



Executive Summary

Women in Minnesota continue to experience barriers and challenges to economic security and prosperity despite their critical role in our society, families, and economy. In general, they are paid less than men, are overrepresented in low-paying jobs, take on the majority of unpaid caregiving and housework, and are more likely to live in poverty.

The 2014 Women's Economic Security Act (WESA) expanded economic opportunity and strengthened workplace protections for women. In order to build on its gains, Attorney General Keith Ellison created the Advisory Task Force on Expanding the Economic Security of Women in Minnesota to:

- Carry out a retrospective review of WESA;
- Identify ongoing structural, cultural, organizational, and legal barriers to gender equity in the workplace and in the economy at large, taking into account intersectional impacts and the effects of the COVID-19 pandemic; and
- Create a set of recommendations that offer possible strategies, models, and solutions to advance the economic security of women.

The Task Force, consisting of 15 voting members and 7 ex-officio members, held 11 meetings throughout 2021. During the meetings, which were open to the public and conducted over Zoom videoconferencing, the Task Force dissected issues affecting women, identified specific systemic problems, and generated a set of recommended possible solutions.

Structural and cultural problems

The challenges identified by the Task Force are anchored in four major cultural values and structural processes, which are embedded in practically all aspects of our lives.

1

Low value assigned to caregiving

Women provide care in disproportionate numbers compared to men, and the perceived low value of such work is evident in the negative impact to women's careers and lifetime earnings, devaluation of non-market economic contributions (such as caregiving and household activities), and the low pay earned by childcare and medical care providers in women-dominated occupations.

2

Pervasive power imbalance

The exclusion of women in the foundational documents of the United States, uneven power dynamics in the workplace (and in the economy as a whole), and reproductive care laws that infringe on women's bodily autonomy in ways not experienced by men are just a few examples of the wide variety of limitations women face regularly.

3

Women's safety is not prioritized

Women are overwhelmingly affected by physical endangerment, sexual exploitation, and gender-based violence. Additionally, women of color and American Indian women experience worse medical outcomes in areas such as maternal death, life expectancy, and certain types of cancer than white women.

4

Power imbalances in creating public policy

The average citizen lobbyist faces a tremendous disadvantage in seeking to enter the same spheres of influence as private-interest lobbying groups, and the mere mention of inequity and inequality triggers hyper-partisan debates that effectively close the door to productive policymaking.

These four predominant values reflect the experiences of the members of the Task Force and are shared by women everywhere, ultimately limiting the possibilities for our society as a whole.

Retrospective review of WESA

In the full report, the Task Force identifies effective components of WESA as well as opportunities for improving its statutes. Guided by those findings, the Task Force offers the following recommendations:

1. WESA Generally

- 1.1 Conduct more outreach to workers by partnering with community-based organizations to raise awareness of WESA protections, especially in Greater Minnesota.
- 1.2 Create a proactive employer compliance mechanism to shift the burden of compliance responsibility from employees to employers. An example is requiring a certificate of compliance modeled after the Equal Pay Certification process.
- 1.3 Support passage of the Equal Rights Amendment (ERA) at the state and federal levels to offer protection from gender discrimination broadly.

2. Wage disclosure protections

- 2.1 Expand wage disclosure protection statutes in the private sector to require full salary transparency on a platform that is accessible for employees, such as through an annual salary report as is the practice in public employment.
- 2.2 Require salary transparency in job postings.

3. Pregnancy Accommodations

- 3.1 Expand WESA to cover all employers, regardless of size.
- 3.2 Create a proactive employer compliance mechanism to shift the burden of responsibility from employees to employers, as described in Recommendation 1.2.
- 3.3 Support passage of the Equal Rights Amendment (ERA) at the state and federal levels to offer protection from gender discrimination broadly, as described in recommendation 1.3.
- 3.4 Reexamine the standard under which employers can deny accommodation requests from pregnant individuals (the “undue hardship” exemption).

4. Pregnancy and Parenting Leave

- 4.1 Expand WESA to cover all employers, regardless of size.
- 4.2 Expand access to WESA pregnancy and parenting leave accommodations by allowing employees to participate regardless of their tenure on the job.
- 4.3 Support paid family and medical leave.

5. Nursing Mothers

- 5.1 Extend the time period of the accommodation from 12 months to 24 months.
- 5.2 Reexamine the standard under which employers can deny accommodation requests from nursing individuals (the “undue hardship” exemption).
- 5.3 Require access to a sink to clean pumping equipment and a secure refrigerator to store expressed milk away from common employee areas.

