



Date: November 10, 2021

To: The Honorable Governor Kathy Hochul

From: PowHer New York Network

It is clear that women's equality in New York State and across the nation is at a crossroads. The COVID pandemic laid bare many of our nation's weaknesses making imperative the need to chart a clear course to recovery. PowHer New York, a broad network of over 100 gender and racial justice organizations dedicated to the full equality and rights of all individuals who identify as women, turn to you as the first woman Governor of New York State. We ask for your commitment and leadership to ensure that New York's recovery will launch us into a new era of enlightened employment, opportunity and governance that values and supports the success and autonomy of all women.

Feminists have fought for women's equality over the last decades and made progress. In New York State, we founded new organizations, inclusive coalitions and campaigns to win Paid Family Leave, Paid Sick Days, Reproductive Justice, Child Care, Equal Pay, and much more. We brought a spotlight to the conditions of service workers, restaurant workers, nail salon and domestic workers. We told men that "Time's Up" and began to identify and push out the most flagrant violators of sexual harassment and sexual trafficking laws. But even that progress felt measured and painfully slow. And, then the pandemic hit.

In the opening months as New York State fought a race against death and despair, we looked to women workers to pull us through. Women nurses, women in retail, women in domestic and senior care, and women in child care. All these women put their lives, and the lives of their families on the line, to take care of others. Far too many died. Then, as the focus shifted to education, and our state and nation moved to virtual education, women were again asked to sacrifice, and we did. Millions of women across the country left the jobs they had fought so hard to obtain, in order to ensure that their children would continue learning and their family members would be safe. Now the question is: How will we respond to that sacrifice? What have we learned and what are we willing to change?

We look to you, our new Governor, to build on our State's past record of promoting women's equality—to put your voice and your power behind a call for true equality and respect for all women; for zero tolerance of sexual harassment, manipulation, intimidation or violence; for comparable pay and benefits for comparable work and opportunities for career advancement; for freedom to make our own reproductive choices; and for an end to an economic system that exploits Black and Brown women while ignoring the value and responsibilities of caregiving.

We need a budget that values people and a caring economy; that supports human services, health care and education as fundamental parts of our infrastructure; and that ensures that essential workers earn a living wage. We need a budget process that is open and transparent and a system that ensures the

timely distribution of grant funding. We need to build a culture in Albany that values workers, that fights patriarchy and misogyny, and respects and gives equal opportunity to racial, gender and cultural diversity. We need systems that hold perpetrators accountable for toxic misbehavior and corruption, so all people feel respected and can thrive in a supportive work environment. And, we need a leader who prioritizes cooperation over control and embraces systemic and cultural change to achieve gender and racial equity.

In 2020 we shared with you the **Roadmap to Create Inclusive Gender Justice in New York**, available at <http://bit.ly/RoadmapNY>, that our partners collectively created to chart a clear course toward our vision of inclusive gender justice. Last legislative year, we made progress on some specific issues, while also watching the erosion of progress as a result of the pandemic. Below, we present a list of key areas within that Roadmap where progress is critical and possible in 2022. In each area, Network Partners have provided their priorities and suggested legislation or policy reform, some of which can be addressed through executive action.

We ask you to seize this moment. To make the just treatment of women in all workplaces and in all aspects of our society, a central theme in your leadership platform.

Thank you for your consideration of our message and the priorities of PowHerNY Network Partners. We look forward to speaking with you soon and working together to create a more diverse and just society.

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2021-22 Inclusive Gender Justice Priorities

Policy Priorities of the Partner Organizations of PowHer New York

The below compilation reflects the recommendations and priorities of PowHerNY partner organizations and coalitions which align with the eight issue areas addressed in our collective document, **A Roadmap for Inclusive Gender Justice in New York**, available at <http://bit.ly/RoadmapNY>.

In November, PowHerNY will release its short list of shared priorities for collective action in 2022.

NAVIGATE THIS DOCUMENT: [General Recommendations](#) | [Caregiving](#) | [Girls and Education](#) | [Gender Based Violence and Safety](#) | [Reproductive Rights, Health And Justice](#) | [Essential Rights](#) | [Legal Justice](#) | [Voting, Democracy And Representation](#)

GENERAL RECOMMENDATIONS + CONCERNS

Gender Issues Commission

Re-establish an entity to oversee New York's progress on gender equity through a fully funded and staffed Council on Women and Girls or another similarly focused entity.

Improved Administration

Set a new agenda for department administration in those agencies dealing with public benefits to switch from an approach that emphasizes holding on to dollars as long as possible and guarding against abuse, to an approach that emphasizes respect for recipients and assistance in helping them get the allocated funding in a timely manner.

