

Lifting Economic Policies That Support All Families

WHAT IS THIS TOOL?

What if our elections centered the economic needs of our families? What if the conversations about work were centered on the experiences of low-income workers, domestic workers, and the workers who make up our diverse families and communities?

This tool helps to put today's diverse workers—from women to LGBTQ individuals to people of color—at the center of the conversation about economic policy. From questions about paid sick days to increasing the

minimum wage to non-discrimination, we've found the latest data that incorporates race, gender, and sexuality and created questions that can be used in a variety of contexts this election season.

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WHO CAN USE THIS TOOL?

Anyone!

If you are a 501c3 organization, you can use the questions in candidate surveys, forums, and to frame conversations with your members.

The guidelines below are some best practices for c3 election compliance, but are not a comprehensive list. For more complete guidance about specific communications, consult knowledgeable counsel.

- You may want to adjust the questions to include your own state level data. As much as possible, use local or state data sources that are neutral. Include the citations of all data.
- Leave the questions open ended instead of making them yes/no questions.
- Solicit candidate responses from all candidates running for office, not just a single party.
- If you receive responses from only some candidates in a given race, make and doc-

ument outreach efforts to the remaining candidates and describe them (along with contact information for those candidates) in any public distribution candidate responses.

- Do not edit candidate responses in any way, including correcting spelling or punctuation errors. If your organization has a word limit, make it clear that responses that exceed the limit will be cut short.
- Avoid any commentary which indicates which candidate response is better.
- Contact a lawyer who understands the federal tax rules governing election-related activity by a 501c3 organization. Visit the [Alliance for Justice website](#) to see additional materials on c3 permissible activities.

If you are a 501c4 organization, you can use the questions to assess candidates and make organizational endorsements; in candidate surveys and forums; and to frame conversations with your members.

WHO MADE THIS TOOL?

Organizations working at the state and national level created this tool to lift our voices and families into the national conversation around economic policy. Groups involved in the creation of this tool include:



NATIONAL LATINA INSTITUTE FOR REPRODUCTIVE HEALTH
Salud | Dignidad | Justicia



Equal Opportunity

LGBTQ NON-DISCRIMINATION

Currently, explicit sexual orientation and/or gender identity non-discrimination laws do not exist in over half of states in the U.S.¹, which means that LGBTQ individuals can be fired, denied care, or thrown out of their homes without any recourse. Without legal protections, LGBTQ workers face discrimination that makes it harder for them to find and keep a job and provide for their families. Census data analyses confirm that in nearly every state, men in same-sex couples earn less than men in heterosexual marriage,²

RELIGIOUS EXEMPTIONS

Religious exemption laws permit people, churches, non-profit organizations, and sometimes corporations to seek exemptions from state laws that burden their religious beliefs. Today, 21 states have some version of a Religious Freedom Restoration Act (RFRA).⁶

Compared to the general U.S. population, the LGBTQ community already experiences higher rates of employment discrimination as well as discrimination in accessing health care. This is exacerbated for LGBTQ people of color: 36% of Latina/o transgender persons have postponed needed health care because they feared discrimination.⁷ Even without employer interference, LGBTQ persons are refused treatment by their providers and healthcare facilities on the basis of discriminatory personal beliefs.⁸

Religious exemptions also allow health care professionals and institutions to refuse to provide comprehensive reproductive health

and lesbians and bisexual women are more likely to live in poverty than are heterosexual women.³ A national survey of transgender individuals found that 47% of respondents had been discriminated against in hiring, promotion, or job retention.⁴ And 26% of Latina/o transgender individuals have been terminated from their jobs because of bias.⁵

Question: How, if at all, would you address ongoing discrimination for LGBT people (including any type of legislative solutions)?

care services, impacting access to birth control, sterilization, and abortion services. 17 states allow individual providers to refuse to perform sterilizations, 6 states permit pharmacists to refuse to fill contraception prescriptions, and 45 states allow individual providers to refuse to perform abortions.⁹

Recent polls show that by a wide margin, Americans strongly favor equal treatment under the law over accommodating individual religious objections when the two come into conflict.¹⁰ In fact, two-thirds of frequent church attenders agree that “treating equally under the law” is more important, as well as 93.8% of infrequent church attenders.¹¹

Question: How would you protect religious liberty and respect individuals’ rights to receive basic services without being discriminated against?