6. Sick and Safe Leave

- 6.1 Support earned sick and safe time.
- 6.2 Expand WESA to cover all employers, regardless of size.
- 6.3 Expand access to WESA sick and safe leave accommodations by allowing employees to participate regardless of their tenure on the job.

7. Wage Gap Provisions

- 7.1 Increase the state minimum wage to \$17.40 per hour and eliminate the subminimum wage.
- 7.2 Explore the potential applicability of comparative worth laws beyond the public sector.
- 7.3 Explore the potential for creating an incentivizing certification program for companies that reach pay equity, similar to the way Leadership in Energy and Environmental Design (LEED) certifications generated proactive green policies in workplaces.
- 7.4 Expand/enhance the Minnesota Department of Employment and Economic Development's Women and High-Wage, High-Demand Nontraditional Jobs Grant Program to reduce occupational segregation that contributes to pay gaps.

8. Early Learning Scholarships

- 8.1 Increase program funding to fully cover income-eligible families (or limit their costs to 7% of their household income) to give more children access to high quality early learning programs.

Beyond WESA: Challenges and Opportunities to Advance Women's Economic Security

In the full report, the Task Force identifies structural, cultural, organizational, legal, and regulatory barriers to gender equity and conducts a comprehensive analysis of various strategies that can be undertaken to advance the economic security of women. Guided by that work, the Task Force offers the following recommendations.

9. Gender, racial, and age-based wage gaps

- 9.1 Ban employer inquiries into salary history.
- 9.2 Require that internships be paid and end the practice of unpaid internships.
- 9.3 Explore opportunities to offer training for women on salary negotiations.
- 9.4 Increase the state minimum wage to \$17.40 per hour and eliminate the subminimum wage, as described in Recommendation 7.1.

10. Occupational segregation

- 10.1 Outline the value and implications of expanding applicability of comparative worth laws to the private sector, as described in Recommendation 7.2., to value "feminine" occupations.

- 10.2 Increase the participation of women in STEM and “nontraditional” careers, especially in leadership, through employer-driven techniques, such as reviewing degree, licensure, or physical requirements of a job; obtaining voluntary certifications to show that employers are providing similar opportunities for men and women; or examining job families/tracks that are male- and female-heavy that may have similar skill requirements and promoting movement between them.
- 10.3 Encourage women to enter “nontraditional careers” as one avenue toward earning higher wages. Share current information on government-backed goals for increasing female participation in STEM jobs—and work toward increasing those goals.
- 10.4 Use state and federal funds for pre-apprenticeship programs, pre-employment counseling, orientations on construction industry, basic skills improvement classes, career counseling, remedial training, entry requirements for training programs, supportive services assistance with transportation, childcare and special needs, job site mentoring, and retention services.
- 10.5 Invest more federal resources for school programs designed to increase young girls’ awareness and interest in STEM fields and “nontraditional” careers.

11. Workplace discrimination

- 11.1 Require annual disclosure of the number and types of cases of discrimination filed against employers, with relevant privacy considerations.
- 11.2 Raise consequences for discrimination in the workplace to incentivize proactive anti-bias trainings in the private sector without making it required.
- 11.3 Lower the standards for proving discrimination in court.
- 11.4 Require courts to take into consideration prior decisions and/or complaints against the same actor, whether it is a company or an individual.
- 11.5 At the federal level, support the Paycheck Fairness Act, which includes penalties for discrimination and bans pay secrecy.
- 11.6 Support passage of the Equal Rights Amendment (ERA) at the state and federal levels to offer protection from gender discrimination broadly.
- 11.7 Assess the effectiveness and enforcement of existing discrimination protection laws, including the Minnesota Human Rights Act, Title VII of Civil Rights Act, the 1963 Equal Pay Act, and the 2009 Lilly Ledbetter Fair Pay Act.
- 11.8 Engage the public to increase understanding of criminal and/or civil approaches that injured employees can follow when an employer violates existing discrimination laws.

12. Unionization

- 12.1 Support unionization of women, growth in organized labor, and laws that make it easier to organize, especially in women-dominated industries.
- 12.2 Ensure that women have access to union jobs by supporting funding for programs that recruit women for traditionally male-dominated apprenticeships and union jobs.

- 12.3 Support efforts aimed at preventing the passage of a Right to Work law in Minnesota.
- 12.4 Support federal-level efforts that strengthen the Davis-Bacon Act, such as increased funding for Department of Labor enforcement and addition of monetary penalties for companies not in compliance.
- 12.5 At the federal level, support the Protecting the Right to Organize (PRO) Act.