Improved Oversight and Enforcement

+ Appoint an Inspector General within each agency to prioritize oversight and ensure proper monitoring and enforcement of laws and policies.
+ Increase the budget of the Department of Labor and create a Pay Equity Division.

Sign legislation passed by legislature:

+ Package of seven Child Care bills
+ Health Equity Assessment Bill [S1451A \(Rivera\) / A191A Gottfried](#)
+ 2021 Domestic Workers bills including [S5064 \(Ramos\)/A8007 \(Rajkuma\)](#) to protect domestic workers under the provisions of the Human Rights Law, and [S3291A \(Salazar\)/A6077A \(Rajkuman\)](#) regarding TDI benefits.
+ [Start Act A459 \(Gottfried\)/S6749 \(Ramos\)](#) which would vacate convictions for offenses resulting from sex and labor trafficking.

Roadmap For Inclusive Gender Justice In New York

Issue Areas And Partner Priorities

CAREGIVING

Child Care

For New York to recover from the economic devastation of the pandemic, women need to return to the workforce. That will only happen if we take bold action on child care.

- + Commit to creating a high-quality, culturally responsive, universal child care system within 4 years.
- + Begin to phase-in universal access to subsidized child care, eliminating work and other activity requirements, and making phase-in decisions based on equity principles, prioritizing low-income and underserved communities and families.
- + Create a Quality Child Care Workforce Compensation Fund to address long standing inequities and the current staffing crisis. Compensation including health insurance should put the child care workforce on a short path to parity with the K-12 education system and include paths for professional development
- + Immediately enact S.7128 (Brisport)/A.7721 (Clark). This legislation will expand the composition of the Task Force to better represent the diversity of New York’s child care sector and families, extend its term and give the newly composed Task Force a role in monitoring implementation of the recommendations.

Care Workers

Address the increasing need and shortage of care workers, New York must pay fair wages and provide opportunity for workers in the care industry. Nearly 550,000 direct care workers—including nursing assistants, home health aides, and personal care aides—provide care to older adults and people with disabilities in nursing homes, residential care communities, and private homes across New York State. As well, human services workers, whose pay rate is set through government contracts, are underpaid and undervalued. Recommendations for addressing these pressing issues are:

- + Increase compensation for home and long-term care workers by funding **Fair Pay for Home Care** S5374 May / A6329 (Gottfried)
- + **Eliminate the Medicaid global spending cap** and across-the-board reductions to Medicaid provider reimbursement rates to cover the full cost of providing long-term care services.
- + Strengthen home care training and create opportunities for advancement by funding **Home Care Jobs Innovation Fund** S4222(May) / A 7540 (Kim) [Resource](#)
- + Convene a direct care workforce taskforce and Improve direct care workforce data collection
- + Establish, fund, and enforce an **automatic annual cost-of-living adjustment (COLA)** on all human services contracts

- + Create, fund, and incorporate a **comprehensive wage and benefit schedule for government contracted human services** workers comparable to the salaries made by City and State employees in the same field.

GIRLS AND EDUCATION

Continue to fight for the health and well-being of girls, especially girls of color. That includes ending the school to prison pipeline and a fully funded and equitable system of education, conducive to teaching and learning; where expanded family and community engagement is a priority; and where entire school communities respect cultural differences and are reflective of the communities they serve.

- + Ensure the second year of the promised increase in **Foundation Aid** contained in the 2021 budget agreement
- + **Prioritize funding for Early Care and Learning** and Universal Pre-K
- + **Solutions Not Suspensions Act - A5197 (Nolan)/S7198 (Jackson)** will encourage the use of positive and age-appropriate disciplinary strategies, eliminate suspensions for minor infractions, ensure that students receive instruction when they are removed from school, and limit unnecessary contacts between law enforcement and students
- + **Support Culturally Responsive Education** (CRE), grounded in the idea that public schools should offer a variety of classes, curricula, projects, books and resources that are based on the rich diversity of the student population [S273 \(Myrie\)](#)
- + **Disrupting Youth Criminalization Bills**, including Protections for Youth During Police Interrogation A5891 (Joyner) / S2800 (Bailey); End the Collection of Children's DNA during Instances of Police Contact A6124 (Zinerman) / S1347 (Hoylman); Expand Protections for Youth in Court Systems up to Age 25 A6769 (Hyndman) / S282 (Myrie)

GENDER BASED VIOLENCE AND SAFETY

With the rise in sexual violence due to the pandemic, New York must take stronger steps to support criminalized survivors, increase material resources for survivors and their varied communities and support the cultural change that will be necessary to significantly reduce sexual violence and other forms of violence.