EQUAL OPPORTUNITY

EQUAL PAY

Comparing women and men's median earnings for full time, year round workers shows a significant pay gap based on gender. No matter what data are used, women on average are paid less than men and workers of color are paid less than White workers. White women in the U.S. who work full time, year-round are on average paid only 78 cents for every dollar paid to their White male counterparts. For women of color, these disparities are even greater. Black women make only 61 cents,¹² Native American women make

only 59 cents,¹³ Latinas make only 55 cents,¹⁴ and Vietnamese, Samoan, and Laotian women in the Asian Pacific Islander community make 61 cents to each dollar earned by White men.¹⁵ For the LGBT community, gender discrimination has even greater impact on lesbians' wages than discrimination based on sexual orientation.¹⁶

Question: How, if at all, would you address the pay gap (including any type of legislative solutions)?

PREGNANCY NON-DISCRIMINATION

According to the U.S. Census Bureau, 66% of mothers who had their first birth in 2006-2008 worked during pregnancy, an increase of 22% from 1961-1965.¹⁷ Among those pregnant women working in 2006-2008, 88% worked in their last trimester, and 65% worked into their last month of pregnancy.¹⁸ Additionally, 2011 saw an increase of almost 70% in the number of pregnancy discrimination charges filed with the Equal Employment Opportunity

Commission and Fair Employment Practices Agencies compared to 1997.¹⁹ Furthermore, one report estimates that more than one-quarter million pregnant workers are denied requests each year for reasonable accommodations at work.²⁰

Question: How, if at all, would you respond to the ongoing existence of pregnancy discrimination facing women in the modern workplace (including any type of legislative solutions)?

BAN THE BOX

Nearly 10 million adults return to communities from jails and federal and state prisons each year in the U.S., and they face significant challenges.²¹ Communities of color; lesbian, gay, bisexual and transgender individuals; and people with histories of abuse or mental illness are disproportionately impacted by the criminal justice system. As a result, between 70 million and 100 million —

or 1 in 3 Americans — have some type of criminal record.²²

A closer look at criminal justice data reveals sharp racial disparities. Black men are six times more likely to be incarcerated than White men, and Latino men are 2.5 times more likely to be incarcerated than White men. In many states, people with felony drug

EQUAL OPPORTUNITY

(Ban the Box, continued)

convictions are banned for life from receiving certain kinds of assistance. In 12 states with the most restrictive policies, 180,000 women are subject to the lifetime ban on Temporary Assistance for Needy Families.²³

With 87% of employers conducting background checks, a criminal record is a major barrier to employment.²⁴ But many states and local jurisdictions, including 21 states and over 100 cities and counties, have taken

steps to remove barriers to employment for qualified workers with records. Beyond employment, banning the box will affect housing, public assistance, education access, and the ability to build good credit.

Question: How, if at all, would you address the economic disparities resulting from incarceration that manifest in employment and wages, and access to public assistance, housing, and education?

Economic Security

TIPPED WAGE AND WORKERS

Nearly 12 million people work in the restaurant industry,²⁵ but just 20% of restaurant jobs provide a “living wage.”²⁶ 65% of all workers earning below the minimum wage are restaurant workers.²⁷ More than 35% of all tipped workers are women of color, and almost two million women restaurant workers are mothers.²⁸ The tipped wage also contributes to sexual harassment in the workplace,

and tipped restaurant workers who make \$2.13 per hour experience twice the harassment as restaurant workers who make the full minimum wage.²⁹

Question: How, if at all, would you address the economic disparities resulting from the tipped minimum wage (including any type of legislative solutions)?

MINIMUM WAGE

The federal minimum wage is currently set at \$7.25/hour, and has not been raised since 2009. Women are nearly two-thirds of all

minimum wage workers. Women of color are 23% of minimum wage workers, compared to 16% of all workers.³⁰ Full-time,



ECONOMIC SECURITY

(Minimum Wage, continued)

year-round work at the federal minimum wage of \$7.25/hour leaves a woman with two children thousands of dollars below the poverty line.³¹ These disparities are even greater when looking at families led by women of color: 43% of Black women-led households and 42% Latina led-households fall below the poverty line.³² Minimum wage

EARNED INCOME TAX CREDIT

The Earned Income Tax Credit is a benefit for low to moderate income working people that reduces the amount of tax you owe.³³ In 2013, the Earned Income Tax Credit lifted about 6.2 million people out of poverty, and made nearly 22 million other people less poor.³⁴ Among those who claim the EITC are more than 5 million African American workers.³⁵ Other communities that are disproportio-

SAFETY NET

Safety net programs provide vital support to many working families. Nearly three-quarters of the people helped by programs geared to the poor are members of a family headed by a worker.³⁷ Without programs like Medicaid, food stamps, or child care subsidies, working families would not have the necessary support to pay for basic needs.

laws exempt many types of work done primarily by women of color, including domestic work, seasonal work, and tipped work.

