members. And the majority of workers who take unpaid FMLA (55 percent) use the time to address their own serious health issues.
- **Portability.** Access to paid leave [should travel with workers](#), so that they can work one or multiple jobs, start their own business, or play a role in the gig economy.
- **Optimal Duration.** The FMLA provides up to 12 weeks of leave for eligible workers; newer state paid leave policies provide 12 weeks or more for all FMLA purposes. Research tells us this is, at best, a minimum standard. The Better Life Lab’s [analysis](#) of more than 150 rigorous research studies in the U.S. and abroad found that a minimum of six months of paid leave was optimal for women’s health and wellbeing, nine to 12 months for women’s labor force participation, with a gradual return to work, one year for infant mortality and child health and wellbeing, split between parents, and equal bonding leave for parents and partners. Researchers from the [University of California at Los Angeles](#) found that a minimum of three months and as much as six months of paid leave is common in other high-wealth countries that provide guaranteed leave for workers who need to take time from their jobs to address their own serious health issue or those of a family member. To follow the precedent of the FMLA, we recommend at the very least a 12-week policy for all FMLA purposes, with a commitment to review in five years.
- **Incentives for Men.** Incentivizing men to take paid family leave helps to create the expectation at the workplace and in the home that caregiving is a shared responsibility. Leave allotments that accrue to each worker as the FMLA does and state paid leave programs do, extra time for two parents who each take the maximum amount of leave as some countries offer, and high wage replacement rates are all policy levers that help

encourage men's leave-taking; managers and supervisors creating a safe culture for leave-taking is also crucial. When men take paid parental leave, that can have [long-lasting impacts](#) on family stability and health, gender equality, marital satisfaction, children's development and wellbeing and women's economic independence. And paid family leave is crucial for men: Of the nearly 40 million Americans who need time to care for a sick, disabled or elderly loved one, [40 percent are men](#).

- **Job Protection.** Workers need [job protection](#) when they take leave. No worker should be fired for taking leave.
- **Adequate Reimbursement Rate.** Low-income families, who benefit most from a paid leave program and are least likely to have access through employer policies, can't afford to take it [if the reimbursement rate is too low](#). Men will be better able to use a program with higher wage replacement rates and higher maximum benefits.
- **Sustainable, New Financing.** Creating a national paid family and medical leave program should not come at the expense of other social insurance or family-supportive programs; state programs have created [affordable, sustainable universal programs](#) that cover virtually all workers using payroll deductions from employers, employees or both.
- **User-centered design.** Systems and processes must be [accessible and easy](#) for all workers to use.

Invest in a high-quality, accessible, affordable, universal care system with well-trained, well-paid workers who provide care to children and adults

When children receive high-quality early care and education, the positive benefits for [family and economic stability](#), [gender equity](#) and [future opportunity](#) can be felt for generations.

We recommend candidates support:

- Building a universal, high-quality, affordable child care and early care and learning infrastructure of centers and family-based care that is accessible to all families, regardless of [geography](#) or [work schedule](#). [Research](#) in Norway, Quebec, Spain, Belgium and elsewhere has found that public investments in early care and learning are offset by the increased labor force participation, largely of mothers, which expands the nation's tax base.
- Providing free child care (0-3) for families earning less than 200 percent of the federal poverty level and subsidizing care on a sliding scale for other families, not to exceed [7 percent of family income](#), which the U.S. Department of Health and Human Services defines as affordable.
- Providing high-quality, [free universal Pre-K](#) for 3 and 4-year old children.
- Injecting public and private dollars at the federal, state and local levels to ensure that early care and learning teachers and elder care workers and [earn a living wage and benefits](#).

Create a child allowance for all families with children under 18, free of work requirements

Helping families defray the high cost of child rearing reduces child poverty and increases family stability and opportunity.

We recommend candidates support:

- A universal child benefit to provide regular cash transfers, free of work requirements, to all families with children to help defray the cost of raising children and lifting children out of poverty. With a baby benefit under the Blair government in the UK, absolute child poverty [fell by more than half](#) from 1999 to 2009. In the US, in 2017, about [15 percent](#) of children under 18 were living in poverty, according to the Supplemental Poverty Measure.
- Giving families the flexibility to decide how to spend the funds according to personal family needs. [Research](#) on the UK cash benefit found that, low-income families prioritized spending the cash assistance on clothes, books and toys for their children. And children whose families participated in pilot cash assistance programs in the US had measurable achievement gains over children without such assistance.