- + **Comprehensive Sexuality Education S2584A (Brock) /A6616 (Nolan)** requires medically accurate instruction for students in grades K-12 which addresses age and developmentally appropriate physical, mental, emotional and social dimensions of human sexuality and reflects the national sexuality education standards
- + Move toward a more **trauma informed approach to violence** against women which includes and respects community input, especially from the most vulnerable and marginalized communities
- + **Adult Survivor's Act** A648 (Rosenthal)/S66(Hoylman) allows survivors of sexual abuse, who were eighteen years or older at the time of the abuse, a one-year window to pursue civil action
- + **Expand Victims' Access to Compensation** by amending reporting requirements for OVS compensation
- + **Funding:** Address systemic problems in funding providers, including:

- Timely payment, distribution and initiation of approved funding and contracts to address current 6-9 month delays
 - Timely reimbursement for services rendered, which are now typically at least one quarter behind
 - Eliminate the DV per diem reimbursement system in which providers are paid only when survivors are in shelter
 - Mitigate challenges service providers have in managing state and federal contracts with different sets of requirements and deadlines
- + **Sexual Harassment:** New York needs to dedicate itself to the elimination of sexual harassment in all workplaces, beginning with passage of the following:
- Include New York State and all public employers as **employers subject to the provisions of the human rights law**. A2483A (Niou) / S3395 (Gounardes)
 - Prevent sexual harassment or discrimination settlement agreements from including provisions that force victims to pay a specified amount in damages upon their violation of a non-disclosure agreement. A5580 (Rozic) / S738 (Biaggi)
 - A233 (Rosenthal) / S849 (Gounardes) **extends the statute of limitations for harassment suits to six years.**
 - A2079 (Cruz) / S766 (Gounardes): **Bans "no-rehire" clauses** in workplace settlement agreements.
 - [Link to full agenda](#)
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REPRODUCTIVE RIGHTS, HEALTH AND JUSTICE

Reaffirm New York's leadership and commitment to affordable, accessible reproductive health care services and comprehensive sex education.

- + Budget priorities:
- **Expand Medicaid coverage** from 60-days to one-year post-pregnancy S.1411-A (Rivera) / A.307-A (Gottfried)
 - **Maintain NYS funding level for the family planning grant** upon availability of federal Title X funds.
 - Enable all financially eligible New Yorkers **access to the Family Planning Benefit Program**, regardless of citizenship status.
- + Policy Priorities: **Reproductive Health and Justice package** includes:
- Abortion Access Fund (S758 / A1926)
 - Abortion Insurance (S7002 / A7573)
 - Hospital Transparency A6334 (Rozic) / S5400 (Hinchey)
 - Informed Consent Bill [S4821 \(Salazar\)](#) / [A4285 \(Rosenthal\)](#)
 - Comprehensive Sexual Health Education (see Gender-based violence section)

EMPLOYMENT AND WORKER RIGHTS

Ensure that workers are protected and that the state is held accountable for lifting workers out of poverty, fostering workforce innovation, and addressing gender and racial based inequality.

Pay Equity

Address wage and opportunity inequality through transparency, better jobs and expanded opportunity, fair pay and engagement of business as partners in change. [Full list of Pay Equity Recommendations](#)

- + **Salary Range Transparency Bill** [A6529 \(Joyner\)/ S5598 \(Ramos\)](#) requires disclosure of compensation for all job postings, giving all workers information to seek equitable pay.
- + Complete **elimination of the tipped minimum wage** through immediate Executive Order and legislation [S 808 \(Biaggi\) / A2244 \(Cruz\)](#)
- + Create **Pay Equity Commission** to monitor progress and engage business, as well as explore critical issues, i.e. comparable worth standard, challenges of rural women, and unpaid work
- + Require **public and private sector workforces annual reporting and analysis of the gender and racial wage gap**.
- + Pass the **EMPIRE (Enforcement Worker Protection) Act**: [S1848 \(Hoylman\) / A2265 \(Joyner\)](#) which would allow workers to assert their employment rights and increase compliance with DOL regulations.
- + Expand opportunity for **Women in Trades and Green Economy** with potential infrastructure funding, Executive order to set higher minimum requirements of women's participation on taxpayer funded project.