Question: How, if at all, would you address the economic insecurity faced by women and families in low-wage jobs (including any type of legislative solutions)?

tionately lower-income, including the LGBTQ community, also benefit significantly from this credit.³⁶

Question: What, if anything, would you do to ensure that our tax system helps lift people out of poverty (including at type of legislative solutions)?

Question: What, if anything, would you do to ensure that working families have the necessary support to pay for basic needs (including any type of legislative solution)?

Work-Family Flexibility

PAID SICK DAYS

Paid sick time is the hours that workers accrue in a given work year to use to take care of themselves and their loved ones for health and medical conditions. Typical laws can guarantee workers the ability to earn up to 9 days worth of paid sick time in a year. Estimates show that 43 to 48 million workers in the U.S. do not have access to earned sick time.³⁸ Women of color are disproportionately represented in job sectors that are less likely to provide paid sick days, such as domestic work, retail, and restaurant industries.³⁹ 25% of workers have been threatened

with job loss after taking time off to care for themselves or to navigate the consequences of domestic violence or sexual assault.⁴⁰ Low-wage workers often don't have the time they need to access medical care and navigate other services when they experience domestic or sexual violence.⁴¹

Question: What, if anything, would you do to ensure that workers don't have to choose between taking care of themselves or their families and their job (including any type of legislative solutions)?

PAID FAMILY AND MEDICAL LEAVE

The federal Family and Medical Leave Act provides up to 12 weeks of unpaid, job protected time off to bond with a new child, address a worker's own serious illness, or care for a seriously ill family member. Federal law does not require that workers receive paid family leave for these purposes. Three states, California, New Jersey, and Rhode Island, have passed laws guaranteeing paid family leave to workers. Only five states, California, New Jersey, Rhode Island, Hawaii, and New York, have passed laws guaranteeing temporary disability insurance—or financial support to workers with off-the-job illnesses or injuries (including pregnancy and recovery from childbirth).

According to the U.S. Bureau of Labor Statistics, only 12% of private-sector workers in the United States receive paid family leave from their employer to bond with a

new child or care for a seriously ill family member.⁴² Low-wage workers have lower access to paid family leave, with only 5% of workers in the lowest quarter of wage earners, predominantly women and men of color, receiving paid family leave from an employer.⁴³ Only 37% of workers—and 18% of workers in the lowest quarter of wage earners—have personal medical leave through an employer-provided short-term disability program.⁴⁴

Research suggests that many workers—and particularly LGBTQ workers—have a need for paid family and medical leave. In addition to an increased risk of cancer, LGBTQ Americans have shown high incidence of chronic conditions like diabetes, arthritis, and HIV/AIDS.⁴⁵ American Indian and Latino/a transgender people are parenting or financially supporting a child at higher rates than the



WORK FAMILY FLEXIBILITY

(Paid Family and Medical Leave, continued)

transgender population as a whole.⁴⁶ Furthermore, Black and Latino/a LGBTQ couples are more likely to be raising children and struggling financially than white LGBTQ couples.⁴⁷

FAMILY DEFINITION IN WORKPLACE LEAVE

America's families are changing. While many policies define "family" according to the nuclear family model of a married mother and father and their biologically related children, the 2010 U.S. Census revealed that 79.8% of our country's families do not look like that. Approximately 1 in 4 Latinos, African-Americans and Asians live in multigenerational households,⁴⁸ and 1 in 5 households in the U.S. with children include nonrelatives or relatives other than the child's parents and siblings⁴⁹; LGBTQ-identified seniors in the U.S. are twice as likely as heterosexual seniors to

Question: How, if at all, would you respond to these figures on paid family leave access (including any type of legislative solutions)?

live alone and more than four times as likely to be childless⁵⁰—thus relying on families of choice who are not legally or biologically related, but have close relationships that are equivalent to family. Many workers do not have access to paid sick time or paid family leave to care for a family member, and if they do, the definition of "family" in these policies may be narrow.

Question: How, if at all, would you respond to family definitions in public policy (including any type of legislative solutions)?