13. Penalties for caregivers

- 13.1 Support government subsidized, low-cost, high-quality childcare, especially for low-income children.
- 13.2 Support paid family and medical leave.
- 13.3 Support earned sick and safe leave.
- 13.4 Support passage of fair workweek laws (“right-to-request laws”), which allow workers to have a say in scheduling.
- 13.5 Expand “next of kin” language in Minnesota statutes to include extended family and even nonfamilial relationships to account for varying (including cultural) caregiving structures.
- 13.6 Explore models that enable women to earn social security credit for hours spent caregiving.
- 13.7 Monitor progress of municipal and philanthropic guaranteed/supplemental income pilots to explore statewide application.
- 13.8 Explore the potential for expanding monthly payments or tax credits for children and/or parents.
- 13.9 At the federal level, update the Fair Labor Standards Act to allow for different pay structures that make it easier for women to work from home and earn overtime hours.
- 13.10 At the federal level, update the Family and Medical Leave Act to expand leave time, make it paid leave, remove employer size thresholds, and remove the restriction that excludes part-time workers.

14. Childcare affordability and availability

- 14.1 Support government subsidized, low-cost, high-quality quality childcare, especially for low-income children.
 - 14.1.1 Additionally, explore alternative models: partnerships between community-based organizations and employers to offer low-cost quality childcare; and tax incentives for employers to offer on-site or off-site childcare.
- 14.2 Research the viability of legally capping childcare prices, taking into account the balance between the thin margins made by childcare providers and the urgent need to raise childcare worker wages.
- 14.3 Raise income limits and streamline what counts toward income for applicants for public assistance benefits.

- 14.4 Increase funding for the Child Care Assistance Program and for Early Learning Scholarships to fully cover the costs of childcare (or limit cost to 7% of household income) for families at 185% of the federal poverty level and eliminate the sharp benefits cliff.
- 14.5 Invest in increased resources for childcare center startups in Greater Minnesota to combat barriers to launching their business (such as adequate building acquisition), prioritizing culturally competent providers.

15. Access to healthcare

- 15.1 Expand access to MinnesotaCare so that all Minnesotans are able to use it, regardless of their employment status or use of other public benefits.
- 15.2 Require employers to offer benefits to part-time employees.
- 15.3 Explore solutions to support small business in providing benefits by lowering the costs for employers, such as having payroll tax-funded rather than employer-funded healthcare insurance.

16. Reproductive care

- 16.1 Remove unique abortion regulations, including the 24-hour waiting period for women. Treat abortion the same as any other type of healthcare or pregnancy care.
- 16.2 Ensure that health insurance covers reproductive healthcare, including abortion.
- 16.3 Codify the right to an abortion into law.
- 16.4 Offer feminine hygiene products for free in public places, including schools.
- 16.5 Support passage of the Equal Rights Amendment (ERA) at the state and federal levels to reinforce gender equity by giving women the same bodily autonomy enjoyed by men.

17. Systemic racism, generally and in healthcare

- 17.1 Expand access to MinnesotaCare so that all Minnesotans are able to use it, regardless of their employment status or use of other public benefits, as described in Recommendation 15.1.
- 17.2 Require anti-racism/anti-bias training for medical professionals and service providers as part of the licensure process to promote cultural competency.
- 17.3 Research means to produce more medical professionals/service providers from underserved communities.
- 17.4 Support the legislative efforts of the Minnesota House Black Maternal Health Caucus.
- 17.5 Support continued funding for the Minnesota Department of Health's Eliminating Health Disparities Initiative.
- 17.6 Explore the potentially discriminatory use of racial data in medical algorithms to justify unequal assessment, diagnosis, and treatment of Minnesotans of color.

18. Mental healthcare

- 18.1 Expand access to MinnesotaCare so that all Minnesotans are able to use it, regardless of their employment status or use of other public benefits, as described in Recommendation 15.1.
- 18.2 Research means to produce more health care professionals/service providers from underserved communities, as described in Recommendation 17.3.
- 18.3 Support the continuation of provisions enacted during the COVID-19 pandemic that broadened the ability to provide mental healthcare, such as expanding the use of telehealth by making HIPAA more flexible, making it easier to care for Medicare and Medicaid patients, allowing delivery of telehealth services across state lines, and allowing authorized providers to prescribe controlled substances via telehealth.
- 18.4 Support paid family and medical leave.
- 18.5 Support earned sick and safe leave.
- 18.6 Identify and support existing efforts to destigmatize mental healthcare.