Domestic Workers

- + **Ensure strong implementation, enforcement and education** on domestic workers rights, which includes an increase in the budget of the Department of Labor

"Gig" Workers

- + **Address classification of workers as employees** through passage of [A07521 \(Rajkumar\)](#) and [S1999 \(Jackson\) / A5772 \(Glick\)](#)
- + Establish a **portable benefits model for Gig workers and independent contractors** by expanding statewide paid sick leave, health insurance and other benefits
- + Create a **Digital Marketplace Worker Classification Task Force** that would be charged with creating regulations and expanding rights for the gig economy workers

Stronger Legal Protections & Benefits

- + Address inadequacies in the **NY Paid Family Leave Act** and TDI benefits.
- + **Banning Liquidated Damages Clauses** in Employment Discrimination Settlement Agreements - [S738 \(Biaggi\)/A5580 \(Rozic\)](#)
- + **Banning Do Not Darken My Door Clauses** in Employment Discrimination Settlement Agreements [S766 \(Gounardes\) A2079 \(Cruz\)](#)

- + **Banning Retaliatory Defamation Suits against Employment Discrimination Survivors** [S6034 \(Gourardes\)](#) / [A8114 \(Simon\)](#)
- + **Protecting Employment Discrimination Jury Verdicts** [S5493 \(Gounardes\)](#) / [A8282 \(Seawright\)](#)

MWBES

- + [6270B \(Sanders\)](#) / [A7266 \(Bichotte Hermelyn\)](#) provides for the consideration of **contractor equity practices** when making award determinations for NYC projects.
- + Increase opportunity and entrepreneurship by **enforcing prime subcontracting to include MWBEs and weight points** given to bidders with high MWBE participation performance.
- + Provide support to **multicultural women such that MWBE applicants** can overcome roadblocks to finalize applications and be entered into the pipeline.

ESSENTIAL RIGHTS

Covid-19 exposed systemic inequity. New York needs a transformative shift that puts people first, prioritizes economic and food security, affordable housing, public health and the environment, and promotes the dignity and human rights of all.

- + **Amendment for Constitutional Equality** [S1268 \(Krueger\)](#) will give every person full and equal rights under the law.
- + **Coverage4All** [S2549 \(Rivera\)](#) / [A1585 \(Gottlieb\)](#) will include \$20 million in the budget to cover low income adults with COVID who are not presently covered.
- + Expand **Excluded Workers Fund** to three billion dollars to ensure all workers are covered.
- + Prioritize affordable, safe and stable housing for low-income families, those at risk of homelessness, and those fleeing abuse with passage of:
 - **Housing Access Voucher Program** [S280A \(Kavanagh\)](#) [A3701 \(Cymbrowitz\)](#) would create a rental assistance program for at-risk or homeless New Yorkers
 - **Tenant Opportunity to Purchase Act (TOPA)** [S3157 \(Myrie\)](#) [A5971 \(Mitaynes\)](#) would make it easier for New York tenants to buy their buildings when landlords decide to sell
 - **Good Cause Eviction** [S3082 \(Salazar\)](#)/[A5573 \(Hunter\)](#) would protect from unjust evictions, with specific provisions allowing limited rent increases based on consumer price index
- + Prioritize and address Climate Change as a racial and gender issue:
 - Enact the **Climate and Community Investment Act** to transition New York to 100% renewable energy, create hundreds of thousands of jobs, and support the communities most impacted by climate change and pollution

LEGAL JUSTICE

- + **Clean Slate legislation** would create a process to automatically seal and eventually expunge past convictions, making it easier for those who have served time to find work and housing opportunities (A6399/S1553)
- + **End Predatory Court Fees Act** prevents people from being incarcerated simply because they cannot afford to pay a court fine. A2348B (Niou)/S3979C (Salazar)
- + **Sex Worker Immunity** would provide immunity against prosecution for sex workers that are victims of crime or witness crime who report to healthcare providers or law enforcement.. A255A (Gottfried)/S2233A (Sepulveda)
- + **Youth Justice and Opportunity Act** strengthens the current youthful offender laws and enables judges to sentence youthful offenders to non-prison sentences for many felony drug offenses. A3536 Myrie/S5749 (O'Donnell/Myrie)
- + **Gender Identity Respect, Dignity and Safety Act** [S6677 \(Salazar\)/A7001 \(Rozić\)](#) relates to the placement and treatment of incarcerated people by their gender identity
- + **Address police targeting of cis women and TGNC** New Yorkers by decriminalizing offenses such as unlicensed massage [A8281 \(Gonzalez-Rojas\)](#)
- + **TAP (Tuition Assistance Program)** eligibility extended to incarcerated individuals [S4464 \(Jackson\)/ A2322 \(Aubrey\)](#)

VOTING, DEMOCRACY AND REPRESENTATION

Continue New York's efforts to make voting accessible and widespread and increase the gender diversity of leadership.

- + **Increase young voter participation** through voting information availability in NYS high schools. [S5073A \(Mayer\)/A8717 \(Buchwald\)](#)
- + New York State Voting Rights Act [S.1046A/A.6678](#) a comprehensive constitutional amendment to ensure all New Yorkers have equitable access to the ballot and are protected from voter suppression
- + Require public and private sector entities to report annually on the **gender and racial diversity of their boards** and management teams