SCHEDULING TRANSPARENCY

Among low-wage hourly workers in jobs with standard (Monday through Friday, daytime) schedules, approximately 51% of full-time workers and 42% of part-time workers report having very little or no control over their work schedules.⁵¹ Approximately two-thirds of hourly, low-wage, full-time workers in jobs with standard schedules and three-quarters of full-time workers in jobs with nonstandard (other than Monday-Friday, daytime) schedules have no choice regarding their start or end times.⁵² Research has shown that such scheduling makes arranging child care a struggle.⁵³ Among a representative sample of early-career adults aged 26 to 32 years,

approximately 90% of food service workers and 87% of retail workers reported that their hours varied in the past month, and 64% of food service workers and 50% of retail workers reported knowing their schedule a week or less in advance. Moreover, Black and Latino workers were more likely than white workers to only know their schedule a week or less in advance.⁵⁴

Question: How, if at all, would you respond to such scheduling inflexibility and unpredictability (including any type of legislative solutions)?



ENDNOTES

1. [Infographic: The Equality Act Explained](#). Center for American Progress, November 2015. Accessed on February 11, 2016.
2. [Documented Evidence of Employment Discrimination and Its Effects on LGBT People](#). Williams Institute, July 2011. Accessed February 11, 2016.
3. [New Patterns of Poverty in the Lesbian, Gay and Bisexual Community](#). The Williams Institute, June 2013. Accessed February 11, 2016.
4. [Documented Evidence of Employment Discrimination and Its Effects on LGBT People](#). Williams Institute, July 2011. Accessed February 11, 2016.
5. [Injustice at Every Turn: Latino Respondents to the National Transgender Discrimination Survey](#), The Task Force.
6. [State Religious Freedom Restoration Acts](#), National Conference of State Legislatures. October, 15, 2015. Accessed March 10, 2016.
7. [Injustice at Every Turn: Latino Respondents to the National Transgender Discrimination Survey](#), The Task Force.
8. U.S. Department of Health and Human Services, Health Resources and Services Administration, Maternal and Child Health Bureau. *Women's Health USA 2011*. Rockville, Maryland: U.S. Department of Health and Human Services, 2011.
9. [State Policies in Brief: Refusing to Provide Health Services](#). Guttmacher Institute. March 1, 2016.
10. [Fall 2015 Colonel's Canvass Poll](#), Centre College, Danville KY.
11. [Fall 2015 Colonel's Canvass Poll](#), Centre College, Danville KY.
12. [The Wage Gap by State for African American Women](#). National Women's Law Center, December 2015. Accessed February 11, 2016.
13. [The Wage Gap by State for Native American Women](#), National Women's Law Center, December 2015. Accessed February.
14. [The Wage Gap by State for Latinas](#). National Women's Law Center, December 2015.
15. NAPAWF Data.
16. [Bias in the Workplace: Consistent Evidence of Sexual Orientation and Gender Identity Discrimination](#). The Williams Institute (Jun. 2007), p. 14.
17. Lynda Laughlin, [Maternity Leave and Employment Patterns of First-Time Mothers: 1961-2008](#). U.S. Census Bureau, (2011, October), p. 4.
18. *Ibid.*, p. 6.
19. [Pregnancy Discrimination Charges EEOC & FEPAs Combined: FY 1997 - FY 2011](#), U.S. Equal Employment Opportunity Commission, Retrieved 9 Feb. 2016.
20. *Listening to Mothers: The Experiences of Expecting and New Mothers in the Workplace*, National Partnership for Women & Families (2014, January), p. 3 (Calculation based on the proportion of survey respondents who worked for an employer during pregnancy (55.8 percent) and their response to survey items and the total number of registered births in the United States in 2011, 3,953,590. Martin J.A., Hamilton B.E., Ventura S.J., et al. (2013, June 28). Births: Final Data for 2011. National Vital Statistics Reports, 62(1). U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Health Statistics Publication.)