19. Gender-based (domestic and/or sexual) violence

- 19.1 Support increased funding for shelters, resource centers, other safe spaces, and trauma-informed care, particularly for organizations that provide culturally adequate survivor services.
- 19.2 Because women's economic autonomy is key to leaving violent relationships, support increased funding for programs that foster financial independence, such as Violence Free Minnesota's Economic Empowerment Program.
- 19.3 Support programs and educational campaign efforts educating boys and men to better manage anger and not resort to violence. Internalization of rigid masculine norms is correlated with higher incidence of rape, sexual harassment, and other forms of partner violence, while programs that center forming gender equitable attitudes have successfully prevented intimate partner or sexual violence.
- 19.4 Support passage of the Equal Rights Amendment (ERA) at the state and federal levels to address the roots of societal perceptions of women being unequal to men.

20. Barriers to economic mobility for low-wage workers

- 20.1 Strongly support infrastructure investments for broadband.
- 20.2 Support continued direct legislative appropriations to community-based organizations that provide cultural navigators, interpretation services, and similar supports, especially in Greater Minnesota.
- 20.3 Explore the potential for state-specific student loan forgiveness opportunities.
- 20.4 Partner with MNDOT, Metro Transit, and other suburban transit providers to ensure public transportation schedules and routes fit nontraditional work schedules and support "trip chaining" (e.g., going to work, picking up children from daycare, shopping).
- 20.5 Explore models for providing access to cars for low-income women.

- 20.6 Research low-wage industries and job types that do not participate in unemployment insurance, such as cafeteria workers and other seasonal school employees, the effects of such industry exclusions, and models to remediate.
- 20.7 Ban non-compete clauses for low-income workers.

21. Access to public benefits

- 21.1 Streamline the Minnesota Family Investment Program (MFIP) by allowing less frequent recertification and increase cash benefits for recipients to adjust for increased costs of living.
- 21.2 Revamp the MFIP application system to be more like the unemployment insurance application system, which is completed online and asks fewer questions.
- 21.3 Expand eligibility guidelines and increase the amount of the Minnesota Working Family Credit.
- 21.4 Expand eligible uses of public benefits to include items such as diapers and personal hygiene products.

22. Housing

- 22.1 Dedicate a different task force entirely to issues of housing. Implementing Task Force recommendations addressing wage and asset gaps will pave the path toward higher rates of women owning homes, but there is much more to be done.
- 22.2 Ensure that no Minnesotan can be denied housing only because they access rental assistance.
- 22.3 Examine how eviction records impacts women, especially women of color and American Indian women, to see how this issue is impacting Minnesotans.
- 22.4 Monitor the effects of rent stabilization measures nationally and locally on rent prices and housing supply.
- 22.5 Increase support for rural (and non-rural) Minnesota housing development projects.
- 22.6 Increase support for families in regions experiencing growth, such as providing information, counseling, and financial resources for potential homebuyers.
- 22.7 Research means by which to hold accountable under new or existing law rental property owners and companies that chronically provide substandard housing.
- 22.8 Support continued investment in regional incentive programs for first-time homebuyers.

23. Entrepreneurship

- 23.1 Support increased business development support and financial resources for women entrepreneurs, especially for women of color and American Indian women.

24. Representation

- 24.1 Support fair redistricting efforts.
- 24.2 Support efforts to ensure that the appointment of top state officials reflects gender balance.

- 24.3 Support continued funding for culturally relevant community engagement and communications in the Senate, House, and State government.
- 24.4 Support efforts to increase legislator pay and change the position's classification to full-time and salaried to make running for office a viable option for more Minnesotans.

25. Immigration

- 25.1 Ensure that the laws of Minnesota protect undocumented people.
- 25.2 Support increased funding for proactive enforcement of compliance with worker protection laws in industries with a high degree of participation from undocumented workers.
- 25.3 Research recurring issues with H-2B visas that diminish or eliminate worker protections.

26. Ongoing monitoring for gender equity

- 26.1 Reinstitute and fund the Office on the Economic Status of Women (OESW).
 - 26.1.1 Alternatively, explore whether a cabinet-level position in the governor's office would be better suited to carry out the charge formerly executed by OESW.
- 26.2 Support passage of the Equal Rights Amendment (ERA) at the state and federal levels to give legal underpinnings to lawsuits seeking gender equity.

This full set of 115 recommendations illustrates the tremendous breadth of issues affecting women's economic security in Minnesota. All issues are women's issues; identifying abstract systemic barriers to define concrete problems and come up with solutions was a lofty challenge that the Task Force took on in the hopes of turning Minnesota into the most prosperous and economically secure state for women.