Support Pregnant and Breastfeeding Workers with Reasonable Accommodations

Pregnant and breastfeeding workers have a right to healthy, safe work environments with reasonable accommodations.

The Pregnancy Discrimination Act of 1978 (PDA) prohibits most employers from discriminating against pregnant and breastfeeding workers, but the [PDA falls short](#) of guaranteeing workers the reasonable workplace accommodations they need to have safe and healthy pregnancies. An estimated [250,000 women](#) per year are denied reasonable accommodations they request, and many others do not even ask for the accommodations they need. In addition, [charges](#) of pregnancy discrimination are made by thousands of women each year.

We recommend candidates support:

- Ensuring that [employers provide reasonable accommodations](#) for a worker's pregnancy, childbirth or related medical conditions, including the [need to express breast milk](#).
- Protecting pregnant workers from [retaliation, firing, and being forced to take leave](#).
- Requiring employers to [provide accommodations](#) such as to sit, rather than stand, more frequent breaks to use the bathroom, have a snack or rest, carrying a water bottle, working a modified or part-time schedule, or receiving assistance with heavy lifting.

Work Redesign

Extend civil rights and labor protections to uncovered workers

All workers deserve health, safety and wellbeing protections.

We recommend candidates support:

- Extending the [Fair Labor Standards Act of 1938](#) (FLSA) protections to workers not currently covered by minimum wage, maximum hours and overtime provisions, including groups omitted from the original legislation for political reasons such as farm workers and [domestic workers](#).
- Extending the FLSA to include national [paid sick days](#) and national paid vacation policies.
- Including protections for domestic workers and other [excluded workers](#) in the [National Labor Relations Act](#), the [Occupational Safety and Health Act](#), and civil rights laws including [Title VII](#) and the [Americans with Disabilities Act](#).
- Raising the [overtime pay eligibility threshold](#) back to its historic levels from the [current, outdated threshold of \\$23,660](#), set in 2004, which covers only 7 percent of full-time salaried, non-exempt workers, compared to 62 percent of salaried, non-exempt workers who were covered in 1970.

Support stable and predictable schedules for workers

Workers, families and businesses thrive when workers have [predictable schedules](#) that they can better control.

We recommend candidates support:

- Requiring employers to give workers a good faith estimate of when and how much they will work, [with at least 14-days advance notice](#).
- Giving workers the opportunity to work newly available shifts before hiring new workers.
- Banning [on-call work, open availability and clopenings](#).
- Giving workers the right to provide input into their schedules, the right to rest, and the right to be compensated for last-minute schedule changes, like laws passed in [New York City](#), [San Francisco](#) and [Seattle](#).

Give workers the right to request flexible work

All workers deserve the right to request reasonable flexibility in order to combine work and care responsibilities.

We recommend candidates support:

- Providing workers the [right to request](#) flexible work schedules in time, manner and place of work, that does not cause undue hardship, without fear of retaliation like in [New Hampshire](#), [Oregon](#), [Vermont](#), [New York City](#), [Seattle](#), [San Francisco](#) and elsewhere.
- Giving workers the right to scale down from full-time to part-time work, and back again, without threat of being fired or losing access to promotion tracks or benefits, similar to the [European Working Time Directive](#).

Create clear definitions for contract work to avoid worker misclassification that prevents workers from accessing benefits and training

Contract workers in the growing gig economy deserve decent work with benefits.

We recommend candidates support:

- Enforcing clear expectations and rules for employers that differentiate 1099 contract workers from W2 employees to [avoid misclassification](#) of workers so that more workers have access to the benefits and workplace training entitled to them.
- Create a broader definition of W2 employees so that more workers benefit from the stability afforded to traditional employees under current laws. California's [ABC test](#) broadens the definition of employee, creating a transparent test that provides a legal basis for more workers to receive benefits and protections.

Gender Equity

Close the pay and leadership equity gaps with data, transparency and accountability

Women deserve fair and equal pay and fair opportunities for advancement. When that happens, women, families and businesses benefit.