21. [The Consideration of Criminal Records in Hiring Decisions](#), National Reentry Resource Center, The Council of State Governments, and National Employment Law Project. October 2015.
22. Bureau of Justice Statistics, [Survey of State Criminal History Information Systems, 2012](#) (U.S. Department of Justice, 2014).
23. The Sentencing Project, [“A Lifetime of Punishment: The Impact of the Felony Drug Ban on Welfare Benefits”](#) (2011).
24. Society for Human Resource Management, “Background Checking—The Use of Criminal Background Checks in Hiring Decisions” (2012).
25. [Occupational Employment Statistics 2014](#), Bureau of Labor Statistics, U.S. Department of Labor, accessed February 8, 2016.
26. [Ending Jim Crow in America’s Restaurants: Racial and Gender Occupational Segregation in the Restaurant Industry](#) (New York, NY: ROC United, 2015).
27. Bureau of Labor Statistics, U.S. Department of Labor, *Characteristics of Minimum Wage Workers 2014*, Report 1054, U.S. Government Printing Office, Washington, DC, April 2015.
28. *U.S. Census Bureau, American Community Survey* (2014). Calculations by ROC United based on Ruggles et al., Integrated Public Use Microdata Series: Version 5.0 [Machine-readable database] (Minneapolis: Minnesota Population Center, 2010).
29. [The Glass Floor: Sexual Harassment in the Restaurant Industry](#). Forward Together and Restaurant Opportunities Centers United. October 2017.
30. [Income and Poverty in the US: 2013](#). Current Population Reports, US Census Bureau. Issued September 2014. Accessed February 8, 2016.
31. [The Wage Gap, State by State](#). National Women’s Law Center, 2014. Accessed February 11, 2016.
32. [Income and Poverty in the US: 2013](#). Current Population Reports, US Census Bureau. Issued September 2014. Accessed February 8, 2016.
33. [Earned Income Tax Credit, Questions and Answers](#). Internal Revenue Service, Accessed February 23, 2016.
34. [Policy Basics: The Earned Income Tax Credit](#). Center on Budget and Policy Priorities, Updated January 15, 2016.
35. [The Earned Income Tax Credit, the Child Care Tax Credit, and African Americans](#). Center for Budget and Policy Priorities, July 21, 2015.
36. [Fact Sheet: What the LGBT Community Needs to Know About the Earned Income Tax Credit in 2015](#). Center for American Progress and National LGBTQ Task Force, February 18, 2015.
37. [Working, but Needing Public Assistance Anyway](#). By Patricia Cohen. New York Times, April 12, 2015.
38. U.S. Department of Labor, Bureau of Labor Statistics, [Employee Benefits Survey: Table 32. Leave benefits: Access, private industry workers, National Compensation Survey, March 2015](#).
39. Institute for Women’s Policy Research (IWPR) analysis of the 2013 National Health Interview Survey (NHIS).
40. Lloyd, S. & Taluc, N. *The Effects of Male Violence on Female Employment*. Violence Against Women April 1999 vol. 5 no. 4 370-392.
41. Lyon, E. (2000, October). [Welfare, Poverty and Abused Women: New Research and Its Implications](#). National Resource Center on Domestic Violence, Building Comprehensive Solutions to Domestic Violence Publication. Retrieved 1 October 2015.



42. U.S. Department of Labor, Bureau of Labor Statistics. (2013, September). *National Compensation Survey: Employee Benefits in the United States, March 2013 (Table 32)*. Retrieved 9 Feb. 2016.
43. Ibid.
44. U.S. Department of Labor, Bureau of Labor Statistics. (2013, September). *National Compensation Survey: Employee Benefits in the United States, March 2013 (Table 16)*. Retrieved 9 Feb. 2016.
45. *All Children Matter: How Legal and Social Inequalities Hurt LGBT Families* (Full Report), MAP, Family Equality Council & Center for American Progress (2011, October), p. 83.
46. Jaime M. Grant, Lisa Mottet & Justin Tanis, *Injustice at Every Turn: A Report of the National Transgender Discrimination Survey* (2011, February), National Gay and Lesbian Task Force and National Center for Transgender Equality, p. 90.
47. *LGBT Families of Color: Facts at a Glance*, MAP, Family Equality Council & Center for American Progress (2012, January), pp. 2-3.
48. See <http://www.pewsocialtrends.org/2014/07/17/young-adults-driving-growth-in-multi-generational-living/> (July 17, 2014).
49. See <http://www.census.gov/prod/2011pubs/p70-126.pdf> (June 2011).
50. See <http://www.sageusa.org/files/PPAR-article-R-Espinoza.pdf> (Summer 2011).
51. Liz Watson & Jennifer E. Swanberg, *Flexible Workplace Solutions for Low-Wage Hourly Workers: A Framework for a National Conversation*, Workplace Flexibility 2010, Georgetown Law, pp. 19-20 (2011) (based on an analysis of the 2008 National Study of the Changing Workforce by the Families and Work Institute).
52. Ibid.
53. Susan J. Lambert, Peter J. Fugiel & Julia R. Henley, *Precarious Work Schedules among Early-Career Employees in the US: A National Snapshot*, University of Chicago, pp. 16-18 (2014) (based on an analysis of the National Longitudinal Survey of Youth 1997 Cohort, a program of the U.S. Bureau of Labor Statistics).
54. Ibid.