We recommend candidates support:

- Requiring equal pay for all genders doing commensurate work, with commensurate levels of [education and experience](#).
- [Requiring employers, including the federal government, to be transparent](#) about pay and promotion processes, and allowing workers to openly discuss pay.
- Preventing employers from asking job applicants about their [salary history](#) and preventing employers from taking prior salary into account when considering promotions.
- Revamping performance review structures in the public sector as a model for the private sector to take into account research on how they tend to [produce more negative results for women](#); make sure that more than one person is conducting the evaluation, do not show reviewers previous ratings, and enforce the need for concrete, measurable examples of performance.
- Developing programs for public sector workers as models for the private sector that [incentivize mentorship and sponsorship](#) between senior and junior staffers to make sure that women are getting equal opportunities, growth, and support in the workplace.
- Incentivizing public and private sector employers to promote women into leadership positions and recognize and reward those who do by adopting [“Comply or Explain”](#) policies. These require companies to file diversity plans to increase the share of women on their corporate boards as in the UK and several other countries or working with lawmakers to create a Workplace Gender Equality Agency like in Australia. [Research shows they work](#).
- [Subsidizing child care](#) or provide access to resources for other forms of [caregiving support](#) for public and private sector workers.

Update and enforce civil rights laws to prevent gender-based harassment and discrimination and promote civil and respectful work environments

All workers have a right to a workplace free of [gender-based harassment](#) and discrimination where they can thrive.

We recommend candidates support:

- [Extending legal protections](#) to workers currently excluded from laws, such as the Fair Labor Standards Act, Civil Rights Act, the Americans with Disabilities Act and Social Security Act, including domestic workers, farm workers, contract workers, and some public employees.

- Eliminating non-disclosure agreements, arbitration clauses and other [practices that silence victims of discrimination](#) or harassment.
- Extending [time limits](#) to file a sexual harassment claim.
- Providing access to [legal representation](#) for targets of gender-based discrimination.
- Requiring policies to be [transparent and accessible](#)--written without jargon, with tiered, proportionate responses to harassing behaviors and swift consequences for perpetrators.
- Encouraging [preventative education](#) around sexual education and sexual harassment in schools.
- Requiring effective education and training for workers about sexual harassment and their rights. Current online anti-sexual harassment training programs can spark backlash. [What works](#) are trainings that integrate cognitive insights around human behavior, a deep appreciation of contexts and environments that can encourage harassing behavior, and bystander training.

Eliminate the dual earner marriage penalty and second earner bias with individual taxation

Taxing married partners as individuals eliminates a [mid-20th century tax penalty](#) designed to reward married women who stay at home or are underemployed and to penalize those who work outside the home.

We recommend candidates support:

- Returning to the individual taxation system of the early 20th century to stop [penalizing](#) dual earning married couples. Under the current tax code, married, dual earner couples pay more than similarly situated unmarried dual earner couples, which [research](#) has found contributes to the gender wage gap among married women.
- Offering tax deductions to, at a minimum, the [second earner in low-income families](#), if not all secondary earners.

Resources

New America Care Report ([link](#))

Paid Family Leave: How Much Time is Enough? ([link](#))

Sexual Harassment, a Severe and Pervasive Problem ([link](#))

#NowWhat: The Sexual Harassment Solutions Toolkit ([link](#))

Mission: Visible, resources to find and feature women & diverse experts ([link](#))

The Hidden Way the Tax Code Hurts Women ([link](#))

Schedule Chaos: Predictable Schedules are better for workers and business ([link](#))

Fix the wage gap with transparency ([link](#))

Four fixes to end the gender pay gap that might actually work ([link](#))

To train gig workers, start by knowing who they are ([link](#))

The case against maternity leave ([link](#))

Why job hunting while pregnant is a minefield ([link](#))

What Europe gets right, and what it gets wrong about flexible work ([link](#))

How algorithms can punish the poor ([link](#))

The Consensual Straitjacket: Four Decades of Women in Nuclear Security ([link](#))

Ask us about:

Paid Family & Medical Leave

Universal Child and Elder Care

Preventing and ending gender-based harassment

Rethinking equity for all genders at work and home

Redesigning work so that it's equitable, effective, healthy, fair and sustainable

Designing policies to support diverse, 21st century families of love, blood and choice

Automation, gig and independent workers, future of work and gender equity

About Better Life Lab

The [Better Life Lab](#) aims to create a culture that enables people to combine work and life in meaningful ways in order for individuals and families to thrive across the arc of their lives. Through original research and policy analysis, practical solutions, and storytelling, we provide a blueprint to restructure the American workplace and shape family-supportive policies. We envision an America that is happier, healthier, and fairer in which people can make real choices about work and care without constraint, regardless of gender, or any other identities linked with unequal outcomes.

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